

Georgian Tax and Legal News Refer to the Law



Important amendments to the Law on the Public Registry

On 2 September 2016, important amendments to the Law on the Public Registry entered into force. In accordance with the amendments, LEPL National Agency of Public Registry added a further function related to the registration of economic activities of legal entities.

The Economic Activities Registry was created in order to register information about the economic activities of various legal entities, along with data regarding the place in which such economic activity is carried out. Consequently, all data about the activities of business entities will be available.

The amendments establish compulsory and voluntary registration, the involvement of other administrative bodies in the registration process as well as the means by which the decision on registration enters into force and other important issues. After registration, an extract on economic activities shall be prepared.

Case Law

On 27 June 2016, the Tbilisi Court of Appeals made an important decision regarding personal data (Case No. 2/9614-15). The Court ruled that the consent of a data subject shall be voluntary and well-informed. The consent shall determine the will of the data subject in an obvious manner.

Well-informed consent is defined as a data subject providing their consent after obtaining the appropriate information, i.e. prior to giving their consent, the data subject shall be thoroughly informed, otherwise, the consent of the data subject shall not be deemed as voluntary and well-informed consent.

Obtaining appropriate information refers to the data subject being provided with all the information that enables them to give voluntary and obvious consent for data processing. Accordingly, the third party that is processing the personal data, along with the reason that the personal data is being processed, the type of data processing and the quantity of data being processed shall be stated in the written consent.

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