

# **The Law of Georgia**

## **On the Protection of Minors from Harmful Influence**

### **Chapter I General Provisions**

#### **Article 1. Georgian legislation on the protection of minors from harmful influence**

Georgia's legislation on advertising comprises the Constitution of Georgia, international treaties and agreements, this Law and other regulatory acts of Georgia.

#### **Article 2. Purpose of the Law (29.12.2006 #4320)**

1. This Law aims at protecting minors from such harmful influence which is related to the consumption and sale of alcoholic beverages and tobacco and the involvement in gambling.
2. Protection of minors from harmful influence in broadcasting is regulated by the Code of Conduct specified in Article 50 of the Georgian Law on Broadcasting.

#### **Article 3. Definition of terms**

1. The terms used in this Law have the following meaning:

- a) Harmful influence - the influence of films, print material, the use and sale of alcoholic beverages and tobacco, gambling, which may harm mental and/or physical health and moral and social development of minors;
- b) Gambling - game of chance which results in either losing or winning money, property, ownership right;
- c) Gambling place - any premise where gambling takes place;
- d) Gambling device - mechanic or electrical machine used in the playing which results either in losing or winning money;
- e) Pin protected TV channel - TV channel with encrypted broadcast signals which becomes available in case a broadcast company agrees to provide decryption means to the society;
- f) Scene of violence - a shot featuring killing in cold blood, suicide, infliction of self-injury, torture, mutilation.

### **Chapter II Protection of minors from alcoholic beverages, beer and smoking**

#### **Article 4. Protection of minors from alcoholic beverages, beer and smoking**

1. It is prohibited:

- a) the sale of alcoholic beverages, beer and tobacco to minors;
- b) the sale of alcoholic beverages, beer and tobacco by minors;

c) the sale of alcoholic beverages, beer and tobacco at educational institutions and within their territories.

2. Managers of relevant institutions shall post a warning specified in subparagraph “a”, paragraph 1 of this article in a conspicuous place.

#### Chapter III – deleted (29.12.2006 #4320)

#### Chapter IV

Ban on allowing minors to enter or work at gambling places and use a gambling devices

1. It is prohibited to allow minors to enter gambling places and use a gambling device.

2. It is prohibited to allow minors to work at gambling places.

Article 14. Rights and obligations of gambling place managers and gambling device owners

1. Gambling place managers and gambling device owners have the right to check the age of visitors, including players, while ensuring the protection of human rights

2. Gambling place managers and gambling device owners shall post a ban specified in paragraph 1 of article 3 in a conspicuous place.

#### Chapter V

Restriction on the access of minors to restaurants, bars, night clubs and work therein

Article 15.

It is prohibited:

a) to allow minors enter bars and night clubs from 23:00 to 08:00 hours

b) to allow minors work in restaurants, bars and night clubs

Article 16. Right of bar and night club managers

Bar and night club managers have the right to check the age of those entering bars and night clubs while ensuring the protection of human rights.

#### Chapter VI

Responsibility for the violation of this law

Article 17. Responsibility for the violation of this law

1. Breach of the provisions of this law is subject to civil and/or administrative sanctions.

2. Pursuant to Code on Administrative Violation of Law of Georgia, violations of provisions specified in subparagraph “c”, paragraph 1 and paragraph 2 of article 4, article 8, paragraphs 2 and 3 of article 9, paragraphs 2 and 4 of article 11, and articles 13-15, are considered by the Department for Youth Affairs of Georgia which delivers relevant decisions. (23.12.2004 #782)

2<sup>1</sup>. Pursuant to Georgian Law on Broadcasting, violations of provisions in articles 5-7 are considered by the Georgian National Communications Commission. (23.12.2004 #782)

3. A parent or an authorized representative of a minor has the right to appeal to courts and demand the compensation of tangible and/or intangible damage, caused by the breach of provisions of this Law.

4. Violations of regulation under this Law on the part of broadcasters can be reacted upon only through the self-regulation mechanism specified in paragraph 1, article 14 of the Law on Broadcasters. (29.12.2006 #4320)

## Chapter VII Interim and concluding provisions

### Article 18. Interim and concluding provisions

1. To appeal to President of Georgia to submit a draft law on the addenda to the Code of Administrative Violation of Law to the parliament within 3 months after the adoption of this law.

2. Within a year after the enforcement of the Law on Broadcasting, the Department for Youth Affairs shall draw up:

- a) A resolution On Keeping Register of Print Production Having Harmful Influence on Minors;
- b) Criteria for identifying print production that has harmful influence on minors (23.12.2004 #782)

3. Within a year after the enforcement of the Law on Broadcasting, the Georgian National Communications Commission shall draw up a resolution On Keeping Register of Print Production Having Harmful Influence on Minors. (23.12.2004 #782)

4. Until before paragraph 2 of article 6 has entered into force, the criteria for identifying categories specified in paragraph 1 of article 6 are established in the decree #39 of the head of the Department for Youth Affairs of Georgia, dated December 28, 2001, On the Approval of Categories for Identifying Films and Print Production Having Harmful Influence on Minors". (23.12.2004 #782)

### Article 19. The enforcement of the law

1. This law enters into force from January 1, 2002.

2. Paragraph 2, article 6 of this Law enters into force upon the enactment of the Code of Conduct approved in accordance with the Law of Georgia on Broadcasting. (23.12.2004 #782)

President of Georgia

Eduard Shevardnadze

Tbilisi  
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