

WORLD TRADE ORGANIZATION

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**Working Party on the
Accession of Georgia**

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ACCESSION OF GEORGIA

Information on Policy Measures Affecting Trade in Services

The following information on policy measures affecting trade in services has been received from the Permanent Mission of Georgia, with the request that it be circulated to members of the Working Party.

GEORGIA
Information on Policy Measures Affecting Trade in Services

Modes of supply: 1) Cross-border supply		2) Consumption abroad	3) Commercial presence	4) Presence of natural persons	5) Relationship between modes of supply
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations		
I. HORIZONTAL COMMITMENTS					
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p><u>Investment:</u></p> <p>3) Foreign investor is obliged to register at the Investment Agency under the Ministry of Trade and Foreign Economic Relations investment worth US\$100,000 (or its equivalent), within 60 days from the moment of making such an investment. Otherwise he would be prohibited to carry out investment activity. The aim of the registration is the creation of statistical database on investment activity in Georgia.</p> <p>Foreign investor is obliged to present annually (till the end of the year) to Investment Agency information on the quantity of additional investments.</p> <p>Without licence investor does not have the right to carry out the following activities:</p> <p>(i) production or sale of weapons and explosives;</p> <p>(ii) production or sale of medicines and other substances subject to special control;</p> <p>(iii) exploitation of natural resources and forestry;</p>		Law on Promotion and Guarantees of Investment Activities No. 474-IS; 12.11.1996		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations	
	<p>(iv) establishment of casinos and gambling houses network, securing the organisation of the games and lotteries;</p> <p>(v) banking activity;</p> <p>(vi) insurance activity;</p> <p>(vii) issuance of securities, which constitutes a public distribution of securities;</p> <p>(viii) wireless communication service and establishment of television and radio channels.</p> <p><u>Privatization*</u> Foreign legal and natural person can be buyer of state property only in this case if the share of government or local administrative body in his authorised capital does not exceed 25%.</p> <p><u>Real estate</u> Foreign legal persons have the right to buy buildings and take in leasing the land. Joint-venture has the right to buy agricultural land.</p> <p>4) Unbound The validity of the temporary entry visa in Georgia for touristic purposes is 3 months from the date of its issuance.</p>		<p>Law on Privatization of State Property No. 743-IIS; 30.05.1997</p> <p>Law on Land Ownership 22.03.1996</p> <p>Law of Georgia On Temporary Entry, Stay and Exit of Foreigners from Georgia No. 316-2S, 27.07.93</p>	

*The following objects are not subject to privatization: integrated system of State water supply and sewage infrastructure, roads (when there are no alternative State roads), port wharf.

Modes of supply: 1) Cross-border supply					2) Consumption abroad	3) Commercial presence	4) Presence of natural persons	5) Relationship between modes of supply
Sector or sub-sector		Measures Relating to Market Access		Measures Relating to National Treatment		Relevant Laws and Regulations		
		The validity of the temporary entry visa, issued to a foreigner after invitation made by Georgian citizen or person permanently residing in Georgia, is 6 months from the date of its issuance.						
		The validity of the visa issued after invitation made by the medical institution operating in Georgia is determined by the period necessary for medical treatment.						
		The validity of the visa issued after notification made by the court, with the purpose of participating of a foreigner in trial process in Georgia, is determined by the period necessary for participating in this process.						
		The validity of the temporary entry visa issued to business people after invitation made by the legal person is 6 months from the date of its issuance.						
		<u>Contractual Business Trip</u>						
		The validity of the temporary entry visa, issued on the basis of contract, is determined by the duration of the contract.						
		Employment contract with a foreigner can be signed only in this case if Georgian citizen with relevant qualification is not able to perform the same job or no Georgian citizen has expressed the wish to perform it.						
		Decision about this issue is made by the Ministry of Social Security, Labour and Employment.						

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply

Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations
	<p>Participation in scientific, cultural and sport activities: the basis for issuance of visa is the invitation made by the organisers of these activities, the validity of the visa is determined by the duration of the activities.</p> <p>Education of foreigners in Georgia: the basis for issuance of visa is the invitation made by the educational institution. The validity of the visa is determined by the duration of educational process.</p> <p>The multiple entry or exit visa is granted to: (i) an investor; (ii) foreigners, actively co-operating with legal persons registered in Georgia; (iii) foreign managers of legal persons registered in Georgia, members of administration and employees who, owing to the nature of the job, frequently travel to Georgia; (iv) other persons as stipulated by Georgian legislation.</p> <p>The validity of the visa for temporary entry in Georgia should not exceed 5 years.</p> <p><u>The legal status of foreigners</u></p> <p>Foreigners temporarily residing in Georgia may be assigned on any kind of posts or perform any kind of businesses which are not prohibited by the Georgian legislation, except those posts or businesses for which, in accordance with the existing legislation, Georgian citizenship is necessary.</p>		<p>Law of Georgia On Legal Status of Foreigners, 03.06.93</p> <p>Decree No. 473 of the President of Georgia on Employment of Workers</p>

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply

Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations
	<p>Foreigners temporarily residing in Georgia may be assigned on any kind of posts or perform any kind of business if it's so stipulated by Georgian legislation.</p> <p>The Ministry of Social Security, Labour and Employment issues licences for establishment of private employment companies and for employment of Georgian citizens abroad. The draft law "On Temporary Rules of Employment of Migrants in Georgia" is being prepared by the Ministry of Social Security, Labour and Employment of Georgia, according to which employment contract with a foreigner can be signed by the employer only in this case if Georgian citizen with relevant qualification is not able to perform the same job or no Georgian citizen has expressed the wish to perform it. Permission is issued for the period of one year and it may be prolonged on the basis of request made by the employer, but not more than for subsequent one year. This provision does not concern: those migrants employment of which is stipulated by the interstate and intergovernmental agreements signed between Georgia and foreign countries, highly qualified specialists in join ventures, persons employed in scientific, educational and cultural fields, foreigners performing religious and charity activities in Georgia, correspondents and journalists accredited in Georgia, lecturers, experts and instructors.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply

Sector or sub-sector		Measures Relating to Market Access		Measures Relating to National Treatment		Relevant Laws and Regulations
B. SPECIFIC SERVICE SECTOR OR SUB-SECTOR						
1. Business Services						
A. Professional Services						
(a)	Legal Services* (CPC 861)	1) None 2) None 3) Unbound before the new Law “About Licensing” comes into force 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) Unbound before the new Law “About Licensing” comes into force 4) Unbound except as indicated in the horizontal section*	(a) 1. 2.	Law “On Private Arbitrage” 17.04.97 No. 656-IIS Law “On Common Court” 13.09.97 No. 764-IIS	
(b)	Accounting, auditing and bookkeeping services (CPC 862)	1) None 2) None 3) None. Licences on auditing activities are issued by Auditing Council for each object, which is subject to auditing service. Validity of Licences is one year. Unbound except as indicated in the horizontal section	3) 4) There should be done the legalisation of auditing right of foreign auditor on base of which will be received the licence. The cost of licence is US\$ 500 equivalent in Lari.	3. 4.	Criminal Process Code 30.12.1960 Civil Process Code 30.12.1961	
(d)	Architectural services** (CPC 8671)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	(Both Codes are being discussed in Parliament and will be adopted by the end of this year)	5. 6.	Law “On Advocates Activity in USSR” 30.11.79 Law “On Notary Activities” 23.05.96
(e)	Engineering services (CPC 8672)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	(b)	Georgian Law “On Auditing Activities” 7.02.95 No. 623-IIS. Changes 27.06.97, No. 810-IIS.	

*Licences on legal services are issued by the Ministry of Justice. The issue of licences is stopped, before the new Law "About Licensing" comes into force.

**The draft Law "On Architectural Activities" is prepared. In accordance with this draft Law the foreign citizens, legal persons and the persons who are not citizens are permitted to carry out the architectural activities only together with natural or legal persons who have licence for such activity.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations	
(f) Integrated engineering services (CPC 8673)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
(h) Medical and dental services* (CPC 9312)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	Order No 363/o of the Minister of Healthcare "Licensing and Regulation of Foreign Citizens' Medical Activities". 12.08.97 - Decree of the President No. 4, 04.01.97	
(i) Veterinary services (CPC 932)	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section		
B. <u>Computer and Related Services</u>			Not stipulated by any legislation	
(a) Consulting services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
(b) Software implementation services (CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
(c) Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		

*The Ministry of Healthcare provides the licensing of medical services and trade by medical products in the whole country.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply

Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations
(d) Database services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
(e) Other (CPC 845 + 849)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
C. <u>Research and Development Services</u>			Law "On Science, Technologies and its Development"
(a) Research and development services on natural sciences Except such fields which are prohibited by existing legislation (CPC 851)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
(b) Research and development services on social sciences and humanities (CPC 852)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
(c) Interdisciplinary research and development services (CPC 853)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
D. <u>Real Estate Services</u>			Law "On Rent of State Property" 20.09.94 Civil Code. Articles 531-575 "About Hiring" and Articles 581-591 "About Rent"
(a) Involving own or leased property	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
(b) On a fee or control basis	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations	
E.				
<u>Rental/Leasing services without Operators</u>				
(a) Relating to ships (CPC 83103)	1) None 2) None	1) None 2) None	Civil Code, Articles 576-580 "About Leasing"	
(b) Relating to aircraft (CPC 83104)	3) None 4) Unbound except as indicated in the horizontal section	3) None 4) Unbound except as indicated in the horizontal section	(a) Maritime Code No. 715-IIS 15.05.97 (b) Air Code 29.10.96 No. 462-IS	
(c) Relating to other transport equipment (CPC 83101 + 83102 + 83105)				
(d) Relating to other machinery and equipment (CPC 83106 + 83109)				
F.				
<u>Other Business Services</u>				
(a) Advertising services* (CPC 871)	1) None 2) None 3) None (The Advertisement of strong alcoholic drinks, pharmaceutical products, tobacco and tobacco products is prohibited by draft Law) 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None (The Advertisement of strong alcoholic drinks, pharmaceutical products, tobacco and tobacco products is prohibited by draft Law) 4) Unbound except as indicated in the horizontal section	Decree of the President "On Protection of Consumers from Unfair Advertisement" No. 60, 10.03.95	
(b) Market research services (CPC 864)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	(b-d) Not stipulated by any legislation	

*Advertising activities in Georgia are regulated by the Anti-monopoly Service under the Ministry of Economy. The Law "On Advertisement" is being discussed in the Parliament.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations	
(c) Management consulting services (CPC 865)				
(d) Services related to management services (CPC 866)				
(e) Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	Law "On Certification of Products and Services" No. 376-IS, 06.09.96 Law "On Standardisation" No. 372-IS, 06.09.96	
(f) Services incidental to agriculture, hunting and forestry* (part of CPC 881)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	(f-g) Law of Georgia "On Environmental Protection "; Tbilisi, 25.10.96, No. 424-IS	
(g) Services incidental to fishing (part of CPC 882)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	Law "On State Ecological Expertise"; Tbilisi 15.10.96, No. 426-IS	
(h) Services incidental to mining (part of CPC 883)	1) None 2) None 3) Services incidental to mining are subject to licensing. Licences are issued by the Licensing Service of Utilisation of Natural Resources under the Ministry of Protection of Environment and Natural Resources 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	(h) Law of Georgia "On Minerals" No. 242-IIS 17.05.96	

*Licences on mining, construction and exploitation of units and public exploitation of oil, natural gas, coal and energy resources are issued by the Ministry of Agriculture (with relevant ministries and institutions).

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations	
(i) Services incidental to manufacturing* (part of CPC 884+ 885)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	(i) Law of Georgia "On Environmental Protection "; Tbilisi 25 October 1996 No. 424-IS Law "On State Ecological Expertise"; Tbilisi 15.10.96, No. 426-IS	
(j) Services incidental to energy distribution except electric energy* (part of CPC 887*)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	(j) Law "On Electro-energy " No. 816-IIS, 27.06.97	
(k) Placement and supply services of personnel (CPC 872)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	(k) Law "On Employment", 25.07.91	
(q) Packaging services (CPC 876)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
(p) Photographic services (part of CPC 876)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	(p) Not stipulated by any legislation	

*Licences on mining, construction and exploitation of units and public exploitation of oil, natural gas, coal and energy resources are issued by the Ministry of Fuel and Energy (with relevant ministries and institutions).

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply

Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations
2. Communication Services The postal services on the territory of Georgia are implemented by "Post of Georgia" Ltd. Licensing in the field of communication and telecommunication services is implemented by Licensing Committee approved by the Ministry of Post and Communications of Georgia, and which has the monopoly right in distribution of frequency spectrum.			
B. <u>Courier Services</u> (CPC 7512)	1) Unbound 2) None 3) The permission for such services has only the person who is registered in Georgia and has the necessary licence 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	Georgian Law "On Communications" No. 568-IS 12.10.94
C. <u>Telecommunication Services</u> (CPC 7521 + 7522 + 7523** + 7529**, 843**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	Order of the Minister of Post and Communications of Georgia, 25.01.97 Regulation "On Licensing of Activities in the Field of Communications"
D. <u>Audio-Visual services</u>			
(a) Motion picture and video tape production and distribution services (CPC 9611)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	Joint Order of the Ministry of Economy and the Ministry of Culture No. 133-3/206, 23.01.97 "On Rules of Audio-visual Services"
(b) Motion picture projection services (CPC 9612)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	Civil Code, Articles 1017-1105, 26.06.97 (Law on Intellectual Property)

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access		Measures Relating to National Treatment	Relevant Laws and Regulations
3. Construction and Related Engineering Services				
A. <u>General Construction Work for Building*</u> (CPC 512)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	Georgian Law “On Licensing of Construction Activities” 16.03.96
B. <u>General Construction Work for Civil Engineering</u> (CPC 513)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	Law “On Obligatory State Expertise of Drafting-Estimate Investment Documents for General Construction”, 30.05.96
C. <u>Installation and Assembling Work</u> (CPC 514+ 516)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	Law “On Rental Trade in the Field of Construction on the Territory of Georgia” (About Tender), 12.07.96
D. <u>Building Completion and Finishing Work</u> (CPC 517)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
E. <u>Other</u> (CPC 511,515,518)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	

*Licences on architectural and constructional activities are issued by the Ministry of Urbanisation and Construction.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector		Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations
4. <u>Distribution Services</u>				
A. <u>Commission Agents' Services</u> (CPC 621)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	Civil Code, Article 744-753, 26.06.1997 (Agency) The Law “On Protection of Consumers’ Rights”, March, 1996 Normative acts that were approved by the Decree No. 596 of the President, which include rules for retail and different kinds of services.
B. <u>Wholesale Trade Services</u> (CPC 622)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	Civil Code, Articles 319-1016 “On Contract Law”
C. <u>Retailing Services</u> (CPC 631+ 632 + 6111 + 6113 + 6121)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	C.-D. Civil Code, Articles 607-614 (Franchising)
D. <u>Franchising</u> (CPC 8929)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations	
5. Educational Services* All kinds of services are subject to licensing. The private practice of Georgian citizens does not require any licences. Teaching the Georgian language, Georgian history and geography in all educational institutions operating in Georgia which implement common educational programmes is obligatory; teaching of Georgian language is obligatory in those institutions which implement the programmes of professional education.				
A. <u>Primary Education Services</u> (CPC 921)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	Law "On Education" No. 07/36, 17.06.97	
B. <u>Secondary Education Services</u> Privately Funded Only (CPC 922**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
C. <u>Higher Education Services</u> Privately Funded Only (CPC 923**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
D. <u>Adult Education</u> (CPC 924**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
6. Environmental Services All kinds of services require licensing				
A. <u>Sewage Services</u> (CPC 9401)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	Law "On Protection of Environment" No. 519-IS, 10.12.96	

*Educational services should be implemented by a person who has the certificate granted by the relevant State authorities, a person whose certificate received abroad is registered in Georgia, or a person who is granted by the relevant State educational census. The above-mentioned obligations will come into force on 1 January 2000.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply

Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations
B. <u>Refuse Disposal Services</u> (CPC 9402)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
C. <u>Sanitation and Similar Services</u> (CPC 9403)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
D. <u>Other Nature and Landscape Protection Services</u> (CPC 9406)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
7. <u>Financial Services</u> A foreign insurance organisation as the insurance service supplier is prohibited to implement insurance activities on the territory of Georgia.			
A. <u>All Insurance and Insurance-Related Services</u> (CPC 812**)	1) Unbound, except for services supplied by foreign suppliers to foreign persons in the territory of the republic of Georgia	1) Unbound	Insurance Law No. 690-IIS, 02.05.97 - Civil Code. General provision on insurance; Articles 799-858
(a) Life, accident and health insurance services (CPC 8121) The State mandatory medical insurance is performed by the State Commission of Georgia for Medical Insurance. The right for voluntary medical insurance has every licensed insurance company.	2) Georgian natural and juridical persons, as well as foreign persons who conduct business activity on the territory of Georgia, conclude insurance contracts only with local suppliers with respect to their activity in Georgia. Insurance compensation resulting from these contracts shall be paid in Georgia.	2) None	(a) Law "On Medical Insurance" No. 660-IIS, 18.04.97

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply

Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations
(b) Non-life insurance services (CPC 8129)	3) The insurance service suppliers cannot be set up for the supply of both life insurance and non-life insurance services, except the insurance of civil responsibility of automobile, that is implemented outside the territory of Georgia. Foreign persons can supply insurance services only through participation in Georgian insurance companies. Foreign legal and natural persons have the right to become participants of Georgian insurance and re-insurance, however, their share should not exceed 49%.	3) The implementation of an insurance broker's functions by a foreign legal person on the territory of Georgia shall be allowed only to an insurance company of Georgia in the sphere of re-insurance of its risk assumed abroad. A foreign legal person may carry out functions of an insurance broker in Georgia through a subsidiary or representation, which has been registered under established procedure, or directly on the basis of a contract signed with legal persons of Georgia.	(b) Law "On Mandatory Insurance of Civil Responsibility of Auto-motor Transport Owners" No. 824-IIS, 27.06.97
(c) Reinsurance and retrocession (CPC 81299*)			
(d) Services auxiliary to insurance (including brokering and agency services) (CPC 8140)	An insurance company of Georgia in connection with the re-insurance of its risk abroad may make direct use of a foreign broker company's services. The implementation of an insurance broker's functions by a foreign legal person on the territory of Georgia shall be allowed only to an insurance company of Georgia in the sphere of reinsurance of its risk assumed abroad.		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply

Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations
	<p>A foreign legal person may carry out functions of an insurance broker in Georgia through a subsidiary or representation, which has been registered under established procedure, or directly on the basis of a contract signed with legal persons of Georgia.</p> <p>Permission on insurance activities is granted by State Insurance Supervision Service.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>4) Unbound except as indicated in the horizontal section</p>	
<p>B.</p> <p><u>Banking and Other Financial Services</u></p> <p>(excl. insurance)</p> <p>(CPC 81115-81119, 8113, 8112, 81339**, 81199**)</p>	<p>1) None</p> <p>2) None</p> <p>3) Banking licence concerning a subsidiary or a branch office of a foreign bank shall be granted only if the foreign bank is authorised to engage in the business of receiving money deposits or other repayable funds in the foreign country where its head office is located.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>Law "On Georgian National Bank", 28.06.95</p> <p>Law "On Activities of Commercial Banks", 23.02.96 No. 121-IIS</p> <p>Civil Code, Articles 859-910 "Banking Services"</p>

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations	
	<p>Banking licences shall be granted only following consultations* on the granting of a banking licence between the National Bank of Georgia and the competent authorities of a foreign country which supervise the banking activities of the foreign bank concerned. Georgian and foreign natural and legal persons are not allowed to possess more than 25% of the fixed capital.</p> <p>The National Bank is authorised to make exception in this rule only for such shareholders, which have the licence for banking activities or represents the bank itself.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>4) Unbound except as indicated in the horizontal section</p>		
(f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise**	<p>1) None</p> <p>2) None</p> <p>3) None***</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>Decision of the Cabinet of Ministers No. 812, 28.11.94, "On Formation and Organisation of Stock Market in Georgia".</p> <p>Decision No. 211, 15.04.1995 "On Issue and Circulation of Securities, and Stock Exchanges".</p>	

*The purpose for these consultations is to obtain information on a non-resident, in order to determine the credibility of the latter in its own country and to avoid the unlawful flow of capital in Georgia.

**In the field of functioning of stock market the State control, regulation, registration and licensing is implemented by the Ministry of Finance.

***Financial services are free from value-added tax.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations	
(CPC 81339**, 81333, 81321*, 8132, 8119**+ 81323*, 81319**, 8131, 8133)			Georgian Law "On Cheques", 19.04.95 Georgian Law "On Bill", 19.04.95 Civil Code, Articles 911-929 "Obligations Imposed from Circulation of Securities"	
8. Health-Related and Social Services*				
The Ministry of Healthcare provides the licensing of all kinds of medical services and trade by medical products.				
A. <u>Hospital Services</u> (CPC 9311)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	Order No. 363/o of the Minister of Healthcare, "On Permission and Adjustment of Medical Activities for Foreign Specialists on the Territory of Georgia". Order No. 363/o, 12.08.96 "The List of Documents for Specialists, who wants to Work in Georgia, to be Submitted to the Ministry of Healthcare"	
B. <u>Other Human Health Services</u> (CPC 9319, other than 93191)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	Order No. 266/o, 16.07.97 of the Ministry of Healthcare, "On Sending Georgian Citizens for Treatment Abroad and Treatment of Foreign Patients in Georgia"	
C. <u>Social Services</u> (CPC 933)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section		
D. <u>Other</u>	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section		

*Knowledge of Georgian language (the State language) is obligatory for pharmacists who work in Georgia.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations	
9. <u>Tourism and Travel-Related Services*</u>				
A. <u>Hotels and Restaurants</u> (incl. catering) (CPC 641-643)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	Law “On Tourism and Resorts” No. 599-IIS, 06.03.97 - Rules for Tourism and Hotel Services - Tourism and Related Services. General Requirements Civil Code, Articles 657-667 “Tourism Services”	
B. <u>Travel Agencies and Tour Operators Services</u> (CPC 7471)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
C. <u>Tourist Guide Services</u> (CPC 7472)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
D. <u>Other</u>	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
10. <u>Recreational, Cultural and Sporting Services</u>				
A. <u>Entertainment Services</u> (including theatre, live bands and circus services) (CPC 9619)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	Law “On Culture”, 12.06.97, No. 751-IIS	

*The Regulation "On Licensing of Tourism and Resort Activities in Georgia" is presented to the Parliament, on basis of which the licences on tourism services will be issued by the State Department on Tourism.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply

Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations
B. <u>News Agency Services</u> (CPC 962)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
C. <u>Libraries, Archives, Museums and Other Cultural Services</u> (CPC 963)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
D. <u>Sporting and Other Recreational Services</u> (CPC 964)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
11. <u>Transport Services</u> The licences on transport services in Georgia are issued by the Ministry of Transport.			
A. <u>Maritime Transport Services</u> (d) Maintenance and repair of vessels (CPC 8868)**	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	Civil Code, Articles 668-729 Transportation Agreement A. Maritime Code, No. 715-IIS, 15.05.97 C. Maritime Code, 29.10.96

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply				
Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations	
Sales and marketing, including computer reservation systems	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
C. Air Transport Services (a) Passenger transportation (CPC 7121+ 7122)	1) None 2) None 3) None except the regular flights, which is regulated by intergovernmental agreements 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	- Regulation of the Parliament "In Connection with Chicago Convention on International Civil Aviation" 7.12.93 - Regulation "On Repair, Technical Service and Certification of Aircraft" - Resolution No. 643, 10.27.95 "On Transportation by Air Transport and Activities Related to Aviation Transport Processes". - Resolution No. 365, 18.06.95 "On Licensing of Agencies which are Providing Transportation of Passengers and Realisation of Goods' Transportation Volume"	
(c) Rental of aircraft with crew (CPC 734)	1) None 2) None 3) None. The period of work of foreign crew on rented aeroplane is determined by the Air Transport Department of Georgia on the basis of agreement. This period is depended on period which is necessary for preparation of Georgian crew to change the foreign crew. 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		
(d) Maintenance and repair of vessels (CPC 8868)**	1) Unbound* 2) None 3) Unbound* 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) Unbound* 4) Unbound except as indicated in the horizontal section		
E. Rail Transport Services Railroad is State property and State has the monopoly right on it. (CPC 7111,7112,7113)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons 5) Relationship between modes of supply

Sector or sub-sector	Measures Relating to Market Access	Measures Relating to National Treatment	Relevant Laws and Regulations
(d) Maintenance and repair of rail transport equipment (CPC 8868)**	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
F. Road Transport Services (d) Passenger transportation (CPC 7121+ 7122)	1) None 2) None 3) None except the passenger transportation by regular trips, which is regulated by intergovernmental agreements 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	Law "On Road Transport" - Resolution No. 180, 25.03.94 "On Rules of Licensing of Auto-transport Activities in Georgia". "Rules of Transportation of Passenger and Luggage by Auto-transport of Common-use in Georgia". "Rules of transportation of Goods in Georgia". "Rules of Transportation of Passengers and Luggage by International Transportation Buses".
(d) Maintenance and repair of road transport equipment (CPC 8868**)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
G. Pipeline Transport Pipeline is State property and State has monopoly right on it. (CPC 7131, 7139)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
12. Other Services Not Included Elsewhere			
	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	