

LAW OF GEORGIA

ON LIVING MODIFIED ORGANISMS

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LAW OF GEORGIA

ON LIVING MODIFIED ORGANISMS

SECTION I

GENERAL PART

CHAPTER I

GENERAL PROVISIONS

Article 1. Objective of the Law

The objectives of this Law are:

- a) given the environmental protection principles and ethical values, to ensure the protection of human life and health, animal, plant and the environment from the adverse effects from living modified organisms and from the use of their products;
- b) to create a regulatory framework for scientific research of living modified organisms;
- c) to facilitate in the field of GMOs the implementation of the principle of accessibility of information for the public and public participation in decision-making in the same field;
- d) to ensure compliance with international obligations in the field of GMOs assumed by Georgia under the Rio de Janeiro Convention on Biological Diversity of June 5, 1992, Montreal Cartagena Protocol on Biosafety to the Convention on Biological Diversity of January 29, 2000, and other International Agreements and Treaties;
- e) to promote harmonization of the Georgian legislation with regulations of the European Union and other International Legal Acts in the field of use of living modified organisms.

Article 2. Scope of the Law

1. This Law shall govern legal relations in the field of use of living modified organisms (hereinafter referred to as “the field of GMOs”).
2. In the field of GMOs, this Law shall govern:
 - a) the contained use of LMOs;
 - b) the introduction of LMOs into environment;
 - c) the placing of LMOs on the market;
 - d) transport and transboundary movement of LMOs.
3. The scope of the Law shall not encompass:
 - a) the placing of genetically modified products on the market;

- b) the pharmaceuticals (pharmaceutical products) which may represent and/or contain LMOs and their products or ingredients thereof.

Article 3. Georgian legislation in the field of GMOs

The Georgian legislation in the field of GMOs is based on the Constitution of Georgia, international agreements and treaties of Georgia, this Law, and other laws and bylaws.

Article 4. Definition of terms

1. The terms used in this Law shall have the following meaning for the purposes of this Law:
 - a) “Living organism” means any biological entity capable of replication and/or of transferring genetic material, including sterile organisms, viruses, and viroids;
 - b) “Living modified organism” (hereinafter referred to as LMO) means an organism, with the exception of human beings, in which the genetic material has been altered in a way that does not occur naturally and which possesses a novel combination of genetic material obtained through the use of modern biotechnology, that, in turn, means the application of *in vitro* nucleic acid techniques, including recombinant deoxyribonucleic acid and direct injection of nucleic acid into cells or organelles, or fusion of cells beyond the taxonomic family; these methods allow to overcome natural physiological reproductive or recombination barriers and, at the same time, they are not techniques used in traditional breeding and selection;
 - c) “Genetically modified product” means a product resulting from processed LMO and/or a product containing an ingredient of LMO, which, or an individual part of which, is incapable of replication and/or transferring genetic material;
 - d) "Contained use" means any LMO or LMO-related operation/manipulation (including development, handling, storing and disposal) undertaken for production, scientific-research or experimental purposes within a facility, installation or other physical structure, which requires compliance with specific measures aimed at ensuring the effective limitation of LMOs contact with the environment and prevention of their effects on the environment and human health;
 - e) “Introduction into the environment” means any intentional introduction into the environment of a LMO, for the purpose other than the placing on the market;
 - f) “Placing on the market” means any action aimed at making available LMO to third parties, whether in return for payment or free of charge, save the case when it is intended for the contained use;
 - g) ”User” means any natural or legal person responsible for contained use or placing of LMOs on the market;
 - h) “Transboundary movement” means import, export, re-export and transit; any movement from an area under jurisdiction of one state to an area under jurisdiction of another state, or to an area which is out of any jurisdiction, given that the movement within this area concerns interests of at least two states;
 - i) “Biodiversity” means variability among wild fauna and flora, from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of

which they are part; this includes diversity within species, between species and of ecosystems;

- j) “Convention on Biodiversity” means the Convention on Biological Diversity done at Rio de Janeiro on June 5, 1992 and ratified by the Parliament of Georgia under its Resolution “On the Convention of Biological Diversity” of 21 April 1994;
- k) “Cartagena Protocol” means Cartagena Protocol on Biosafety to the Biodiversity Convention, done at Montreal on 29 January 2000 and ratified by the Parliament of Georgia under its Resolution “On the Accession of Georgia to the Cartagena Protocol to the Convention of Biological Diversity” of 26 September 2008;
- l) “Biosafety Clearing-House” means an international mechanism established under the provisions of Biodiversity Convention and Cartagena Protocol in order to facilitate between states the exchange of scientific, technical, environmental and legal information on, and experience with, LMOs;
- m) ”Ministry” means the Ministry of Environment and Natural Resources Protection of Georgia
- n) ”Minister” means Minister of Environment and Natural Resources Protection of Georgia;

2. In this Law, the terms “environment”, and “sustainable development” have the same meanings as defined in the Law of Georgia on Environmental Protection.

Article 5. Basic regulatory principles in the field of GMOs

1. The following are the basic principles regulating the field of GMOs:
 - a) “Loss prevention principle” – the use of living modified organisms shall only be permitted if, taking into account the state of science and technology, and the guarantee of safety measures in Georgia, no direct or indirect, immediate or delayed or long-term cumulative adverse effects on the environment, biodiversity and human health can be expected;
 - b) “Principle of biosafety protection by the State” – the state authorities, within the framework of their competencies, in particular through legal control, financial policy, education and information provision, as well as by other statutory forms shall ensure control over LMOs as prescribed by law;
 - c) “Principle of bioethics” – during decision-making in the field of GMOs, in addition to ensuring the interests of human well-being, the necessity of ensuring the safety of all other living organisms, biodiversity, and the natural and cultural environment as a whole should also be taken into consideration;
 - d) “Hazard (risk) assessment principle” – in the case of the first receipt and use of any LMO on the territory of Georgia, a mandatory risk assessment of its possible adverse effects on the environment, biodiversity and human health should be carried out;
 - e) “Precautionary principle” – when exercising the state management and control of living modified organisms, lack of full scientific certainty should not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

- f) “Principle of liability” – the violation of legal provisions in the field of GMOs as stipulated by this Law and Georgian legislation entails liability, taking into account the violation gravity;
- g) “Publicity and public participation principle” – general public has the right to receive timely, complete and objective information about living modified organisms and to participate in the decision-making process in the same field in the established procedure.

2. When planning and/or implementing of any activity in the field of GMOs, any natural or legal person shall be guided by the basic principles ensuring safe environment for human health as prescribed by the Law of Georgia on Environmental Protection, the Code of Food/ Feed Safety, Veterinary and Plant Protection, the Law of Georgia on Public Health and the Law of Georgia on Health Care.

Article 6. Competence of the central and local governments of Georgia and of the Autonomous Republics of Abkhazia and Adjara in the field of GMOs

1. The competence of the central authorities of Georgia in the field of GMOs shall include:
 - a) Developing a uniform national policy and strategy;
 - b) Organizing a unified system for controlling living modified organisms;
 - c) Exercising the state supervision of law enforcement;
 - d) Ensuring compliance with the obligations prescribed by international agreements and treaties of Georgia and effecting international cooperation;
 - e) Performing other functions prescribed by the Georgian legislation.
2. The Government of Georgia may, by declaring LMO-free zone(s), prohibit in full or in part the use of living modified organisms throughout Georgia or in a part thereof.
3. The competence of the governments of the Autonomous Republics of Abkhazia and Adjara in the field of GMOs shall be determined under this Law and the Georgian legislation.

SECTION II
PRINCIPAL PART

CHAPTER II
REGULATION OF LIVING MODIFIED ORGANISMS

Article 7. Performance of activities related to the use of LMOs

1. The introduction of living modified organisms into the environment is prohibited in Georgia. The violation of said requirement shall entail legal liability of the User as prescribed by the Georgian legislation.
2. The placing of living modified organisms on the market and the processing thereof are allowed if they belong to the species of living modified organisms allowable in Georgia.
3. The contained use of living modified organisms requires authorization license for contained use of LMOs.
4. The license shall be issued in compliance with the procedure established by this Law, the Law of Georgia on Licenses and Permits, and the General Administrative Code of Georgia.
5. The license for contained use of LMOs neither revokes nor changes any other type of a request, permit and/or license necessary for performing activity in the territory of Georgia.

Article 8. Ensuring coordination and organizational support of regulation of the use of LMOs

1. The Ministry shall be responsible for the coordination and general organizational backing of the regulation of LMOs throughout the country.
2. The Ministry shall establish specific requirements to the handling of LMOs, as well as the methodology of the examination of their adverse effects on the environment, biodiversity and human health, also a procedure for making and completion of a respective expert report form and the safety/risk class determination criteria.
3. The Ministry shall, based on the hazard (risk) assessment principle, make a register of those living modified organisms the import of which in the territory of Georgia for the purpose of their placing on the market or processing should be allowed.
4. The Ministry shall, for the purpose of exercising the competences as prescribed by paragraphs 2 and 3 of this Article, set up a Scientific Commission of Living Modified Organisms (hereinafter referred to as 'the Commission') to be composed of experts recorded in the database on experts of LMOs.

CHAPTER III
CONTAINED USE OF LIVING MODIFIED ORGANISMS

Article 9. Risk classification

1. The contained use of living modified organisms should be classified according to the following two safety levels/risk classes:
 - a) Class 1 – when, given the state-of-the-art of science and technology, the contained use of LMOs does not endanger human health and the environment or is associated with an insignificant risk level;
 - b) Class 2 – when, given the state-of-the-art of science and technology, the contained use of LMOs is associated with a significant risk level to human health and the environment.
2. The User, prior to starting activity, shall be obliged to determine the risk class, taking into account the precautionary principle. Where the risk class is doubted, the higher class should be determined.

Article 10. Operating license

1. The contained use of LMOs requires authorization if it is classified according to the second risk class. The contained use of LMOs being assigned to the first risk class does not need authorization and is carried out on the basis of a respective notification submitted to the Ministry.
2. An application for authorization provided for in this Article (hereinafter referred to as “the License”) shall be filed in the Ministry in writing, also in the electronic form. The application shall be consistent with the requirements set out in the Law of Georgia on Licenses and Permits and the Administrative Code of Georgia and shall be appended with the following information:
 - a) Location of the closed/contained system;
 - b) Identification data of the User;
 - c) ID details of the project leader and certificate of qualification;
 - d) Details on the person responsible for biosafety;
 - e) Name of the living modified organisms;
 - f) Data evidencing the risk class of the activity to be performed and, accordingly, the potential risk assessment of such activity;
 - g) Monitoring program and methods of control;
 - h) An emergency response plan aimed at preventing and neutralizing adverse effects on human health and the environment;
 - i) A plan of presenting periodic reports to controlling bodies (reporting scheme).
3. A license for contained use of LMOs shall be issued if:
 - a) the documents presented by the applicant meet the regulatory provisions;
 - b) there are no factual grounds to doubt trustworthiness of the User and other persons responsible for biosafety;

- c) it is guaranteed that the project leader and the person responsible for biosafety possess the appropriate knowledge necessary for fulfilling their obligations;
- d) every safety measures are taken to prevent and eradicate the potential hazard;
- e) all public legal norms concerning the safety measures prescribed by the labor legislation are complied with.

Article 11. Administrative proceedings

1. Administration proceedings in connection with the granting of the License shall be carried out in the Ministry in accordance with this Law, the Law of Georgia on Licenses and Permits and the General Administration Code of Georgia as prescribed by the public administration procedure.
2. The administrative agency shall check compliance of the application with the established requirements. With a view to adequately check compliance with the set regulatory requirements, the administrative agency may request from the applicant the submission of additional information, to the extent necessary for decision-making.
3. Within 3 days from the receipt of the application, the Ministry shall deliver the application with the appended information to the Commission for examination.
4. The Commission shall, on the basis of analysis of the application-appended information, examine the potential adverse effects of living modified organisms on the environment, biodiversity and human health and make a respective expert opinion concerning expediency of performing the activity associated with the use of LMOs (classifies them according to the level of risk).
5. The Commission shall prepare the respective expert opinion and submit it to the Ministry within 20 working days from receipt of the task.

Article 12. Decision-making

1. The Ministry shall make a decision on the granting or declining of the License for the contained use of GMOs within 30 working days from receipt of the application into proceedings.
2. The License authorizes the applicant to perform the activity provided for in this Law on the specific territory, in compliance with the conditions and terms established under the legislation and the same License.
3. The Ministry shall make public a decision on granting, amending and suspending the License as prescribed by the relevant legislation.
4. The License form shall be established under the order of the Minister.
5. The License applicant shall pay the respective license fee as prescribed by the law
6. In case the License is granted, it shall be appended with the plan for monitoring and control methods, the emergency response plan and the accountability plan as its integral part – in the initial form presented by the applicant or in the form adjusted by the licensing agency.
7. Refusal of the License on the grounds of restricting the volume of the License to be granted is inadmissible, except for the cases directly provided for in the law.

8. Assignment of the License to another person is inadmissible.
9. Control on compliance with the license conditions for the contained use of GMOs by a licensee shall be conducted according to the Georgian Legislation.

Article 13. Notification of the contained use of LMOs

1. Notification of the contained use of living modified organisms provided for in this Law, ascribed to the first risk class, shall be submitted to the Ministry in writing. The notification shall be appended with the following information:

- a) Location of the closed system;
- b) Identity data of the User;
- c) Identity data and certificate of qualification of the project leader, where available;
- d) Details on the person responsible for biosafety;
- e) Description of the work to be performed;
- f) General risk assessment.

2. The Ministry shall, within 30 days from receipt of the notification, check compliance of the intended activity with law. The applicant may, on expiry of 30 days from submittal of the notification, start the intended activity, if the Ministry fails to give by the set deadline a written answer evidencing compliance (or incompliance) of the intended activity with the first risk class.

3. If the Ministry has reasonable doubts in respect of the level of risk of the intended activity, it shall, within 10 days from receipt of the notification, deliver the notification and the information appended thereto to the Commission for examination.

4. The Commission shall, on the basis of analysis of the application-appended information, examine the potential adverse effects of living modified organisms on the environment, biodiversity and human health and make a respective expert opinion concerning expediency of performing the activity associated with the use of LMOs and assign the risk class thereto.

5. The Commission shall prepare the respective opinion and submit it to the Ministry within 10 days from the receipt of the task.

6. In the case provided for in paragraph 3 of this Article, the Ministry shall decide on extending the period of administrative proceedings for not more than 30 days and notify the notifier thereof.

Article 14. Safety measures

1. The contained use of living modified organisms shall be carried out in compliance with the safety measures commensurate with the state-of-the art of science and technology;
2. The Commission shall, taking into account the state-of-the art of science and technology, work out special requirements to the handling of living modified organisms to be approved by the Resolution of the Government of Georgia. Said normative act shall define:
 - a) the organizational and technical safety measures necessary for each risk class of contained use of LMOs;
 - b) the requirements to the contained use of LMOs aimed at preventing, reducing and eradicating their effects on the environment;
 - c) the safety measures' criteria for the space where the transgenic plants and animals are being placed;
 - d) the general biosafety risk assessment criteria;
 - e) the criteria for making emergency response plans.

Article 15. User's obligations

1. The User shall:
 - a) take the safety ensuring measures consistent with the state-of-the-art of science and technology and care for their functioning.
 - b) obtain information in connection with all the biosafety-related issues from the person responsible for biosafety and the project leader and, where necessary, address the Ministry for advice;
2. The designation by the user of a person responsible for biosafety and the project leader shall not release him from the responsibility to fulfill the safety-related obligations legally imposed thereon.

Article 16. Person responsible for biosafety

1. The user shall, upon each contained use of a LMO, designate a person responsibly for biosafety having the appropriate knowledge and practical experience in this field.
2. The person responsible for biosafety shall:
 - a) exercise supervision of the safety of contained use of LMOs and immediately notify the user and the project leader of the identified shortcomings, if any;
 - b) ensure the development of an emergency response plan and making of mechanisms for its functioning.
3. The competences of the person responsible for biosafety shall be regulated by the in-house regulations to be approved by the user.

Article 17. Project leader

1. The user shall, upon each contained use of a LMO, which is characterized of the second risk class, designate a project leader having the appropriate knowledge and practical experience in this field.
2. The project leader shall engage in work planning, management and supervision. He shall:
 - a) provide the work-engaged persons with information about safety measures, potential risks and emergency measures for their elimination;
 - b) care for observing the safety measures;
3. The project leader's competences shall be regulated by the in-house regulations to be approved by the user.

CHAPTER IV

PLACING OF LIVING MODIFIED ORGANISM ON THE MARKET

Article 18. Regulation of the use of LMOs through their placing on the market

1. The placing of a living modified organism on the market does not require a special permit/license and is allowable if it belongs to the species of living modified organisms allowable on the territory of Georgia approved by the Minister.
2. Control of the use of living modified organisms through placing on the market shall be exercised by way clear-cut identification and appropriate marking (labeling) of LMOs that are intended for marketing in retail trade network. The labeling-related relations shall be regulated as prescribed by the Georgian legislation.
3. In case the labeling of living modified organisms is impossible, they identification shall be effected in the accompanying documents/forms, which are to be delivered to the buyer or other recipient for familiarization purposes.

Article 19. Registration of LMOs

1. The manufacturer or importer of products, who intends the placing on the market of the LMOs that do not belong to the type of living modified organisms allowable on the territory of Georgia, shall, prior to initial entry of each such organism, apply to the Ministry in writing for their registration. The application shall be made in the special form approved by the Minister and shall be appended with the following information:
 - a) ID data of the user;
 - b) Description of the products, taking into account the characteristics based on its content of LMO;
 - c) Description of the areas of use of the products and geographic boundaries of their spread;
 - d) Description of special treatment rules in respect of the products and a list of measures relating to their labeling and packaging.

2. The Ministry shall, within 90 days from receipt of the application, decide on registration of said living modified organisms and their entry in the register.
3. Where defined time period in the paragraph 2 is not sufficient for the decision necessary for the determination of substantially important circumstances, the Ministry is authorized to make a decision regarding prolongation of the term no longer than 3 months.
4. Expiration of the terms indicated in paragraph 2 and 3 do not give the applicant right to carry out the intended activity without appropriate decision of the Ministry.
5. The Ministry shall, within 10 days from receipt of the application, deliver the application and the appended information to the Commission for examination.
6. The Commission shall examine the potential adverse effects of living modified organisms on the environment, biodiversity and human health and make a respective expert's opinion concerning expediency of performing the activity associated with the use of LMOs and assigns a safety level/risk class thereto.
7. The Commission shall prepare the respective opinion and submit it to the Ministry within 30 working days from receipt of the task.

Article 20. Safety measures

The person, who places living modified organisms on the market, shall ensure that the LMO characteristics are not transferred to other products. A failure to comply with said requirement will entail legal liability as prescribed by the Georgian legislation.

CHAPTER V

REGULATION OF TRANSBOUNDARY MOVEMENT OF LIVING MODIFIED ORGANISMS

Article 21. Regulatory mechanism for transboundary movement of LMOs

Transboundary movement of LMOs is regulated by the advance informed agreement procedure prescribed by the Cartagena Protocol, in compliance with the provisions of this Law.

Article 22. Transboundary movement of LMOs

1. Import of LMOs for the purpose of their introduction into the environment within the territory of Georgia is prohibited.
2. In the case of import of LMOs intended for contained use, the importer shall, before the first transboundary movement of LMOs, obtain a license for contained use of LMOs.
3. Before the first transboundary movement of LMOs intended for contained use, the importer shall notify the Ministry in writing of such an intention.
4. In accordance with paragraph 3 of this Article, the Ministry, within 30 days from receipt of the notification, shall check compliance of the notification with the requirements of paragraph 2 of

this Article and inform the notifier in writing about the procedures provided for by the Georgian legislation, the compliance with which is necessary for obtaining the initial consent and further import of the same LMO.

5. The Ministry shall issue consent/authorization to transboundary movement of LMOs, evidencing the right of import of LMOs to Georgia for the purposes set out in the respective license.

6. Consent to transboundary movement of LMOs shall be issued under simple administrative proceedings within 1 month from applying, except for the case when it takes place within the administrative proceedings for issuing a license, based on the applicant's request.

7. Transboundary movement intended for placing LMOs on the market is permissible if it concerns the type of LMOs admissible to Georgia as prescribed by this Law.

8. Upon transboundary movement of LMOs intended for placing on the market, the Revenue Service shall furnish to the Ministry the information about the amount and manufacturers of the LMOs to be placed on the market.

Article 23. Re-export/transit

1. Transboundary movements of LMOs intended for re-export/transit does not require a license and are effected on the basis of a preliminary notification of the Ministry.

2. The party of re-export/transit shall lodge a notification to the Ministry. The notification shall contain the information that evidences compliance of the export with the legislation of the country of export and that the requirements of the Cartagena Protocol of Biosafety are complied with.

3. The Ministry shall check how the requirements of transport of LMOs provided for in this Law are complied with and shall make a decision on satisfaction of rejection of the application, within 30 days from applying.

Article 24. Government authority responsible for relationships with the Biosafety Clearing-House mechanism

1. The Ministry shall be the governmental authority responsible for relationships with the Biosafety Clearing-House mechanism as provided for in the Cartagena Protocol.

2. The Ministry shall make available to the Biosafety Clearing-House the following information to be made available under the Cartagena Protocol:

- a) All the Georgian laws regulating the issues of implementation of the Cartagena Protocol, covered by paragraph 5 of Article 11 and paragraph one, point (a) of Article 20 of the Protocol;
- b) Contact data on the authority responsible for receipt of a notification of an unintentional transboundary movement established by Article 17 of the Cartagena Protocol;
- c) Any bilateral, regional and multilateral agreements and arrangements made by the State, covered by Article 20(3)(b) of the Cartagena Protocol;
- d) Any available information about the unintentional and illegal transboundary movements of LMOs occurring within the territories under Georgia's jurisdiction as covered by Articles 17 and 25 of the Cartagena Protocol;

- e) Pursuant to Article 15 and Article 20(3)(c) of the Cartagena Protocol, decisions of the competent governmental authority permitting the importation of LMOs intended for contained use, within 15 days after making such decision according to the Article 11 and Article 20 (3)(d) of the Cartagena Protocol;
 - f) Summaries of the risk assessments or environmental reviews of LMOs generated by the Ministry;
 - g) Review of the decisions made under Article 12 of the Cartagena Protocol.
3. The Ministry shall make the information obtained through the Biosafety Clearing-House systematized and available to the public.

CHAPTER VI

TRANSPORT OF LIVING MODIFIED ORGANISMS

Article 25. Safety measures for transporting LMOs

1. Upon transport of LMOs within the territory of Georgia for any purpose the requirements of the resolution of the Government of Georgia “On the Approval of the Conditions of Safety, Labeling, Packaging and Identification upon Transportation of LMOs on the Territory of Georgia” shall be complied with.
2. Upon transport of LMOs intended for placing on the market, the accompanying documentation shall, at a minimum, indicate:
 - a) that they “may contain” LMOs and are not intended for introduction into the environment;
 - b) the name, address and other details of the contact point/person for further information.
3. Upon transport of LMOs that are destined for contained use, the accompanying documentation shall, at least, indicate:
 - a) that they represent LMOs and are transported for the purpose of contained use;
 - b) the name and address, and other details of the contact point for further information on the consignment, including the name and address of the person to whom the LMOs are consigned.
4. Upon transport of LMOs that are intended for introduction into the environment (in the case of re-export), the accompanying documentation shall, at a minimum, indicate:
 - a) that they represent LMOs and are intended for introduction into the environment;
 - b) the identification and relevant traits and/or characteristics;
 - c) any requirements for safe handling, storage, transport and use;;
 - d) the name and address of the contact point for further information about the consignment;
 - e) the name and address of the importer and exporter and a declaration that the exporter complied with the requirements of the Cartagena Protocol.

CHAPTER VII
ACCESSIBILITY OF LMO-RELATED INFORMATION AND
PUBLIC PARTICIPATION IN DECISION-MAKING

Article 26. Accessibility of LMO-related information

1. Information in the field of GMOs shall be open and accessible for the general public.
2. The access to information in the field of GMOs is guaranteed by the international treaties and agreements of Georgia and the Georgian legislation.
3. In respect to the accessibility of the information mentioned by paragraph one of this Article, in addition to regulatory provisions, the requirements provided for in Chapter III of the General Administrative Code of Georgia shall apply.

Article 27. Unified [National] Register of LMOs

1. A Unified Register of LMOs shall be set at the Ministry to record the information relating to the use of LMOs, also the types of LMOs, the importation of which into Georgia for the purpose of placing on the market is allowable. Together with documents, an electronic version of the Unified Register shall be created to be placed on a special website.
2. Within two days from receipt of any information in the field of GMOs, the following information shall be entered in the Register:
 - a) the names (the trade name and the legal status in the case of a legal person) having applied to the Ministry for obtaining a license;
 - b) about any specific case of issuing of a license, with the description of general traits of the respective LMO and indication of licensees;
 - c) the site producing LMOs and the persons participating in the process, regarding the general decryption of LMOs and their general characteristics;
 - d) upon the contained use of LMOs, information concerning their characteristics, place and the users;
 - e) other data specified by law.
3. The Register is a public document and any person has the right to familiarize with it without delay, also to obtain a copy of the whole register or a part thereof against payment of the copying-related costs.
4. The data deemed to be confidential in accordance with the Georgian legislation shall not be entered in the register.
5. The form and maintenance procedure of the register shall be defined by the Minister's order

CHAPTER VIII

STATE CONTROL AND SUPERVISION IN THE FIELD OF GMOs

Article 28. State control and supervision

1. The competent government control and supervisory authorities in the field of GMOs include:

- a) The Ministry, which shall:
 - aa) according to the Cartagena Protocol, fulfill the function of a state coordination center and a competent government authority;
 - ab) within the scope of its competence, exercise state administration and control in the field of GMOs;
 - ac) within the scope of its competence and as prescribed by this Law and effective legislation, issue licenses for contained use of LMOs;
 - ad) check the Register of LMOs.

b) The Ministry of Agriculture of Georgia, which shall within the scope of its competence, exercise state control in the field of GMOs;

c) The Ministry of Finance of Georgia shall;

- ca) exercise customs control over transboundary movement of LMOs;
- cb) perform other functions provided for by the Georgian legislation.

2. The state control and supervision in the field of GMOs shall encompass:

- a) Control over compliance with the requirements of the LMO-related available laws and international agreements and treaties on the part of natural and legal person;
- b) Control over compliance with the environmental requirements, norms, state standards, sanitary and hygiene norms and regulations and veterinary requirements;
- c) Control over objectivity/accuracy of the submitted information and reports concerning LMOs;
- d) Compliance with other regulatory requirements.

3. Decision-making in the field of GMOs as regards the restriction, suspension and/or termination of activities of the persons connected with the field of GMOs (where such activities posed or may pose a potential hazard to the environment and human health) shall be as prescribed by the Georgian legislation.

4. Decisions of the authorities exercising the state control and supervision in the field of GMOs may be appealed against as prescribed by the Georgian legislation.

29. Responsibility for Violation

Responsibility for the violation of this Law shall be defined according to the Georgian legislation.

CHAPTER IX REDRESS FOR DAMAGE

Article 30. Legal regulation of redress for damage

1. Pursuant to this Law, the matters of redress for damage resulting from activities carried out in the field of GMOs shall be regulated on the basis of the relevant provisions of the Law of Georgia on Environmental Protection.
2. In the case of damage caused to human life, human health or the environment resulting from activities performed under this Law, the liability of redress for damage so incurred shall be with the activity performer/user. Liability shall extend to the damage associated with the effects of the hazard-containing characteristics/traits of LMOs.
3. Imposition of liability shall not release the offender from redress for damage caused in violation of this Law at the fixed rate and according to the established procedure.
4. A procedure for calculating the damage caused in violation of this Law shall be defined by the Governmental resolution. .
5. The user shall, with a view to safeguard the execution of liability before a third party, insure own activities with a private insurance company as prescribed by the Georgian legislation.
6. The user shall not be held liable for redress for damage where the damage is caused by force majeure circumstances, such as civil strife and martial law, natural disasters or other emergencies, being beyond the user's control.

Article 31. Principle of secondary liability of the State

Where the damage causing person cannot be identified or in the given situation the adverse effects cannot be otherwise impaired or avoided, the State shall ensure eradication/mitigation of the adverse effects from the use of LMOs.

SECTION III
TRANSITIONAL PART

CHAPTER X

**NORMATIVE ACTS ADOPTABLE IN CONNECTION WITH ENACTMENT OF THE LAW AND THEIR
ADOPTION PERIODS**

Article 32. Normative acts adoptable in connection with enactment of the Law

1. The Government of Georgia shall, by January 1, 2015, issue the following ordinances/resolutions:

- a) On the Criteria for Determining the Safety/Risk Classes of LMOs;
- b) On the Conditions of Safety, Packaging and Identification of LMOs upon Transportation within Georgia;
- c) On the Boundary Control of LMOs moved on the Customs Territory of Georgia.
- e) Special requirements to the handling of LMOs;
- f) Regulations “On a Procedure for Calculating the Damage Caused to the Environment as a Result of Adverse Effects of LMOs”;
- f) The modalities of examination of the potential adverse effects of LMOs on the environment, biodiversity and human health, a form of an expert report and its completion procedure;

2. The Ministry shall, by January 1, 2015, draft and approve:

- a) A procedure for maintaining a database on experts of LMOs and the minimum qualification requirements to the experts;
- b) The rules of procedure and the composition of a Scientific Commission on LMOs;
- c) The form of a license for contained use of LMOs;
- d) Regulations on a Register of LMOs;
- e) The form of an application for registration of LMOs;
- f) A procedure for entry in the Unified Register of the LMOs used in contained systems and placed on the market in the territory of Georgia prior to the enactment of this Law and conditions of their regulation after their entry in the Unified Register;

Article 33. Transitional provisions in connection with LMOs used on the territory of Georgia prior to enactment of this Law

1. Before January 1, 2015 LMOs used in contained systems and placed on the market within Georgia shall be subject to entry in the Unified Register of LMOs.
2. For the purposes of this Law, the entry in the Unified Register of LMOs defined under paragraph one of this Article shall be considered as the issue of a license for contained use of LMOs as established by this Law.

SECTION IV

FINAL PART

CHAPTER XIV

FINAL PROVISIONS

Article 34. Enactment of the Law (Entry into force)

1. This Law shall enter into force upon its promulgation except articles 31 and 33
2. Articles 31 and 33 shall enter into force after January 1, 2015