

**LAW OF GEORGIA**  
**ON AMBIENT AIR PROTECTION**

**SECTION I – General Part**

**Chapter I – General Provisions**

**Article 1 – Scope of the Law**

1. This Law regulates protection of ambient air from harmful anthropogenic impacts in the territory of Georgia.
2. This Law does not regulate the legal framework for protection of air inside buildings.

**Article 2 – Legislation of Georgia in the field of ambient air protection**

The Legislation of Georgia in the field of ambient air protection consists of the Constitution of Georgia, treaties and international agreements of Georgia, the Law of Georgia on Environmental Protection, the Law of Georgia on Health Care, this Law and other legal and subordinate normative acts.

**Article 3 – Main goals and objectives of the Law**

1. The main goals of this Law are:
  - a) to ensure the protection of fundamental human rights established by the Constitution of Georgia in the field of environmental protection, in particular, to live in a healthy environment and enjoy the natural and cultural environment;
  - b) to ensure the protection of ambient air, as one of the main components of the environment, in accordance with environmental and economic interests of society and taking into account the interests of present and future generations;
  - c) to provide a legal framework to resolve common global and regional problems in the field of ambient air protection.
2. The main objectives of this Law are:
  - a) to ensure the attainment, maintenance and improvement of the ambient air condition/quality for safety of human health and natural environment;
  - b) to provide a legal framework to regulate emissions of pollutants into the ambient air;
  - c) to support implementation of the principle of public access to information on the condition of the ambient air;
  - d) to support gradual entry into force, in the territory of Georgia, of legal norms established under EU legislation in the field of protection of ambient air from pollution.



## Article 4 – Definition of terms

The terms used in this Law have the following meanings:

- a) ambient air – air of the atmospheric shell, except for the air inside buildings;
- b) pollutant – any substance emitted into ambient air as a result of human activities, which adversely affects or may adversely affect human health and the natural environment;
- b<sup>1</sup>) primary pollutants – sulphur dioxide, nitrogen dioxide, nitrogen oxides, particulate matter, lead, benzene, carbon monoxide, ozone, arsenic, cadmium, mercury, nickel, benzo(a)pyrene, manganese dioxide;
- c) EU legislation – regulations, directives, decisions, recommendations and opinions adopted by the EU institutions;
- d) the system of integrated control of environmental pollution – a system of regulation of environmental pollution which is based on the integrated (comprehensive) monitoring of pollution of the main components of the environment: earth, water and ambient air, which are able to accumulate pollution;
- e) best available techniques ('the BAT') – environmentally the best, most usable and economically available technique, which is most effective at preventing, minimising or transforming the harmful effects on the environment; although not necessarily widespread, its adoption, implementation and use is possible from the technical point of view; although not being economically expedient for gaining marginal environmental benefits at considerably high cost, but being economically available;
- f) FEANCN – Foreign Economic Activity National Commodity Nomenclature (FEANCN) approved by an Order of the Minister of Finance of Georgia;
- g) (deleted – 25.3.2013, No 451);
- h) (deleted – 25.3.2013, No 451);
- i) (deleted – 25.3.2013, No 451);
- j) (deleted – 25.3.2013, No 451);
- k) natural and/or legal person – a natural and/or legal person under private law;
- l) state body and/or state legal entity – a state body, or a legal entity under public law (public law corporation, public law institution), the creation, organisation and rules of procedure of which are determined by law;
- m) (deleted);
- n) ozone depleting substances – substances determined and regulated by Annex A, B, C or E to the Montreal Protocol of 1987 on Substances that Deplete the Ozone Layer (the Montreal Protocol) that exist in an independent form or in a mixture;
- n<sup>1</sup>) substances covered by the Montreal Protocol – ozone depleting substances and substances provided for and regulated by Annex F to the Montreal Protocol;
- n<sup>2</sup>) import of substances covered by the Montreal Protocol – the import of substances covered by the Montreal Protocol to the customs territory of Georgia, excluding transit and re-export;
- n<sup>3</sup>) export of substances covered by the Montreal Protocol – the export of substances covered by the Montreal



Protocol from the customs territory of Georgia, excluding transit and re-export;

n<sup>4</sup>) transit of substances covered by the Montreal Protocol – the transportation of substances covered by the Montreal Protocol through the territory of one or more states (other than the state of import, the state of export, and the state of re-export);

n<sup>5</sup>) re-export of substances covered by the Montreal Protocol – export of substances covered by the Montreal Protocol from the customs territory of Georgia, which had been imported to the customs territory of Georgia, excluding transit;

n<sup>6</sup>) state of import – a state to which the substances covered by the Montreal Protocol are imported or planned to be imported;

n<sup>7</sup>) state of export – a state from which the substances covered by the Montreal Protocol are exported or planned to be exported;

n<sup>8</sup>) state of re-export – a state from which the substances covered by the Montreal Protocol are re-exported or planned to be re-exported;

n<sup>9</sup>) state of transit – a state to which the substances covered by the Montreal Protocol are imported or planned to be imported for the purpose of their export to another state (excluding re-export);

n<sup>10</sup>) containment of substances covered by the Montreal Protocol – collection of substances covered by the Montreal Protocol from the refrigeration system for the purpose of their identification and storage in an appropriate container;

n<sup>11</sup>) recycling of substances covered by the Montreal Protocol – purification of substances covered by the Montreal Protocol from mechanical impurities, acids and oil;

n<sup>12</sup>) recovery of substances covered by the Montreal Protocol – bringing back substances covered by the Montreal Protocol to the baseline condition;

o) the annual import quota of ozone depleting substances –the established total annual import of each group of ozone depleting substances given in metric tons that are subject to gradual reduction and final removal from consumption according to the Montreal Protocol;

p) heat pump – an equipment that receives heat from air, water or earth and supplies heat as required;

q) refrigerant – a chemical substance or a mixture of substances that circulates in a heat pump and refrigeration cycle and transfers heat from a low temperature item or environment to a higher temperature environment;

q<sup>1</sup>) certified person – a person certified in accordance with the procedure established by the legislation of Georgia, servicing equipment operating on refrigerants, i.e. a natural person, an individual entrepreneur, or a legal person, that services air conditioning and refrigeration equipment or heat pump units and/or buys/sells, contains, recycles, recovers or disposes of the substances covered by the Montreal Protocol;

q<sup>2</sup>) refrigerant management electronic system – an electronic system for recording the import, export, re-export, transit, purchase/sale and consumption of refrigerants;

r) zone – part of the territory of the country, as delimited for the purposes of air quality assessment and management;

s) agglomeration – a zone that is a settlement or a conurbation with a population in excess of 250 000 inhabitants;

t) air quality plan – a plan that sets out measures in order to attain the limit values or target values;



- u) level – the concentration of a pollutant in ambient air or the deposition thereof on surfaces in a given time;
- v) threshold limit value – the limit value fixed with the aim of avoiding, preventing or reducing harmful effects on human health and/or the environment as a whole, to be attained within a given period and not to be exceeded once attained;
- w) assessment – any method used to measure, calculate, predict or estimate levels of ambient air quality within the scope of ambient air monitoring;
- x) upper assessment threshold – a level below which a combination of fixed measurements and modelling techniques and/or indicative measurements may be used to assess ambient air quality;
- y) lower assessment threshold – a level below which modelling or objective-estimation techniques alone may be used to assess ambient air quality;
- z) margin of tolerance – the percentage of the limit value by which that value may be exceeded subject to the conditions laid down in the Technical Regulations on Ambient Air Quality Standards;
- z<sub>1</sub>) alert threshold – a level beyond which there is a risk to human health from brief exposure for the population as a whole and at which immediate steps are to be taken;
- z<sub>2</sub>) target value – a level fixed with the aim of avoiding, preventing or reducing harmful effects on human health and/or the environment as a whole, to be attained where possible over a given period;
- z<sub>3</sub>) ambient air quality management – a combination of measures aimed at improving ambient air quality;
- z<sub>4</sub>) ambient air quality standards – threshold limit value, upper assessment threshold, lower assessment threshold, margin of tolerance, alert threshold, critical level and target value;
- z<sub>5</sub>) fluorinated greenhouse gases – the hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride, and other greenhouse gases that contain fluorine, or mixtures containing any of those substances;
- z<sub>6</sub>) Agency – a Legal Entity under Public Law called the National Environmental Agency operating within the system of the Ministry of Environmental Protection and Agriculture of Georgia.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 6160 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 172 of 21 December 2016 – website, 29.12.2016*

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

*Law of Georgia No 1446 of 17 March 2022 – website, 24.3.2022*

*Law of Georgia No 3279 of 16 June 2023 – 5.7.2023*



## **Article 5 – Application of the main environmental principles established by the Law of Georgia on Environmental Protection and of the main principles for ensuring a safe environment established by the Law of Georgia on Health Care in the field of ambient air protection**

In the process of planning and implementing the activities with potential harmful impacts on the ambient air, natural and legal persons, state bodies and executive agencies shall comply with the main environmental principles established by the Law of Georgia on Environmental Protection and with the main principles of ensuring a safe environment established by the Law of Georgia on Health Care.

### **Article 5<sup>1</sup> – Ambient air quality monitoring and management**

1. Ambient air quality monitoring and management in the whole territory of Georgia shall be carried out in zones and agglomerations. Zones and agglomerations shall be approved by an order of the Minister of Environmental Protection and Agriculture of Georgia.
2. Zones shall be established taking into consideration the ambient air quality assessment results, the measurements of emission of pollutants into ambient air, and the geographical and meteorological parameters.
3. A Legal Entity under Public Law called the National Environmental Agency within the system of the Ministry of Environmental Protection and Agriculture of Georgia ('the Agency') shall classify zones and agglomerations at least once in 5 years, according to the upper assessment thresholds and lower assessment thresholds established by the Technical Regulations on Ambient Air Quality Standards. Based on the classification established by the Agency, the Minister of Environmental Protection and Agriculture of Georgia shall issue an appropriate order.
4. Except for the case determined by paragraph 3 of this article, when making significant changes that may affect the concentration of primary pollutants in the ambient air, the classification of zones and agglomerations shall be revised and the classification shall be changed, where necessary.

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

## **Chapter II – Rights and Obligations of Natural and Legal Persons in the Field of Ambient Air Protection**

### **Article 6 – Rights of natural and legal persons in the field of ambient air protection**

1. Natural and legal persons may:
  - a) receive from the state agencies determined by Article 20(6) of this Law complete, objective and timely information on air quality indicators;
  - a) receive from the public institutions objective and timely information on:
    - a.a) the ambient air quality;
    - a.b) an air quality plan and a short-term action plan;
  - b) submit to state agencies proposals for improving the protection of ambient air;
  - c) support the implementation of state and local programmes in the field of ambient air protection;
  - d) participate in the consideration and adoption of important decisions in the field of ambient air protection;



- e) receive compensation for damages incurred by the breach of ambient air legislation;
- f) require, through court proceedings, to change decisions made on the location, design, construction, reconstruction and operation of air polluting facilities;
- g) bring actions against those persons whose failure to comply with the provisions of this Law has been exposed by them [natural and legal persons].

2. The provisions provided for in paragraph 1 of this article shall apply to foreign citizens and stateless natural and legal persons who are present in Georgia, unless otherwise provided for by law.

3. The persons determined by paragraph 1(g) of this article can be either natural or legal persons, irrespective of their organisational and legal form.

*Law of Georgia No 1963 of 5 February 2014 – website, 19.2.2014*

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

## **Article 7 – Obligations of natural and legal persons in the field of ambient air protection**

Natural and legal persons shall:

a) comply with the requirements established by this Law and the legislation of Georgia in the field of ambient air protection;

b) timely inform competent state bodies or declare publicly about any potential or actual man-made accidents and other ecological disasters.

2. The provisions of paragraph 1 of this article shall apply to foreign citizens and stateless natural and legal persons who are present in Georgia, unless otherwise provided for by law.

3. The provisions of paragraph 1 of this article shall apply to executive agencies, state bodies, municipalities and to legal entities under public law, unless otherwise provided for by law.

*Law of Georgia No 1963 of 5 February 2014 – website, 19.2.2014*

*Law of Georgia No 6903 of 15 July 2020 – website, 28.7.2020*

## **Article 7<sup>1</sup> – Rights and duties of a certified person and an owner of the stationary equipment operating on the refrigerant, and the control of the fulfilment of obligations by them**

1. An owner of the stationary equipment operating on the substances covered by the Montreal Protocol of 3kg or more than 3kg, as well as a certified person, shall keep an electronic logbook. The procedure for keeping an electronic logbook shall be determined by the ordinance of the Government of Georgia on approval of the procedure for administering the refrigerant management electronic system.

2. In order to minimise the leakage of refrigerants, an owner of the stationary equipment operating on the substances covered by the Montreal Protocol of 3kg or more than 3kg shall ensure compliance with the requirements set out in the ordinance of the Government of Georgia on approval of the technical regulations on environmental requirements for servicing heat pumps, air conditioning and refrigeration equipment, including check for refrigerant leaks.



3. In the case of dismantling or disposing of the equipment operating on the substances covered by the Montreal Protocol, and if necessary, servicing such equipment, a certified person shall completely remove such substances from the system of the equipment before opening it.

4. A state subordinate agency of the Ministry of Environmental Protection and Agriculture of Georgia called the Department of Environmental Supervision shall exercise control over the fulfilment of the obligations provided for by this article.

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 172 of 21 December 2016 – website, 29.12.2016*

*Law of Georgia No 1663 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 3279 of 16 June 2023 – 5.7.2023*

### **Chapter III – Delimitation of Powers in the field of Ambient Air Protection**

#### **Article 8 – Powers of the highest state authorities in the field of ambient air protection**

1. In the field of ambient air protection, the highest state authorities shall have the power to:
  - a) organise environmental monitoring (a system for observing the condition of the environment);
  - b) develop and implement a single state policy and strategy;
  - c) organise a system for integrated control of environmental pollution;
  - c<sup>1</sup>) establish zones and agglomerations in the whole territory of Georgia;
  - c<sup>2</sup>) prepare an air quality plan and a short-term action plan together with respective agencies, within the scope of their authority, in coordination with respective municipalities;
  - d) (deleted);
  - e) perform other functions established by the legislation of Georgia.

2. The powers of the highest state authorities in the field of ambient air protection are determined by the constitution of Georgia, the Law of Georgia on Environmental Protection, the Law of Georgia on Health Care and the Law of Georgia on the Structure, Powers and Rules of Procedure of the Government of Georgia, this Law and other legal and subordinate normative acts.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

#### **Article 9 – Powers of the authorities of the Autonomous Republics of Ajara and Abkhazia in the field of ambient air protection**

The powers of the authorities of the Autonomous Republics of Ajara and Abkhazia in the field of ambient air



protection is determined by this Law and the legislation of Georgia.

## **Article 10 – (Deleted)**

*Law of Georgia No 1963 of 5 February 2014 – website, 19.2.2014*

## **SECTION II – Main Part**

### **Chapter IV – Harmful Anthropogenic Impacts on Ambient Air**

#### **Article 11 – Types of the harmful anthropogenic impacts on ambient air**

1. Harmful anthropogenic impacts on ambient air means any impact on ambient air as a result of human activities, which affects or may adversely affect human health and the natural environment.
2. The following are the types of the harmful anthropogenic impacts on ambient air:
  - a) pollution of ambient air with pollutants;
  - b) radiation effects on ambient air;
  - c) pollution of ambient air with microorganisms and biologically active substances of microbial origin;
  - d) noise, vibration, electromagnetic fields and other types of physical impacts on ambient air.

#### **Article 12 – Pollution of ambient air with pollutants**

1. Pollution of ambient air with pollutants means the dispersion (emission) of any substance into ambient air as a result of human activities, which affects or may adversely affect human health and the natural environment.
2. The legal framework for protecting ambient air from pollution with pollutants shall be determined by this Law and the legislation of Georgia.

#### **Article 13 – Radiation effects on ambient air**

1. In order to protect ambient air from radiation effects, threshold limit values of radiation effects shall be introduced and the periodicity of their determination shall be established by the Law of Georgia on Environmental Protection.
2. The legal framework for the protection of ambient air from radiation effects shall be determined by the Law of Georgia on Radiation Protection and Nuclear Safety and Security.

*Law of Georgia No 3286 of 16 June 2023 – website, 6.7.2023*



## **Article 14 – Pollution of ambient air with microorganisms and biologically active substances of microbial origin**

1. In order to protect ambient air from pollution with microorganisms and biologically active substances of microbial origin, threshold limit values of emission of pollutants into the environment and of environmental pollution with microorganisms shall be established and the periodicity of their determination shall be established by the Law of Georgia on Environmental Protection.
2. The legal framework for the protection of ambient air from pollution with microorganisms shall be determined by the Regulation on the Protection of Ambient Air from Pollution with Microorganisms and Biologically Active Substances of Microbial Origin, which is approved by the Government of Georgia upon the recommendation of the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 1025 of 6 September 2013 – website, 23.9.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 3057 of 5 July 2018 – website, 11.7.2018*

## **Article 15 – Noise, vibration, electromagnetic fields and other types of physical impacts on ambient air**

1. In order to protect ambient air from noise, vibration, electromagnetic fields and other types of physical impacts, threshold limit values of noise, vibration, electromagnetic fields and other types of physical impacts shall be introduced and the periodicity of their determination shall be established by the Law of Georgia on Environmental Protection.
2. The legal framework for the protection of ambient air from noise, vibration, electromagnetic fields and other types of physical impacts shall be determined by the Law of Georgia on the Protection of Ambient Air from Harmful Impacts of Noise and Vibration and the Law of Georgia on the Protection of Ambient Air from Harmful Impacts of Electromagnetic Fields and other Types of Physical Impacts.
3. Before the entry into force of the normative acts determined by paragraph 2 of this article, the regulation of ambient air protection from noise, vibration, electromagnetic fields and other types of physical impacts shall be implemented on the basis of the main environmental principles established by the Law of Georgia on Environmental Protection and the main principles of ensuring safe environment established by the Law of Georgia on Health Care, as well as on the basis of state standards, sanitary and hygiene norms and rules and the standards established in the same field by the legislation in force.

## **Chapter V – System of Protection of Ambient Air from Pollution with Pollutants**

### **Article 16 – System of protection of ambient air from pollution with pollutants**

1. In order to attain, maintain and improve ambient air safety for human health and the natural environment, the State shall ensure implementation of administrative, economic, technological, political, legal, and social measures, which, in their entirety, constitute the system of protection of ambient air from pollution with pollutants.
2. The conditions necessary for the functioning of the system of protection of ambient air from pollution with pollutants are:



- a) the establishment of threshold limit values of concentration of pollutants in ambient air;
- b) the organisation of ambient air monitoring (a system for the observation of the ambient air condition);
- c) regulation of the pollution of ambient air with pollutants.

#### **Article 17 – (Deleted)**

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

#### **Chapter VI – Threshold Limit Values of Concentration of Pollutants in Ambient Air**

#### **Article 18 – Threshold limit values of concentration of pollutants in ambient air**

1. The threshold limit values of concentration of pollutants in ambient air are a part of the quality standards of environmental condition (environmental quality standards) established by the legislation of Georgia in order to maintain the ecological balance of the environment. The threshold limit values of concentration of pollutants in ambient air shall be established for each pollutant.
2. The threshold limit values of concentration of primary pollutants in ambient air shall be approved by the Government of Georgia in a form of Technical Regulations on Ambient Air Quality Standards.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

#### **Article 19 – Establishment of threshold limit values of concentration of pollutants in ambient air as prescribed by the EU legislation**

1. For the purposes of this Law, taking into account the legal requirements established by EU legislation, ambient air quality standards shall be established according to Directive 2008/50/EC of 21 May 2008 of the European Parliament and of the Council 'on Ambient Air Quality and Cleaner Air for Europe' and Directive 2004/107/EC of 15 December 2004 of the European Parliament and of the Council 'Relating to Arsenic, Cadmium, Mercury, Nickel and Polycyclic Aromatic Hydrocarbons in Ambient Air', within the commitments undertaken under the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one Part, and Georgia, of the other part.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*



## Chapter VII – Organisation of Ambient Air Monitoring System

### Article 20 – Ambient air monitoring system

Ambient air monitoring is a combination of collection, analysis and prediction of information obtained through the observation of the ambient air condition. Ambient air monitoring is part of the system of observation (monitoring) of environmental conditions, the common coordination of the organisation of which is carried out by the Ministry of Environmental Protection and Agriculture of Georgia. The Ministry of Environmental Protection and Agriculture of Georgia shall carry out ambient air monitoring through the Agency.

*Law of Georgia No 465<sup>a</sup> of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 86*

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

*Law of Georgia No 6903 of 15 July 2020 – website, 28.7.2020*

### Article 21 – Establishment of certain standards for ambient air monitoring as prescribed by EU legislation

1. Taking into account requirements established by EU legislation, the minimum standard number, placement and rules of operation of ambient air pollution level observation points/stations, and a list of standard methods for measuring pollution levels shall be established according to Directive 2008/50/EC of 21 May 2008 of the European Parliament and of the Council ‘on Ambient Air Quality and Cleaner Air for Europe’ and Directive 2004/107/EC of 15 December 2004 of the European Parliament and of the Council ‘Relating to Arsenic, Cadmium, Mercury, Nickel and Polycyclic Aromatic Hydrocarbons in Ambient Air’.

2. The minimum standard number, placement and rules of operation of the ambient air pollution level observation points/stations in Georgia, and a list of standard methods for measuring pollution levels established in accordance with the requirements of EU legislation shall be determined according to the Ordinance of the Government of Georgia on the Approval of Technical Regulations on the Minimum Standard Number, Placement and Rules of Operation for the Ambient Air Pollution Level Observation Points/Stations in Georgia, and a List of Standard Methods for Measuring Pollution Levels in Accordance with Directives 2008/50/EC and 2004/107/EC of the European Parliament and of the Council.

*Law of Georgia No 465<sup>a</sup> of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 86*

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*



## **Chapter VIII – Regulation of Ambient Air Pollution with Pollutants**

### **Article 22 – Regulation of ambient air pollution with pollutants**

The regulation of ambient air pollution with pollutants includes classification of and accounting for pollution types and pollution sources, restriction of emissions of pollutants from stationary sources of pollution into the ambient air and other requirements established by this Law, which are intended to attain, maintain and improve ambient air condition that is safe for human health and the natural environment.

### **Article 23 – Types of ambient air pollution with pollutants**

For the purposes of this Law the types of ambient air pollution with pollutants are:

- a) emissions of pollutants into ambient air from stationary sources of pollution;
- b) emissions of pollutants into ambient air from mobile sources of pollution;
- c) emissions of pollutants into ambient air from dispersed sources of pollution;
- d) (deleted – 25.3.2013, No 451).

### **Article 24 – Emissions of pollutants into ambient air from stationary sources of pollution**

1. For the purposes of this Law, emission of pollutants from stationary sources of pollution into ambient air is the release of pollutants into the ambient air from stationary sources of pollution or from a group of stationary sources connected with each other by one technological cycle.
2. For the purposes of this Law, a stationary source of ambient air pollution is a permanently fixed equipment or facility that is equipped with a special spraying device or has no special spraying device due to the specific nature of the technological process.
3. Emissions of pollutants from stationary sources of pollution into ambient air shall be regulated as prescribed by this Law.

### **Article 25 – Emissions of pollutants into ambient air from mobile sources of pollution**

1. For the purposes of this Law, emissions of pollutants into ambient air from mobile sources of pollution are



emissions of pollutants from motor vehicles and other mobile and mechanical means (other than mechanical and mobile facilities of a military type).

2. (Deleted – 25.3.2013, No 451).

3. (Deleted – 25.3.2013, No 451).

4. (Deleted – 25.3.2013, No 451).

5. (Deleted – 25.3.2013, No 451).

6. (Deleted – 25.3.2013, No 451).

7. Taking into account the legal requirements established by EU legislation, the limit values of emissions (exhaust gases) from different types of vehicles and other mobile and mechanical means polluting ambient air with pollutants shall be determined by the Ordinance of the Government of Georgia on the Approval of Technical Regulations on Applying the Limit Values of Emissions (Exhaust Gases) from Different Types of Vehicles and Other Mobile and Mechanical Means Polluting Ambient Air with Pollutants on the Territory of Georgia, in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 'on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information', Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 'on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC', and Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 'on roadworthiness tests for motor vehicles and their trailers'.

8. (Deleted – 5.2.2014, No 1963).

9. (Deleted – 5.2.2014, No 1963).

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1963 of 5 February 2014 – website, 19.2.2014*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

## **Article 26 – Emissions of pollutants into ambient air from dispersed sources of pollution**

1. For the purposes of this Law, emissions of pollutants into ambient air from dispersed sources of pollution are emissions of pollutants without special spraying devices (except for emissions from stationary sources of ambient air pollution determined by Article 24 of this Law and/or a combination of emissions from a group of stationary sources connected with one technological cycle and the emissions from dispersed sources). Types of emissions of pollutants into ambient air from dispersed sources of pollution are:

a) emission of pollutants into ambient air during mining works, blasting operations, placement and exploitation of the fragments;

b) emission of pollutants into ambient air during landfill operations;

c) emission of pollutants into ambient air during storage, transportation and use of particulate, volatile and gaseous



substances and materials;

d) emission of pollutants into ambient air during storage, transportation and use of chemicals, mineral fertilisers and other agricultural products.

2. (Deleted – 25.3.2013, No 451).

3. (Deleted – 25.3.2013, No 451).

4. (Deleted – 25.3.2013, No 451).

5. (Deleted – 25.3.2013, No 451).

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 6160 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

#### **Article 27 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

### **Chapter IX – Procedure for Limitation of Emission of Pollutants into Ambient Air from Stationary Sources of Pollution**

#### **Article 28 – Limitation of emission of pollutants into ambient air from stationary sources of pollution**

The limit values of emission of pollutants into ambient air from stationary sources of pollution shall be established to limit the emission of pollutants into ambient air from stationary sources of pollution.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

#### **Article 29 – Limit values of emission of pollutants into ambient air from stationary sources of pollution**

1. For the purposes of this Law, the limit values of emission of pollutants are the limit values of emission of pollutants into the environment established by the Law of Georgia on Environmental Protection. The limit value of emissions of pollutants into ambient air is the established amount of emission of pollutants into ambient air from a stationary source of pollution, which is calculated on the condition that the concentration of pollutants emitted from this source together with other sources of pollution does not exceed the limit values of concentrations of pollutants in the surface layer of ambient air established for the territory effected by this source. The limit value of emissions of pollutants into ambient air is established for all stationary sources (facilities) of pollution, the activities of which are subject to environmental impact assessment. The limit values of emissions of



pollutants are also set within the territory of production taking into account all other types of activities that are carried out together with the activity subject to environmental impact assessment. The limit values of emissions of pollutants are set for 5 years for each source of pollution of ambient air and for each pollutant. Calculation of the limit values of emission of pollutants should be based on the best techniques.

1<sup>1</sup>. It shall be mandatory for a holder of an environmental decision to comply with/adhere to the parameters set out in the draft limit values of emissions of pollutants into ambient air, as agreed in accordance with paragraph 1 of this Article. It shall be also mandatory for a holder of a decision granting the right to continue a current activity, as provided for in the Environmental Assessment Code, to comply with/adhere to the parameters of emissions of pollutants into ambient air set out in the environmental audit report. The failure to comply with/adhere to the above shall be considered a violation of the terms of the environmental decision or the decision granting the right to continue a current activity.

2. (Deleted – 25.3.2013, No 451).

3. When calculating the limit values of emissions of pollutants into ambient air, the results of the obtained data are documented as a plan of limit values of emission of pollutants into ambient air.

4. The method of calculation of limit values of emission of pollutants into ambient air from stationary sources of pollution shall be determined by the Ordinance of the Government of Georgia on the Approval of Technical Regulations on the Calculation of Limit Values of Emission of Pollutants into Ambient Air.

5. Environmental Technical Regulation shall be approved for activities that are not subject to environmental expertise and that result in emission of pollutants into ambient air.

#### **[Article 29 – Limit values of emission of pollutants into ambient air from stationary sources of ambient air pollution]**

1. For the purposes of this Law, the limit values of emission of pollutants are the limit values of emission of pollutants into the environment established by the Law of Georgia on Environmental Protection. The limit value of emissions of pollutants into ambient air is the established amount of emission of pollutants into ambient air from a stationary source of pollution, which is calculated on the condition that the concentration of pollutants emitted from this source together with other sources of pollution does not exceed the limit values of concentrations of pollutants in the surface layer of ambient air established for the territory effected by this source.

2. The limit value of emissions of pollutants into ambient air is established for all stationary sources (facilities) of ambient air pollution, the activities of which are subject to environmental impact assessment, except for activities subject to an integrated environmental permit.

3. The limit values of emissions for the activities subject to an integrated environmental permit are established in accordance with the Law of Georgia on Industrial Emissions.

4. The limit values of emissions of pollutants into ambient air are also set within the territory of production taking into account all other types of activities that are carried out together with the activity subject to environmental impact assessment (except for the activities provided for in paragraph 3 of this article).

5. The limit values of emissions of pollutants are set for 5 years for each source of pollution of ambient air and for each pollutant. Calculation of the limit values of emission of pollutants should be based on the best available techniques.

6. When calculating the limit values of emissions of pollutants into ambient air, the results of the obtained data are documented as a plan of limit values of emission of pollutants into ambient air.

7. The method of calculation of limit values of emission of pollutants into ambient air from stationary sources of



8. Environmental Technical Regulation shall be approved for activities that are not subject to environmental impact assessment and an integrated environmental permit and that result in emission of pollutants into ambient air.

9. It shall be mandatory for a holder of an environmental decision to comply with/adhere to the parameters set out in the draft limit values of emissions of pollutants into ambient air, as agreed in accordance with paragraph 1 of this Article. It shall be also mandatory for a holder of a decision granting the right to continue a current activity, as provided for in the Environmental Assessment Code, to comply with/adhere to the parameters of emissions of pollutants into ambient air set out in the environmental audit report. The failure to comply with/adhere to the above shall be considered a violation of the terms of the environmental decision or the decision granting the right to continue a current activity. *(Shall become effective from 1 September 2026)*

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 892 of 1 June 2017 – website, 21.6.2017*

*Law of Georgia No 3386 of 29 June 2023 – website, 30.6.2023*

*Law of Georgia No 793 of 26 June 2025 – website, 4.7.2025*

*Law of Georgia No 794 of 26 June 2025 – website, 4.7.2025*

## **Article 29<sup>1</sup> – Inventory of stationary sources of ambient air pollution and pollutants emitted by them**

1. (Deleted – 25.3.2013, No 451).

2. The inventory of stationary sources of ambient air pollution and of pollutants emitted by them is the systematisation of data on the composition and number of stationary sources of ambient air pollution on the territory of a stationary facility of air pollution and the amount of pollutants emitted by them.

3. The inventory of stationary facilities of pollution of ambient air shall be obligatory for all activities except for activities subject to an environmental decision and activities determined by the Technical Regulations on the Inventory of Stationary Sources of Ambient Air Pollution as provided for in paragraph 5 of this article. All sources of pollution and all pollutants are subject to inventory in a stationary facility of pollution of ambient air. The results of the inventory of stationary facilities of pollution of ambient air are recorded in a technical report of the inventory on stationary sources of ambient air pollution and pollutants emitted by them.

[3. The inventory of stationary facilities of pollution of ambient air shall be obligatory for all activities except for activities subject to an environmental decision and/or an integrated environmental permit and activities determined by the Technical Regulations on the Inventory of Stationary Sources of Ambient Air Pollution as provided for in paragraph 5 of this article. All sources of pollution and all pollutants are subject to inventory in a stationary facility of ambient air pollution. The results of the data obtained from the inventory of stationary facilities of ambient air pollution are recorded in a technical report of the inventory on stationary sources of ambient air pollution and pollutants emitted by them. *(Shall become effective from 1 September 2026)*]

4. (Deleted – 25.3.2013, No 451).



5. The procedure for carrying out an inventory of stationary sources of pollution and of pollutants emitted by them is determined by the Ordinance of the Government of Georgia on the Approval of Technical Regulations on Conducting Inventory of Stationary Sources of Pollution.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.03.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 892 of 1 June 2017 – website, 21.6.2017*

*Law of Georgia No 1446 of 17 March 2022 – website, 24.3.2022*

*Law of Georgia No 3386 of 29 June 2023 – website, 30.6.2023*

#### **Article 29<sup>2</sup> – Accounting for stationary facilities of ambient air pollution**

In order to implement the provisions determined by this Chapter, appropriate offices of the Autonomous Republics of Ajara and Abkhazia shall, within the scope of their authority, annually account for the stationary facilities of ambient air pollution existing in their regions and submit that information to the Agency.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

*Law of Georgia No 1446 of 17 March 2022 – website, 24.3.2022*

#### **Article 30 – Development, approval, transfer and cancellation of a plan of limit values of emissions of pollutants into ambient air and of a technical report on the inventory of stationary sources of pollution and pollutants emitted by them**

1. A plan of limit values of emissions of pollutants into ambient air ('the Plan') and of a technical report on the inventory of stationary sources of pollution and of pollutants emitted by them ('the Technical Report') shall be prepared by an operator whose activity results in the emission of pollutants into ambient air from a stationary source of air pollution or by any natural or legal person, if so instructed by the operator, in accordance with the legislation of Georgia.

2. A Plan and a Technical Report shall be agreed with the Agency. In the case of the stationary sources of ambient air pollution located in the Autonomous Republics of Ajara and Abkhazia, the Technical Report shall be agreed with the appropriate offices of the Autonomous Republics of Ajara and Abkhazia, respectively; The offices



referred to in this paragraph may approve the Plan and the Technical Report in one month or send them back to the operator with comments. The emission of pollutants into ambient air from stationary sources of pollution is prohibited without these approved documents.

2<sup>1</sup>. The Agency shall examine the Technical Report in an expedited manner within 10 working days. A document certifying the payment of the service fee for the expedited examination of the Technical Report shall be attached to such report. The service fee for the expedited examination of the Technical Report by the Agency shall amount to GEL 300. The procedure for the payment of the fee for providing the service by the Agency in an expedited manner, and for the refund of such fee, shall be determined by an ordinance of the Government of Georgia.

3. A Plan and a Technical Report may be cancelled on application of the operator or based on reasonable arguments provided by the agency entitled to approve these documents.

4. An approved Plan or Technical Report may be conveyed or transferred to an authorised person in the case of the alienation or transfer of the stationary facility of pollution, of which the operator shall inform in writing the agency authorised to approve this document.

5. An approved Project and Technical Report on the inventory of stationary facilities polluting ambient air and of pollutants emitted by such facilities shall be considered cancelled in the following cases: change of the location, capacity and/or profile of the stationary facility of ambient air pollution; an increase in the amount of consumed fuel; a change of the currently used fuel type and/or additional use of a new type of fuel; the introduction of new sources of discharge and emission of pollutants in the course of technological process during reconstruction work, including gas and dust trapping devices; or a change in the parameters of the existing devices. The cancelled Project or Technical Report shall be prepared again and agreed upon considering the new provisions.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 1446 of 17 March 2022 – website, 24.3.2022*

### **Article 31 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

### **Article 32 – (Deleted)**

Has the right to appeal the decision of the agency that has set the limit value.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

### **Article 33 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*



## **Article 34 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

## **Article 35 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

## **Article 36 – Emission of pollutants into ambient air under an environmental decision**

An application submitted for an environmental decision by a person carrying out activities, in addition to other documents, shall be accompanied by a plan of limit values of emissions of pollutants into ambient air.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 892 of 1 June 2017 – website, 21.6.2017*

## **Article 37 – Accounting for emissions of pollutants from stationary sources of pollution**

1. (Deleted).

2. Accounting for emissions of pollutants from stationary sources of pollution includes:

a) self-monitoring of emissions; and

b) the state system for accounting for emissions.

3. The state system for accounting for emissions is the system of gathering, processing and analysing of reporting documentation on emissions.

4. The Agency conducts the state accounting for emissions.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 1446 of 17 March 2022 – website, 24.3.2022*



## Article 38 – Self-monitoring of emissions of pollutants from stationary sources of pollution

1. An operator shall ensure accurate self-monitoring of emissions of pollutants from stationary sources of pollution.

1<sup>1</sup>. Self-monitoring and the production of reporting on the emissions of pollutants from stationary sources of pollution is mandatory for all activities, except for the activities provided for by the Technical Regulations under paragraph 3 of this article.

1<sup>2</sup>. For the purpose of self-monitoring of emissions of pollutants from stationary sources of pollution, an operator determined by the Annex to this Law shall constantly determine, with an instrumental method, the actual amount of organised emissions of pollutants into ambient air from stationary sources of pollution. An operator shall determine the actual amount and temperature of organised emissions of pollutants into ambient air from stationary sources of pollution directly on the source (pipe) of emission of pollutants, through which it carries out the activities provided for by the Annex to this Law. The list of pollutants in the ambient air, the constant determination with an instrumental method of the actual amount of the organised emissions of which is mandatory, shall be established by an ordinance of the Government of Georgia specified in paragraph 3 of this article.

2. Self-monitoring of emissions of pollutants from stationary sources of pollution comprises:

a) measurement (assessment) of emissions;

b) accounting for emissions;

c) reporting on emissions.

3. The procedure and the forms of documents for conducting self-monitoring and reporting on emissions of pollutants from stationary sources of pollution are determined by the Ordinance of the Government of Georgia on the Approval of Technical Regulations on Self-Monitoring and Reporting Procedure for Emissions of Pollutants from Stationary Sources of Pollution.

4. (Deleted).

5. (Deleted).

6. An operator shall submit for approval the actual indicators of annual emissions of pollutants into the ambient air from stationary sources of pollution to the Agency, and in the case of stationary sources of ambient air pollution located in the Autonomous Republics of Ajara and Abkhazia, to the appropriate offices of the Autonomous Republics of Ajara and Abkhazia, respectively.

7. The appropriate offices of the Autonomous Republics of Ajara and Abkhazia shall submit to the Agency, according to the established procedures, the agreed actual indicators of annual emissions of pollutants into ambient air from stationary sources of pollution referred to in paragraph 6 of this article.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*



## **Chapter IX<sup>1</sup> – Permit for Import, Export, Re-export and Transit of Substances Covered by the Montreal Protocol**

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 3279 of 16 June 2023 – 5.7.2023*

### **Article 38<sup>1</sup> – Permit for import, export, re-export and transit of substances covered by the Montreal Protocol, and the procedure and conditions of its issuance**

1. The administrative body issuing permits for import, export, re-export and transit of the substances covered by the Montreal Protocol ('the permit') shall be the Agency.
2. An application submitted to the Agency for obtaining permits, in addition to the documentation provided for by the Law of Georgia on Licences and Permits, shall be accompanied by the following information:
  - a) name, quantity (weight), composition, and physical description of the packaging of the substances covered by the Montreal Protocol;
  - b) commodity code of the substances covered by the Montreal Protocol in accordance with the Foreign Economic Activity National Commodity Nomenclature (FEACN);
  - c) condition of substance covered by the Montreal Protocol, in particular, whether the mentioned substance is new, extracted/contained, recycled or recovered;
  - d) purpose of import, export, re-export and transit of substances covered by the Montreal Protocol;
  - e) in the case of export, re-export and transit of substance covered by the Montreal Protocol, also a certificate of origin of the substance covered by the Montreal Protocol, an import permit issued by the competent body of the state of import (if such permit is envisaged by the legislation of the state of import) and copies of agreements concluded between the permit applicant and all other natural persons and/or legal persons participating in the shipment of the said substance;
  - f) in the case of import of methyl bromide, substance covered by the Montreal Protocol, also detailed information on the purpose, time and place of use of the substance and on its location.
3. When issuing a permit for the import of substances prohibited by the ordinance of the Government of Georgia 'on the issuance of permits for import, export, re-export and transit of substances covered by the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, the rules for allocation of annual import quotas and the form of permit certificates', an application submitted for obtaining the permit shall, in addition to the documentation provided for in paragraph 2 of this Article, be accompanied by the certificate of origin of the substance, an export permit issued by the competent body of the state of export, and the justification for the use of the said substance for laboratory and/or research purposes with detailed description, which justifies the necessity and lack of another alternative for the use of the substance, as well as the specific purpose and result of its use, and other information requested by the Agency, as necessary.
4. A permit shall be issued for the import, export, re-export and transit of quoted and permitted substances



determined by the ordinance of the Government of Georgia 'on the issuance of permits for import, export, re-export and transit of substances covered by the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, the rules for allocation of annual import quotas and the form of permit certificates', as well as for the import of substances provided for by the respective annex for the purposes of quarantine and pre-shipment use. As an exception, a permit shall also be issued for the import of substances prohibited under the Montreal Protocol, which are determined by the ordinance of the Government of Georgia 'on the issuance of permits for import, export, re-export and transit of substances covered by the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, the rules for allocation of annual import quotas and the form of permit certificates', where such import is related to necessary laboratory and/or research purposes.

5. A permit certificate for the import, export, re-export and transit of substances covered by the Montreal Protocol shall be issued on the basis of an individual administrative act of the Head of the Agency on the issuance of permits.

6. The import quota for the following year for the substances covered by the Montreal Protocol shall be approved by 15 September of each year by an order of the Minister of Environmental Protection and Agriculture of Georgia 'on approval of the annual import quota for substances covered by the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer'. The Agency shall accept applications for obtaining a permit for the import of quoted substances covered by the Montreal Protocol for the following year not later than 1 November of the current year.

7. The permit shall be issued under the simple administrative procedure, as provided for by the Law of Georgia on Licences and Permits, this Law, and the ordinance of the Government of Georgia 'on the issuance of permits for import, export, re-export and transit of substances covered by the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, the rules for allocation of annual import quotas and the form of permit certificates'. A permit shall not be required for importing, once every 30 calendar days, 1 metal container containing not more than 13.5 kg. of hydrofluorocarbons as provided for by the ordinance of the Government of Georgia 'on the issuance of permits for import, export, re-export and transit of substances covered by the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, the rules for allocation of annual import quotas and the form of permit certificates'.

8. Grounds for refusal to issue a permit, the procedure for appealing the refusal to issue thereof, and the matters of monitoring the compliance with the permit conditions shall be determined by the Law of Georgia on Licences and Permits.

9. Monitoring of compliance with the permit conditions shall be carried out by the state subordinate agency of the Ministry of Environmental Protection and Agriculture of Georgia called the Department of Environmental Supervision.

10. A permit holder shall keep an electronic logbook. The procedure for keeping such logbook shall be determined by the ordinance of the Government of Georgia referred to in Article 7<sup>1</sup>(1) of this Law. The rights and obligations of the permit holder shall be determined by the ordinance of the Government of Georgia 'on the issuance of permits for import, export, re-export and transit of substances covered by the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, the rules for allocation of annual import quotas and the form of permit certificates'.

11. The form of a permit certificate for import, export, re-export and transit of substances covered by the Montreal Protocol shall be approved by an ordinance of the Government of Georgia.

12. The import of substances covered by the Montreal Protocol shall be recorded in the refrigerant management electronic system.

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 3279 of 16 June 2023 – 5.7.2023*



## Chapter X – State Monitoring of Ambient Air Protection

### Article 39 – State monitoring system of ambient air protection

1. The monitoring measures carried out by the state for protecting ambient air from pollution with pollutants, radiation effects, pollution with microorganisms and biologically active substances of microbial origin and noise, vibration, electromagnetic fields and other types of physical impacts, make up the state control system of ambient air protection.
2. The legal framework of the state control system of ambient air protection shall be determined by the legislation of Georgia.

### Article 40 – State monitoring of pollution of ambient air with pollutants

1. The legal framework of the state monitoring system of ambient air pollution with pollutants shall be determined by this Law and the legislation of Georgia.
2. The state monitoring of ambient air pollution with pollutants shall be carried out, within the scope of their authorities, by the Department of Environmental Supervision, the state subordinate agency of the Ministry of Environmental Protection and Agriculture of Georgia and by other authorised bodies provided for by the legislation of Georgia.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

### Article 41 – State monitoring and supervision of ambient air pollution with pollutants from stationary sources of pollution

1. The purpose of state monitoring and supervision of ambient air pollution with pollutants from stationary sources of pollution is to ensure compliance with ambient air protection standards established by the legislation of Georgia and by this Law.
2. State monitoring and supervision of ambient air pollution with pollutants emitted from stationary sources of pollution shall be carried out by the Department of Environmental Supervision, the state subordinate agency of the Ministry of Environmental Protection and Agriculture of Georgia.
3. General rules for the implementation of state monitoring and supervision of ambient air pollution with pollutants from stationary sources of pollution shall be determined by the legislation of Georgia.
4. (Deleted).

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*



*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

**Article 42 – The applied monitoring methods of ambient air pollution with pollutants from stationary sources of pollution**

1. The amount of actual emissions into ambient air from stationary sources of pollution is established through the applied monitoring methods of pollution. The applied monitoring methods of ambient air pollution with pollutants are:

a) an instrumental method for determining the actual amount of emissions into ambient air from stationary sources of pollution;

b) a calculation method for determining the actual amount of emissions into ambient air from stationary sources of pollution.

2. The basis of the instrumental method for determining the actual amount of emissions into ambient air from stationary sources of pollution is the use of a special measuring and monitoring equipment to determine the actual amount of emissions into ambient air from stationary sources of pollution.

3. The basis of the calculation method to determine the actual amount of emissions into ambient air from stationary sources of pollution is the establishment through calculation methodology of the actual amount of emissions into ambient air from stationary sources of pollution according to technological processes.

4. The instrumental method for determination of the actual amount of emissions into ambient air from stationary sources of ambient air pollution, the standard list of special measuring and monitoring equipment for establishing the actual amount of emissions into ambient air from stationary sources of pollution and the calculation methodology of the actual amount of emissions into ambient air from stationary sources of pollution according to technological processes, are determined by the Ordinance of the Government of Georgia on the Approval of Technical Regulations on the Instrumental Method for Determination of the Actual Amount of Emissions into Ambient Air from Stationary Sources of Ambient Air Pollution, the Standard List of the Special Measuring and Control Equipment for Establishment of the Actual Amount of Emissions into Ambient Air from Stationary Sources of Pollution and the Calculation Methodology of the Actual Amount of Emissions into Ambient Air from Stationary Sources of Pollution According to Technological Processes.

5. (Deleted).

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

**Chapter XI – Planning of the Ambient Air Protection Measures**



## **Article 43 – Basis for planning the ambient air protection measures**

Ambient air protection measures shall be planned according to the requirements of environmental protection planning determined by the Law of Georgia on Environmental Protection.

## **Article 44 – Procedure for planning the ambient air protection measures**

1. Ambient air protection measures shall be planned within the scope of the environmental protection planning and the system of indicative planning of socio-economic development.
2. The procedure for planning measures to be implemented in the field of ambient air protection from pollution with pollutants, radiation effects, pollution with microorganisms and biologically active substances of microbial origin and noise, vibration, electromagnetic fields and other types of physical impacts shall be determined according to normative acts to be adopted as provided for by paragraph 1(b) of the Resolution of 10 December 1996 of the Parliament of Georgia on the Law of Georgia on Environmental Protection.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

## **Article 44<sup>1</sup> – Air quality plans**

1. Where, in given zones and/or agglomerations, the levels of primary pollutants in ambient air exceed any limit value or target value, plus any relevant margin of tolerance in each case, the Ministry of Environmental Protection and Agriculture of Georgia shall, together with appropriate agencies, within its authority and in agreement with a municipality/municipalities, the administrative boundaries of which are within the respective zones and/or agglomerations, ensure that air quality plans are prepared for those zones and agglomerations in order to achieve the related limit value or target value specified in the Technical Regulations on Ambient Air Quality Standards.
2. Where, in a given territory, conformity with the limit values established by the Technical Regulations on Ambient Air Quality Standards cannot be achieved because of site-specific dispersion characteristics, adverse climatic conditions, transboundary pollution or other reasons, for each primary pollutant concerned, for which a margin of tolerance is established by the Technical Regulations on Ambient Air Quality Standards, the limit value shall not be exceeded by more than the margin of tolerance and an air quality plan shall be prepared in order to achieve the threshold limit values.
3. Air quality plans shall be approved by the Government of Georgia upon the recommendation of the Ministry of Environmental Protection and Agriculture of Georgia.
4. An air quality plan shall include information on the following:
  - a) polluted areas (specifying a region, a city, an air pollution level observation point/station, coordinates);
  - b) type of zone (city, industrial or rural area, township), estimate of the polluted area and of the population exposed to the pollution, as well as relevant data on climate and topography, and sufficient information on the type of targets for the protection of which the air quality plan is prepared;
  - c) concentrations of the primary pollutants observed, and techniques used for the assessment (based on the observations over previous years);
  - d) main emission sources responsible for pollution and total quantity of emissions from these sources per year, as well as information on pollution imported from the areas that are not covered by a respective zone and/or agglomeration;



e) details of those factors responsible for the exceedance of limit values or target values, as well as details of possible measures for the improvement of air quality;

f) details of the measures planned before the preparation of the air quality plan, for the long term.

5. An appropriate map shall be attached to an air quality plan, which shall also include the locations of the air pollution level observation points/stations, main stationary sources of pollution and a list of materials used for the preparation of the air quality plan.

6. Where air quality plans must be prepared in respect of several primary pollutants, integrated air quality plans may be prepared covering all primary pollutants concerned.

7. Air quality plans shall be published on the official website of the Ministry of Environmental Protection and Agriculture of Georgia and the website of the city hall of a respective municipality.

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

## **Article 44<sup>2</sup> – Short-term action plans**

1. Where, in a given zone and/or agglomeration, there is a risk that the levels of primary pollutants will exceed one or more of the alert thresholds specified in the Technical Regulations on Ambient Air Quality Standards, the Ministry of Environmental Protection and Agriculture of Georgia shall, within its authority and in agreement with a municipality/municipalities, the administrative boundaries of which are within the respective zone and/or agglomeration, draw up action plans indicating the measures to be taken in the short term in order to reduce the risk or duration of such an exceedance. Short-term action plans may be also drawn up in the cases, where there is a risk of exceeding limit values or target values.

2. Short-term action plans shall be approved by the Government of Georgia upon the recommendation of the Ministry of Environmental Protection and Agriculture of Georgia.

3. Where there is a risk that the alert threshold for ozone will be exceeded, such short-term action plans shall be drawn up only when there is a significant potential, taking into account the geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance.

4. A short-term action plan shall include the following information:

a) justification of the risk that the levels of primary pollutants in a given zone and/or agglomeration will exceed one or more of the alert thresholds specified in the Technical Regulations on Ambient Air Quality Standards;

b) listing and description of all the measures necessary for reducing the emission of primary pollutants into ambient air;

c) information on the persons responsible for the implementation of the measures necessary for reducing the emission of primary pollutants into ambient air;

d) information on the territory and timetable for the implementation of the measures necessary for reducing the emission of primary pollutants into ambient air.

5. The short-term action plans may, depending on the individual case, provide for effective measures to control and, where necessary, suspend activities which contribute to the risk of the respective limit values or target values or alert threshold being exceeded.

6. Short-term action plans shall be published on the official website of the Ministry of Environmental Protection and Agriculture of Georgia and the website of the city hall of a respective municipality.



#### **Article 45 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 1963 of 5 February 2014 – website, 19.2.2014*

#### **Chapter XII – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

#### **Article 46 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

#### **Article 47 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

#### **Chapter XIII – Additional Requirements for Ambient Air Protection**

#### **Article 48 – Special requirements for ambient air protection**

1. Special requirements for ambient air protection may be established in resorts, sanitary protection zones of resorts and in protected areas that are determined by the Regulation on Special Requirements for Ambient Air Protection in Resorts, Sanitary Protection Zones of Resorts and Protected Areas, which shall be approved by the Minister of Environmental Protection and Agriculture of Georgia in agreement with the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.

2. On the basis of recommendations prepared by the Ministry of Environmental Protection and Agriculture of Georgia on ambient air quality improvement measures, the highest state executive bodies of the Autonomous Republics of Ajara and Abkhazia may make an appropriate decision on the introduction and establishment of special requirements for ambient air protection in the entire territory under their governance or in a certain part of the territory according to the ambient air monitoring results. Such decisions shall be made under a normative act of the respective highest state executive bodies the Autonomous Republics of Ajara and Abkhazia. The normative act shall contain a list of ambient air pollution sources from which emissions are restricted or prohibited.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*



*Law of Georgia No 1963 of 5 February 2014 – website, 19.2.2014*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 3057 of 5 July 2018 – website, 11.7.2018*

#### **Article 49 – Ambient air protection requirements with respect to fuel quality**

1. The Government of Georgia shall approve, by a resolution, the quality standards for fuel and other regulation requirements, taking into account the requirements determined by EU legislation, in order to reduce ambient air pollution with pollutants.

2. Importation into Georgia, and production or consumption in the territory of Georgia of fuel, the quality of which does not meet the standards established by the normative acts specified in paragraph 1 of this article, is prohibited.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 6160 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 5565 of 24 June 2016 – website, 21.7.2016*

#### **Article 50 – Ambient air protection requirements during the implementation of activities**

1. Operational rules for gas and dust trapping devices of stationary sources of pollution are determined by the Ordinance of the Government of Georgia on the Approval of Technical Regulations on the Operational Rules for Gas and Dust Trapping Devices.

2. (Deleted – 1.6.2017, No 892).

3. During unfavourable weather conditions, an operator shall act pursuant to the rules for ambient air protection during unfavourable weather conditions that are determined by the Ordinance of the Government of Georgia on the Approval of Technical Regulations on Ambient Air Protection during Unfavourable Weather Conditions.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 892 of 1 June 2017 – website, 21.6.2017*

#### **Article 50<sup>1</sup> – Regulation of emission of volatile organic compounds (VOC) due to the use of organic solvents in certain paints, varnishes and vehicle refinishing products**



The content of volatile organic compounds (VOC) in certain paints, varnishes and vehicle refinishing products, as well as their import and placement on the market, shall be regulated by an ordinance of the Government of Georgia.

*Law of Georgia No 246 of 2 March 2021 – website, 12.3.2021*

*Law of Georgia No 3279 of 16 June 2023 – 5.7.2023*

## **Chapter XIV – Ensuring Access to Information on the Ambient Air Monitoring Results and on Ambient Air Pollution with Pollutants**

### **Article 51 – Availability of the information on ambient air monitoring results and on ambient air pollution with pollutants**

1. The information on the ambient air monitoring results and on ambient air pollution with pollutants shall be open and available to the public.
2. Availability of the information on ambient air monitoring results and on ambient air pollution with pollutants is ensured by publishing a report determined by paragraph 3 of this article, and by the requirement established by the Law of Georgia on Environmental Protection, that requires the Minister of Environmental Protection and Agriculture of Georgia to approve the national report on environmental condition in accordance with the procedure determined by law.
3. The Agency shall annually publish a report on the ambient air monitoring results and on ambient air pollution with primary pollutants.
4. A report determined by paragraph 3 of this article shall include information on the levels exceeding limit values, target values, long-term objectives, and alert thresholds, for the relevant averaging periods.
5. A report determined by paragraph 3 of this article may include, where appropriate, information on other pollutants as well.

*Law of Georgia No 5290 of 24 November 2011 – website, 5.12.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

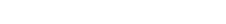
*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

### **Article 51<sup>1</sup> – Availability of public information on ambient air quality**

1. Up-to-date information on ambient concentrations of the pollutants shall be routinely made available to the public.
2. Public information on ambient concentrations of the pollutants shall at least indicate any levels exceeding air quality objectives, including limit values, target values, alert thresholds, or long-term objectives of the regulated pollutant. Public information on ambient concentrations of the pollutants shall also provide a short assessment in



relation to the air quality objectives and appropriate information regarding effects on health.

3. Information on ambient concentrations of sulphur dioxide, nitrogen dioxide, particulate matter (at least PM10), carbon monoxide and ozone shall be updated on at least a daily basis, and, wherever practicable, information shall be updated on an hourly basis.

4. Information on ambient concentrations of lead and benzene shall be presented as an average value for the last 12 months and shall be updated on a three-monthly basis, and on a monthly basis, wherever practicable.

5. Complete information about exceedances of ambient air quality concentrations, alert thresholds and information thresholds shall be timely provided to the public. The data on exceedances of the said thresholds shall include at least the following information:

a) information on observed exceedance(s):

a.a) location or area of the exceedance;

a.b) type of threshold exceeded (alert threshold or information threshold);

a.c) start time and duration of the exceedance;

a.d) highest one-hour concentration and in addition highest eight-hour concentration in the case of ozone;

b) information on the type of population concerned, possible health effects and recommended behaviour:

b.a) information on population groups at risk;

b.b) description of likely symptoms;

b.c) recommended precautions to be taken by the population groups concerned;

[c) forecast for the following day:

c.a) geographical area of expected exceedances of information and/or alert threshold;

c.b) expected changes in ambient air pollution (improvement, stabilisation or deterioration), together with the reasons for those changes; **(shall become effective from 1 January 2027)**

d) information on preventive action to reduce pollution and/or exposure to it, indication of a main source, recommendations for action to reduce emissions, practical details of the measures to be taken.

6. Other issues related to the availability of information on ambient air quality shall be regulated by the Technical Regulations on Ambient Air Quality Standards.

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

## **Chapter XV – Global and Regional Management of Ambient Air**

### **Article 52 – Legal solutions to global and regional challenges in the field of ambient air protection**

The state authorities and the natural and legal persons shall, within the scope of their authority and the international obligations undertaken by Georgia, take additional measures for solving global and regional environmental problems throughout the territory of Georgia.



## **Article 53 – Protection of climate from global changes**

1. In order to protect climate from global changes, compliance with greenhouse gas emission standards and implementation of measures for their reduction is mandatory.
2. Ministry of Environmental Protection and Agriculture of Georgia shall coordinate the development and implementation of a climate change national programme and of the action plan to fulfil commitments of Georgia under the UN Framework Convention on Climate Change.
3. The observation, analysis, forecasting and scientific researches of climate change shall be carried out by the Agency.
4. (Deleted).
5. In compliance with the requirements established by the EU legislation, the rules on the prevention and control of the registration, recovery, neutralisation, use and emission of fluorinated greenhouse gases in Georgia, and on related ancillary measures shall be determined by an ordinance of the Government of Georgia on Approval of the Technical Regulations on the Management of Fluorinated Greenhouse Gases.
6. Fluorinated greenhouse gases shall be managed in Georgia by the Ministry of Environmental Protection and Agriculture of Georgia.

*Law of Georgia No 465<sup>a</sup> of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 86*

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

## **Article 54 – Protection of the ozone layer**

1. Gradual reduction or termination of production and use of chemical substances that affect the ozone layer and cause its depletion is mandatory throughout the whole territory of Georgia, in order to protect the ozone layer and fulfil the commitments of Georgia under the Montreal Protocol.
2. Import, export, re-export and transit of substances covered by the Montreal Protocol shall be carried out on the basis of a permit provided for by Article 24(7<sup>2</sup>) of the Law of Georgia on Licences and Permits. The substances covered by the Montreal Protocol and products containing such substances are identified and respective statistics are maintained through the FEANCN.
3. Production of all substances covered by the Montreal Protocol, as well as the import of substances and their mixtures prohibited by the ordinance of the Government of Georgia ‘on the issuance of permits for import, export, re-export and transit of substances covered by the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, the rules for allocation of annual import quotas and the form of permit certificates’ (excluding the import of such substances for the necessary laboratory and/or research purposes), shall be prohibited throughout the territory of Georgia.



4. The Ministry of Environmental Protection and Agriculture of Georgia shall coordinate the preparation and implementation of the national programme and the action plan for gradual removal from consumption of substances covered by the Montreal Protocol, in order for Georgia to fulfil the commitments under the Montreal Protocol.

5. Import, export, re-export or transit of substances covered by the Montreal Protocol within the jurisdiction of Georgia shall be regulated by this Law and other legislative and subordinate normative acts, including by the ordinance of the Government of Georgia 'on the issuance of permits for import, export, re-export and transit of substances covered by the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, the rules for allocation of annual import quotas and the form of permit certificates'.

6. In order for Georgia to fulfil the commitments undertaken under the Montreal Protocol, the data on the import, export, and use of substances covered by the Montreal Protocol in the territory of Georgia shall be gathered and processed by the Ministry of Environmental Protection and Agriculture of Georgia.

7. Purchase/sale of substances covered by the Montreal Protocol shall be permitted only between certified persons, except for the purchase/sale by a certified person when providing services of removal/replacement/addition of substances covered by the Montreal Protocol.

8. In the case of confiscation of substances covered by the Montreal Protocol, they shall be managed by the National Agency of State Property, which is a Legal Entity under Public Law operating within the system of the Ministry of Economy and Sustainable Development of Georgia, in agreement with the Ministry of Environmental Protection and Agriculture of Georgia.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 3806 of 12 November 2010 – LHG I, No 66, 3.12.2010, Art 414*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1025 of 6 September 2013 – website, 23.9.2013*

*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 3279 of 16 June 2023 – 5.7.2023*

## **Article 54<sup>1</sup> – Regulation of emissions of refrigerants into ambient air**

1. In order to ensure the compliance with safety and environmental protection requirements, only certified persons shall have the right to service (including to install and dismantle) the equipment operating on refrigerants.

2. The certification shall be mandatory for all natural persons, individual entrepreneurs, and legal persons, that service air conditioning and refrigeration equipment or heat pump units, and/or buy/sell, contain, recycle, recover or dispose of the substances covered by the Montreal Protocol.

3. A relevant certificate is issued to natural persons for the period of 5 years, and to individual entrepreneurs and/or legal persons – for the period of 3 years.

4. The system of certification shall be introduced and the certification process shall be carried out by the Ministry



*Law of Georgia No 4951 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 172 of 21 December 2016 – website, 29.12.2016*

*Law of Georgia No 1663 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 3279 of 16 June 2023 – 5.7.2023*

## **Article 55 – Ambient air protection from transboundary pollution**

1. Taking into consideration the commitments under the Convention on Long-range Transboundary Air Pollution, Georgia, within the framework of regional cooperation, is implementing measures to protect ambient air from pollution and to prevent transboundary pollution on the European continent.
2. The Ministry of Environmental Protection and Agriculture of Georgia shall coordinate the development and implementation of the measures necessary to fulfil the commitments of Georgia under the Convention on Long-range Transboundary Air Pollution.
3. The mechanism of measures to fulfil the commitments of Georgia under the Convention on Long-range Transboundary Air Pollution shall be determined by the Ordinance of the Government of Georgia on measures for the fulfilment of the commitments of Georgia under the Convention on Long-range Transboundary Air Pollution.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 4386 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1025 of 6 September 2013 – website, 23.9.2013*

*Law of Georgia No 1662 of 7 December 2017 – website, 14.12.2017*

## **Chapter XVI – Treaties and International Agreements of Georgia in the Field of Ambient Air Protection**

### **Article 56 – Treaties and international agreements of Georgia in the field of ambient air protection**

Treaties and international agreements of Georgia in the field of ambient air protection shall take precedence over the legislative and subordinate normative acts of Georgia if they do not contradict with the Constitution of Georgia.

### **Article 57 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*



**Article 58 – Liability for the violation of this Law**

1. Liability for the violation of this Law is determined by the legislation of Georgia.
2. The imposition of liability does not release the offender from the obligation to compensate, in the prescribed amount and manner, damages caused by violation of this law.

**Article 59 – Procedure for calculating damages**

The procedure for calculating the environmental damage caused by the violation of this Law is set forth in the subordinate normative act specified in Article 22(2)(a) of the Law of Georgia on State Control of Environmental Protection.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**SECTION III – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**Chapter XVIII – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**Article 60 – (Deleted)**

*Law of Georgia No 465<sup>a</sup> of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 86*

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**Article 61 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**Article 62 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**Chapter XIX – (Deleted)**



**Article 63 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**Article 64 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**Article 65 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**Article 66 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**Article 67 – (Deleted)**

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

**SECTION III<sup>1</sup> – Transitional Part**

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

**Chapter XIX<sup>1</sup> – Transitional Provisions**

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

**Article 67<sup>1</sup> – Normative acts to be approved/issued**

1. The Government of Georgia shall:

- a) before 1 September 2021, approve the Technical Regulations on the Management of Fluorinated Greenhouse Gases;
- b) before 1 September 2022, approve:
  - b.a) an air quality plan for a zone and/or agglomeration where the levels of primary pollutants in ambient air



exceed any limit value or target value;

b.b) a short-term action plan for a zone and/or agglomeration, where the levels of primary pollutants in ambient air exceed one or more of the alert thresholds specified in the Technical Regulations on Ambient Air Quality Standards.

2. The Minister of Environmental Protection and Agriculture of Georgia shall:

- a) before 1 September 2021, approve by an order the zones and agglomerations as provided for by this Law;
- b) before 1 January 2025, issue an order On Classification of Zones and Agglomerations.

*Law of Georgia No 5948 of 22 May 2020 – website, 28.5.2020*

## **SECTION IV – Final Part**

### **Chapter XX – Final Provisions**

#### **Article 68 – Entry into force**

1. This Law shall enter into force on 1 January 2000.
2. Normative acts issued before 1 January 2008 on the basis of Article 18(2), Article 20(4) and (5), Article 26(2) and (3), Article 42(4), Article 48(1) and Article 50(1-3) of the Law of Georgia on Ambient Air Protection, shall remain in force after 1 January 2008.
3. Normative acts issued before 1 January 2008 on the basis of Article 27(1), Article 29(8), Article 32(1), Article 38 (3), Article 54 (5) of the Law of Georgia on Ambient Air Protection remain in force until the issuance of normative acts provided for by Article 27(1), Article 29(4), Article 29<sup>1</sup>(5), Article 38(3) and Article 54(5) of this Law.
4. Normative acts provided for by Article 27(1), Article 29(4), Article 29<sup>1</sup>(5), and Article 54(5) of this Law shall be issued before 1 July 2008.
5. Article 49 of this Law shall enter into force from 1 January 2003.
6. (Deleted – 25.3.2013, No 451).
7. Normative acts provided for by Article 19(2), Article 21(2), and Article 25(7) of this Law shall be issued before 1 July 2020.
8. (Deleted – 25.3.2013, No 451).

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

*Law of Georgia No 451 of 25 March 2013 – website, 5.4.2013*

#### **Article 69 – Repealed normative acts**



1. The following normative acts shall be repealed upon entry into force of this Law.

- a) The Law of the Georgian SSR on Ambient Air Protection (No 7, Art. 131, Gazette of the Supreme Soviet of the Georgian SSR, 1981);
- b) Subordinate normative acts adopted on the basis of the Law of the Georgian SSR on Ambient Air Protection (No 7, Art. 131, Gazette of the Supreme Soviet of the Georgian SSR, 1981);

c) The Resolution of the Supreme Soviet of the Georgian SSR of 19 June 1981 on the procedure for adoption for further entry into force of the Law of the Georgian SSR on Ambient Air Protection (No 7, Art. 131, Gazette of the Supreme Soviet of the Georgian SSR, 1981).

2. Subordinate normative acts issued on the basis of Article 41(4) and Article 59 of the Law of Georgia on Ambient Air Protection (Legislative Herald of Georgia No 30(37), 1999, Art.158) shall be deemed repealed after 1 January 2008.

*Law of Georgia No 5605 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 407*

President of Georgia

Eduard Shevardnadze

Tbilisi,

22 June 1999

No 2116 – III

***Annex***

*Law of Georgia No 246 of 2 March 2021 – website, 12.3.2021*

*Law of Georgia No 793 of 26 June 2025 – website, 4.7.2025*

No	Activities
1	Refining of crude-oil (except for lubricants)
2	Operation of thermal power stations with the capacity of 10 Megawatts or more
3	Production of cast iron, steel and/or ferroalloys, including primary and secondary fusion
4	Welding of cast iron or steel for production purposes
5	Processing of ferrous metals: hot-rolling, smithery with hammers, protective metal coating with the annual capacity of 50 tons or more
6	Welding of non-ferrous metals (except for precious metals) with the annual capacity of 20 tons or more
7	Roasting and sintering of metallic ores
8	Production of non-ferrous metals, except for jewellery, from metal ore, concentrates or secondary raw materials (including as a result of recovery of waste) through metallurgical, chemical or electrochemical processes
9	Production of main organic compounds
10	Production of main inorganic compounds



11	Simple and/or complex production of phosphorous-based, nitrogen-based and/or potassium-based fertilisers
12	Production of chemical substances through the chemical processing of intermediate products
13	Production of pharmaceutical products, paints, varnishes, peroxide, elastomer and/or plastic
14	Production of cement, lime, plaster and/or gypsum
15	Production of glass and/or glass products (including glass fibre)

