

LAW OF GEORGIA

ON CULTURE

This Law is based on the Constitution of Georgia; it takes into consideration the centuries-old, rich traditions of the Georgian national culture and experience of the civilised nations of the world.

This Law instills the priority of culture and cultural heritage in the harmonious upbringing and development, and unrestricted self-expression of a person, as well as expressing and enriching the cultural individuality of the people and every citizen, and the moral perfection and humanization of the whole society.

According to the Constitution of Georgia, this Law shall oblige the State to support the development of culture in every way, ensure the free participation of citizens in cultural life, the accessibility of advances in culture, the universal recognition of national and common values, and the deepening and expansion of international cultural relations, and creative integration.

This Law shall, together with determining human rights and freedoms in the field of culture, define the obligation of every citizen to preserve and protect the cultural heritage.

This Law shall, taking into consideration the priority of the field of culture and its great strategic significance, oblige the State, higher State authorities and municipality bodies to provide maximum financial and logistical support to every brunch of culture.

This Law shall be the legal basis for the development, protection and preservation of culture in the country.

Law of Georgia No 417 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art.75

Law of Georgia No 6907 of 15 July 2020 – website, 28.7.2020

Chapter I – General Provisions

Article 1 – Legislation of Georgia on Culture

Legislation of Georgia on Culture shall consist of the Constitution of Georgia, international treaties and agreements, this Law, and other legal and subordinate normative acts of Georgia.

Article 2 – Scope of regulation

This Law shall regulate the rights and obligations of the State and natural and legal persons in the field of culture, including social, economic and legal relations, and basic principles and specificities of these relations.

Article 3 – Basic goals and tasks of the Law

The basic goals and tasks of the Law of Georgia on Culture shall be to:

- a) protect and realise the constitutional rights of the citizens of Georgia in the sphere of culture;
- b) determine legal principles and norms for using cultural valuables and results of creative activity;



- c) regulate the basic economic, social and legal relations of subjects of cultural and creative activity;
- d) define obligations of natural and legal persons to protect and preserve the cultural heritage;
- e) create legal guarantees for free cultural activity of the citizens of Georgia and non-interference of the State in the creative process;
- f) facilitate active involvement of the culture of Georgia in world cultural processes;
- f) fulfil international obligations in the field of culture.

Article 4 – Principles of cultural activity

The principles of cultural activity shall be:

- a) freedom and total independence of cultural activity;
- b) recognition of the national and common values;
- c) protection of intellectual property;
- d) inadmissibility of monopoly in the field of culture;
- e) accessibility and publicity of cultural and creative activity;
- f) facilitating awareness and consolidation of cultural individuality by the citizens of Georgia;
- g) humanism of cultural activity.

Article 5 – Basic terms

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

- a) cultural activity – protecting, preserving, researching, spreading, and studying cultural valuables;
- b) creative activity – creation, rehabilitation and interpretation of cultural valuables;
- c) subjects of cultural activity – natural and legal persons engaged in an activity in the field of culture, and the State;
- d) creative worker – a natural person, engaged in creating, rehabilitating or interpreting cultural valuables;
- e) culture worker – a natural person, engaged in an activity in the field of culture;
- f) cultural organisation – a State or non-State organisation, institution or enterprise, as well as an association, creative union and other public entity, engaged in cultural and creative activities;
- g) the field of culture – historical and cultural areas and objects, buildings and edifices, movable and immovable cultural monuments, folklore, art souvenirs, handicraft art and handwork, professional art and literature, arts education and the related pedagogy, scientific research and methods, technologies, promotion and popularization of cultural and creative activities, entertaining and educational programmes and show business;
- h) cultural heritage:
 - h.a) material – man-made or created as a result of human impact on the natural environment, any kind of architectural, artistic, urban planning, agricultural, archaeological, anthropological, ethnographic, monumental, related to technological development movable or immovable objects of artistic, aesthetic, historic or memorial value; documentary material; as well as gardens, parks,



objects of landscape architecture, historic settlements, historically formed environments related to the history, development, folklore, faith and traditions, past or present civilization of the country;

h.b) non material – oral traditions and verbal arts, including language, as a bearer of material cultural heritage, performing arts, customs traditions and traditional practices, knowledge and skills related to traditional arts and crafts, as well as the instruments, objects, artifacts, and cultural space related to them, which are recognised by society, groups, and, in some cases, individuals, as part of their cultural heritage;

i) cultural valuables – any immovable or movable item made of any material and by any means in any historical era as a result of a creative process, which has artistic, aesthetic, ethnological, archaeological, historic, religious, memorial, scientific, technical, technological value;

j) intellectual property – objectivised results of creative activity;

k) the State cultural policy – a set of the principles and norms by which the State is guided in protecting, developing and spreading culture;

l) architectural and artistic composition – an object made of different materials belonging to cultural values: a monument (statue, sculpture), an obelisk, an installation (an object of conceptual art).

Law of Georgia No 417 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art.75

Law of Georgia No 4711 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art.141

Law of Georgia No 5294 of 26 November 2019 – website, 4.12.2019

Chapter II – The basic human rights and freedoms in the field of culture

Article 6 – The right to participate in cultural activity

According to the Constitution of Georgia, the right to participate in cultural activity shall be an inalienable human right in Georgia. The citizens of Georgia shall be equal in cultural life, whatever their national or ethnic origin, religion, or language, disability or any other characteristic.

Law of Georgia No 6831 of 14 July 2020 – website, 28.7.2020

Article 7 – Priority of workers of creative fields against the rights of other subjects of cultural activity

The rights of creative workers related to cultural and creative activity shall have priority over the rights of other subjects of cultural activity – the State and a legal person. The rights of a natural person shall be realised on the basis of the legislation of Georgia in the field and the international obligations of Georgia.

Article 8 – The right to creative activity

Everyone shall have the right to creative activity of any kind, according to one's own interests and skills.

Article 9 – Freedom and independence of creative activity

Interference in the creative process, censorship of creative activity, seizure of a creative work, and prohibition of its distribution shall be impermissible, except in the cases if it infringes on the rights and legal interests of any other person, stirs up national,



ethnic, religious, or racial discord, preaches war and violence, or makes propaganda of pornography.

Article 10 – The human right to cultural individuality

Everyone shall have the right to protect his/her cultural individuality and freely select artistic and aesthetic orientation.

Article 11 – The right to enjoy cultural values

1. Everyone shall have the right to enjoy the cultural valuables, use the funds of state libraries, museums, and archives, other materials of cultural activity, within legislation.
2. Restrictions on the use of cultural values to protect state secrets or due to a special regime of their use, shall be established by the Legislation of Georgia.

Article 12 – Arts education

1. According to the Constitution of Georgia, everyone shall have the unrestricted right to receive arts education.
2. The State shall finance basic arts education.

Article 13 – The property rights in the field of culture

1. All forms of property recognised by the legislation of Georgia shall be permitted in the field of culture.
2. Everyone shall have a property right in the field of culture. The results of creative activity shall be under the ownership of the creator, except as provided for by the legislation of Georgia.
3. The property right on cultural valuables shall be permitted in Georgia, according to Legislation.
4. The rights and obligations of an owner in the field of culture shall be regulated by the legislation of Georgia.

Article 14 – The right to creation of an organisation, institution, association, creative union, other non-governmental union and enterprise in the field of culture

1. Activity of an institution in the field of culture having any status shall be permitted in Georgia, if it does not contradict the requirements of Article 9 of this Law.
2. A cultural organisation shall be created and operate in Georgia under an organisational and legal form provided for by the legislation of Georgia.
3. An association, creative union or other non-governmental union in the field of culture shall be created with the aim of carrying out cultural activity.
4. An enterprise shall be created in the field of culture for production of materials, devices and other means or products necessary for creative activity, for the purpose of their replication, distribution and sale, as well as mediation in the field of culture and other activities determined by the legislation of Georgia.

Article 15 – The right to take the results of one's own creative activity to a foreign country



Every creative worker shall have the right to take the results of his/her own creative activity to a foreign country for exhibiting and alienation, as determined by the legislation of Georgia.

Article 16 – The rights of foreign citizens and stateless persons in the field of culture

Different conditions for cultural activity of foreign citizens and stateless persons shall be defined by the legislation of Georgia.

Article 17 – The obligation of a citizen in the field of culture

Every citizen shall be obliged to respect and protect the principles and norms in the field of culture provided for by the legislation of Georgia.

Chapter III – The Scope of the Authority of State Government and Municipality Bodies in the field of Culture

Law of Georgia No 417 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art.75

Law of Georgia No 6907 of 15 July 2020 – website, 28.7.2020

Article 18 – The scope of authority of higher State Government bodies in the field of culture

The scope of activity of higher State Government bodies shall be:

- a) ensuring protection of human rights and freedoms in the field of culture;
- a¹) promoting equal opportunities for people¹ with disabilities to participate in cultural events and developing mechanisms to ensure that people with disabilities use and develop their own creative and intellectual potential, in accordance with the Law of Georgia on the Rights of Persons with Disabilities;
- b) accessibility of cultural activity, cultural valuables and values;
- c) defining the state cultural policy and programmes, guarantees of their implementation through allocation of financing from the budget and other funds;
- d) establishing the procedure for the disposal of and ensuring accessibility of cultural valuables;
- e) defining the procedure for privatising cultural heritage objects;
- f) creation, reorganisation and liquidation of cultural organisations and institutions subordinate to the State;
- g) determining priorities for assigning structures and buildings to cultural organisations;
- h) equity participation in funding cultural non-governmental organisations ;
- i) facilitating charity and sponsorship;
- j) supporting economically and socially vulnerable citizens working in the field of culture;
- k) supporting creative workers;



l) fighting against monopolism in the field of creation and distribution of cultural valuables and for this purpose fostering activities of cultural non-governmental organisations, enterprises, associations, creative unions, guilds and other cultural unions.

Law of Georgia No 6831 of 14 July 2020 – website, 28.7.2020

Article 19 – The scope of authority of local municipal bodies in the field of culture

1. The scope of the authority of the municipal bodies in the field of culture shall be to:

- a) implement State policy in the field of culture in the territories of municipality;
- b) form the municipality budget and funds for the development of culture;
- c) determine the amount of money that shall be allocated from the municipality budget for the fulfilment of State cultural programmes and distributed among cultural programmes, taking into consideration the priority of arts education programmes;
- d) create, reorganise and liquidate municipality cultural organisations and institutions, in agreement with the governmental institution of Georgia;
- e) protect cultural heritage objects;
- f) build municipal cultural organisations and institution buildings in the field of culture and arrange their adjacent territories;
- g) decide on the placement of an architectural and artistic composition;
- h) establish control on buildings, structures and other objects of state property, according to the procedure determined by the legislation of Georgia;
- i) exercise other rights and fulfil other obligations established by the legislation of Georgia.

2. A decision on the placement of a architectural and artistic composition in the territory of Georgia shall be made by municipal bodies in agreement with the Ministry of Culture, Sport and Youth of Georgia.

Law of Georgia No 417 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art.75

Law of Georgia No 3646 10 November 2006 – LHG I, No 44, 27.11.2006, Art.294

Law of Georgia No 4355 14 February 2007 – LHG I, No6, 26.2.2007, Art.67

Law of Georgia No 4552 of 25 November 2015 – website, 08.12.2015

Law of Georgia No 1623 of 7 December 2017 – website, 14.12.2017

Law of Georgia No 3042 of 5 July 2018 – website, 11.7.2018

Law of Georgia No 5294 of 26 November 2019 – website, 4.12.2019

Law of Georgia No 374 of 16 March 2021 – website, 18.3.2021

Article 20 – The State's role in the cultural development of the regions

The State shall facilitate the creation of equal conditions for the development of cultural activities in the regions, implementation of special state cultural development programmes, attraction and investment of private and public financial sources, and establish tax and other benefits, as provided for by law.



Article 21 – The State obligation for protection of the cultural heritage of Georgia

1. The government of Georgia shall recognise the state priority of cultural heritage.
2. (Deleted – 25.9.2013, No 1329).
3. The procedure for the protection and use of the cultural heritage of Georgia shall be regulated by the legislation of Georgia.

Law of Georgia No 417 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art.75

Law of Georgia No 1329 of 25 September 2013 – website, 08.10.2013

Article 22 – The State obligation for protection of historical and cultural monuments

1. The State higher and municipal bodies shall be obliged to ensure identification, registration, study, restoration and protection of historic and cultural monuments.
2. The State shall take care of historic and cultural monuments of state importance;
3. The State bodies shall be obliged to facilitate the protection and use of the monuments existing under private ownership.
4. The State shall have a priority right to acquire monuments existing under private ownership.
5. A monument found in the ground, on its surface, under the water, or in old buildings, whose owner is impossible to verify, shall be the object, the issue of attribution of ownership of which to the State, a legal or natural person shall be determined by the legislation of Georgia.

Law of Georgia No 3646 10 November 2006 – LHG I, No 44, 27.11.2006, Art.294

Law of Georgia No 5294 of 26 November 2019 – website, 4.12.2019

Article 23 – State obligation to support creative activity

1. For the purpose of supporting creative activity the State shall:
 - a) ensure the activity of cultural organisations under State subordination;
 - b) facilitate the functioning of private and non-governmental organisations in this field.
2. The State's obligation shall be reflected in benefits, grants, subsidies and other assistance for philanthropists' activities, as established by law.

Law of Georgia No 417 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art.75

Article 24 – The obligation of the State and municipality for protection and development of library, museum, archive and other funds

1. The State higher and municipal bodies shall be obliged to protect libraries, museums, archives and similar funds under its ownership, ensure their maintenance, functioning, and development.
2. The State shall support the protection and use of libraries, museums, archives and similar funds existing under private ownership.



Article 25 – Statistics in the field of culture

1. The State shall maintain official statistics in the field of culture and shall be obliged to ensure correctness, timeliness and publicity of statistics.

2. The Ministry of Culture, Sport and Youth of Georgia shall coordinate the activity determined under the legislation of Georgia and register legal persons engaged in such activity in order to pursue a unified State policy in the field of culture.

Article 26 – Export from and import to the territory of Georgia of cultural valuables

Export from and import to the territory of Georgia of cultural valuables shall be regulated by the legislation of Georgia.

Chapter IV – Economic regulation in the field of culture

Article 27 – Privatisation in the field of culture

1. State archives of cultural significance, State funds of cinema-, photo, and audio materials, museum collections and funds, monuments on the World Heritage list and house-museums of national importance owned by the State shall not be subject to privatisation.

2. Cultural valuables, cultural heritage monuments, and buildings and structures used for cultural and artistic purposes that are owned by the State may only be privatised in agreement with the Ministry of Culture, Sport and Youth of Georgia and under the conditions preliminarily defined by the Ministry.

Article 28 – (Deleted)



Article 29 – Financing of culture and cultural activity from the State budget of Georgia

1. The basis of the State’s guarantee for the protection and development of culture in Georgia shall be the financing provided for by the State programme of Georgia.
2. Cultural activity provided for by the State programme shall be financed from the State budget, according to the Constitution of Georgia, the Law of Georgia on the Budget System and Budgetary Powers, and other legal acts.
3. The State shall facilitate charity and sponsorship by natural and legal persons in the field of culture by establishing tax and other benefits determined under the legislation of Georgia.
4. The total State financing of culture from the central and municipality budgets shall be adjusted on a regular basis to compensate for the additional expenses caused by increases in prices, tariffs and salaries.
5. The State shall facilitate the creation of culture development funds for the financing of cultural programmes, according to the legislation of Georgia.
6. Attraction of funds from non-budgetary sources shall not cause a reduction of budgetary amounts in the field of culture.

Article 30 – Logistical support for protection and development of culture

1. The State shall facilitate manufacturing of products necessary for the development of culture and implementation of State programmes, building and reconstruction of cultural objects of particular importance.
2. State authority bodies shall develop and implement a scientific and technical policy for introducing new techniques and technologies in the field of culture.

Article 31 – Labour relations and social protection of workers of culture

1. The labour relations of the workers of culture shall be regulated by the labour legislation of Georgia.
2. The amount of author royalties, the procedure and time of its payment shall be defined by a contract made with the author, according to the applicable legislation.
3. The State shall ensure the social protection of workers of culture, according to the legislation of Georgia.
4. The minimum salary of workers of culture shall exceed the average amount of salary of workers of organisations financed from the state budget in Georgia.

Chapter V – International relations in the field of culture

Article 32 – The goals of international cultural cooperation

The goals of international cultural cooperation shall be to:



- a) exchange advances in culture between Georgia and other countries;
- b) ensure the exchange of information on culture;
- c) ensure the accessibility of advances in culture of all peoples, according to international acts;
- d) develop peaceful relations and friendship among peoples.

Article 33 – The principles of international cultural cooperation

1. International cultural cooperation shall be the right of the State and all peoples living in it.
2. International cultural cooperation shall be based on the respect for individuality of culture.
3. International cultural cooperation shall be based on the mutual benefit of states and their peoples.

Article 34 – Subjects of international cultural exchange

1. To ensure international cultural cooperation goals and principles, Georgia shall support the expansion of the circle of subjects of international relations, independent participation of private persons and cultural organisations in the dialogue among cultures.
2. The Ministry of Culture, Sport and Youth of Georgia shall issue a permit for going abroad under the auspices of the State for subjects of cultural exchange.

Law of Georgia No 1623 of 7 December 2017 – website, 14.12.2017

Law of Georgia No 3042 of 5 July 2018 – website, 11.7.2018

Law of Georgia No 374 of 16 March 2021 – website, 18.3.2021

Article 35 – The State policy and priorities of International cultural exchange

1. The international cultural exchange State policy and priorities of Georgia shall be defined by State programmes for cultural development and protection and agreements with other states.
2. The international cultural exchange priorities of Georgia shall be:
 - a) joint creation of cultural valuables;
 - b) study and restoration of historic and cultural monuments;
 - c) training and internship of workers of culture;
 - d) creation of new techniques, technologies and equipment, and introducing them in the field of culture;
 - e) exchange of methodical and educational programmes and textbooks.

Law of Georgia No 417 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art.75

Article 36 – Cultural cooperation with compatriots living abroad



The State shall encourage the functioning of Georgian cultural centres abroad, establish cultural centres, cooperate with compatriots and communities living abroad, and conduct joint cultural events.

Article 37 – Georgian cultural monuments and cultural valuables abroad

1. The State shall pursue a targeted policy for returning displaced cultural valuables relocated from its territory.
2. All displaced cultural valuables, which are recognised as the cultural heritage of Georgia, shall be returned to their motherland, regardless of their location, time and circumstances under which they have been relocated.
3. The State shall take measures for finding, registration, studying, restoration and protection of Georgian cultural monuments located on the territory of a foreign state, based on treaties and international agreements of Georgia.

Law of Georgia No 417 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art.75

Article 38 – Participation in the international organisations

1. The branches of the international cultural foundations and organisations and other entities may freely be established on the territory of Georgia.
2. Every natural and legal person shall have the right to join international cultural organisations, according to their regulations.
3. The cultural organisations of Georgia shall have the right to attract foreign citizens for cooperation, as well as independently make decisions on a special purpose membership of foreign states, international organisations, and natural persons.

Chapter VI – Liability for violation of the Law on Culture

Article 39 – Liability for violation of this Law

Liability for violation of this Law shall be defined by the legislation of Georgia.

Chapter VII – Transitional Provisions

Article 40 – Normative acts, adoption of which shall be necessary in relation to this Law

1. The following normative acts shall be adopted in relation with the entry into force of this Law:
 - a) Law on Protection of Cultural Heritage;
 - b) Law on Copyright Protection;
 - c) Law on Mass Media;
 - d) Law on Education;
 - e) Law on Arts Education;



f) Law on Museums;

g) Law on Theatre;

h) Law on Archives;

i) Law on Cinema;

j) Law on Functioning of Concert Organisations;

k) Law on Import and Export of Cultural Valuables;

l) Law on Sponsorship and Charitable Activities in the Field of Culture;

m) the Agreement (the Concordium) between the State of Georgia and the Georgian Orthodox Church;

n) (deleted).

1¹. The Ministry of Culture, Monument Protection and Sport of Georgia shall issue an order on the Procedure for Consideration of Proposals and their Accompanying Materials Submitted to the Ministry of Culture, Monument Protection and Sport of Georgia on Placement of a Visual Arts Monument – a Monumental Statue (Sculpture).

2. Article 31(4) of this Law shall enter into force as from 1 January 1998.

Law of Georgia No 417 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art.75

Law of Georgia No 4355 14 February 2007 – LHG I, No6, 26.2.2007, Art.67

Chapter VIII – Final Provisions

Article 41 – Entry into force of the Law

This Law shall enter into force upon its promulgation.

President of Georgia

Eduard Shevardnadze

Tbilisi,

12 June 1997

No 751-III

