

LAW OF GEORGIA ON IMMIGRATION

CHAPTER I - GENERAL PROVISIONS

Article 1. Purpose of the Law of Georgia on Immigration

The purpose of the Law of Georgia on Immigration is to determine the rules of and conditions for arrival in or immigration to Georgia for citizens of a foreign country and stateless persons seeking permanent residence (hereinafter referred to as aliens) without infringing upon the interests of the citizens of Georgia, and to regulate other relations arising in connection with this matter.

Article 2. Legislative acts regulating immigration

1. In Georgia immigration is regulated by the Law of Georgia on Legal Status of Aliens, the present Law and other legislative acts of Georgia.
2. If an international treaty to which Georgia is a party provides for the rules different from this Law, the rules of the international treaty shall be applied.

CHAPTER II - LEGAL STATUS OF IMMIGRANTS

Article 3. Immigrant status

1. An immigrant is an alien who has acquired the right of permanent residence in Georgia under Georgian legislation.
2. Immigrant status may be granted to:
 - a) a person of Georgian origin, who is a citizen of another country or a stateless person whose father is Georgian;
 - b) a Georgian citizen's parents, spouse, children are under the age of 18 or incompetent children of the legal age;
 - c) an immigrant's spouse, children aged under the age of 18 or incompetent children of the legal age a person whose custodian or guardian is a citizen of Georgia;
 - e) an alien who is a custodian or guardian of a citizen of Georgia;
 - f) highly qualified scientists or art specialists whose arrival is in the interests of Georgia, or highly qualified technicians and workers who may contribute to national economy of Georgia.
3. In order to obtain immigrant status, an alien must have a permanent legal source of income to meet his (and his family members') minimum subsistence requirements. The monetary equivalent of these requirements shall be approved by the Ministry of Social Security, Labor and Employment.
4. If the immigrant lacks sufficient financial resources there must be a guarantee of his (and/or his family members') employment possibility. Confirmation of the employment guarantee shall be given by the Ministry of Social Security, Labor and Employment.
5. The requirements under paragraphs 3 and 4 do not apply to the persons referred to in paragraph 2(a) of this article.

Article 4. Grounds for denial of immigration to Georgia

1. An alien may be denied immigration to Georgia:
 - a) if he committed a crime against peace and humanity;
 - b) if during the last five years he has committed a grave criminal offence or is being prosecuted;
 - c) if his arrival will jeopardize the national security of Georgia, public order or morals of the population;
 - d) if he is infected with AIDS, venereal disease or other disease included in the special list made by the Ministry of Health, or suffers from alcoholism or drug addiction;
 - e) if for the purpose of obtaining a residence permit and entry visa to Georgia, he submitted false or invalid documents;
 - f) if he was previously expelled from Georgia;
 - g) in other cases prescribed by the legislation of Georgia

Article 5. Entry of an immigrant into Georgia

1. An alien who has obtained a residence permit shall be granted an entry visa to Georgia through an embassy and consulate.

2. An entry visa to Georgia shall be valid for one year from the date it was issued. If an alien fails to arrive in Georgia during that period, the visa shall become invalid and the matter of his immigration to Georgia shall be resolved anew according to the applicable procedures.
3. An alien who has obtained a residence permit shall undergo a passport check upon entering Georgia. At the checkpoint he shall present a residence permit, entry visa, passport or its substitute, and shall fill out a migrant's card.
4. Upon entering Georgia, each immigrant shall undergo a mandatory medical examination.
5. An immigrant may be denied entry into Georgia on any of the grounds listed under Article 4 of the present Law if they are discovered

Article 6. Registration of immigrants

1. Within 10 days from the date of his arrival in Georgia, each immigrant shall be registered in the respective agency of the Ministry of Interior according to his place of residence.
2. An immigrant shall inform the respective agency of the Ministry of Interior of any change in his place of residence.

Article 7. Grounds of expulsion of an immigrant from Georgia

1. An immigrant may be expelled from the country:
 - a) if it is ascertained that he obtained a residence permit by submitting false or invalid documents;
 - b) if he commits a grave criminal offence;
 - c) if he intentionally and regularly violates the laws of Georgia or exerts a negative influence upon the morals of the population;
 - d) if his stay in Georgia is contrary to the interests of national security;
 - e) in other cases prescribed by the applicable legislation of Georgia.
2. Decision on expulsion of an immigrant from Georgia shall be made by the Minister of Justice on the basis of a proposal made by the Ministry of Interior, the Ministry of Public Health, the Ministry of Foreign Affairs, the Ministry of Refugees and Accommodation, or the respective agencies of the Ministry of State Security.
3. In cases prescribed by paragraphs 1(a), (c) and (d) of this article, an immigrant shall be given a written notice about the decision on his expulsion from Georgia within 10 days of the date on which the decision was made. The immigrant shall leave the territory of Georgia within 30 days of his receipt of the decision. An immigrant may challenge such a decision in court within 10 days. In this case, the elapsing of the 30-day period shall be suspended and shall be resumed at the moment of entry into force of the court decision.
4. Persons referred to in paragraph 1(b) of this article shall leave the territory of Georgia within 30 days of having served his sentence.
5. A decision on the expulsion of an immigrant from Georgia shall not affect his family members.

Article 8. Forced expulsion of an immigrant from Georgia

1. An immigrant who fails to fulfill the requirements of paragraphs 3 and 4 of article 7 of the present Law shall be forcibly expelled from Georgia.
2. Rules on forced expulsion shall be prescribed by the legislation of Georgia.

Article 9. Rights, freedoms and obligations of an immigrant

Rights, freedoms and obligations of an immigrant in Georgia are determined by the Law of Georgia on Legal Status of Aliens, the present Law and other legislative acts of Georgia.

CHAPTER III. STATE REGULATION AND MANAGEMENT OF THE PROCESSES CONNECTED TO IMMIGRATION TO GEORGIA

Article 10. Immigration quota

1. For the purpose of state regulation of immigration to Georgia, the immigration quota shall be determined every year. The immigration quota shall establish the quantitative limits of Georgia's immigration quota.
2. The immigration quota shall be established by the Ministry of Justice of Georgia and approved by the Parliament of Georgia three months before the beginning of every calendar year.

Article 11. Reduction of the immigration quota

According to the political, social and economic interests of the State, the Parliament of Georgia may, on the basis of a proposal made by the President of Georgia, reduce the immigration quota.

Article 12. Organization of the Management of Immigration

1. Matters relating to immigration shall be considered and decided on by the Ministry of Justice of Georgia in accordance with the applicable legislation.
2. For the purpose of preliminary consideration of applications for immigration to Georgia and preparation of materials, the Citizenship and Immigration Service shall be established at the Ministry of Justice of Georgia.

Article 13. Promotion of integration of immigrants

Conditions and rules of promotion regarding the promotion of the integration of immigrants in Georgia shall be prescribed by the applicable legislation of Georgia.

CHAPTER IV – RULES OF SUBMISSION AND CONSIDERATION OF APPLICATIONS ON IMMIGRATION MATTERS

Article 14. Rules of submission of applications on immigration matters

1. An application for immigration to Georgia may be submitted by any capable alien of legal age.
 2. An applicant shall submit an application for immigration to Georgia to the Ministry of Justice of Georgia either directly or through a consulate and embassy of Georgia.
 3. The application for immigration shall be accompanied by the following documents notarized or verified according to the procedure that is the equivalent of notarization:
 - a) A copy of a birth certificate or a document equal to it;
 - b) Verified information regarding family members and a copy of marriage certificate.
 4. In addition to the above-mentioned documents, the following documents shall be attached to the application:
 - a) A document verifying nationality of the applicant's father, if the applicant falls within the category referred to in article 3(2)(a) of the present Law;
 - b) If verification of the nationality of the applicant's parent requires obtaining of certain materials from the archives, the Ministry of Justice shall render the necessary assistance to the applicant free of charge.
 5. Applicants falling within the category referred to in article 3(2)(b) (**qarTulSi weria me-3 muxlis meore punqti**) of the present Law shall additionally attach the following documents:
 - a) an invitation sent by a relative who is a citizen of Georgia;
 - b) a document verifying kinship.
 6. Applicants falling within the category referred to in article 3(2)(c) (**qarTulSi weria me-3 muxlis mesame punqti**) of the present Law shall additionally attach the following documents:
 - a) if immigrant accompanies the applicant, the latter's application for immigrants status
 - b) if they plan to arrive to reside with immigrant – an invitation from the immigrant.
 7. Applicants falling within the category referred to in article 3(2)(d) and (e) (**qarTulSi weria me-3 muxlis me-4 and me-5 punqtebi**) of the present Law shall additionally attach the following documents:
 - a) certificate of custody or guardianship;
 - b) consent of the person under guardianship or custody.
- In cases referred to in paragraphs 4 and 5 of Article 3 of the present Law, an application for immigration to Georgia may only be submitted by a permanent resident of Georgia.
8. Applicants falling within the category referred to in article 3(2)(f) (**qarTulSi weria me-3 muxlis me-6 punqti, romelic ar arsebobs**) of the present Law shall additionally attach the following document:
a document verifying his profession
 9. If immigrating parents are accompanied by children between the ages of 14 and 18, their written consent to immigration shall be required.
 10. If only one parent accompanied by children aged under the age of 18 arrives in Georgia, he/she shall present a notarized consent confirming that the spouse does not object to living of the children's living with the immigrating parent. In the case of the absence of such consent, the immigrating parent shall present the court decision of the respective state awarding the children to that parent.
 11. As appropriate, the Ministry of Justice may require the applicant to submit additional documents.

Article 15. Formal fee

Upon submitting an application on matters related to immigration, an applicant shall pay a formal fee in the amount of and according to the rules established by the applicable legislation of Georgia.

Article 16. Term of consideration of and decision-making on applications related to immigration matters

The term of consideration of and decision-making on applications related to immigration matters shall not exceed one year.

Article 17. Challenging of a decision on matters related to immigration

A decision denying immigration may be challenged in court.

Article 18. Re-consideration of an application related to immigration matters

An application relating to immigration matters may be reconsidered after one month from the day on which the decision was rendered.

Article 19. Immigration statistics

Immigration statistics shall be maintained by the Ministry of Justice of the Republic of Georgia.

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Head of State

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