



Georgian Competition
and Consumer
Agency

**Ordinance of the Government of Georgia N288 – “On the approval of
the statute of the LEPL- Georgian Competition and Consumer
Agency”**

Consolidated Version: 29.12.2023

**Ordinance Of The Government Of Georgia N288 – “On The Approval Of The Statute Of
The Legal Entity Of Public Law - Georgian Competition And Consumer Agency”**

14 April, 2014

Based on Article 16, Section 7 and Article 34, Section 5 of the Law of Georgia "On Competition":

Article 1

Approve the attached statute of "Legal Entity of Public Law - Georgian Competition and Consumer Agency".

Article 2

The ordinance shall take effect immediately after its publication.

Prime Minister

Irakli Gharibashvili

Statute of the LEPL - Georgian Competition and Consumer Protection Agency

Article 1. General Provisions

1. The Georgian Competition and Consumer Agency (hereinafter referred to as the Agency) is an independent agency established based on the "Competition" Law of Georgia, functioning as a legal entity under public law.
2. The main task of the Agency is to implement competition policy in accordance with the Law of Georgia "On Competition." This includes promoting the development of competition in Georgia by creating and maintaining conditions that encourage competition, as well as disallowing, detecting, and preventing all types of anti-competitive agreements and actions. Additionally, the Agency implements policies to protect local industries from dumping imports within the customs territory of Georgia, in accordance with the "Anti-dumping Measure in Trade" law of Georgia. It ensures the protection of consumer rights and legal interests, prevents violations of these rights, promotes the restoration of violated rights, and appropriately responds to violations, in accordance with the laws of Georgia "On Protection of Consumer Rights" and "On Electronic Commerce."
3. The Agency is guided in its activities by the Constitution of Georgia, international treaties and agreements of Georgia, the Law "On Competition," the Law of Georgia "On Introduction of Anti-dumping Measures in Trade," the Law of Georgia "On Protection of Consumer Rights," the Law of Georgia "On Electronic Commerce," other legislative and by-law normative acts, and this regulation.
4. The Agency, in order to carry out the functions assigned to it by the legislation of Georgia, has a chairman who determines the powers of the deputy chairman, the structural subdivisions of the Agency's central apparatus, and the representatives in the regions.
5. Implementation of the decisions, instructions, and other legal acts of the Agency is mandatory for the state government, the government of the autonomous republic, municipal bodies, other administrative bodies, and economic agents.
6. The Agency, as a legal entity under public law, acquires rights and duties in its own name, enters into transactions, enters into relations with third parties, and is authorized to appear as a party in court to implement the goals and functions established by the legislation of Georgia and this regulation.
7. The Agency has an independent balance sheet, bank account, seal with the image of the state coat of arms and name, logo, letterhead, and other attributes of a legal entity.
8. The Agency is accountable to the Parliament of Georgia and the Prime Minister of Georgia.
9. The Agency is independent in its activities and decision-making process.
10. The legal address of the Agency is: Tbilisi City, Davit Agmashenebeli Avenue No. 154.

Article 2. Principles of the Agency's Activity

1. The Agency operates with independence, non-discrimination, and impartiality, adhering to the principles of transparency and accountability.
2. The Agency ensures the publicity of its decisions, in accordance with the legislation of Georgia, while protecting confidential information as required.

Article 3. Functions and Powers of the Agency

1. The main functions of the Agency are:

- a) Implementing the policy defined by Georgian legislation on competition, and developing and applying relevant normative acts for this purpose, including preparing proposals for their improvement.
- b) Studying the current situation in the goods and services markets of Georgia and monitoring these markets to assess the competitive environment.
- c) Conducting mandatory assessments of the competitive effect in the event of a concentration, as provided by Articles 11 and 111 of the Law of Georgia "On Competition," and preparing and making appropriate decisions.
- d) Improving the competitive environment in the goods and services markets of Georgia, identifying legislative and/or administrative barriers to market entry, and submitting mandatory recommendations for their elimination to the state government, autonomous republic government, municipality, or other administrative bodies.
- e) Controlling compliance with Georgian legislation in the field of competition, detecting violations, considering cases, and making appropriate decisions within the scope of its competence.
 - e¹) Performing functions specified by the Law of Georgia "On Introduction of Anti-dumping Measures in Trade."
 - e²) Performing functions defined by the Law of Georgia "On Protection of Consumer Rights."
 - e³) Implementing the authority defined by the Law of Georgia "On Electronic Commerce."
- f) Monitoring the implementation of decisions and recommendations.
- g) Cooperating with international organizations, and agencies implementing competition protection, consumer rights protection, and anti-dumping policies in other countries.

h) Cooperating with the state government, autonomous republic government, municipality, or other administrative bodies for the purpose of enhancing competition, consumer rights protection, and anti-dumping policy, as well as addressing organizational, legal, technical, and financial issues.

i) Raising public awareness of Georgian legislation on competition, the goals and objectives of competition policy, anti-dumping measures in trade, protection of consumer rights, and the goals related to electronic commerce, and ensuring the publicity of the Agency's activities.

2. The Agency is authorized to:

a) Investigate cases based on submitted complaints or on its own initiative.

b) Request any information/documentation (including confidential information) from the undertaking/party/interested party regarding their activities as required for the exercise of the Agency's authority.

c) Submit a petition to the court to request information/documentation from the undertaking/party/interested party if the requested information/documentation is not provided.

d) Require the appearance of the party/interested party to provide explanations during the process of exercising the relevant authority.

e) Invite/involve an expert in the research process.

f) Submit a petition to the court for an on-site inspection of the undertaking/undertakings and conduct the inspection based on the court's decision.

g) Impose a fine on the undertaking/party/interested party for failing to deliver the requested information within the specified period, in accordance with Article 32 of the Law of Georgia "On Competition."

h) Request the undertaking to ensure compliance with the Law of Georgia "On Competition" regarding the implemented action.

i) Charge an appropriate fine in case of violation of the requirements of the Law of Georgia "On Competition," in accordance with Article 33 of this Law.

j) Give or refuse to give consent for the undertaking to implement a specific action to eliminate the alleged violation of the law, based on the proposed conditional obligation.

k) Submit binding recommendations to the undertaking for consideration.

l) Bring an undertaking with a dominant position before the court under compulsion in case of repeated violations of the Law of Georgia "On Competition," to address the issue of

division, if the division of the undertaking (enterprise organizational and territorial separation) is possible.

m) Make a decision according to the rules and conditions established by law regarding the competitive effect of the concentration to be implemented.

n) Give or refuse consent to the undertaking participating in the concentration on the proposed structural and/or behavioral measure.

o) Submit a petition to the court to restore the original situation by canceling the concentration.

f) Submit a petition to the court for an on-site inspection of the undertaking/undertakings and conduct the inspection based on the court's decision.

g) Impose a fine on the undertaking/party/interested party for failing to deliver the requested information within the specified period, in accordance with Article 32 of the Law of Georgia "On Competition."

h) Request the undertaking to ensure compliance with the Law of Georgia "On Competition" regarding the implemented action.

i) Charge an appropriate fine in case of violation of the requirements of the Law of Georgia "On Competition," in accordance with Article 33 of this Law.

j) Give or refuse to give consent for the undertaking to implement a specific action to eliminate the alleged violation of the law, based on the proposed conditional obligation.

k) Submit binding recommendations to the undertaking for consideration.

l) Bring an undertaking with a dominant position before the court under compulsion in case of repeated violations of the Law of Georgia "On Competition," to address the issue of division, if the division of the undertaking (enterprise organizational and territorial separation) is possible.

m) Make a decision according to the rules and conditions established by law regarding the competitive effect of the concentration to be implemented.

n) Give or refuse consent to the undertaking participating in the concentration on the proposed structural and/or behavioral measure.

o) Submit a petition to the court to restore the original situation by canceling the concentration.

p) Bring before the relevant bodies the issue of the responsibility of the head of the undertaking for violating the legislation of Georgia.

q) Apply to the court with a reasoned petition to temporarily suspend the actions of a certain undertaking pending a final decision by the Agency if there is clear evidence that

this action significantly restricts competition as provided for by Articles 6 and 7 of the Law of Georgia "On Competition."

r) Fully or partially exempt a person from the imposition of a fine for an infringement of the Law of Georgia "On Competition" if they meet all conditions specified in Article 331 of the Law of Georgia "On Competition."

s) Make a decision regarding the distribution of a fine imposed on an undertaking for a period of no more than one year, in case of a justified request.

t) Study the regulated sphere of the economy with the participation of an undertaking in cases determined by Article 31, Clause 2 of the Law of Georgia "On Competition," to address a planned concentration or possible violation of competition.

u) Hold consultations with the regulatory bodies of the regulated area of the economy in order to determine the authorized body for the study, as established by the Law of Georgia "On Competition."

v) Apply to the regulatory body of the regulated sphere of the economy with the request to participate in the discussion of the issue and/or to present its own position, and vice versa, get involved in the process of discussion and consultation of the issue when requested by the regulatory body.

w) Request relevant information/documentation from the state government, the government of the autonomous republic, municipality body, or other administrative body, necessary for the exercise of the Agency's authority. In case of non-fulfillment of this request, ask the authorized person about the issue of disciplinary responsibility.

x) Submit a reasoned decision and appropriate recommendations to the state government, autonomous republic government, municipality body, or other administrative body regarding the violation of the Law of Georgia "On Competition," including demanding the revocation of an illegal decision or prohibition of an illegal action. If the request is not complied with, the relevant issue should be discussed by a superior authority or official.

y) Study the compliance of state aid with the Law of Georgia "On Competition" regulations and issue a proper conclusion.

z) Raise the question of the responsibility of the relevant authorized person before a superior body or official if the rules of the agreement with the state aid issuing authority are violated.

z) Maintain a register of individual state aid of insignificant amount issued.

z-1) Submit mandatory recommendations for consideration by the state government, government of the autonomous republic, municipality body, or other administrative body regarding legal and/or administrative barriers to entry into the goods and services markets of Georgia and the necessity of their elimination.

z-2) Request and receive identifiable information about individual taxpayers from the tax authority, based on the Tax Code of Georgia.

z-3) Request appropriate advice from the state government, autonomous republic government, municipality body, or other administrative body if necessary for the exercise of authority.

z-4) Request the appearance of state authorities, the government of the autonomous republic, municipality body, or other administrative body to provide an explanation within the framework of investigating a case involving the alleged violation of Article 10 of the Law of Georgia "On Competition."

z-5) Apply to the National Bank of Georgia, in accordance with the procedure established by the Organic Law of Georgia "About the National Bank of Georgia," to obtain information necessary for the Agency to perform its functions from the subjects under its supervision (including requesting and receiving confidential information).

z-6) Carry out impact assessments of the adopted decisions on the competitive environment.

z-7) Issue recommendation explanations and advise interested persons on the application of Georgian legislation on competition within the scope of its competence.

z-8) Present to the Government of Georgia a conclusion on the introduction, revision, or cancellation of an anti-dumping measure.

z-9) Ensure the holding of seminars, conferences, and other similar events regarding matters within its competence.

z-10) Participate in fulfilling obligations arising from international agreements in areas within its competence.

z-11) Implement other powers granted by the legislation of Georgia, including the Law of Georgia "On Competition," the Law of Georgia "On Introduction of Anti-dumping Measures in Trade," the Law of Georgia "On Protection of Consumer Rights," and the Law of Georgia "On Electronic Commerce."

Article 3¹. Council for Review of Disputes Related to State Procurement and Council Office

1. In accordance with Chapter VI of the Law of Georgia "On State Procurement," disputes related to the state procurement and selection process can be handled by the State Procurement Disputes Review Board (hereinafter referred to as the Disputes Review Board). This Board is an impartial and independent body aimed at resolving disputes expeditiously, effectively, and fairly. The Disputes Review Board operates independently from all bodies/persons and adheres only to the law.

2. The Disputes Review Board is financed from the state budget of Georgia, with budget allocations provided for the Agency in an amount that ensures the Board's ability to perform its functions and maintain its independence.
3. To ensure its activities, the Disputes Review Board has an office, which is a structural unit of the Agency.
4. The Agency shall provide the Disputes Review Board and its office with the necessary material and technical means for their activities.

Article 4. Agency Management

1. The Agency is headed by the Chairman, who is appointed and dismissed by the Prime Minister of Georgia.
2. The Chairman of the Agency has a Deputy.
3. The Chairman of the Agency independently makes decisions within the competence of the Agency, acts on behalf of the Agency, represents it in relations with other bodies and organizations, and decides on tasks, functions, and issues determined by the authorities.
4. **Chairman of the Agency:**
 - a) Heads the Agency, represents the Agency, and acts on behalf of the Agency;
 - a1) Is authorized to assign the right to represent the Agency to another Agency employee;
 - a2) Is authorized to delegate some of the powers assigned to the Chairman to the Deputy, heads of the Agency's structural subdivisions, and their deputies;
 - b) Approves the staff list of the Agency in accordance with the procedure established by the legislation of Georgia;
 - c) Determines the powers of the Deputy Chairman of the Agency, the central office of the Agency, representatives of structural units, and regions;
 - d) Appoints and dismisses Agency employees;
 - d1) Decides on measures to encourage and discipline Agency employees;
 - d2) Makes decisions on incentives for the staff of the Council's office based on the petition of the Chairman of the Council for Review of Disputes Related to State Procurement;
 - d3) Decides on the proportion of disciplinary measures for employees of the Council's office based on the petition and/or approval of the Chairman of the Council for Review of Disputes Related to State Procurement;
 - e) Issues normative and individual legal acts (orders, instructions, and methodological instructions) within the scope of his competence and in accordance with the procedure established by the legislation of Georgia;

- f) Approves the provisions of the structural units of the central apparatus of the Agency;
 - g) Manages the Agency's funds and property in accordance with applicable legislation;
 - h) Is authorized to create deliberative bodies and determine their authority;
 - i) Carries out other administrative functions belonging to the Agency's administration.
5. The Deputy Chairman of the Agency has the right to make decisions within the scope of the functions defined by the Chairman of the Agency. In the absence of the Chairman, his authority is performed by the Deputy, and in the absence of the latter, by the head of one of the structural subdivisions of the Agency as defined by an individual administrative-legal act.

Article 5. Agency Structure

1. The central apparatus of the Agency includes the following structural subdivisions:
 - a) Administrative and Financial Department;
 - b) Legal Department;
 - c) Department of Economic Competition;
 - d) Strategic Markets Monitoring Department;
 - e) Department of Anti-dumping Measures;
 - f) Consumer Rights Protection Department;
 - g) Department of Communications;
 - h) Study Research Center;
 - i) Apparatus of the State Procurement Dispute Review Board.
2. The auditor of the Agency is not part of any structural unit. The auditor is independent and reports directly to the Chairman of the Agency.
3. The Agency may have representatives in regions and autonomous republics.
4. The department is headed by a Head of Department, who may have one Deputy. The Educational Research Center is headed by a Head of the Center, who may also have a Deputy.
- 4¹. The apparatus of the Council for Review of Disputes Related to State Procurement is headed by the Chief of Staff.

5. The rules of activity for structural subdivisions are determined by the regulations of the Agency's structural subdivisions and by-laws of the Agency.

6. The main functions of the Administrative and Financial Department are:

- a) Managing agency proceedings and archive production;
- b) Developing and implementing human resource management policies;
- c) Managing the system of professional development for employees;
- d) Organizing and implementing competitions to select candidates for vacant positions;
- e) Leading the reorganization process within the Agency;
- f) Developing the Agency's organizational structure, job descriptions, bylaws, internal procedures, and guidance documents;
- g) Handling accounting and financial reporting of the Agency's activities;
- h) Implementing state procurement;
- i) Providing material and technical support for the Agency's activities;
- j) Preparing contracts and drafts of changes related to procurement to be signed in the name of the Agency;
- k) Preparing projects of individual administrative-legal acts within the scope of competence;
- l) Ensuring the availability of public information and participating in the process of publishing proactive information within the scope of competence;
- m) Providing the Agency with information technologies;
- n) Organizing and providing material and technical support for official receptions, business visits, agency dialogues, and service meetings between different target groups of society within the scope of competence;
- o) Preparing and delivering information related to the activities of the Agency to the Department of Communications within the scope of competence;
- p) Exercising other powers provided by the individual administrative-legal act of the Chairman of the Agency;
- q) Executing separate tasks and instructions of the Chairman of the Agency.

7. The main functions of the Department of Economic Competition are:

- a) Detecting and preventing anti-competitive actions of undertakings (such as limiting competition agreements and abuse of dominant position), investigating complaints/statements, and preparing relevant decision drafts;
- b) Studying possible facts of competition restriction by state government bodies, the government of the autonomous republic, municipal bodies, or other administrative bodies, and developing relevant decision drafts;
- c) Studying possible facts of unfair competition by undertakings and preparing decision drafts;
- d) Conducting environmental impact assessments of the competition of the decisions taken by the Agency within the scope of competence and preparing the relevant draft report;
- e) Identifying signs of competition restriction in specific goods/services markets and raising the issue before the Chairman of the Agency regarding the initiation of an investigation;
- f) Discussing letters, statements, complaints, and other correspondence received by the Department, providing appropriate responses, and preparing response correspondence;
- g) Preparing drafts of recommendation definitions and/or providing consultations regarding the application of competition legislation within the scope of competence;
- h) Preparing and delivering information related to the activities of the Agency to the Department of Communications within the scope of competence;
- i) Exercising other powers provided by the individual administrative-legal act of the Chairman of the Agency;
- j) Fulfilling individual tasks and instructions of the Chairman of the Agency.

8. The main functions of the Legal Department are:

- a) Preparing drafts of normative and individual administrative-legal acts related to the Agency's activities;
- b) Preparing conclusions on the compliance of statutory administrative-legal acts with competition legislation;
- c) Preparing cases for court disputes and representing the Agency in court;
- d) Participating in research on alleged violations of the Law of Georgia "On Competition";
- e) Preparing projects of legal acts regulating the activities of the Agency, including instructions, procedural manuals, methodological guidelines, and guidance documents;
- f) Participating in the discussion of letters, statements, complaints, and other correspondence received by the Agency within the scope of competence, and preparing appropriate responses and correspondence;

- g) Preparing motions to be submitted to the court and representing the Agency in this process;
- h) Preparing drafts of recommendation definitions regarding the application of competition, user rights protection, and anti-dumping legislation within the scope of competence;
- i) Participating in the preparation of international agreements and draft agreements on matters within the competence of the Agency;
- j) Finding, processing, and analyzing international practices, court decisions, and relevant issues within the scope of the Agency's competence, and preparing relevant analyses;
- k) Conducting legal examinations of agreements/memorandums to be signed on behalf of the Agency and changes to be implemented in them;
- l) Ensuring access to public information and providing for the proactive gathering and publication of information;
- m) Preparing and delivering information related to the Agency's activities to the Department of Communications within the scope of competence;
- n) Participating in planned activities for raising public awareness within the scope of competence;
- o) Exercising other powers provided by the individual administrative-legal act of the Chairman of the Agency;
- p) Fulfilling individual tasks and instructions of the Chairman of the Agency.

9. The main functions of the Strategic Markets Monitoring Department are:

- a) Conducting and monitoring the process of goods and services markets, and preparing draft reports;
- b) Analyzing goods and services markets, assessing the competitive environment, and conducting sectoral and thematic studies;
- c) Creating and updating analytical databases;
- d) Determining the compliance of state aid to be given with the provisions of the Law of Georgia on "Competition" and preparing draft conclusions; maintaining the register of individual state aid of insignificant amount issued;
- e) Preparing draft decisions regarding the competitive effect of the concentration to be implemented; considering structural and/or behavioral measures offered by the undertaking participating in the concentration and developing a position;
- f) Implementing appropriate measures to detect concentrations bypassing the Agency and conducting administrative proceedings in case such facts are detected;

- g) Participating in research on alleged violations of the Law of Georgia "On Competition";
- h) Discussing letters, statements, complaints, and other correspondence received by the Department, providing appropriate responses, and preparing response correspondence;
- i) Preparing and delivering information related to the activities of the Agency to the Department of Communications within the scope of competence;
- j) Exercising other powers provided by the individual administrative-legal act of the Chairman of the Agency;
- k) Fulfilling individual tasks and instructions of the Chairman of the Agency.

9¹. The main functions of the Department of Anti-Dumping Measures are:

- a) Conducting studies to determine the appropriateness of introducing a special anti-dumping tariff, preparing the relevant conclusions, and presenting these conclusions to the Government of Georgia;
- b) Carrying out studies for the purpose of revising or canceling a special anti-dumping tariff, preparing the relevant conclusions, and presenting these conclusions to the Government of Georgia;
- c) Preparing preliminary conclusions on the introduction of a preliminary anti-dumping measure and presenting these to the Government of Georgia;
- d) Requesting information from administrative bodies, interested persons, and other legal entities necessary for conducting the study;
- e) Considering the voluntary commitment taken by the exporter in writing, preparing the relevant preliminary report, and submitting it to the Government of Georgia;
- f) Discussing letters, statements, complaints, and other correspondence received by the Department, providing appropriate responses, and preparing response correspondence;
- g) Preparing cases for court disputes and representing the Agency in court within the scope of competence;
- h) Preparing drafts of legal acts regulating the activities of the Agency, including instructions, procedural manuals, methodological guidelines, and other documents within the scope of competence;
- i) Preparing drafts of recommendation definitions and/or providing consultations regarding the application of anti-dumping legislation within the scope of competence;

- j) Finding, processing, and preparing relevant analyses of international practices and court decisions related to anti-dumping measures;
- k) Preparing and delivering information related to the activities of the Agency to the Department of Communications within the scope of competence;
- l) Participating in planned activities for raising public awareness within the scope of competence;
- m) Exercising other powers provided by the individual administrative-legal act of the Chairman of the Agency;
- n) Fulfilling individual tasks and instructions of the Chairman of the Agency.

9². The main functions of the Office of the State Procurement Dispute Review Board are:

- a) Conducting intra-departmental training procedures for the consideration of disputes related to public procurement and the selection process;
- b) Organizing the sessions of the Dispute Review Board, drawing up the minutes of the sessions, and ensuring their recording and storage;
- c) Producing other documentation and correspondence within the competence of the Dispute Review Board, including preparing drafts of normative and individual legal acts related to the activities of the Board;
- d) Preparing draft decisions on the selection and termination of authority for the Chairman of the Dispute Settlement Council, as well as the Deputy Chairman of the Council;
- e) Preparing cases for court disputes and representing the Council in court;
- f) Preparing documents regulating the activities of the Dispute Review Board and the Board's office, including instructions, procedural manuals, and methodological guidelines;
- g) Ensuring public access to information related to the activities of the Dispute Review Board and the Board's office, as well as proactively gathering information;
- h) Finding, processing, and preparing relevant analyses of international practices and court decisions on issues within the competence of the Dispute Resolution Council;
- i) Organizing official receptions, business visits, and service meetings within the scope of competence;
- j) Organizing relations with relevant agencies of foreign countries, other authorities, international organizations, and diplomatic representations accredited in Georgia, and preparing correspondence and communication within the scope of competence;

- k) Finding information about international forums, training programs, conferences, and other events; ensuring the participation of Dispute Resolution Council members and staff representatives; collecting and systematizing information received at events;
- l) Producing archives within the scope of competence;
- m) Preparing statistical information related to the activities of the Board and delivering it to the Department of Communications within the scope of competence;
- n) Preparing an annual report regarding the activities of the Dispute Resolution Council;
- o) Using a special electronic module in accordance with the requirements of Article 236 of the Law of Georgia "On State Procurement";
- p) Performing functions defined by the Law of Georgia "On State Procurement," the Law of Georgia "On Public and Private Cooperation," the regulations of the Council, national legislation, and other guidance documents.

9³. The main functions of the Consumer Rights Protection Department are:

- a) Exercising the powers defined by the laws of Georgia "On Protection of Consumer Rights" and "On Electronic Commerce";
- b) Considering statements submitted to the Agency on issues of user rights protection and initiating the process of investigation into alleged violations of user rights, including preparing a proposal on the expediency of such investigations;
- c) Conducting the investigation process on alleged violations of the laws of Georgia "On Protection of Consumer Rights" and "On Electronic Commerce," and preparing draft decisions;
- d) Monitoring decisions made by the Agency, and preparing draft decisions on imposing fines on traders for failure to fulfill decisions within the time limit or for untimely fulfillment;
- e) Requesting necessary information from administrative bodies, applicants, traders, and other relevant individuals for conducting studies, and holding explanations and consultation meetings;
- f) Reviewing letters and other correspondence received by the Department, providing appropriate responses, and preparing response correspondence;
- g) Preparing proposals regarding the necessity of appointing an expert for the leadership of the Agency;
- h) Preparing cases for court disputes and representing the Agency in court within the scope of competence;

- i) Preparing motions to be submitted to the court to request information from traders if necessary;
- j) Preparing drafts of legal acts regulating the activities of the Agency, including instructions, procedural manuals, and methodological guidelines within the scope of competence;
- k) Preparing drafts of recommendation definitions regarding the application of consumer rights protection and e-commerce legislation, and providing consultations;
- l) Finding, processing, and preparing analyses of relevant international practices and court decisions related to the protection of user rights and electronic commerce;
- m) Accounting for and analyzing relevant statistical data within the scope of competence;
- n) Cooperating with regulatory bodies and relevant authorized agencies on issues of user rights protection and electronic commerce;
- o) Preparing and delivering information related to the Department's activities to the Department of Communications if necessary;
- p) Participating in planned activities aimed at raising public awareness within the scope of competence;
- q) Performing functions defined by the laws of Georgia "On Protection of Consumer Rights" and "On Electronic Commerce," relevant legal acts, and other guidance documents;
- r) Exercising other powers provided by the individual administrative-legal act of the Chairman of the Agency;
- s) Executing separate tasks and instructions of the Chairman of the Agency.

9⁴. The main functions of the Department of Communications are:

- a) Preparing an annual report on the activities performed by the Agency in the previous year;
- b) Establishing a communication strategy, managing its implementation, and periodically renewing it; planning and organizing events determined by the strategy;
- c) Planning and coordinating the Agency's public relations process and organizing specific activities for this purpose;
- d) Organizing press conferences, interviews, briefings, conferences, official receptions, and other types of meetings;
- e) Preparing official notifications, announcements, and other information materials related to ongoing processes in the Agency, and delivering them to mass information facilities;

- f) Developing the branding of the Agency, submitting it to the Chairman of the Agency for approval, and ensuring its protection;
- g) Preparing and analyzing press and media reviews;
- h) Preparing and posting information on the Agency's official website and social network;
- i) Responding to incoming calls to the Agency; ensuring timely delivery of information to interested parties and monitoring the response to calls (service provision);
- j) Developing the service standard to be provided by the Agency and monitoring its adherence;
- k) Identifying current issues based on incoming calls to the Agency and formulating responses in coordination with relevant structural units;
- l) Organizing official and working and/or study visits;
- m) Conducting protocol events during the visits of official delegations of foreign countries and representatives of the diplomatic corps accredited in Georgia;
- n) Finding information about international forums, training programs, conferences, and other events; organizing participation in them and systematizing the received information;
- o) Identifying international projects related to the Agency's competence, establishing cooperation with them, and submitting proposals for the implementation of joint measures to the Chairman of the Agency;
- p) Developing cooperation strategies with donor organizations and managing/coordinating this cooperation process;
- q) Planning and organizing events to be implemented by donor organizations for the purpose of supporting the Agency;
- r) Planning and implementing projects/seminars/conferences/forums and other types of important domestic/international activities to be carried out by the Agency;
- s) Exercising other powers provided by the individual administrative-legal act of the Chairman of the Agency;
- t) Executing separate tasks and instructions of the Chairman of the Agency.

9⁵. The main functions of the Study Research Center are:

- a) Defining and developing the strategy for the professional development and training programs of the Agency's employees on matters within the Agency's competence;

- b) Researching the needs for professional development, training programs, and trainings in specific areas, analyzing the results, and presenting them to the Chairman of the Agency;
- c) Organizing professional development, training programs, and trainings for Agency employees, ensuring quality control, evaluating effectiveness, and developing recommendations for presentation to the Chairman of the Agency;
- d) Developing and implementing special training courses/programs necessary for the professional development and qualification improvement of interested persons;
- e) Finding, evaluating, and selecting external trainers for the Agency, and submitting proposals to the Chairman;
- f) Accounting for educational programs, courses, and training materials, creating an electronic information base, and managing thematic archiving and the information base;
- g) Defining the need for research programs on issues within the Agency's competence, and developing and implementing these programs;
- h) Organizing and conducting research based on the activities of the Agency, and preparing and implementing scientific educational projects;
- i) Exercising other powers provided by the individual administrative-legal act of the Chairman of the Agency;
- j) Fulfilling individual tasks and instructions of the Chairman of the Agency.

10. The function of regional representatives is to implement the state competition policy at the regional level. The detailed functions of the regional representatives are established by the legal act of the Chairman of the Agency.

11. (Removed - 19.05.2022, No. 259).

12. (Removed - 19.05.2022, No. 259).

13. The main functions of the auditor are:

- a) Conducting internal monitoring of the activities of the structural subdivisions of the Agency;
- b) Monitoring the regular execution of obligations imposed on the Agency's employees and ensuring compliance with the internal rules of the Agency; conducting disciplinary proceedings on possible facts of disciplinary misconduct, drawing up conclusions, and submitting them to the Chairman of the Agency;
- c) Controlling compliance with norms of legality, discipline, and ethics by the Agency's employees; disclosing facts of official misconduct and other illegal actions, studying statements and complaints related to these facts, and providing appropriate responses;

- d) Preventing violations of law and official misconduct by the Agency's employees; identifying risk factors, analyzing them, and preparing relevant recommendations;
- e) Disclosing facts of conflict of interest among the Agency's employees and providing appropriate responses;
- f) Preparing appropriate recommendations for the Agency's employees on work ethics to promote compliance with the rules;
- g) Developing a risk management policy system and assessing the quality of management of risks facing the Agency;
- h) Developing recommendations to increase the economy, effectiveness, and productivity of the Agency's activities;
- i) Assessing the reliability, accuracy, and completeness of financial and other information;
- j) Assessing the adequate security of the Agency's assets, other resources, and information, and developing recommendations;
- k) Controlling compliance of the operations carried out by the Agency with legislative requirements; analyzing existing or anticipated violations and/or deficiencies, and providing appropriate responses and/or prevention measures;
- l) Exercising other powers provided by the individual administrative-legal act of the Chairman of the Agency;
- m) Executing separate tasks and instructions of the Chairman of the Agency.

Article 6. Property and Finances of the Agency

1. For the implementation of the purposes and functions assigned to the Agency as defined by the legislation of Georgia, property will be transferred to the Agency according to the established procedure in accordance with applicable legislation.
2. The Agency's funding sources are: a) Funds allocated from the state budget of Georgia; b) Other incomes stipulated by the legislation of Georgia.
3. The Agency can implement the following actions only with the approval of the Ministry of Finance of Georgia: a) Taking a loan; b) Providing a guarantee.

Article 7. Annual Report of the Agency

The Agency prepares an annual report of the previous year's work and presents it to the Parliament of Georgia, the Prime Minister, and the public no later than May 1 of each year. The annual report must also be published in electronic form.

Article 8. Protection of Confidential Information

1. The Agency is obliged to:
 - a) Protect the confidentiality of information about the undertaking, which, along with other secrets, may include commercial secrets, banking secrets, and/or tax secrecy;
 - b) Protect the confidentiality of the personal data of the person who is the information supplier and who requests the Agency to protect the privacy of their personal data;
 - c) Ensure the protection and non-disclosure of state secrets.
2. The dissemination and distribution of confidential information is not allowed, except in exceptional cases established by the laws of Georgia.
3. The use and distribution of confidential information by employees of the Agency, including for personal, academic, scientific, and other activities, is not allowed.
4. Violation of the provisions of this article by the employees of the Agency will result in liability as defined by the laws of Georgia.
5. Generalized information about the relevant market, as well as data about the number of undertakings, received incomes, and incurred expenses, cannot be kept confidential.

Article 9. Conflict of Interest

1. An authorized person of the Agency, in carrying out professional activities, assessment, and decision-making, should be independent from the parties/stakeholders.
2. If there exists a relationship between the authorized person of the Agency and the undertaking to whom the Agency is investigating a case, as provided under Article 19 of the Tax Code of Georgia or Article 92 of the General Administrative Code of Georgia, the authorized person of the Agency must immediately disclose the conflict of interest.
3. The authorized person of the Agency should not engage in any other activity that may affect their impartiality and independence in decision-making.
4. Non-fulfillment of the obligation provided in paragraph 2 of this article by the authorized person of the Agency will result in liability as defined by the relevant statutory act.
5. The person whose case is being considered has the right to challenge the relevant authorized person of the Agency if this person has an interest in the issue being discussed.

Article 10. Rules of Agency Reorganization and Liquidation

The reorganization and liquidation of the Agency are carried out according to the rules established by the legislation of Georgia.

Article 11. The Procedure for Making Changes to the Regulations

Amendments to these regulations are carried out in accordance with the law and the resolution of the Government of Georgia.