Law of Georgia

on tobacco control

Article 1. Purpose of the law

In order to reduce morbidity and mortality caused by the consumption of tobacco by the population of Georgia, this law defines and regulates legal relations in the field of tobacco control.

Article 2. Basic principles of tobacco control

Criteria, requirements, conditions and rules applicable in the field of tobacco control in Georgia should be based on the following principles:

a) recognition of tobacco as a harmful product for health;

b) recognizing the right of non-smokers to be protected from the harmful effects of tobacco;

c) informing the population of Georgia about the harmful effects of tobacco and transparency of information about tobacco products;

d) promotion of cessation of tobacco consumption and prevention of initiation of consumption;

e) (Removed - 17.05.2017, No. 859).

f) control of production and sale of tobacco products;

g) reducing the demand for tobacco products and the availability of these products;

h) prohibition of untaxed and unpersonalized sale of tobacco products;

i) recognition of non-smoking as a norm of life;

j) public participation in the development, implementation and evaluation of measures to combat tobacco consumption;

k) recognition of the right to live in an environment free from tobacco advertising and to be protected from its effects;

m) protection of public safety;

n) protection of the process of development and implementation of the state policy related to tobacco control in the field of health protection from the interference of persons involved in the tobacco industry, as well as the relationship with the persons involved in the tobacco industry in compliance with the principles of publicity and transparency of the state;

n) control of the ingredients of tobacco products, substances emitted from tobacco products, and tobacco packaging;

p) despite the compliance of the actions of persons involved in the tobacco industry with the norms in force in the field of tobacco control in Georgia, the impossibility of releasing them from criminal or civil liability in the event of the existence of a relevant legal basis for such liability;

p) implementation of other measures permitted by law for the purpose of this law, the objectives and principles of the World Health Organization Framework Convention on Tobacco Control.

Law of Georgia No. 859 of May 17, 2017 - website, 30.05.2017

Article 3. Definition of terms used in the law

The terms used in this law have the following meanings:

a) Tobacco products – products containing tobacco or its elements (except for medicinal products containing nicotine), which are intended for smoking, chewing, snorting or inhaling, including:

A.a) filter cigarettes, filterless cigarettes;

A.b) papyrus, cigar, cigarillo;

A.C) Sachibukhe tobacco, tobacco intended for hookah;

A. d) strip tobacco;

A.e) chewing tobacco, snuffing tobacco, inhaling tobacco;

A. f) Nicotine-containing material/cartridge/capsule of an electronic cigarette or other similar device;

A.g) New tobacco products - a product containing tobacco, which is not included in any other category of tobacco products defined by subsection "a" of this article;

A.H) raw tobacco, tobacco waste;

a.i) Heated tobacco - tobacco products (except nicotine-containing material/cartridge/capsule of electronic cigarette or other similar device) intended for consumption only by heating;

A [1]) Tobacco accessory and/or device intended for tobacco use – mouthpiece, pipe, hookah, smoking tobacco device, inhaling tobacco device, electronic cigarette or other similar device, cigarette lighter, special lighter, tobacco rolling paper, tobacco wrapping machine, tobacco cutter Apparatus, ashtray, any kind of cigarette case or other object intended primarily for the consumption and/or storage of tobacco, as well as an illustration of a cigarette, its pack or the above-mentioned object or any other object depicting it;

b) Cigarette – any type of coiled or tubular construction containing tobacco or its elements, which is wrapped in paper or other material permitted by law, which does not contain tobacco;

c) Smokeless tobacco – tobacco products that are not intended for smoking, namely, chewing, sucking or inhaling tobacco;

d) Tobacco smoking – inhalation of primary smoke or aerosol released as a result of burning or heating tobacco products;

e) Tobacco industry – production, import, sale, export, re-export and/or transit of tobacco products;

1) Cigar bar - a special establishment, which is set up on the basis of a permit issued in accordance with the Law of Georgia " [On] Licenses and Permits" and in which smoking of cigars provided for in subsection "AB" of this article is allowed;

f) Medical warning – a warning inscription about the harmfulness of tobacco smoking, which must include the appropriate pictogram;

g) rotation – alternation of medical warnings;

h) Ingredient of tobacco products – tobacco, additive, substance or element included in tobacco products, including paper, filter, capsule, ink, glue;

h [1]) Additive – substance or material (except tobacco leaf) that is added to tobacco products;

i) Ministry – Ministry of IDPs from occupied territories of Georgia, Ministry of Labor, Health and Social Protection;

k) substance emitted from tobacco products - substance that is released as a result of the intended use of tobacco products, in particular, the substance contained in the smoke of cigarettes or other types of smoking tobacco, which is released as a result of the consumption of smoking tobacco, as well as the substance released as a result of the use of chewing tobacco, snuff tobacco, inhalation tobacco;

l) (removed - 17.05.2017, No. 859);

m) auxiliary material and objects – casing, box and other packaging material in contact with tobacco products;

n) Realization – transfer of finished tobacco product to another person for the purpose of sale or in another form of key for obtaining commercial benefits;

n) manipulation - weighing, measuring, pouring, printing, packing, stacking, moving;

p) Falsification – non-compliance of the composition, characteristics, assortment and origin of tobacco products with the established requirements or with the data mentioned on the attached documents and label;

p) (Removed - 17.05.2017, No. 859);

r) production facility - enterprise, workshop or their areas and other production subdivisions and territories, as well as equipment used in the tobacco production process;

s) (removed - 17.05.2017, No. 859);

t) finished product – a product obtained as a result of a combination of resources and activities (industrial processing);

u) Tobacco producer - a natural or legal entity that produces tobacco and is responsible for fulfilling the requirements of this law at every stage of its activities; In addition, a representative or product importer operating in the territory of Georgia, when the foreign manufacturer does not have a representative;

f) Building - any structure (except for a vehicle) that has a floor, any type of roof or ceiling and at least 1/2 of the surface (except for the roof, ceiling, floor) has movable or immovable walls of any type and/or material , including open or closed windows and doors;

k) Public transport - any means of transport, including buses, trams, trolleybuses, shuttles, taxis, trains, airplanes, metro, cable cars, ships or other watercraft, which are used by people for a fee and/or for commercial purposes. to transfer for profit;

ჲ) Electronic cigarette - a product that can be used with a device intended for a person to consume an aerosol containing nicotine, or any component of this product, including a cartridge and a tank, or a device without a cartridge or a tank. Electronic cigarettes can be single-use or reusable (refillable through a container and tank or rechargeable through a single-use cartridge);

k) Brand extension - the connection of a tobacco product brand, trademark, emblem, trademark, logo or any other distinguishing mark (including different color combinations) with another product or service, during which the tobacco product and another product or service are associated with each other. .

Law of Georgia of May 17, 2017 No. 859 - website, 30.05.2017

Law of Georgia of July 5, 2018 No. 3121 - website, 11.07.2018

Law of Georgia of October 16, 2019 No. 5128 - website, 23.10.2019

Law of Georgia No. 1349 of December 30, 2021 - website, 31.12.2021

Article 4. Tobacco control measures and by-law normative acts regulating the field of tobacco control

1. The Government of Georgia implements a long-term state strategy for tobacco control and an annual state program.

2. The normative act of the Government of Georgia defines:

a) maximum permissible norms, measurement and regulation rules of substances (nicotine, tar, carbon monoxide) emitted from filtered and filterless cigarettes (except for heating tobacco) intended for sale in Georgia, taking into account the international requirements in the field of tobacco control;

A [1]) the volume of the nicotine-containing material/cartridge/capsule/container of the electronic cigarette or other similar device intended for sale in Georgia, the marginally permissible norms of nicotine content in it, taking into account the international requirements in the field of tobacco control;

b) the procedure for placing medical warnings (including pictograms and text inscriptions) on tobacco products (box/block, packaging);

c) The rule of standardizing tobacco products and their packaging intended for sale in Georgia.

3. Measurement of substances (nicotine, tar, carbon dioxide) emitted from filtered and unfiltered cigarettes (except for heating tobacco) must be provided by the manufacturer and/or importer of the mentioned tobacco products at their own expense. The manufacturer and/or importer of the mentioned tobacco products must confirm compliance with measurement standards and submit to the Ministry no later than 3 months before placing filtered and filterless cigarettes on the Georgian market, documents confirming compliance with measurement standards for substances emitted from filtered and filterless cigarettes. The list of these documents is determined by the order of the Minister of IDPs from the occupied territories of Georgia, Labor, Health and Social Protection. The manufacturer and/or importer of tobacco products ensures compliance with the data indicated in the documents of the mentioned tobacco products. The manufacturer and/or importer of filtered and unfiltered cigarettes is obliged to resubmit the mentioned, updated documents in case of changes in the amount of substances emitted from filtered and unfiltered cigarettes or their other parameters. In case of such a change, the updated documents are submitted no later than 3 months before the filter and filterless cigarettes are placed on the Georgian market. In addition, the manufacturer and/or importer of tobacco products must submit to the Ministry information on the ingredients of the tobacco products (in particular, the list of ingredients, quantity and weight). The manufacturer and/or importer of tobacco products is obliged to resubmit the mentioned, updated information in case of changes in the number of ingredients or other parameters. In case of such a change, the updated information is submitted no later than 3 months before placing the tobacco products on the Georgian market.

3 [1] . The manufacturer and/or importer of heating tobacco or new tobacco products is obliged to notify the Ministry about any of the products that he plans to place on the Georgian market. The notification to the Ministry should be provided in the form determined by the Ministry, 3 months before placing the relevant products on the market of Georgia. The notification must include a detailed description of these products and instructions for use, as well as information about the ingredients of the mentioned tobacco products and substances emitted from them.

4. The rules of prohibition/restriction of tobacco production, import and sale established by this law should be taken into account in the license/permit/authorization conditions of the persons carrying out the activities determined by the relevant license/permit/authorization.

5. Verification of compliance with the requirements established by this law in the field of tobacco control is not the control of entrepreneurial activity and, therefore, the Law of Georgia "On Entrepreneurial Activity" does not apply to it.

6. In the process of preparing, making and implementing decisions related to tobacco control in the field of health care, public institutions, state employees and public servants should have relations with persons involved in the tobacco industry only if it is necessary to provide them with the possibility of effective regulation in relation to tobacco production and tobacco products. In the case of the necessity of relations with persons involved in the tobacco industry, the said persons should manage the relations of the state with them in a transparent manner, through public discussions, public notification about this relation and introduction of developed documents to the public. Issues related to the mentioned relationship are determined by the normative act of the Government of Georgia.

Law of Georgia No. 859 of May 17, 2017 - website, 30.05.2017

Law of Georgia of July 5, 2018 No. 3121 - website, 11.07.2018

Law of Georgia of December 13, 2018 No. 3956 - website, 25.12.2018.

Law of Georgia of October 16, 2019 No. 5128 - website, 23.10.2019

Article 5. Sale and/or placement of tobacco products, tobacco accessories and/or devices intended for tobacco consumption

1. It is prohibited to engage a person under the age of 18 in the tobacco industry.

2. Sale and/or placement of tobacco products, tobacco accessories and/or devices intended for tobacco use is prohibited:

a) in educational (general education, higher educational, professional), educational and educational-educational institutions and their adjacent territories within a radius of 50 meters (from the nearest point of the territory of the relevant institution);

b) in a public institution; in any kind of medical, sports and cultural institutions and in the territories owned by them;

c) in a trading facility , if tobacco products , tobacco accessories and / or equipment intended for tobacco consumption are not located separately from food and / or other products . Tobacco products , tobacco accessories or / _ _ _ _ _ _ _ _ _ and equipment intended for tobacco consumption , which is separated from food and / or other products by means of an opaque shelf / device / partition or is placed in another place in the trading facility , separated from trade departments and / and independently of the sections . A part of a shopping facility where a certain type of food and / or other product is sold is considered a trade department / section ;

d) unit with sticks or unit box/packing, if it contains less than or more than 20 sticks of cigarettes;

e) without packaging (except for tobacco accessories and/or devices intended for tobacco consumption);

f) to a person under the age of 18;

g) by means of an electronic or mechanical machine;

h) if the tobacco products intended for sale in Georgia are manufactured in violation of Georgian legislation;

i) free of charge or at a price lower than the cost price , including by including in the daily ration for military personnel;

(The normative content of the words "or at a price lower than the cost price" of Article 5, Clause 2, subparagraph "i", which prohibits, in the presence of reasonable economic interest, the sale by an economic agent operating in the tobacco market to another economic agent operating in the same market of tobacco products at a price lower than the cost price realization) - Decision No. 1/2/876 of the Constitutional Court of Georgia dated May 20, 2022 - website, 24.05.2022 (/ka/document/view/5470473#)

j) via the Internet or by mail (retail) (except for tobacco accessories and/or devices intended for tobacco use, which do not bear the trademark and/or name of the products (goods) of persons involved in the tobacco industry);

k) in early and pre-school upbringing and education institutions and their surrounding areas within a radius of 50 meters;

m) on a showcase, stained-glass window, counter, shelf or otherwise, so that it is visible from the outside of the relevant object (except for cigarette lighters, special lighters, ashtrays and cigarette cases, on which the trademark and/or name of the products (goods) of persons involved in the tobacco industry is not marked , as well as cases of sale and placement in the free zone of the customs territory at the airport);

ნ) ვიტრინაზე, ვიტრაჟზე, დახლზე, თაროზე ან სხვაგვარად, ისე, რომ იგი ხილვადი იყოს შესაბამისი ობიექტის შიგნიდან (გარდა სიგარეტის ასანთები სპეციალური სანთებელასი, საფერფლისა და პორტსიგარისა, რომლებზედაც არ არის დატანილი თამბაქოს ინდუსტრიაში ჩაბმულ პირთა ნაწარმის (საქონლის) სასაქონლო ნიშანი ან/და დასახელება, აგრეთვე აეროპორტში საბაჟო ტერიტორიის თავისუფალ ზონაში რეალიზაციისა და განლაგების შემთხვევებისა);

ო) თამბაქოს ნაწარმის ან თამბაქოს აქსესუარის რეალიზაცია შესაბამისი ობიექტიდან მისი სატრანსპორტო საშუალებაში მსხდომთათვის უშუალოდ მიწოდებით.

2 [1] . Delivery of tobacco products (except for liquid tobacco products) provided for in subsection "A.G" of Article 3 of this law or tobacco products provided for in subsections "A.D" or "AT" of the same article is allowed only if it is packed in 50 or 100 grams of net mass in primary packaging, except for the case specified by the order of the Minister of Finance of Georgia for the purpose of making tobacco products.

3. It is prohibited to distribute or raffle tobacco products, tobacco accessories and/or devices intended for tobacco consumption through lotteries, gambling and winning games, raffles in any other form and/or in such events tobacco products or any of their parts, tobacco accessories and/or devices intended for tobacco consumption Participating in the means or their distribution, as well as promoting tobacco products in any other way, including:

a) transfer or offer of a gift, transfer of tobacco products, tobacco accessories and/or equipment intended for tobacco consumption or offering to taste tobacco products for the purpose of sale;

b) promotion of the initiative or loyalty scheme, in particular, the distribution of coupons during the sale of tobacco products;

c) direct personal communication, network marketing that promotes or may promote tobacco products, tobacco manufacturers or wholesalers;

d) promotional material aimed at an individual, including informational material (in particular, direct mail), telemarketing, consumer research, which promotes or may promote a tobacco product, tobacco manufacturer or wholesaler;

e) paying money to the retailer, giving a reward or otherwise contributing to the activity of the retailer, which is intended to motivate him to sell more tobacco products;

f) payment of money by a tobacco manufacturer, importer or wholesaler, persons directly or indirectly related to them or contribution in any other way to an event, activity of a natural person or organization, which as a result promotes tobacco products, tobacco manufacturer, importer or wholesaler or their representatives;

g) sale or distribution of toys, sweets or other products that are not tobacco products and are illustrations, simulations or imitations of tobacco products;

h) Extending the brand, as well as placing such markings, images, special lighting, digital material or text on the internal or external part of the tobacco product trading device/item in the trading facility and the design of this device/item that causes or may cause the attention of the user or association with the product placed in it, the tobacco product or the tobacco manufacturer.

4. In places where tobacco products are sold, a medical warning approved by the legislation of Georgia and a contact phone number for consultation for those who want to refuse tobacco use, as well as information about the sale of tobacco products, tobacco accessories and/or tobacco products intended for use by persons under the age of 18, must be placed on paper of at least A4 format. Selling the device is prohibited.

5. If the seller of tobacco products, tobacco accessories and/or equipment intended for tobacco consumption cannot confirm that the buyer of tobacco products, tobacco accessories and/or equipment intended for tobacco consumption is a person who has reached the age of 18, he is obliged to request from this person a document confirming his majority and only to sell tobacco products, tobacco accessories and/or tobacco use equipment to a person after ascertaining that he or she is at least 18 years of age.

Law of Georgia of May 17, 2017 No. 859 - website, 30.05.2017

Law of Georgia of December 13, 2018 No. 3956 - website, 25.12.2018.

Law of Georgia of October 16, 2019 No. 5128 - website, 23.10.2019

Law of Georgia No. 1349 of December 30, 2021 - website, 31.12.2021

Decision No. 1/2/876 of the Constitutional Court of Georgia dated May 20, 2022 - website, 24.05.2022. (/ka/document/view/5470473#)

[Article 5 [1] . Sale and/or placement of tobacco products in standardized packaging

1. It is prohibited to sell and/or distribute tobacco products (except for the tobacco products provided for in subsection "A.V" of Article 3 of this law) without standardized packaging.

2. The rules for standardizing tobacco products and their packaging are determined by this law and the relevant legal act of the Government of Georgia. ***(to be implemented from December 31, 2022)]***

Law of Georgia of May 17, 2017 No. 859 - website, 30.05.2017

Law of Georgia of July 26, 2017 No. 1278 - website, 28.07.2017

Article 6. Packaging and design of tobacco products

1. The name of tobacco products intended for sale in Georgia, none of the packaging and/or label elements of tobacco products should contain false, misleading or misleading information about the properties of tobacco products, harmful effects or emitted harmful substances; No word, abbreviation, sign, image, graphic or number may be used in the state language of Georgia or in any foreign language, which directly or indirectly creates a false impression that these tobacco products are less harmful than other products, including they may not be used as a brand or in the trademark name, namely, the words: "light", "mild", "less intense", "ultralight", "low content", "extra", "ultra", "menthol" and others.

2. A medical warning approved by the legislation of Georgia must be placed on each box/block and packaging of tobacco products (except for the tobacco products provided for in subsections "A.V", "A.Z" and "A.I" of Article 3 of this law). The said medical warning should include the main medical warning, an additional medical warning (with the appropriate pictogram approved by the legislation of Georgia, and in the case of tobacco products provided for in subsection "A.e" of Article 3 of this law - with the appropriate text inscription) and a contact phone number.

2 [1] . An appropriate information sheet about these products must be placed in the packaging of tobacco products provided for in subsection "A.V" of Article 3 of this law.

2 [2] . A medical warning approved by the legislation of Georgia must be placed on each package of tobacco products provided for in subsections "A.Z" and "A.I" of Article 3 of this law with the appropriate pictogram.

3. The Government of Georgia approves 3 samples of the basic medical warning, 9 samples of the additional medical warning and 9 samples of the corresponding pictogram, 1 sample of the text inscription, the forms of the relevant information sheet, in accordance with subsections "A.Z" and "A.I" of Article 3 of this Law Provided for tobacco products - 2 samples of the medical warning and 2 samples of the corresponding pictogram, contact phone number, as well as the computer font and size of the medical warning, appropriate image quality parameters.

4. პიქტოგრამის ნიმუში უნდა შეესაბამებოდეს და შეიცავდეს დამატებითი სამედიცინო გაფრთხილების ტექსტს, ხოლო ამ კანონის მე-3 მუხლის „ა.ზ“ და „ა.ი“ ქვეპუნქტებით გათვალისწინებული თამბაქოს ნაწარმის შემთხვევაში – სამედიცინო გაფრთხილების ტექსტს და უნდა იკავებდეს სამედიცინო გაფრთხილების საქართველოს მთავრობის მიერ დამტკიცებულ ნაწილს.

5. სამედიცინო გაფრთხილებების როტაცია ხდება შემდეგნაირად:

ა) თამბაქოს ნაწარმის მწარმოებელმა ან/და იმპორტიორმა წლის განმავლობაში უნდა გამოიყენოს ყველა ძირითადი სამედიცინო გაფრთხილება, ხოლო ამ კანონის მე-3 მუხლის „ა.ზ“ და „ა.ი“ ქვეპუნქტებით გათვალისწინებული თამბაქოს ნაწარმის შემთხვევაში – ყველა სამედიცინო გაფრთხილება, იმგვარად, რომ ისინი გასაყიდი თამბაქოს ნაწარმის თითოეული სახეობის კოლოფსა/ბლოკსა და შეფუთვაზე თანაბრად განაწილდეს;

b) The manufacturer and/or importer of tobacco products must choose 3 additional medical warnings with appropriate pictograms during the year, so that they are equally distributed on the box/block and packaging of each type of tobacco product for sale.

5 [1] . A manufacturer of tobacco products, when exporting tobacco products for sale in Georgia and/or an importer of tobacco products, when importing tobacco products, is obliged to submit to the relevant authorized body information about the quantity and batch of tobacco products, what type (main medical warning, additional medical warning) and which sample of medical warnings. performed the rotation.

6. A medical warning must be placed on each package of tobacco products in the state language of Georgia (and in the Autonomous Republic of Abkhazia - also in Abkhaz), in accordance with paragraph 2 of this article, and must be:

a) written clearly and distinctly;

b) printed on the packaging of tobacco products (except for transparent outer packaging) (in the case of cigars, cigarillos, chewing tobacco, snuff, liquid tobacco products, as well as in the case of raw tobacco over 50 kilograms, it is allowed to display a medical warning sticker instead of printing), should not be covered, Distorted or altered, the package must not be damaged or removed when opened;

c) printed in computer font, blacked out, with black letters on a white background or white letters on a black background; The white background must be limited by a black frame, and the black background - by a white frame that does not cross or touch the letters; The thickness of the frame line should be 1 mm;

d) placed on the front and back large pages of the packaging of tobacco products, parallel to the upper and lower edges, and should not occupy less than 65 percent of the total area of the page, including the border lines, and for tobacco products provided for in Article 3, subparagraph "A.E" of this Law - located on the front and back of the package and must not occupy less than 30 percent of the total area of the page, including the border lines;

e) placed: additional medical warning - on the front page of the box; The main medical warning - on the back side of the box, and in the case of tobacco products provided for in subsections "A.Z" and "A.I" of Article 3 of this law - on the front and back sides of the box.

7. (Removed - 17.05.2017, No. 859).

8. A medical warning may not be covered by other printed information or images.

[9. This law and the relevant legal act of the Government of Georgia define the rules for the standardization of tobacco products (except for the tobacco products provided for in subsection "A.V" of Article 3 of this law) and their packaging, the purpose of which is:

a) reducing the attractiveness of tobacco products;

b) increasing the effectiveness and visibility of medical warnings;

c) Reducing the possibility of misleading the consumer about tobacco products or their consumption by packaging of tobacco products.

10. It is prohibited to use a brand, logo, trademark or any other element denoting it on the packaging (box, block, container, etc.) of tobacco products (except for the tobacco products provided for in subsection "A.V" of Article 3 of this law) and on each stick. Any inscription on the packaging (box, block, container, etc.) of tobacco products (except for the tobacco products provided for in subsection "A.V" of Article 3 of this law) must be written in a single, unified font, in the state language of Georgia, and the country of manufacture must be indicated. In addition, it is forbidden to put any inscription on filter cigarettes, filterless cigarettes, cigarettes, cigars and cigarillos.

11. The Government of Georgia, by a normative act, makes a decision regarding the admission (use), prohibition of the following characteristics and/or elements of tobacco products (except for the tobacco products provided for in subsection "A.V" of Article 3 of this law) or defining any kind of requirements for them:

a) color, size and shape of tobacco products or their packaging;

b) packaging material and texture of tobacco products;

c) type of opening of packaging of tobacco products;

d) casing and contents of tobacco products;

e) certain words or signs on tobacco products and their packaging (including a certain brand, logo or trademark);

f) words or signs that are allowed to be placed on tobacco products or their packaging;

g) distinguishing characteristics of tobacco products and their packaging, including characteristics aimed at changing the appearance or content of tobacco products and their packaging, to emit a sound or emit a scent after the sale of tobacco products;

h) an object or material placed or used in the packaging of tobacco products, which is not an integral or necessary part of this packaging;

i) an object attached to tobacco products or their packaging, except for the mandatory excise stamp and the medical warning specified in this article;

j) determining the weight of tobacco products, which can be placed in the packaging of tobacco products;

k) such a characteristic or element of tobacco products that will lead to imparting a characteristic taste to these products.

12. It is allowed to display the name of the brand or variant on the packaging of tobacco products (except for the tobacco products provided for in subsection "A.V" of Article 3 of this law) only in accordance with the normative act of the Government of Georgia. The mentioned normative act of the Government of Georgia can define:

a) brand or variant name length limit;

b) Prohibiting the use of words and colors in the name of a brand or variant that may mislead the consumer about the characteristics, health effects, risks or emissions of tobacco products, or that these tobacco products are less harmful or better than other products because is natural or organic, or beneficial for a healthy lifestyle;

c) use of words or phrases that are intended to provide economic incentives to the user;

d) requirements regarding the manner of display of words or signs, including the manner and circumstances in which these words or signs are displayed, the type, size and type of the appropriate font, as well as the location and orientation of the words on the packaging of tobacco products.

13. Normative acts adopted in accordance with paragraphs 9-12 of this article should not affect a person's intellectual property right - to register, own and dispose of a trademark and copyright. ***(to be implemented from December 31, 2022)]***

Law of Georgia of May 17, 2017 No. 859 - website, 30.05.2017

Law of Georgia of July 26, 2017 No. 1278 - website, 28.07.2017

Law of Georgia of December 13, 2018 No. 3956 - website, 25.12.2018.

Law of Georgia of October 16, 2019 No. 5128 - website, 23.10.2019

Article 7. Protection of consumers from counterfeit products

1. In order to protect the consumer from counterfeit products, the Government of Georgia establishes a list of markings on the packaging (about the tobacco manufacturer).

2. Production, storage, transportation and sale of counterfeit tobacco is prohibited.

3. (Removed - 17.05.2017, No. 859).

Law of Georgia of May 17, 2017 No. 859 - website, 30.05.2017

Article 8. (removed)

Law of Georgia No. 859 of May 17, 2017 - website, 30.05.2017

Article 9. Export and import of tobacco

1. Export and import of tobacco is carried out in accordance with the legislation of Georgia.

2. The norms established by this law (except for Article 10 of the same law) do not apply to tobacco products imported by a person by air transport within 1 calendar day , and in other cases - to tobacco products imported within 30 calendar days , established by the Customs Code of Georgia. quantity of tobacco products .

Law of Georgia of May 17, 2017 No. 859 - website, 30.05.2017

Law of Georgia of June 28, 2019 No. 4910 - website, 07.04.2019

Article 10. Restriction of tobacco consumption

1. Smoking tobacco is prohibited:

a) in buildings and structures of any purpose, except for the buildings and structures provided for in paragraph $^{1.1}$ of this article ;

b) in public transport (except for the open space of a ship or other watercraft);

b ^{1}) in a motor vehicle (car) during the presence of a minor in it;

c) building of educational (general education , higher education , vocational education), educational and educational - educational institutions , other educational institutions , libraries , student youth camps , children's entertainment centers and other institutions intended for persons under 18 years of age - in buildings and on the territories owned by them (except for the cases provided for in clauses 1 and ^{5} of this article), as well as at public gatherings intended for persons under the age of 18 ;

d) in the buildings of medical and pharmaceutical institutions and ^{on} the territories of these institutions , except for the institutions provided for in paragraph 1.2 of this article and the case provided ^{for} in paragraph 1.5 of the same article ;

e) in the buildings and structures of gas stations, gas stations and gas distribution stations, as well as in the territories owned by them, where flammable substances are stored;

f) at the stadium, which has an administration.

1 ^{1} . Smoking is allowed in the following premises:

a) at the place of residence of a natural person (if the natural person/natural person's family actually lives in this place of residence and this place of residence is not the actual place of business activity at the same time);

b) in a specialized laboratory unit for studying tobacco smoke;

c) in the penitentiary institution of the special penitentiary service of the state subsidiary institution included in the system of the Ministry of Justice of Akartvelo (hereinafter - penitentiary institution);

d) in a cigar bar arranged on the basis of a permit issued in accordance with the Law of Georgia "On Licenses and Permits" (only for cigars provided for in subsection "AB" of Article 3 of this law);

e) in Samorin;

e ^{1}) in the salon of gaming machines , for the permission of which the license fee rate is established in the amount of at least 200,000 GEL and in which at least 20 gaming machines are placed ;

f) in the transit zone of the airport, according to the procedure established by paragraph 1 ^{3} of this article ;

g) in pre-detention isolator;

h) at the temporary placement center of the Ministry of Internal Affairs of Georgia;

i) in the building intended for the permanent use of the professional theater only by the actor and / or performer , during the performance and / or theater performance , for the purpose of implementing the director 's creative idea . In addition , before the start of the play and / or theatrical performance , to the audience Information about the harmful effects of tobacco products should be provided .

1 [2] . In institutions intended for inpatient psychiatric and palliative treatment, tobacco smoking is permitted by special order of the head of the respective institution, for some patients receiving support or seriously ill patients, in a specially designated place, which must be completely separated (by walls) from other parts/territory of the institution and must have ventilation or open space outgoing window. For such a patient, smoking tobacco, by special order of the head of the mentioned institution, is allowed even in the ward, if he is isolated from other patients.

1 [3] . In the transit zone of the airport, smoking of tobacco is allowed only in a special smoking room, which must have a separate ventilation system, from which tobacco smoke must not enter another space, and in which food and drink must not be brought and consumed. The rules for allocating a special smoking room in the transit zone of the airport, as well as special requirements for a special smoking room, are determined by the normative act of the Government of Georgia.

1 [4] . The rules and conditions of tobacco consumption in the penitentiary institution are determined by the order of the Minister of Justice of Georgia.

1 [5] . In the territories of higher educational , professional educational , medical and pharmaceutical institutions , smoking is allowed in the place (places) specially determined by the head of the relevant institution . The number of such places in the territory of the mentioned institution should not exceed 3 , and each place The area should not be more than 20 square meters .

2. (Removed - 17.05.2017, No. 859).

3. (Removed - 17.05.2017, No. 859).

4. (Removed - 17.05.2017, No. 859).

5. (Removed - 17.05.2017, No. 859).

6. (Removed - 17.05.2017, No. 859).

7. აკრძალულია თამბაქოს მოწევის ან მისი მოხმარების სხვა ფორმების დემონსტრირება მასობრივი ინფორმაციის საშუალებით, სხვა ბეჭდური ან ელექტრონული საშუალებით, მასობრივი ჩვენებისა და თეატრალური წარმოდგენის მეშვეობით, გარდა ღია სივრცეში პირდაპირი ეთერის მიმდინარეობისას კადრში მწეველის შემთხვევითი მოხვედრისა, ამ მუხლის 1[1] პუნქტისIn the case provided for in sub-paragraph " i " and in paragraph 2 of Article 8 [2] of the Law of Georgia "On Advertising " , approved by the normative act of the Minister of IDPs , Labor , Health and Social Protection from the Occupied Territories of Georgia on the Harm of Tobacco Smoking showing the radio ring .

8. Institution (legal entity, other organizational formation, association of persons without creating a legal entity, entrepreneurial entity, public institution, including state body and municipality body) is obliged to:

a) to ensure the prohibition/restriction of tobacco smoking established by this law in the building and/or territory where he is engaged in activities defined by the first paragraph of this article;

b) not to allow the presence of smoke, aerosol, ash, soot, as well as the placement of hookahs and ashtrays, as a result of tobacco consumption, in the building and/or territory where he is engaged in activities defined by the first paragraph of this article;

c) to develop and approve the rules related to the prohibition/restriction of tobacco smoking in the premises and/or territory where he is engaged in activities defined by the first paragraph of this article;

d) in the building and/or territory defined by the first paragraph of this article, in all entrances and other visible places, to place the rules related to the prohibition/restriction of tobacco smoking, the relevant inscription and sign regarding the prohibition/restriction of tobacco smoking, as well as the physical contact phone number and other information of the person/institution that can be contacted in case of violation of the rules related to the prohibition/restriction of tobacco use;

e) not to allow smoking of tobacco, and in case of detection of the fact of smoking of tobacco, within the scope of the authority granted to him by the law, to immediately prevent it in the building and/or territory defined by the first paragraph of this article, where he is engaged in activities.

9. The driver, owner/owner of public transport is obliged to comply with the rules of prohibition/restriction of smoking in the relevant public transport and to prevent the facts of non-compliance with these rules.

Law of Georgia of May 17, 2017 No. 859 - website, 30.05.2017

Law of Georgia of July 5, 2018 No. 3121 - website, 11.07.2018

Law of Georgia of December 13, 2018 No. 3956 - website, 25.12.2018.

Law No. 7015-RS of July 15, 2020 - website, 28.07.2020

Law of Georgia No. 1349 of December 30, 2021 - website, 31.12.2021

Article 10 [1] . The permit and permit conditions for the arrangement of parity

1. Issuing , revoking , making changes to the permit to arrange a match, keeping it in the departmental permit register and other measures related to this permit are carried out in accordance with the Law of Georgia "On Licenses and Permits " and this law , which is included in the sphere of governance of the Ministry of Finance of Georgia . Legal entity - Revenue Service (further - Revenue Service) .

2. The permit to arrange a settlement is issued for a period of 4 years.

3. It is prohibited to transfer the permit for the arrangement of equality stipulated in this article to another person.

4. It is forbidden to offer any product to the customer for gifting, selling or tasting in a cigar bar, except for cigars, as well as drinks, provided for in subsection "AB" of Article 3 of this law.

5. Admission of minors to Sigarabar is prohibited.

6. The owner of Sigarabar is obliged to place the contact information of the relevant fire-rescue unit in a visible place.

7. The applicant for a permit to arrange a matchmaking shall submit an application to the Revenue Service , in addition to the documents provided for in Article 25 of the Law of Georgia "On Licenses and Permits " , the following documents and information shall be attached :

a) Document confirming the ownership of the relevant institution (entrepreneurial entity) ;

b) documents certifying that the cigar bar will be located in an isolated building or an isolated part of the building , will be connected to other parts of the building by a deaf wall , will have a separate entrance , ventilation system , and cigar smoke will not get into another part of the building or other building - structure ;

c) a document issued by the relevant authorized body regarding the smooth operation of the ventilation system ;

d) a document confirming the ownership of an electric humidification device ;

e) Information for the employees (employees) of the relevant institution regarding the teaching of the rules of sale and consumption of tobacco products .

8. The holder of the permit to arrange a cigar bar is obliged to submit to the issuer of the permit for the arrangement of cigar bars 1 year after receiving the permit and every subsequent year the information that according to the relevant year, at least 15 percent of his annual turnover was the amount received from the sale of cigars.

Law of Georgia of May 17, 2017 No. 859 - website, 30.05.2017

Law of Georgia of December 13, 2018 No. 3956 - website, 25.12.2018.

Article 10 [2] . Responsibility for non-fulfillment of the permit conditions for the arrangement of equalization

1. Liability for non-fulfillment of the permit conditions for the arrangement of equalization shall be determined by the legislation of Georgia, including this law.

2. Non-fulfillment of the conditions of the permit for the arrangement of the fair by the holder of the permit for the arrangement of the fair shall result in his being fined in the amount of 500 GEL.

3. Despite the imposition of the fine provided for in paragraph 2 of this article, the failure of the permit holder to comply with the permit conditions will result in his being fined in accordance with Article 34 of the Law of Georgia "On Licenses and Permits".

4. If, despite the payment of the fines provided for in paragraphs 2 and 3 of this article, the holder of the permit for the arrangement of equalization still does not fulfill the permit conditions, the permit issuer shall make a decision to cancel the permit. Issues related to the cancellation of this permit are regulated in accordance with the Law of Georgia "On Licenses and Permits".

5. The person authorized by the Revenue Service has the right to draw up the protocol of the offense provided for in this article and review the case .

6. The form of the offense protocol provided for in this article, the procedure for its filling and submission is determined by the order of the Minister of Finance of Georgia, and the proceedings are carried out in accordance with the legislation of Georgia.

Law of Georgia of May 17, 2017 No. 859 - website, 30.05.2017

Law of Georgia of December 13, 2018 No. 3956 - website, 25.12.2018.

Article 11. Liability for violation of the law

ამ კანონის დარღვევისათვის ფიზიკურ და იურიდიულ პირებს პასუხისმგებლობა ეკისრებათ საქართველოს კანონმდებლობით დადგენილი წესით.

მუხლი 12. კანონის შესრულების სახელმწიფო კონტროლი

1. ამ კანონის შესრულების სახელმწიფო კონტროლი ხორციელდება საქართველოს კანონმდებლობის შესაბამისად.

2. ამ კანონის შესრულების მიზნით, თამბაქოს კონტროლთან დაკავშირებული საკითხების ადმინისტრირებისთვის, უფლებამოსილ დაწესებულებებს შეუძლიათ, საჭიროების შემთხვევაში, შეიმუშაონ და გამოსცენ შესაბამისი სამართლებრივი აქტები.

საქართველოს 2017 წლის 17 მაისის კანონი №859 – ვებგვერდი, 30.05.2017წ.

მუხლი 12[1]. გარდამავალი დებულებანი

1. 2020 წლის 1 იანვრამდე დასაშვებია თამბაქოს მოწევა ამ კანონის მე-10 მუხლის პირველი პუნქტის „ვ“ ქვეპუნქტით გათვალისწინებულ სტადიონზე.

2. 2020 წლის 1 იანვრამდე დასაშვებია თამბაქოს მოწევა სასტუმროს ნომრების არაუმეტეს 20 პროცენტში. დაუშვებელია სასტუმროს მოსაწევ და არამოსაწევ ნომრებში თამბაქოს მოწევის რეჟიმის შეცვლა. სასტუმროს მოსაწევი ნომრები უნდა გამოიყოს სასტუმროს ადმინისტრაციის სპეციალური ბრძანებით, რომელიც სასტუმროში თვალსაჩინო ადგილას უნდა განთავსდეს.

3. 2019 წლის 1 იანვრამდე შესაძლებელია თამბაქოს ნაწარმზე საქართველოს მთავრობის მიერ დადგენილი წესით დატანილ იქნეს წარწერა თამბაქოს ნაწარმისგან გამოფრქვეული ნივთიერებების შესახებ.

4. 2022 წლის 31 დეკემბრამდე იმ თამბაქოს ნაწარმის შეფუთვაზე, რომელიც განკუთვნილია სასაზღვრო კონტროლის ზონაში არსებულ თავისუფალი ვაჭრობის პუნქტში რეალიზაციისთვის ან/და განლაგებისთვის, შეიძლება განთავსდეს ინგლისურენოვანი სამედიცინო გაფრთხილება, რომელიც სრულად შეესაბამება მოცემული პროდუქტისთვის ევროკავშირის მოქმედი დირექტივის მოთხოვნებს და არ Violates intellectual property and other rights .

5. Until January 1, 2025, a medical warning can be placed on each package of new tobacco products provided for in Article 3, subparagraph "a.z" of this law and heating tobacco provided for in subparagraph "a.i" of the same article, without the corresponding pictogram. In addition, in the case of smoking tobacco provided for in subsection "AI" of Article 3 of this law, the medical warning may not occupy less than 30 percent of the total area of the page, including the delimiting lines.

Law of Georgia of May 17, 2017 No. 859 - website, 30.05.2017

Law of Georgia of December 13, 2018 No. 3956 - website, 25.12.2018.

Law of Georgia of October 16, 2019 No. 5128 - website, 23.10.2019

Law of Georgia No. 1349 of December 30, 2021 - website, 31.12.2021

Article 13. Final Provisions

1. Upon the entry into force of this law, the following shall be declared invalid:

a) Law of Georgia "On Tobacco Control in Georgia" of June 6, 2003 (Legislative Gazette of Georgia, No. 19, 1.07.2003, Article 121);

b) Law of Georgia "On Food and Tobacco" dated June 25, 1999 (Legislative Gazette of Georgia, No. 31(38), 1999, Art. 165);

c) Law of Georgia "On Trade in Tobacco Products" of August 26, 2003 (Legislative Gazette of Georgia, No. 29, 18.09.2003, Article 209).

2. Sub-legal normative acts issued on the basis of the legislative acts specified in sub-paragraphs "a" and "b" of the first paragraph of this article retain their legal force until their compliance with this law.

3. This law shall come into force immediately after its publication.

President of Georgia M. Saakashvili
Tbilisi,
December 15, 2010.
No. 4059-rs

9. 20/05/2022 - Decision of the Constitutional Court - 1/2/876 - website, 24/05/2022 (/ka/document/view/5470473)

8. 30/12/2021 - Law of Georgia - 1349-VIIRS-XMP - website, 31/12/2021 (/ka/document/view/5329135)

7. 15/07/2020 - Law of Georgia - 7015-RS - website, 28/07/2020 (/ka/document/view/4910942)

6. 16/10/2019 - Law of Georgia - 5128-I - website, 23/10/2019 - the amendment contains a transitional provision (/ka/document/view/4680943)

5. 28/06/2019 - Law of Georgia - 4910-II - website, 04/07/2019 (/ka/document/view/4583173)

4. 13/12/2018 - Law of Georgia - 3956-I - website, 25/12/2018 (/ka/document/view/4415285)

3. 05/07/2018 - Law of Georgia - 3121-RS - website, 11/07/2018 (/ka/document/view/4247193)

2. 26/07/2017 - Law of Georgia - 1278-RS - website, 28/07/2017 (/ka/document/view/3754138)

1. 17/05/2017 - Law of Georgia - 859-II - website, 30/05/2017 - the amendment contains a transitional provision (/ka/document/view/3676731)