

Law of Georgia on Tobacco Control

Article 1. Goal of the Law

This Law defines and regulates legal relations in the field of tobacco control in order to reduce morbidity and mortality, due to tobacco use by the population of Georgia.

Article 2. The main principles of tobacco control

The criteria, requirements, conditions and rules governing the field of tobacco control in Georgia shall be based on the following principles:

- a) Acknowledge that tobacco is harmful to health;
- b) Acknowledge the right of nonsmokers to be protected from the harmful effects of tobacco;
- c) Inform the population of Georgia about the harmful effects of tobacco and ensure transparency of information on tobacco products;
- d) Promote quitting tobacco use and prevent starting tobacco use;
- e) (Deleted on 05.17.2017, №859).
- f) Control of the manufacture and sale of tobacco products;
- g) Reduce demand for tobacco products and access to them;
- h) Prohibit sale of untaxed tobacco products and that of tobacco products manufactured by unidentifiable producers;
- i) Acknowledge non-smoking as the normal way of life;
- j) Engage community members in developing, implementing and evaluating activities to fight against tobacco consumption;
- k) Recognize the right to live in an environment free of tobacco advertising and to be protected from its influence;

- l) Protect public safety;
- m) Protect the process of development and implementation of state health policy on tobacco control from interference by entities involved in the tobacco industry, as well as conduct relations with the entities involved in the tobacco industry in accordance with state publicity and transparency principles;
- n) Control tobacco product ingredients, substances emitted by tobacco products, and control the tobacco packaging;
- o) Notwithstanding compliance of the entities involved in the tobacco industry with the tobacco control provisions applicable in Georgia, exclude the possibility that they be released from any criminal or civil liabilities provided that a relevant legal ground exists for such a liability;
- p) Implement other measures as allowed by Law in order to achieve the goal of this Law on Tobacco Control, and the objectives and principles defined by the Framework Convention on Tobacco Control of the World Health Organization.

Law of Georgia No. 859 of May 17, 2017

Article 3. Definitions of the terms used in this law

The terms used in this Law shall have the following meanings:

- a) A tobacco product is any product that contains tobacco or its elements (except for medications containing nicotine), and which is intended to be smoked, chewed, snused or sniffed, including:
 - a.a) filtered and unfiltered cigarettes;
 - a.b) papirosa, cigars and cigarillos;
 - a.c) pipe tobacco, tobacco for hookah;
 - a.d) rolling tobacco;
 - a.e) chewing, snus and snuff tobacco;
 - a.f) electronic cigarettes or other similar nicotine-delivering devices containing materials / cartridges / capsules;
- a.g) New tobacco product - product containing tobacco but not included in any other category of tobacco products as defined under sub-paragraph "a" of this Article;
- a.h) Raw tobacco products, tobacco leftovers;

a.i) Heating tobacco - tobacco product (except for electronic cigarettes or other similar material/cartridge/capsule containing nicotine) designed to be used only by heating;

a¹) tobacco accessories and/or devices for tobacco usage such as: a mouthpiece, a pipe, a hookah, a device for snus tobacco and a device for snuff tobacco, an electronic cigarette or a similar device, a special cigarette lighter, tobacco rolling paper, a tobacco rolling device, a tobacco cutting device, an ashtray, any kind of a cigarette case or any other item that is mainly intended for tobacco use and/or storage, as well as any illustrations of cigarettes, cigarette packs or the above mentioned items or any items depicting them.

b) A cigarette is any kind of scroll or a tube-like body that contains tobacco or its elements, and which is rolled in paper or in a tobacco-free material envisaged by law;

c) Nonsmoking tobacco is a tobacco product which is not intended to be smoked. It is intended to be chewed, snused, or inhaled;

d) Smoking tobacco - inhaling primary smoke or aerosol released as a result of tobacco burning or heating;

e) Tobacco industry means manufacturing, importing, selling, exporting, re-exporting and/or transiting tobacco products;

e¹) A cigar bar is a specialized institution which is set up according to the permit issued in compliance with the Law of Georgia on Licenses and Permits, and where it is allowed to smoke a cigar envisaged by "a.b" Subparagraph of this Article;

f) A medical warning is a statement that warns of the harmful effects of tobacco smoking. It shall include a relevant image;

g) Rotation is alternation of medical warning messages;

h) A tobacco product ingredient is tobacco, an additive, or any substance or element contained in a tobacco product, among them, paper, filter, a capsule, ink and glue; [Translator: 'tar' can be used instead of 'glue']

h¹) Additive is a substance or material (except a tobacco leaf) which is added to tobacco products;

i) The Ministry is the Ministry of Labor, Health and Social Affairs from Georgian occupied territories;

j) Tobacco product ingredients are nicotine, tar and carbon monoxide gas contained in the smoke of a tobacco product;

i) Ministry – the Ministry of Labor, Health and Social Affairs of Georgia;

k) Tobacco product emissions are substances that are released when the tobacco product is used as intended. Namely, the substance contained in the smoke of a cigarette or in that of other kinds of smoking tobacco which is released when the smoking tobacco is used, as well as the substance released when using chewing tobacco, snus tobacco, and snuff tobacco;

k) (deleted on 05.17.2017, №859);

l) Additional materials and items are: a wrapper that comes into contact with a tobacco product, a pack, and other packaging materials;

m) Sale is to transfer a finished tobacco product to another person through selling or marketing it, in order to receive a commercial benefit;

n) Manipulation means weighing, measuring, branding, sealing, packaging, stacking, and moving;

o) Falsification means incompliance of the components, characteristics, assortment and the origin of tobacco products with the defined requirements, or with the data indicated in the documents enclosed and the data included on the label;

p) (deleted on 05.17.2017, №859);

q) Manufacturing entity is an enterprise, shop or their units and other producing subdivisions and compounds, as well as the machinery used in the tobacco production process;

r) (deleted on 05.17.2017, №859);

s) A finished product is a product that is produced by combining the resources and activities (industrial processing);

t) A tobacco manufacturer is a person or legal entity, which produces tobacco and will be held liable for failing to fulfil the requirements of the Law at every stage of carrying out its activities. In addition, it means a representative or a product importer operating in the territory of Georgia, when a foreign manufacturer does not have a representative;

u) Buildings and other structures are any construction (except a vehicle) which have a floor, any type of roof or ceiling, and at least ½ of their surface (except roofs, ceilings, and floors) has any type of moving or static walls, made of any material, among them open or closed windows and doors;

v) Public transit – any vehicle, including buses, trams, trolleybuses, vans, taxis, trains, aircrafts, subways, cable cars, boats, or other vessels, used for transporting people in exchange for payment or/and for commercial gain;

w) Electronic cigarette - product that can be used with an oral device, using aerosol with nicotine or any component of this product including cartridge and tank or a device without a cartridge or

tank. Electronic cigarette can be single use or multiple use (the one refilled with a container and tank or a single use chargeable with a cartridge);

x) Brand expansion – association of a tobacco product brand, trade mark, emblem, trade mark, logo or any other distinctive mark (including different color combinations) with another product or service in which the tobacco product and other product or service are identified with each other.

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

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

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

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

Article 4. Tobacco Control Activities and Sub-Legislative Normative Acts Governing Tobacco Control

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

2. A normative act of the Government of Georgia shall define:

a) Threshold limits of emitted substances (nicotine, tar, choking gas) from filtered or unfiltered cigarettes (except for heated tobacco) sold in Georgia, rules for measuring and regulating their concentration, considering international requirements in the field of tobacco control;

a¹) The volume of the material/cartridge/container containing nicotine and of the electronic cigarette or any similar device designated for sale in Georgia, threshold concentrations of nicotine in them, considering the international requirements in the field of tobacco control;

b) The rules of displaying medical warning messages and pictograms on the tobacco product (on a pack/carton, package).

c) The standardization rules for tobacco products intended for sale in Georgia and for their packaging.

3. The substances (nicotine, tar, choking gas) emitted from filtered or unfiltered cigarettes shall be measured by the manufacturer and/or importer of the given tobacco product at their own cost. Manufacturer and/or importer of the given tobacco products must be able to demonstrate that the measurements have been made according to the standards and within at least 3 months prior to placing filtered or unfiltered cigarettes in the Georgian market and submit documentation confirming the measurement of substances emitted from filtered or unfiltered cigarettes according to standards. The list of these documents shall be established by the Ministry of Internally

Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia. Tobacco manufacturer and/or importer shall ensure compliance of tobacco products with the criteria indicated in these documents. Manufacturer and/or importer of filtered and unfiltered cigarettes must re-submit updated documentation in case the quantity of emitted substances or any other parameters have changed. In case of such changes, the updated documentation shall be submitted no later than within 3 months prior to placing filtered and unfiltered cigarettes in the Georgian market. Additionally, manufacturer and/or importer of tobacco products, no later than 3 months prior to placing tobacco products in the Georgian market, must submit the information about tobacco product ingredients (in particular, list of ingredients, quantity and weight) to the Ministry. Manufacturer and/or importer of tobacco products must re-submit updated information in case the ingredients or any other parameters have changed. In case of such changes, the updated information shall be submitted no later than 3 months prior to placing the tobacco products in the Georgian market.

3¹. Manufacturer and/or importer of heated tobacco or a new tobacco product must notify the Ministry about the products they are planning to bring into Georgian market. The notification must be sent to the Ministry in a way required by the Ministry 3 months prior to placing the goods in the Georgian market. The notification shall be accompanied by a detailed description of these goods and instructions for use as well as information about the ingredients of these tobacco products and emitted substances.

4. The prohibition/restriction rules, defined by this Law, for manufacturing, importing and selling tobacco shall be reflected in the license/permission/authorization conditions of the entities carrying out the activities defined by a relevant license/permission/authorization.

5. Monitoring compliance with the tobacco control requirements as defined in this Law is the auditing of business activities and thus the Law of Entrepreneurs of Georgia does not apply to it.

6. In the process of preparing, adopting and implementing the decision on tobacco control concerning the protection of health, Government institutions, Government employees and public servants may have communication with entities involved in the tobacco industry only when it is necessary for them to ensure effective regulation of tobacco manufacturing and tobacco products. If communication with entities involved in the tobacco industry is necessary, these Government entities shall conduct communications from the state with entities involved in the tobacco industry in a transparent manner. They shall hold public discussions, and inform the community about such communications through a public notice and disclosure of the documents prepared as a result of such communications. The issues related to such communications shall be defined by a normative act of the Government of Georgia.

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

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

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

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

Article 5. Sale and/or display of tobacco products, tobacco accessories and/or devices intended to use tobacco

1. It is prohibited to engage persons under the age 18 in tobacco industry;
2. It is prohibited to sell and/or display tobacco products, tobacco accessories and/or devices for tobacco use:
 - a) at educational (secondary, higher education, and professional), child care, educational/care institutions and in the territories adjacent to them within the 50-meter radius (from the closest point of a compound of the given institution);
 - b) in a state organization; in any type of medical, sports and cultural facilities and in the territories owned by these entities;
 - c) if, in a retail store, tobacco products, tobacco accessories and/or devices for tobacco use are not located separately from food products and/or other goods. Tobacco products, tobacco accessories and/or devices for tobacco use will be considered separated from food products and other goods if separated with a transparent shelf/device/partition or located independently in an area separated from the retail departments and/or sections designated for selling food and other goods. Retail department/section is a part of the retail store where specific type/types of food products or other goods are sold;
 - d) as an individual cigarette and packaging (a pack) if it contains fewer or more than 20 cigarettes;
 - e) without packaging (except tobacco accessories and/or devices for using tobacco);
 - f) to persons under 18 years of age;
 - g) from electronic or mechanical vending machines;
 - h) if tobacco products intended for sale in Georgia are manufactured in violation of the legislation of Georgia;
 - i) Free of charge or at a price lower than the self-cost, including making it part of the per diem of the military personnel;

(The normative content of the following words of sub-paragraph "i" of paragraph 2 of Article 5 was declared void which, in the circumstances of legitimate economic interest, prohibits that an economic agent operating on the existing tobacco market sell tobacco products to another economic agent operating on the same market at a cost lower than its self-cost) - Decision No. 1/2/876 of the Constitutional Court of Georgia dated May 20, 2022 - website, 24.05.2022.

j) via the Internet or mail (retail trade) except tobacco accessories and/or tobacco use devices, to which trademarks and/or names of the products (commodities) of tobacco business entities are not applied);

k) at early and pre-school care and educational institutions and in the territories adjacent to them within the radius of 50 meters;

l) in shop windows, in glass cases, on counters, and on shelves or displayed otherwise in a manner that it is visible from outside the shop (except a special lighter for a cigarette, an ashtray and cigarette cases do not display trademarks and/or names of the products (commodities) of business entities involved in the tobacco industry, except for the sale and display cases in the duty-free zone of the airport);

m) in shop windows, glass cases, on counters, on shelves or displayed otherwise in a manner that it is visible from inside the shop (except a special lighter for a cigarette, an ashtray and cigar cases which do not display trademarks and/or names of the products (commodities) of business entities involved in the tobacco industry, except for the sale and display cases in the duty-free zone of the airport);

n) to sell tobacco products or tobacco accessories by a relevant shop using a drive-through.

2¹. Supply of tobacco products (except for liquid tobacco products) under sub-paragraph "a.c" of Article 3; or paragraph "a.d" or "a.h" of the same Article is permitted only if it is packaged in 50 or 100 gram packages, except for the cases provided for under the order of the Minister of Finance of Georgia for raw tobacco to be used in manufacturing tobacco products

3. It is prohibited to give away or do a drawing for tobacco products, tobacco accessories and/or devices for using tobacco through a lottery, gambling or games of chance and/or to participate in such events using tobacco products or any of its parts, tobacco accessories and/or devices for using tobacco or by their distribution, as well as to promote tobacco products in any form, among them:

a) to give or offer gifts, to give tobacco products, tobacco accessories and/or devices for using tobacco or offer to sample tobacco products in order to sell them;

- b) to reinforce an initiative or a loyalty scheme, specifically to distribute coupons along with selling tobacco products;
- c) direct personal communications or network marketing, which promotes or may promote a tobacco product, a tobacco manufacturer or a wholesale trader;
- d) promotional materials intended for an individual, including informational materials (namely, a direct message), telemarketing, and a customer survey which promotes or may promote a tobacco product, a tobacco manufacturer or a wholesale trader;
- e) make a payment to a retail trader, reward a retail trader or otherwise contribute to the activities of a retail trader which are intended to motivate the retail trader to sell more tobacco products;
- f) make payments by a tobacco manufacturer, importer or a wholesale trader or persons directly or indirectly associated with them or otherwise share in such an event, and in activities of a person or legal entities which promote a tobacco product, a tobacco manufacturer, importer or a wholesale trader or their representatives;
- g) sell or distribute toys, sweets or other products which are not tobacco products and are illustrations, simulations or imitations of tobacco products;
- h) brand expansion, as well as the placement of a marking, image, special lighting, digital material or text on the inside or outside of a tobacco device/item in a retail store and designing this device/item in a way that will or may catch the customer's attention or will or may cause the customer to associate this item with the product contained inside, with tobacco products or tobacco manufacturer.

4. The medical warning message and the telephone number, approved according to the laws of Georgia, for smoking cessation consultations intended for persons who want to quit smoking, shall be displayed on no less than A4 size paper along with the information that it is prohibited to sell tobacco products, tobacco accessories and/or devices for using tobacco to persons under 18 years of age in the places where tobacco products are sold.

5. If a seller of tobacco products, tobacco accessories and/or devices for tobacco use is unsure that a buyer of a tobacco product, a tobacco accessory and/or devices for tobacco use is a minor, the seller shall be obliged to request this person to present a document proving the buyer's age of majority and only after the seller is convinced that the buyer is 18 years old, can he sell a tobacco product, a tobacco accessory and/or a device for using tobacco to this person.

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

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

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

[Article 5¹. Sale of tobacco products in standardized packaging and/or their display

1. It is prohibited to sell and/or display tobacco products (except the tobacco product envisaged by “a.f. Subparagraph” of Article 3 of this Law) without the standardized packaging.

2. The standardization rules for tobacco products and their packaging are defined by this Law and a relevant legal act of the Government of Georgia. **(effective July 31, 2024)]**

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

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

Law of Georgia No. 2127 of November 29, 2022 – website, 13.12.2022

Article 6. Packaging and Design of Tobacco Products

1. Names of tobacco products intended for sale in in Georgia and any element of their packaging and/or labeling may not contain any false, misleading information or information creating a false impression about the properties of a tobacco product, its harmful effect or about harmful substances emitted. Besides, no word, abbreviation, sign, image, chart or a number may be used in Georgian or in any foreign language, which will create directly or indirectly a false impression that the given product is less harmful compared with the other products. Furthermore, they may not be used in a brand or trade name. Some of such words are: “light”, “mild”, “less intensive”, “ultra-light”, “low tar”, “extra”, “ultra”, “menthol,” etc.

2. Each box/block and packaging of tobacco products (except for tobacco products provided for in sub-paragraphs "a.f", "a.g" and "a.i" of Article 3 of the same law) must bear a medical warning approved under Georgian law. This medical warning shall include a main medical warning, additional medical warning (including images approved under Georgian legislation, and in case of tobacco products provided for in sub-paragraphs "a.e" of Article 3 of the same Law - with a corresponding text) as well as contact number.

2¹. A relevant informational insert about the given product shall be included in the packaging of the tobacco product envisaged by Subparagraph “a.f” of this Law.

2². Each packaging of tobacco products provided for in sub-paragraphs "a.g" and "a.i" shall have a medical warning and a corresponding pictograph approved under Georgian legislation.

3. Georgian Government shall approve 3 samples of medical warnings, 9 samples of additional medical warnings with corresponding 9 pictographs, 1 text sample, corresponding information sheet forms; for tobacco products provided for in sub-paragraphs "a.g" and "a.i" of Article 3 of this law - 2 samples of a medical warning and 2 samples of a corresponding pictograph, contact phone number, computer fonts and font size of a medical warning text as well as the parameters for complying with the pictograph quality.

4. Pictograph samples must correspond and contain additional medical warning text; for tobacco products provided for in sub-paragraphs "a.g" and "a.i" of Article 3 of this law - medical warning text must take up the space approved for a medical warning by Georgian Government.

5. Medical warning messages shall be rotated as follows:

a) Manufacturer and/or importer of the tobacco products must utilize all main medical warnings during the year; for tobacco products provided for in sub-paragraphs "a.g" and "a.i" of Article 3 of this law - all medical warnings must be followed in a way that they evenly spread out over the box/block of each type of tobacco product designated for sale;

b) A manufacturer tobacco product and/or an importer shall choose three additional medical warning messages during a year with relevant pictograms in such a manner that they are equally displayed on each type of a pack/carton of tobacco products intended for sale and on their packaging.

5¹. The manufacturer of tobacco products, when taking tobacco products to Georgia to sell and/or the importer of tobacco products, when importing tobacco products, must provide an applicable agency with the information about the type and samples of medical warning rotations (main medical warning, additional medical warning) applied to a specific quantity or batch of tobacco products

6. A medical warning message shall be placed on every packaging of tobacco products in the state language of Georgia (and also in the Abkhazian language in the Autonomous Republic of Abkhazia) in compliance with Paragraph 2 of this Article and shall be:

a) clear and legible;

b) the printed text on the packaging of tobacco products (except for a transparent packaging) (in case of a cigar, cigarillo, chewing tobacco, sucking tobacco, liquid tobacco, as well as more than 50 kg raw tobacco, it is permitted to apply a medical warning sticker instead of a printed package) must not be covered, distorted or altered; and must not get damaged after opening or come off;

c) printed in a computer font, bolded, in black letters on a white background or in white letters on a black background; the white background shall be surrounded by a black border line and in the event of a black background – by a white border line, which does not interfere with the letters; the thickness of frame line shall be 1 mm;

d) shall be placed on the front and back sides of the packaging, in parallel to the upper and lower edges, and shall not cover less than 65 percent of the entire area, which includes the bordering lines and in case of the tobacco product envisaged by Subparagraph “a.e” of this Law it shall be placed on the front and back sides of the packaging and shall not cover less than 30 percent of the total area, which includes the bordering lines;

e) placed: additional medical warning - on the front of the box; main medical warning - on the back of the box; for tobacco products provided for in sub-paragraphs "a.g" and "a.i" of Article 3 of this law - on the front and back of the package.

7. (Deleted on 05.17.2017, №859).

8. A medical warning message shall not be covered by other printed information or by an image.

[9. The standardization rules for tobacco products (except the tobacco product envisaged by Subparagraph “a.f” of Article 3 of this Law) and their packaging are defined by this Law and a relevant legal act of the Government of Georgia. The goal of the standardization rules is to:

a) reduce the attractiveness of tobacco products;

b) increase effectiveness and visibility of the medical warning message;

c) reduce the likelihood to mislead a consumer about the tobacco product or its consumption by the tobacco product packaging.

10. It is prohibited to display a brand, a logo, a trademark or another element by depicting them on the packaging (a pack, a cartoon, a container, etc.) and on each cigarette. Any inscription on the packaging (except the tobacco product envisaged by Subparagraph “a.f” of Article 3 of this Law) of tobacco product (a pack, a cartoon, a container, etc.) shall be made in a single unified font in the state language of Georgia and the country where it was manufactured shall be indicated.

Furthermore, it is prohibited to make any inscription on filtered and unfiltered cigarettes, papirosa, cigars and cigarillos.

11. By issuing a normative act the Government of Georgia shall make a decision on allowing (using), or banning the following specifications and/or elements (except the tobacco product

envisaged by Subparagraph “a.f” of Article 3 of this Law) of a tobacco product, or on defining the requirements in respect of them, such as:

- a) the color, size and shape of a tobacco product or its packaging;
- b) the packaging material and its texture;
- c) the type of opening of the tobacco product packaging;
- d) the wrapper and contents of the tobacco product;
- e) certain words or marks on tobacco products and their packaging (including a certain type of brand, logo or a trademark);
- f) words or marks, which may be placed on tobacco product and its packaging;
- g) distinguishing features of tobacco products and their packaging, including the features aiming at changing the appearance or contents of the tobacco product, and to make a sound or emit some scent after the tobacco product is sold;
- h) an article or material used in a tobacco product packaging which is not an integral or mandatory part of the packaging;
- i) an article attached to a tobacco product or to its packaging, except the mandatory excise stamp and the medical warning message envisaged by this Article;
- j) a weight determiner of the tobacco product, which may be placed in the tobacco product packaging;
- k) such feature or element of a tobacco product which will give a characteristic flavor to the product.

12. Displaying a brand or its name is allowable on tobacco product packaging (except the tobacco product envisaged by Subparagraph “a.f” of Article 3 of this Law) only in compliance with a normative act of the Government of Georgia. The normative act of the Government of Georgia may determine the following:

- a) the limit of the length of the brand or its name;
- b) prohibition from using such words and colors in a brand or its name which may mislead the consumer about the product characteristics, its impact on health, its risk or substances emitted, or may mislead the consumer as if the given tobacco product is less harmful compared with the other

products or is better than the others since it is natural or organic, or is beneficial for a healthy way of life;

c) use of such words or phrases which are intended for economic stimulation of the consumer;

d) the requirements for depicting words or characters including the manner and circumstances in which these words or characters are depicted in a relevant font, size and type as well as the location and orientation of the words on the packaging.

13. The normative acts adopted in accordance with Paragraphs 9-12 of this Article shall not impact the intellectual rights of a person to register, own and use a trademark and copyrights. (effective July 31, 2024)]

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

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

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

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

Law of Georgia No. 2127 of November 29, 2022 – website, 13.12.2022

Article 7. Consumer protection from falsified product

1. In order to protect consumers from falsified products, the Government of Georgia shall determine the list of markings (concerning the tobacco manufacturers) on the packaging.

2. It is prohibited to produce, store, transport and sell falsified tobacco.

3. (deleted on 05.17.2017, №859).

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

Article 8. (deleted)

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

Article 9. Export and Import of Tobacco

1. Exporting and importing of tobacco is carried out in accordance with the legislation of Georgia.

2. The regulations under this law (except for Article 10 of this law) do not apply to tobacco products imported by the air transport by an individual within 1 calendar day and in other cases within 30 calendar days in a quantity permitted under Georgian Customs Code.

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

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

Article 10. Limiting Tobacco Consumption

1. It is prohibited to smoke:

- a) in any buildings and other structures, except the buildings and other structures envisaged by Paragraph 11 of this Law;
- b) in public transit (except in the open space of a boat or other vessel);
- b¹) If a minor is riding in a vehicle (automobile);
- c) in buildings designated for educational (secondary schools, higher educational institutions, vocational schools), training and educational and instructional facilities, other educational institutions, libraries, student camps, children's entertainment centers and facilities designated for individuals under the age of 18 or owned by such agencies (except for cases provided for in paragraph 15 of this Article) as well as the places of community gatherings involving individuals under the age of 18;
- d) In medical and pharmaceutical facilities and their territories, except for facilities provided for in paragraph 1² of this Article and cases provided for in paragraph 1⁵ of this article;
- e) in the entire territory of petrol, natural gas and natural gas-distribution stations and in the buildings and structures of the facilities where flammable substances are stored as well as in the territories owned by them;
- f) at a stadium which has the administrators.

1¹. Smoking is allowed in the following buildings and other structures:

- a) at the place of residence of a person (if a physical entity/a family of the physical entity actually lives in this place and this place of residence is not a place of business activities concurrently);
- b) in a specialized laboratory equipped for studying tobacco smoke;
- c) Governmental sub-departments under the Georgian Ministry of justice system – special penitentiary office, penitentiary department (hereinafter – penitentiary department);
- d) in cigar bars established according to the permits issued by the Law of Georgia on Licenses and Permits (only smoking of cigar envisaged by Subparagraph “a.b” of Article 3 of this Law);

e) in a casino;

e¹) in slot machine saloons for which the license fee base does not exceed GEL 200 000 and where at least 20 slot machines are arranged;

f) in the transit zone of an airport, according to the Paragraph 13 of this Article;

g) in pre-trial detention cells;

h) in the temporary placement center of the Georgian Ministry of Internal Affairs;

i) in facilities permanently housing a professional theater, during the play and/or performance by one actor and/or performer, in order to carry out the director's creative idea. Additionally, prior to the commencement of the play and/or theatrical performance, the audience must be provided with the information about the harmful effects of tobacco products.

1². It is allowed for some beneficiaries or patients with serious diseases to smoke in the designated places of in-patient psychiatric and palliative care facilities in compliance with the rules established by a special order issued by the Head of a relevant facility. The designated place shall be enclosed completely (with walls) and shall be separated from the other sections/areas of the facility and shall be equipped with a ventilation system or has a window that faces towards open space. By a special order of the Head of the facility smoking is allowed for such patients in a room if it is isolated from the other patients.

1³. It is allowed to smoke in the transit zones of the airport only in a special smoking room which shall have a separate ventilation system from where the smoke should not travel to another area of the airport and it shall be prohibited to take food and water and consume them in this room. The rules for allocating a special smoking room in the transit zone of an airport shall be determined by a normative act of the Government of Georgia.

1⁴. The rules and conditions for using tobacco in the penitentiary institutions shall be determined by an order of the Minister of Justice of Georgia.

1⁵. On the territories of higher educational or vocational facilities as well as medical and pharmaceutical facilities, smoking tobacco is permitted in the area (areas) specifically designated for smoking by the administrator of that facility. The number of such areas on the facility grounds must not exceed 3 and the area of each space must not exceed 20 square meters

2. (Deleted on- 05.17.2017, №859).

3. (Deleted on- 05.17.2017, №859).

4. (Deleted on- 05.17.2017, №859).

5. (Deleted on 05.17.2017, №859).

6. (Deleted on 05.17.2017, №859).

7. Demonstrating smoking tobacco or the other forms of its use via mass media is prohibited as well as via printed or electronic media, by mass broadcasting or theatrical performance, except when broadcasting live and a smoker is captured by a camera accidentally, when the circumstances described in sub-paragraph "i" of paragraph 1¹ of this Article are present or when a TV or radio commercial is broadcasted about the harmful effects of smoking tobacco in accordance with paragraph 2 of article 8² of Georgian Law on Advertisement and as approved by a regulatory order of the Minister of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia

8. An agency (legal entity, other organizational structure, association of individuals without creating a legal entity, entrepreneurial entity, public agency, including a state agency and municipality) has the following obligations:

a) Ensure that, pursuant to this law, in the buildings and/or the grounds of its operations, that fall under paragraph one of this Article, smoking tobacco is prohibited/restricted;

b) Not allow the presence of smoke, aerosols, cigarette butts and ashes, resulting from the use of tobacco as well as the presence of ashtray on the grounds of the facility where it conducts its business, as defined in Paragraph 1 of this Article;

c) Develop and approve the in-house policies on the prohibition/restriction of tobacco smoking in the buildings and/or on the grounds of its operations, that fall under paragraph one of this Article;

d) Post the rules about the prohibition/restriction of smoking tobacco in every entrance and other conspicuous areas of the building and/or property of its operations falling under paragraph one of this article as well as posting a message and signage on prohibiting/restricting smoking of tobacco along with the contact phone number and other information of an individual/agency to be contacted in case of violation of the rules on the prohibition/restriction of tobacco use;

e) Not allow smoking of tobacco, and in case the smoking of tobacco has been identified to have occurred, take immediate actions within the limits of the power vested by this law for interdicting such an action in the buildings and/or property of its operations, that fall under paragraph one of this Article.

9. A driver of a public transportation, and its owner/possessor shall be obliged to observe the rules related to prohibiting/restricting smoking in the public transportation and prevent facts of violations of these rules.

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

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

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

Law of Georgia 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 10¹. A permit for setting up a cigar bar and the permit conditions

1. Issuing operating licenses to cigar bars, revocation, amendment, registering in an applicable license registry and other activities related to this license is carried out by the Legal Entity of Public Law Revenue Service of the Ministry of Finance of Georgia (hereafter "Revenue Service") in accordance with Georgian Law on Licenses and Permits.
2. A permit for setting up a cigar bar is issued for 4 years.
3. It is prohibited to transfer the permit envisaged by this Article to another person.
4. It is prohibited to offer any product to a customer in a cigar bar as a giveaway, in order to sell it or to taste it, other than the cigar, which is envisaged in Subparagraph "a.b" of Article 3 of this Law, as well as a drink.
5. A person under the age of eighteen is not allowed to enter a cigar bar.
6. The owner of a cigar bar is obliged to place visibly the contact information for the fire and rescue office.
7. A cigar bar license applicant, in addition to the documentation to be submitted to the Revenue Service as per Article 25 of Georgian Law on Licenses and Permits, must also submit the following additional documentation as well as information:
 - a) Document confirming the ownership of a respective facility (of a manufacturer);
 - b) Documentation confirming that the cigar bar will be located in an isolated part of the building, will be connected with the other parts of the building with a closed wall, will have a separate entrance, ventilation system and cigar smoke will not be able to seep through the other parts of the building or other buildings and structures;
 - c) Document issued by an applicable agency about the proper operation of ventilation systems;

- d) Document confirming the availability of an electrical moisturizing device.
 - e) Training information for the applicable agency staff (for employees) about selling and using tobacco products.
8. Starting one year from obtaining the permit, the holder of the permit for setting up a cigar bar is obliged to provide annually the permit issuer with information evidencing that the income from selling cigars makes up at least 15 percent of his annual turnover.

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

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

Article 10². Liability for failure to meet the permit conditions

1. Liability for failure to meet the permit conditions for setting up a cigar bar is determined by the Georgian laws, among them by the present Law.
2. In case the holder of the permit for setting up a cigar bar fails to meet the permit conditions envisaged by this Law, the holder shall be fined with 500 GEL.
3. In case the permit holder repeatedly fails to meet the permit conditions, he will be fined according to Article 34 of the Law of Georgia on Licenses and Permits notwithstanding the fact that the fine envisaged by Paragraph 2 of this Article has been already imposed on the holder.
4. In case the holder of the permit for setting up a cigar bar continues to fail to meet the permit conditions, though he has paid the fines imposed by Paragraph 2 and 3 of this Article, the permit issuer makes a decision on revoking his permit. Issues related to revoking the permit are governed by the Law of Georgia on Licenses and Permits.
5. A specifically authorized staff member of the Revenue Service is entitled to give a citation and review the case of violations under this article.
6. The format of the report envisaged by this Article, and the rules to complete and submit the form are defined by an order of the Minister of Finance of Georgia and legal proceedings are conducted in accordance of the Georgian legislation.

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

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

Article 11. Liabilities for violating the Law

For violating this Law physical and legal entities shall be held liable according to the rules defined by the Georgian legislation.

Article 12. State Supervision over Compliance with the Law

1. The state supervision over compliance with the present Law is carried out in accordance with the legislation of Georgia.
2. In order to ensure compliance with this Law and to administer the issues related to tobacco control, competent bodies may develop and issue relevant legal acts as necessary.

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

Article 12¹. Transitional Provisions

1. It is allowed to smoke in the stadium envisaged by Subparagraph “f” of Paragraph 1 of Article 10 of this Law until January 1, 2020.
2. It is allowed to smoke in no more than 20 percent of the hotel rooms until January 1, 2020. The smoking regime may not be changed in smoking and non-smoking rooms of a hotel. Smoking rooms shall be designated by a special order of the administration of the hotel and it shall be displayed in a visible place in the hotel.
3. Notation on emissions from tobacco products may be displayed on tobacco products according to the rules defined by the Government of Georgia until January 1, 2019.
4. Until the 31st of December 2022, for the tobacco products designated to be sold and/or placed in the free trade points of boarder zones, the packaging can bear a medical warning in English and must be in full compliance with the EU requirements for these particular products and must not violate intellectual property rights.
5. Until January 1, 2025, a medical warning may be placed without a respective pictograph on each package of a new tobacco product referenced in subparagraph “a.g.” of Article 3 as well as on a heated tobacco packaging referenced in Paragraph “a.i” of the same Article. Additionally, for heated tobacco, as per sub-paragraph “a.i.” of article 3 of this Law, it is allowed that a medical warning not occupy less than 30 percent of the total area of the side of the packaging, including the boundary lines.

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

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

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

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

Article 13. Final Provisions

1. The following acts shall be declared repealed upon the effective date of this Law:
 - a) Law of Georgia on Tobacco Control in Georgia, dated 6 June 2003 (Legislative Herald of Georgia No19, 07.01.2003, Art. 121);
 - b) Law of Georgia on Food and Tobacco, dated 25 June 1999 (Legislative Herald of Georgia No31 (38), 1999, Art. 165);
 - c) Law of Georgia on Trade in Tobacco Products, dated 26 August 2003 (Legislative Herald of Georgia No29, 09.18.2003, Art. 209).
2. The sub-legislative normative acts that are issued based the legislative acts referred to in Subparagraphs “a” and “b” of Paragraph 1 of this Article shall have legal effect until they are in compliance with this Law.
3. This Law shall take effect upon its publication.

President of Georgia

M. Saakashvili

Tbilisi, 15 December 2010

No 4059 -RS