

LAW OF GEORGIA

ON STATISTICS

The Georgian legislation on statistics comprises the subordinated enactments adopted on the basis of the Constitution of Georgia, this Law and other deeds which govern the statistical activity in Georgia.

The purpose of this Law is to create a legal foundation for consistent implementation of organizational, scientific and practical measures which ensure the obtaining, processing and analysis of statistical data reflecting the socio-economic development, mass socio-economic events and processes, as well as informing the state and public institutions and population. The Law defines the organizational principles and activity methods of the state, departmental and non-governmental statistics, as well as the rights and duties of legal and natural persons in relations with the establishments and organizations engaged in statistical activities.

CHAPTER I

GENERAL PROVISIONS

Article 1. Limits of Law

This Law governs the matters of obtaining, processing, analysis, transfer, use and protection of statistical information in Georgia, applies to all resident legal and natural, in the cases provided by law, persons of Georgia, as well as to non-residents being on the territory of Georgia, irrespective of the form of ownership and legal-organizational status.

Article 2. Basic Goals and Principles of State Statistics Management

1. The basic goals of the state statistics are:

- a) the collection, processing, storage, analysis and generalization of statistical information concerning the country's socio-economic position on the basis of the statistics methodology, with regard to international statistical standards and requirements;
- b) the presentation of statistical information to state bodies, informing of other state and public institution and population;

1. The basic principles of state statistics:

- a) the objectivity, reliability, independence, chronological comparability and comparability of statistical information;

- b) the completeness, timelessness and representation stability of statistical information;
- c) the accessibility, publicity and confidentiality of statistical information within the limits provided by the legislation.

CHAPTER II

ORGANIZATION OF STATISTICS

Article 3. Statistics Management Bodies

1. A state statistics management body is the State Department for Statistics whose territorial bodies are:
the State Departments for Statistics of the Abkhazian and Ajarian Autonomous Republics, the Tbilisi Statistics Agency and other territorial establishments.
2. The departmental statistics bodies are represented by jurisdictional statistics establishments of governmental institutions.
3. Pursuant to the Law of Georgia “On Entrepreneurs” and the Civil Code of Georgia, non-governmental enterprises and organizations of any legal-organizational form may be established for the purpose of statistical surveys.

Article 4. State Department for Statistics

1. The State Department for Statistics shall:
 - a) co-ordinate statistical activity and be responsible for its state in the country, collect and process necessary statistical information and general information research on its basis;
 - b) work out and apply national classifications of economic activity and other classifications in compliance with international standards;
 - c) analyse the socio-economic and demographic processes of the country and the ecological situation;
 - d) present the appropriate statistical information to the state authority bodies for elaborating governmental programmes and forecasts;
 - e) publish statistical data in special publication and through mass media;
 - f) carry out scientific-research work;
 - g) take part in working out indicators of initial accounting and annual financial and balance forms to be used as a source of statistical information, as well as other documents;

- h) work up and facilitate the working up of the state and local registers, provide for their compatibility with an international information exchange system by means of computer and communication facilities;
 - i) assist state bodies, organizations of economic and other profile in the generation of own statistical information base with the purpose of compatibility of interdisciplinary information resources.
1. The State Department for Statistics shall carry out general censuses (for population, capital assets, enterprises, etc.) or samplings in the country under established procedure and regularity.
 2. The State Department for Statistics shall be headed by a Chairman to be appointed to and released from office by the President of Georgia.
 3. The regulations of the State Department for Statistics reflecting the types of the Department's activities, objectives, organization and structure, rights and obligations of administration, territorial bodies, basic tasks and jurisdiction shall be approved by the President of Georgia.
 4. The Chairman of the State Department for Statistics shall:
 - a) administer the work of the State Department for Statistics;
 - b) be responsible for accurate and purposeful implementation of legal acts governing activities of the State Department for Statistics, be accountable to the President of Georgia;
 - c) exercise official supervision pursuant to this Law and the Law of Georgia "On Executive Power Structure and Activity Procedure".
 - d) appoint to and release from positions provided for by the manning table of the State Department for Statistics public servants and heads of territorial bodies of territorial bodies in agreement with corresponding local bodies of public authority;
 - e) work out proposals for governing the sphere of activities of the State Department for Statistics;
 - f) fulfil other tasks entrusted by laws of Georgia, orders and decrees of the President of Georgia.

Article 5. Territorial Bodies of the State Department for Statistics

In the Abkhazian and Ajarian Autonomous Republics, in the city of Tbilisi, in other territorial units of the country, of management of the state statistics and responsibility for its state are accordingly entrusted to the State Department for Statistics of the Abkhazian and Ajarian Autonomous Republics, the Tbilisi City State Statistics Agency, the corresponding territorial state statistics institutions.

Article 6. Jurisdictional Statistics Establishments

1. In accordance with requests of governmental establishments of Georgia an appropriate division may be set up within their framework as a specialized structural unit which shall, without jurisdiction of a governmental establishment, manage departmental statistics and be responsible for its state.
2. A jurisdictional statistics establishment shall operate on the basis of the statute coordinated with the State Department for Statistics and approved by an appropriate governmental institution.
3. A head of a jurisdictional statistics establishment shall be appointed to and released from office by an appropriate governmental institution.
4. A jurisdictional statistics establishment shall be guided in its activities by the requirements of a governmental institution under the methodological guidance of the State Department for Statistics.
5. Jurisdictional statistics establishments shall submit statistical information to the State Department for Statistics under established procedure.

Article 7. Non-governmental Establishments and Organizations Engaged in Statistical Observations

1. With a view of carrying out statistical observations non-governmental establishments and organizations engaged with appropriate activities may be established in accordance with the Law of Georgia “On Entrepreneurs” and the Civil Code of Georgia.
2. In carrying out statistical work non-governmental establishments and organizations make use of the principles, forms and methods of statistical observations recognized in international statistical practice, ensuring the supply of the obtained, processed and analyzed statistical information to consumers on the contractual bases.
3. Non-governmental establishments and organizations carrying out statistical observations shall be provided with primary statistical information only on the voluntary basis.

CHAPTER III

STATISTICAL OBSERVATION

Article 8. Types and Objects of Statistical Observation

1. Bodies of the State Department for Statistics and jurisdictional statistics establishments shall obtain statistical information by means of statistical

observations (current statistical reports and specially arranged statistical observations).

2. Objects of statistical observations shall be Georgian residents as well as non-residents being on the territory of Georgia within the observation programme limits.
3. A type of the statistical observation, a circle of the observation objects, the regularity, the form and term of data presentation are defined in accordance with the observation objectives and shall, together with appropriate methodological institutions, be approved by the State Department for Statistics.

Article 9. Organization of State Statistical Observations

1. State statistical observations shall be carried out by bodies of the State Department for Statistics.
2. A list of state statistical observations, their regularity, indicators and the observation objects shall be defined under the state programme of statistical activities which is drawn up at requests of state institutions of the country and is approved by the President of Georgia.

Article 10. Departmental Statistical Observations

1. Departmental statistical observations shall be carried out by corresponding statistics services.
2. A list of departmental statistical observations, their regularity, indicators, and the observation objects shall be defined under the statistical activity programme of an appropriate governmental establishment to be annually approved by a ministry, agency or other institution interested in the conduct of such observation in coordination with the State Department for Statistics.

Article 11. Rights and Duties of Statistical Information Presenters

1. An enterprise, legal and natural person, association, financial, banking, insurance, customs, law-enforcement, legal and other agency and service with any form of ownership and legal-organizational status is required to present to the State Department for Statistics and its territorial body by the date fixed and gratis reliable and complete statistical data as envisaged by the state programme of statistical activities.
2. A state body of any level shall have no right to demand such statistical information which has not been envisaged in the state programme of

statistical activities or coordinated with the State Department for Statistics except for the cases provided for by legislation of Georgia.

Article 12. Statistical data confidentiality

1. Data acquired for statistical purposes are confidential, if they enable to identify of respondent.

2. Confidential data may be used only for summary statistical data preparation, excluding such case, when a respondent assents to use of its data for other purposes.

3. Only staff of official statistics is allowed to work on confidential data.

4. Dissemination of official statistical materials, which contain confidential data or enable to define such data, is prohibited.

Article 13. Financing and Material and Technical Supply of Statistical Activities

1. State statistical bodies and jurisdictional statistical establishments shall be financed from the state budget within the approved number of employees and the maintenance costs.

2. The current statistical accounting, state statistical observations, the general population and other censuses shall be financed from the state budget of Georgia in the amount stipulated by the state programme of statistical activities.

3. The departmental statistical observations shall be financed by a governmental institution interested in the conduct of such observations.

4. A statistical activity the conduct of which is not envisaged by the state programme of statistical activities shall be financed by the activity ordering body.

5. The material and technical provision of statistical activities shall be effected under terms and conditions established for the bodies of state administration.

CHAPTER IV

1. COMMON STATE STATISTICAL REGISTER, TECHNO-ECONOMIC AND SOCIAL INFORMATION CLASSIFIERS:

Chapter IV. Entire State Register of Enterprises and Organizations, classifications

Article 14. Entire State Register of Enterprises and Organizations Points (1), (2), (3), (4).

1. Entire State Register of Enterprises and Organizations is the main complex register in Georgia, which on the basis of general identification principles, registers all legal on natural persons, engaged in social or entrepreneurial activities on the country's territory and comprises regulated references thereon.

2. The terms and conditions of compilation, maintenance and liquidation of the Entire State Register of Enterprises and Organizations, data composition, the principles of their obtaining and use, their update procedure and frequency, the rights and duties of the registered objects, the sources of finance, and other matters shall be reflected in the Regulations on Entire State Register of Enterprises and Organizations to be approved by the President of Georgia.

3. The supreme and territorial bodies of executive power, the local self-governmental bodies, non-governmental, independent statistics establishments which generate registers and databases encompass information on legal persons, their representations and branches, as well as an individuals engaged in entrepreneurial activity without the status of a legal person shall present to the state statistics bodies, where requested, gratis statistical information for formation and update of the Entire State Register of Enterprises and Organizations.

4. In order to characterize individual aspects of the public and entrepreneurial life, the governmental institutions are entitled to keep departmental registers a list of statistical data of which, the procedure for expediency of their obtaining, transfer and use shall be subject to co-ordination with the State Department for Statistics

Article 15. Techno-economic and Social Information Classifications

1. A techno-economic and social information classifier is a normative standardization document making a classified list of denominations and codes for classification objects and classification groups.
2. The techno-economic and social information classification and coding is used in accounting, statistics, standardization, licensing, quotation, certification, taxation and other spheres, and ensures the country's

integration into the world economic space and its cooperation with international organizations.

3. The State Department for Statistics shall, as the supreme body in the matters of creation and elaboration of the national system of techno-economic and social information classification and coding, be entrusted:
 - a) to work out, manage and introduce the national system of techno-economic and social information classification and coding in compliance with world standards;
 - b) to develop, jointly with the State Department for Standardization, Metrology and Certification (SAKSTANDARTI), the normative and methodological base of the national system of classification and coding, to supervise the management of the whole classification economy, to circulate classifiers and normative-methodological documentation.
1. Legal and natural persons shall make mandatory use of the national classifiers of Georgia in their social and entrepreneurial activities.

CHAPTER V

RIGHTS AND DUTIES OF STATE STATISTICS BODIES AND JURISDICTIONAL STATISTICS ESTABLISHMENTS

Article 16. Rights of State Statistics Bodies and Jurisdictional Statistics Establishments

Bodies of the State Department for Statistics and jurisdictional statistics establishments are entitled:

- a) to demand from all legal persons operating on the territory of Georgia and the country residents abroad the presentation of data necessary for statistical observations by the date fixed in the stipulated amount and form;
- b) to check the precision of primary data necessary for statistical observations in the case of logical and arithmetic inaccuracies;
- c) to raise before appropriate bodies a question of bringing an action against accountable persons in the case of the state statistics observation data falsification or failure to present them in the stipulated amount and form or by the date fixed;
- d) to carry out statistical operations to order or render information services under the established by legislation procedure.

Article 17. Duties of State Statistics Bodies and Jurisdictional Statistics Establishments

The state statistics bodies and jurisdictional statistics establishments of Georgia are liable:

- a) to ensure the statistical information objectivity and reliability, its timely supply to bodies of state administration and public, the elaboration and perfection of the system of statistical indicators of socio-economic processes, the obtaining of the such indicators and the all-round investigation, scientific analysis and forecasting of the socio-economic processes taking place in Georgia on their basis;
- b) the secure confidentiality of the collected primary data;
- c) to secure accessibility and publicity of the consolidated statistical information;
- d) to provide residents of Georgia with information on them stored in data banks and registers at their request;
- e) to provide accountable residents with necessary forms, questionnaires and instructions to carry out statistical observations.

Article 18. Legal Powers in Sphere of International Cooperation

1. The international cooperation in the sphere of statistics shall be carried out by virtue of international treaties and agreements signed by Georgia. The responsibility for implementing the international treaties and agreements of Georgia in the sphere of statistics shall be assigned to the State Department for Statistics.
2. The State Department for Statistics is authorized:
 - a) to sign cooperation agreements with statistics services of other states and international economic and statistics organizations;
 - b) to provide representatives of other states and international organizations with the statistical observations data under established procedure.
1. A programme for arranging the obtaining of statistical information on the territory of Georgia by international economic and other organizations by means of sampling, studies or censuses either independently or with the participation of resident legal or natural persons shall be subject to the preliminary notification of the State Department for Statistics of Georgia.
2. Other statistics bodies and jurisdictional statistics establishments shall transfer the statistical observation data to representatives of other states or international organizations under established procedure or upon agreement with them.

Article 19. Responsibility for Violation of the Law on Statistics

1. Georgian residents guilty of the violation of this Law, the falsification or distortion of the state and departmental observation data, the failure to

present the data by the date fixed or in the stipulated amount and form, the presentation of checking the accuracy of the statistical data by the state statistics bodies and jurisdictional statistics establishments shall be called to account in accordance with legislation of Georgia.

2. Employees of the bodies of the State Department for Statistics and jurisdictional statistics establishments shall be liable to keep confidentiality of the obtained by them information on the observation units, to present it to the superior bodies and statistics services only under established procedure.

Article 20. Responsibility of Statistics Bodies and their Employees

The violation of this Law by the state statistical bodies and jurisdictional statistical establishments as well as by their employees shall involve their responsibility under procedure established by legislation of Georgia.

CHAPTER VI.

FINAL PROVISIONS

Article 21. Invalidated Enactments

Upon entry into force of this Law, the Law of the Republic of Georgia “On Statistics” of 24 May 1994 (The Georgian Parliamentary Gazette, 1994, No. 18, Art. 377) shall be void.

Article 22. Entry into Force of the Law

The present Law enters into force as of the date of its publication.

President of Georgia

Eduard Shevardnadze

Tbilisi, 12 November 1997

No. 1071-Is

On Amendments to the Administrative Offences Code of Georgia

The Parliament of Georgia decrees:

The following amendments shall be made to the Administration Offences Code of Georgia (The Georgian SSR Supreme Council Gazette, 1984, No. 12, Art. 421):

1. Article 1772 shall be worded as follows:

“Article 1772. Violation of State Accounting Discipline”

Violation of the state accounting discipline, i.e. the falsification of the primary data of statistical observations, their non-presentation in the stipulated form and by the fixed date, as well as the issue of a resident’s certificate lacking the common state register identification code or the opening of a bank account and the conduct of a financial operations, the non-presentation of references to the State Department for Statistics concerning the alteration of residents’ type of activity, location, legal-organizational form and other requisites, - shall give rise to the imposition of a penalty up to a hundred lari.

The same action committed by a person subjected to an administrative punishment for one of the violations provided for in part one of this Article, - shall give rise to penalty from a hundred to two hundred lari.

2. In Article 239, the words “corresponding socio-economic information bodies” – shall be substituted with the words “state statistics bodies”.

President of Georgia

Eduard Shevardnadze

Tbilisi, 12 November 1997

No. 1073-Is

