

26 August, 2013 Tbilisi

## **Decree of the Government of Georgia N219**

### **„About the Form of the Electronic Request of Information and Proactive Disclosure of Public Information“**

#### **Article 1.Scope**

1. As prescribed by part 2 of Article 28 and part 4 of Article 37 of the General Administrative Code of Georgia, this resolution defined the standard for proactive disclosure of public information and the procedure for requesting public information in an electronic form and the list of public information to be published proactively (later referred to as the “list”).
2. This resolution applies to public information, prescribed by part 1 of Article 4 of the General Administrative Code of Georgia.
3. This resolution applies to the following administrative bodies
  - a. State Chancellery of Georgia
  - b. Ministry of Georgia
  - c. Office of the State Minister of Georgia
  - d. Subordinated Public Authority
  - e. legal entity of the Ministry of Georgia
  - f. Special Forces paramilitary Entity under the direct supervision of the executive body of the Government of Georgia

#### **Article 2.Proactive Disclosure of Public Information**

1. Public institution is obliged to guarantee the proactive disclosure of the public information, attached to this resolution on the corresponding electronic resources.
2. Along with the part 3 of the Article 7 of this resolution and information listed in its appendix, the public institution is obliged to proactively publish other public information that might constitute public interest, in the frameworks of their activities and competence.
3. Public information published proactively is open and equally accessible to any person. Establishing any kind of fees or restrictions on accessing proactively published information, except in the cases prescribed by the law, is inadmissible.

4. Proactive disclosure of public information does not free the public institution from the obligation to satisfy the requests of the same or other public information prescribed by the General Administrative Code of Georgia.

### **Article 3. Standard of Proactive Disclosure of Public Information**

1. The public institution is responsible for the accuracy, authenticity and periodic updates of the electronically published information. When updating proactively published information, the date of the update should be indicated.
2. The public information should be provided on the electronic resource so that information can be downloaded, printable and copied without damage and/or loose.

### **Article 4. Regulations of Electronic Request for Public Information**

1. As prescribed by Article 37 of the General Administrative Code of Georgia, public information can be requested electronically - via electronic resources.
2. The public institution is responsible for guaranteeing the possibility of requesting public information electronically, registry of public information requests and providing a system for receiving electronic requests for public information automatically.
3. The term prescribed by part 1 of Article 40 of the General Administrative Code of Georgia will be counted from the next working day, following the confirmation of reception of an electronic request for information, along with the indication of the registry number from the public institution.
4. Electronic requests for public information are subject to the rules prescribed by the Administrative Code of Georgia and Articles 3 and 2 of this resolution.

## **Article 5. Person (persons) Responsible for Availability of Public Information**

Public institution is obliged to appoint a person (persons) responsible for the availability of public information, including the issuance in electronic form and the proactive disclosure of information.

## **Article 6.Public Information Page**

1. Public institution is obliged to create a page for public information on the corresponding e-resource.
2. The information prescribed by the second part of Appendix #2 of this resolution should be published on the public information page.

## **Article 7.Transitional Provisions**

1. This resolution will go into force after September 1, 2013.
2. The public institutions are obliged to disclose the information defined by the appendix of this resolution to their corresponding electronic resources from 1<sup>st</sup> of September 2013 to 31<sup>st</sup> of December, 2013.
3. Proactive disclosure of information, as defined by the appendix of this resolution is applied to information issue dafter 1<sup>st</sup>, January 2013.

**Prime Minister**

**Bidzina Ivanishvili**