

MINISTER OF JUSTICE OF GEORGIA

ORDER No 71

31 March 2010

Tbilisi

**ON APPROVAL OF INSTRUCTIONS FOR NOTARIAL ACT PERFORMANCE
PROCEDURE**

Pursuant to Paragraph 2 of Article 5 and paragraph 3 of Article 38¹ of the Notary Law of Georgia, I do hereby **order**:

*Order №42 of the Minister of Justice of Georgia, dated August 10, 2013 – website,
12.08.2013*

1. The attached Instructions for Notarial Acts Performance Procedure shall be approved.
2. The Notary Chamber of Georgia shall ensure the creation of unified electronic register of inheritance cases and wills by the effective date of this Order.
3. The Notary Chamber of Georgia shall enter the data on testators who died on 1 January 2002 or after this date in the unified electronic register of inheritance cases as soon as this Order comes into force.
4. The Notary Chamber of Georgia shall enter the data on testators who died on 1 January 1996 or after this date in the unified electronic register of inheritance cases no later than 1 September 2010.
5. The Notary Chamber of Georgia shall enter the data on all other testators regardless of the date of their death in the unified electronic register of inheritance cases no later than 1 September 2011.
6. The Notary Chamber of Georgia shall enter appropriate data in the unified electronic register of wills no later than 1 September 2011.
7. Notaries appointed to the position by the effective date of this Order who maintain inheritance cases and wills in their notary offices shall register them and enter appropriate data in the unified electronic register of inheritance cases and wills within the terms established by this Order.
8. Legal Entity under Public Law - the National Archives of Georgia at the Ministry of Justice of Georgia shall give support to the Notary Chamber of Georgia in searching the notarial acts maintained with the archival repositories and upon request, by

drafting an appropriate certificate of delivery and acceptance, transfer the notarial acts to the Archive of the Notary Chamber of Georgia.

9. Before full formation of the unified electronic register of inheritance cases, a notary shall verify the information about opening of the testator's inheritance with the Notary Chamber of Georgia or the notary who maintains the archive of inheritance cases made in the manner applicable before enactment of this Order (according to the place of opening of inheritance).
10. In order to unify the practice of notarial acts, the Notary Chamber of Georgia shall be authorized to generalize notarial acts in consideration of legislation, court and notarial practice, and develop appropriate methodical recommendations.
11. Order N2359 of 22 December 2005 of the Minister of Justice of Georgia on Approval of Instructions for Notarial Acts Performance Procedure shall be declared null and void.
12. This Order shall come into force and effect on 1 April 2010.

Z. Adeishvili

INSTRUCTIONS FOR NOTARIAL ACTS PERFORMANCE PROCEDURE

SECTION I

GENERAL PART

CHAPTER I

GENERAL PROVISIONS

Article 1. Regulatory scope

1. These Instructions determine the procedure for performance of notarial acts.
2. Notarial acts shall be performed by all persons authorized to perform notarial acts (notary, substitute notary, other officers performing notarial acts in the cases prescribed by law) in the manner prescribed by these Instructions.

Article 2. Notary

1. A notary is a person who is appointed to the position in accordance with the Notary Law of Georgia and exercises state authority within the scope of the same Law and other normative acts.

2. A notary performs his/her duties within the profession. A notary is not a public servant.

Article 2¹. Notary Chamber of Georgia

1. The Notary Chamber of Georgia is a legal entity under public law established on the mandatory membership of notaries and carries out its activities by the principle of self-government.
2. The deputy chairman and members of the Board of the Notary Chamber of Georgia shall be elected by the General Meeting of Members of the Notary Chamber of Georgia for the term of 3 years by secret vote of the majority of members present.

2¹. The Board of the Notary Chamber of Georgia consists of 9 members, including the Chairman of the Board and the Deputy Chairman of the Board. From the members of the Board, each member must be represented by notaries operating in the Autonomous Republics of Abkhazia and Adjara, 3 members - by notaries operating in other territorial units (except Tbilisi Municipality) and 4 members - by notaries operating in Tbilisi Municipality.

2². If a candidate/candidates for member of the Board of the Notary Chamber of Georgia is not nominated or elected from the municipality/municipalities referred to in paragraph 2¹ of this Article, the election of the relevant member/members of the Board shall be postponed to the next General Meeting of the Members of the Notary Chamber of Georgia.

2³. In case the notary acting in the municipalities referred to in paragraph 2¹ of this Article changes his/her work place, he/she shall be terminated the membership in the Board of the Notary Chamber of Georgia, if this violates the principle of regional representation provided for in paragraph 2¹ of this Article. The membership in the Board of the Notary Chamber of Georgia shall be also terminated for a person when this notary reaches the age limit for holding the position of a notary, unless the authority is extended by the Minister of Justice of Georgia in accordance with the rules established by Notary Law of Georgia, as well as in case of termination of the notary authority on other grounds defined by Notary Law of Georgia. A new member of the Board shall be elected in accordance with the rules established by Law, taking into account the requirements of paragraph 2¹ of this Article.

3. The Board of the Notary Chamber of Georgia shall ensure the execution of the Charter of the Notary Chamber of Georgia and the decisions made by the General Meeting of the Chamber.

Order N40 of the Minister of Justice of Georgia, dated 27 March 2012 – website, 28.03.2012

Article 3. Notary Functions

1. The main functions of a notary shall involve the following:
 - a) Draw up and certify/issue any deed (contract, certificate, etc.), for the genuineness of which it is mandatory by laws of Georgia to execute such deed (contract, certificate, etc.) notarially (mandatory notary certification);
 - b) Draw up and certify/issue any deed (contract, certificate, etc.), for the genuineness of which it is not mandatory by laws of Georgia to execute deed (contract, certificate, etc.) notarially but a person wishes to enter into notarized agreement;
 - c) Authenticate signatures, including on the agreements, for the genuineness of which it is not mandatory by laws of Georgia to execute agreement notarially;
 - c¹) Certification of the signature (facsimile) of a literate blind person;
 - d) Certify any incident with the legal content in the cases prescribed by law;
 - e) Certify a person's application;
 - f) Certify conformity of a copy (photocopy) with the original document or certified copy, also certify the authenticity of extract from a document;
 - g) Take documents, money, securities and valuables on deposit;
 - h) Receive documents for deposition;
 - i) Conduct inheritance proceedings and issue certificate of inheritance;
 - j) Give legal advice;
 - k) Perform any other functions prescribed by laws of Georgia.
2. A notary shall give legal advice to individuals with regard to a notarial act. A notary shall serve as an impartial legal advisor to his/her client.
3. A notary shall maintain all notarial documents and other deeds at the notary office in the manner prescribed by these Instructions.
4. In performing notarial functions, a notary shall act under the Constitution of Georgia, international treaties and agreements of Georgia, Notary Law of Georgia, these Instructions and other normative acts of Georgia.

Order N356 of the Minister of Justice of Georgia, dated 03 December 2018 – website, 04.12.2018

Article 4. Principles of Notarial Activity

Notarial activities shall be based upon the principles of independent and autonomous activity, professional impartiality, legality, civil liability of a notary, supervision and control over the activity of a notary, compensation of the work performed by a notary (except for the cases envisaged by the legislation).

Order N146 of the Minister of Justice of Georgia, dated 30 July 2016 – website, 31.07.2016

Article 5. Performance of Notarial Act by Other Officer

According to the laws of Georgia, other officials equal to a notary shall perform a notarial act in accordance with the Notary Law of Georgia, these Instructions and other normative acts of Georgia.

Article 6. Substitution of Notary

1. A notary is entitled to appoint his/her substitute for the period of his/her absence in agreement with the Notary Chamber of Georgia. Total period of substitution of notary during a calendar year shall not exceed 30 business days, save as the cases prescribed by Paragraphs 2 and 3 of Article 24 of the Notary Law of Georgia. A notary elected in or officially assigned to the management bodies of the Notary Chamber of Georgia or international notary associations, during his/her official assignment, may appoint his/her substitute additionally for no more than 30 business days during a calendar year.
2. A person having passed qualifying examination for notaries may be appointed as a notary substitute (hereinafter the Notary Substitute).
3. The Chamber of Notaries shall keep a register of notary substitutes, where all the individuals who may be appointed to the notary position shall be entered against a written application of the candidate notary or notary substitute. A notary substitute shall submit his/her specimen signature to the Chamber of Notaries of Georgia. The procedure for keeping a register shall be determined by the Board of the Chamber of Notaries of Georgia.
4. A notary may without the consent of the Chamber of Notaries appoint an individual having entered in the register of notary substitutes as his/her substitute by a resolution.

5. The term of office of the notary substitute shall begin immediately after the moment referred to in the resolution and shall terminate upon the expiration of term of office or ahead of time prior to cancellation of the resolution.
6. As soon as the notary substitute's authority starts, the notary having been substituted by the notary substitute shall be prohibited from the performance of notarial actions.
7. A notary substitute shall use the seal of the notary having been substituted thereby. A notary substitute shall specify in a notarial document that he/she performs the notarial act as a substitute of a specific notary (indicating the first and last names).
8. A notary substitute shall register a notarial act in the Electronic Notary Registry of the notary having been substituted thereby.
9. A notary and his/her substitute shall conclude agreement, one copy of which shall be submitted to the Notary Chamber of Georgia.
10. When registering in the notary register, the resolution on appointment of notary substitute shall be enclosed with an electronic copy of the resolution (scanned version) on the same business day.
11. The requirements set forth in Subparagraphs "b"- "e" and "g" of Article 14, Subparagraph "c" of Paragraph 1 of Article 17 and Subparagraphs "c", "f" and "h" of Paragraph 2 of Article 18 of the Notary Law of Georgia shall apply to notary substitutes. In the cases set forth in Subparagraph "c" of Paragraph 1 of Article 17 of the Notary Law of Georgia, the decision on the suspension of the right of activities to a notary substitute shall be made by the notary having appointed the notary substitute, which shall be immediately notified to the Board of the Chamber of Notaries of Georgia.

Order N212 of the Minister of Justice of Georgia, dated 5 November 2010 – Georgian Legislative Bulletin III, N144, 08.11.2010, art. 2059

Order N32 of the Minister of Justice of Georgia, dated 1 March 2011 – website, 01.03.2011

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Article 7. Rights of Notary

1. A notary shall have the right to:
 - a) Perform his/her functions without any interference and hindrance.

- b) Request and receive all notices and documents necessary for performing notarial action from administrative bodies, natural and legal entities.
 - c) Receive notarial fee for notary services, including indemnify himself against any expenses incurred in connection with the notary service as provided under law.
 - d) Exercise any other right necessary for effective fulfillment of his/her obligations and protection of notary's dignity and inviolability of notary office.
2. The notary shall have the right to conclude an agreement with the National Agency of Public Registry or other administrative authority to secure access to the electronic database, on the basis of which he/she receives an e-book produced by this institution, the individual authorization to enter electronic archive and other database of electronic data.
3. The notary shall be authorized, with the request of the Customer, to provide the submission of applications, registration documents in electronic version and/or hardcopies to the relevant service, as well as registration services as prescribed by the legislation. This service is included in notarial service. In such a case, there is no separate payment for rendering the registration service.

Article 8. Obligations of Notary

1. In performing any notarial action, a notary shall be impartial and:
- a) perform his/her professional duties in compliance with the Constitution and other normative acts of Georgia;
 - b) strictly adhere to the Notary's Code of Conduct;
 - c) establish identity, authority and capability, authenticity of free will expression of a natural or legal entity or any representative thereof being the party to a notarial act; explain his/her rights and obligations to the party to a notarial act, warn him/her about the legal consequences of notarial act;
 - d) improve his/her professional skills on a regular basis;
 - e) keep professional confidentiality;
 - f) not perform any notarial action if it comes in conflict with the Georgian legislation, moral and/or public order;
 - g) make all payments established by law to the Notary Chamber of Georgia in a timely manner;
2. A notary shall not:

- a) Act as a mediator between his/her clients in entering into any deal and/or give guarantee to one of the parties thereto.
 - b) Advertise professional features and place or distribute improper advertisements. A notary has the right to disseminate information about his/her activities through print media and the Internet. Information about the notarial activities may include the office opening hours, the name, number and cost of notary services, as well as the description of documents necessary for the receipt of a certain notary service and the length of time required for the provision of notary services.
3. A notary shall, within 10 business days after the receipt of any question from the Ministry of Justice of Georgia, any court, the Chamber of Notaries of Georgia, send a comprehensive written response to such question and provide them with all necessary information.

Order N40 of the Minister of Justice of Georgia, dated 27 March 2012 – website, 28.03.2012

Article 9. Refusal to Perform Notarial Action

1. A notary shall not unreasonably refuse to perform any notarial action and/or render professional service.
2. A notary may refuse to perform any notarial action due to the client's unethical attitude towards the notary or any other officer of the notary office.
3. In case of refusal to perform any notarial action, the notary shall issue, at the request of a person concerned, a written resolution specifying:
 - a) Name of the notary, address of his/her notary office;
 - b) Date of issue of the resolution;
 - c) Data of the person who was refused to perform notarial action;
 - d) Circumstances of the case and the grounds for refusal to perform a notarial action;
 - e) Procedure for appeal.
4. Existence of doubt about incapability/limited capacity of the person requesting the notarial act shall not prevent the issuance of the resolution.
5. Notary's resolution on refusal to perform any notarial action shall be issued within the term prescribed by law.

6. Notary's resolution on refusal to perform any notarial action may be appealed to court in the manner prescribed by law according to the location of the notary office.
7. When registering in the notary register, the notary's resolution on refusal to perform any notarial action shall be enclosed with an electronic copy of the resolution (scanned version) on the same business day.

Order N212 of the Minister of Justice of Georgia, dated 5 November 2010 – Georgian Legislative Bulletin III, N144, 08.11.2010, art. 2059

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Article 10. Professional Secret

1. A notary or any other person performing notarial actions shall be obliged to keep confidentiality of any and all information concerning the private life of a client that has become known to him/her in performing his/her notarial functions. This obligation shall remain in full force and effect after the resignation of the notary from his/her office.
2. Any certificate or information on the will shall be issued only after the death of a testator, provided that the certificate of death of the testator is submitted.

Article 11. Place of Notarial Action Performance

1. A notary shall perform any notarial action at his/her notary office. Furthermore, a notary shall have the right to perform, at the request of a client and based on the interests thereof, such notarial action out of his/her notary office.
2. If a notarial action is performed out of the notary office, the notarial deed shall specify the place of performance of such notarial action. In addition, the violation of this norm shall not invalidate the document.

Article 12. Notary Office

1. A notary shall have a notary office as his/her work place. Location of a notary office shall be chosen by a notary.
2. A notary shall give a prior written notice to the Chamber of Notaries of Georgia in case he/she changes the location of his/her notary office.

3. Performance of a notarial action does not depend on the location of the notary office. Notary service may be rendered to any person despite the location of such person and/or the object of contract.
4. A notary office shall have a signboard with the logo of the Notary Chamber of Georgia displayed thereon. A notary office shall be isolated, with capital repair. A notary office shall ensure the proper service of citizens, maintenance and protection of notarial documents, protection of the secrecy of notarial acts, isolation of certain area from the reception hall. A notary shall equip his/her notary office with all technical equipment (computer, printer, scanner, telephone and internet connection, webcam, if necessary, as well as other technical means) required for the notarial actions.

4¹. A notary office shall meet the following requirements:

- a) The notary office or its part must not be located below the zero mark;
- b) The notary office or its part thereof must not be located in a premises which is not recognized as suitable for commissioning in accordance with the rules established by Law, except a building that is not subject to recognition as suitable for commissioning;
- c) The total area of the notary office, excluding restroom, should be no less than 30 m² and in case of common office of two notaries - no less than 70 m²;
- d) In case of working simultaneously more than two employees (assistant, translator or other) of the notary in the notary office, the total area of the notary office should be no less than 50 m²;
- e) The citizens' reception or citizens' waiting area must be at least 15 m² and have a window of the appropriate area, but if the citizens' reception or waiting area is at the same time the working room for a notary assistant, its area should be no less 20 m² in case of one assistant and 25 m² - in case of two assistants and no less than 30 m² - for three assistants;
- f) The notary office must not be shared with anyone, it must have a window of at least 1 m², be isolated from the assistant's working room and the citizens' reception and at the same time ensure the secrecy of notarial acts;
- g) If a translator works in the notary office, his/her area must be at least 40 m² and the translator must have a separate working room;
- h) The distance between the opposite walls of the room for the citizens must be no less than 3 meters;
- i) To enter the notary office, a citizen does not need a permit, pass or pre-record through an employee of other organization or to overcome barriers created by a private organization, such as inspection by a security guard, turnstile, barrier, so-called body scanner and etc.;

- j) The notary office must be ventilated naturally, be equipped with a system of uninterrupted water supply arranged in accordance with the relevant standards, and be in such a condition that wet cleaning can be possible;
 - l) Sanitary-hygienic norms must be constantly observed in the notary office.
5. Two or more notaries may have a joint notary office. The rights and obligations of notaries towards the joint notary office are determined by the contract concluded by and between them. In the joint notary office, each notary performs a notarial act on own name and each notary shall be individually responsible for their activities. The working room of each notary must be isolated from each other in such a way as to ensure the secrecy of notarial acts. The joint notary office must meet the other requirements set forth in this Article. Notaries in the joint notary office have the right to jointly appoint employees. The employees of the joint notary office are obliged to maintain confidentiality of the information that has become known to them in connection with their official activities.
 6. A notary shall be obliged to display the board of notary at the visible place of the entrance of his/her notary office. Placement of any advertising information on the notary board is prohibited. Only the address (place of location) of the notary office, the name and surname of notary, the small state emblem of Georgia and the logo of the Notary Chamber of Georgia may be inscribed on the board. The notary shall be requested to place the work schedule (working days and hours) determined by the Notary Chamber at the visible place in the entrance of the notary office.
 7. The Notary Chamber of Georgia may determine an uniform sample notary signboard for the notary offices.
 8. In exceptional cases, by considering the quality of access to notary services in the relevant municipality/part of the municipality, on the basis of a reasoned application of a notary and a permit issued by the Administration of the Ministry of Justice of Georgia, it may be possible to allow the functioning of a notary office that fails to meet all the conditions set out in this article. The Administration of the Ministry of Justice of Georgia shall set a reasonable time for the notary, during which the notary is obliged to comply the notary office with the requirements provided for in this Article. After ineffectual expiration of this period, before eliminating the deficiencies, the notary shall have no right to perform notarial services in the office that fails to comply with the requirements set forth in this Instruction.
 9. If the notary office fails to meet the requirements set forth in this Article (except the case provided for in paragraph 8 of this Article) as evidenced by a survey report up by an authorized representative of the Ministry of Justice of Georgia, the notary shall be given a reasonable time to bring the Notary Bureau into compliance or select a new notary office in accordance with the requirements of this Article as a work place, so as not to violate the requirements of paragraph 2² of Article 11 of Notary Law of Georgia. After ineffectual expiration of this period,

before eliminating the deficiencies, the notary shall have no right to perform notarial services in the office that fails to comply with the requirements set forth in this Instruction.

Order N125 of the Minister of Justice of Georgia, dated 30 June 2010 – Georgian Legislative Bulletin III, N77, 01.07.2010, art. 1128

Order N93 of the Minister of Justice of Georgia, dated 6 June 2012 – website, 06.06.2012

Order N208 of the Minister of Justice of Georgia, dated 28 December 2016 – website, 28.12.2016

Order N595 of the Minister of Justice of Georgia, dated 10 August 2020 – website, 10.08.2020

12¹. Organization of Notarial Activities

1. The service improvement plan submitted by a joint notary office established under Articles 19 and 19¹ of the Notary Law of Georgia or business legal entity envisaged by the Law of Georgia “On Entrepreneurs” shall reflect the types of services, which are available to be offered by such joint notary office or business legal entity to the citizens, also the news about the service provision (delivery), which are to be introduced by the same joint office or business legal entity.
2. Rights and obligations of the partners of the business legal entity organized under Articles 19 and 19¹ of the Notary Law of Georgia set forth in the Law of Georgia “On Entrepreneurs” shall be determined by the agreement concluded by and among them (partners’ agreement/charter). Such agreement (partners’ agreement/charter) shall provide for the casting vote of a notary when making a decision on the issues related to notarial activities at the meeting of partners or other governing body of a company. Such agreement (partners’ agreement/charter) shall define the responsibility of a business legal entity – to be held jointly and severally liable for the damage inflicted by any notarial action together with the notary. Such agreement (partners’ agreement/charter) shall also define the procedure for distribution of income and expenditure.
3. If a joint notary office or business legal entity is established, the document of ownership of the space must be submitted to the Ministry of Justice. Working area of the joint notary office or business legal entity shall not be less than 50m².
4. If a joint notary office or business legal entity is established, the document of professional liability insurance of the business legal entity partners and/or a document of professional liability insurance of the joint notary office or business legal entity must be submitted to the Ministry of Justice.

5. Any joint notary office established under Articles 19 and 19¹ of the Notary Law of Georgia or business legal entity envisaged by the Law of Georgia “On Entrepreneurs” may disseminate the information about their activities and services including through the Internet. It is prohibited to place or distribute improper advertisement or to advertise professional features of the parties of a joint notary office or the partners of a business legal entity.

Order N40 of the Minister of Justice of Georgia, dated 27 March 2012 – website, 28.03.2012

Article 13. Notary Officer

1. A notary shall have the right to hire an employee of notary office. At the same time the notary shall be obliged to make written contract with the employee of notary office specifying the obligation of such employee to keep the confidentiality of notarial actions.
2. A notary shall provide supervision over the employee of his/her notary office.
3. Subparagraphs “b” “d”, “e” and “g” of Article 14 and Subparagraphs “d” and “f” of Paragraph 2 of Article 18 of the Notary Law of Georgia (except for the termination of criminal case for committing a deliberate crime due to time limitation or amnesty) shall apply to the notary officers (except for a cleaner, accountant, and technical personnel).

Order N32 of the Minister of Justice of Georgia, dated 1 March 2011 – website, 01.03.2011

Article 13¹. Notary Working under Labor Contract

1. A notary may conclude labor contract with the other notary. Labor contract shall be submitted to the Notary Chamber of Georgia. By such labor contract, the employer may undertake an obligation to pay the amount of professional liability insurance for a notary working under labor contract and make payments due to the Notary Chamber of Georgia. Labor contract may limit the authority of a notary working under labor contract to perform all notarial actions. Liability of a notary working under labor contract shall be determined by Article 24¹ of the Notary Law of Georgia.

¹ It is not permitted to conclude a labor agreement with the notary whose notary office is the only one in the settlement (except if other notary works in the same notary office) or when the named settlement remains without the active notary office as a result of concluding the contract.

¹² The prior approval of the Notary Chamber of Georgia is required for concluding the labor contract with the Notary. Human Resources Management Service of the Notary Chamber issues such consent if it establishes that in case of concluding a contract with the notary, the settlement shall not remain without the active notary office.

2. A notary working under labor contract may carry out notarial activities in the name of the notary, with whom he/she have concluded labor contract. A notary working under labor contract does not have the right to carry out notarial activities in his/her own name.
3. By consent of the Notary Chamber of Georgia, the notary office address of a notary working under labor contract may be a different address.
4. No more than 3 notaries working under labor contract shall work with the notary.
5. Register of notaries working under labor contract shall be kept by the Notary Camber of Georgia.

Order N40 of the Minister of Justice of Georgia, dated 27 March 2012 – website, 28.03.2012

Order N325 of the Minister of Justice of Georgia, dated 11 September 2018 – website, 11.09.2018

Article 14. Seal and Signature of Notary

1. A notary shall have only one seal and the sample of imprint thereof shall be submitted to the Notary Chamber of Georgia. A notary's signature shall be submitted in the same way. A notary's signature and imprint of his/her official seal shall be notarized or executed accordingly in the presence of any authorized representative of the Notary Chamber of Georgia.
2. A notary may, in order to avoid falsification of document, additionally use an embossed seal (impressed seal) and she/he shall give prior notice to that effect to the Notary Chamber of Georgia. A notary shall not perform notarial acts until the procedure set forth in Paragraph 1 of this Article is met.
- 2¹. The seal of a notary working under labor contract shall be similar the seal of the notary, with whom he/she has signed labor contract. Such seal shall additionally display the status and name the notary working under labor contract. The seal and signature of a notary working under labor contract shall subject to the requirements set forth in Article 14 of these Instructions.
3. Placement of a notary's signature using any mechanical means is prohibited.
4. A notary shall affix his/her seal and signature to any notarial deed. No notarial deed shall have binding force without such seal and signature. A notary's seal

may be also affixed to any other document drawn up by the notary, which is not the subject of notarial act but is associated with the notarial activities (notary's application, statement, etc.).

5. If a notarial deed is signed by a notary but it does not bear the notary's seal, the document shall be submitted to the notary to affix the seal. If a defective document (without a seal) is submitted, the original copy of which is not kept with the archive, the authenticity of the document shall be determined by the court.
6. If the seal available for the notary for the time being is destructed, the notary shall correct the defect set forth in Paragraph 5 of this Article by affixing the seal available at the moment of the defect correction and make appropriate reference thereto on the document (by affixing the seal).
7. A notary shall keep his/her seal in safe custody. Transfer of the seal to any other person is prohibited. In case the seal is lost, the notary shall immediately notify in writing the police station according to the location of notary office and the Chamber of Notaries of Georgia. The Chamber of Notaries of Georgia shall publish the information on the lost seal in press.
8. A notary shall according to the established procedure make a new seal instead of the lost one, which shall bear a small detail enabling to differ it from the lost one. The notary shall have the right to use the new seal only after performance of the procedure for the sample of seal imprint established under the first paragraph of this Article.
9. In case the lost seal is found after making the new seal the lost seal shall be cut into two parts. The cut parts of the seal shall be kept at the Chamber of Notaries of Georgia. The act on destroying and keeping the seal shall be drawn up, the parts of the seal shall be put in an envelope and the envelope shall be sealed. The procedure for destruction the seal shall be attended by the representatives of the Chamber of Notaries of Georgia, the notary who lost the seal, and one notary.
10. The notary, whose authority is suspended or terminated or another person in whose actual possession the notary stamp was found, shall immediately surrender his/her seal to the Chamber of Notaries of Georgia. The surrendered seal shall be destroyed according to the procedure established under Paragraph 9 of this Article.
11. The seal that shall not be used for other reasons (change of first name, last name of the notary or the address of the notary office and other circumstances) shall be destroyed according to the procedure established by this Article.

Order N40 of the Minister of Justice of Georgia, dated 27 March 2012 – website, 28.03.2012

CHAPTER II

GENERAL PROVISIONS FOR PERFORMANCE OF NOTARIAL ACTIONS

Article 15. Public and Private Deeds

1. In order to certify any deed (contract, certificate, etc.), for the genuineness of which it is mandatory by laws of Georgia to execute such deed (contract, certificate, etc.) notarially, a notary shall verify the identity, authority, capability, authenticity of the will expressed by the parties (representatives) and ensure to comply the contract with the laws, adequately reflect the will of the parties to contract, explain to the parties the contents and legal consequences of the contract, give legal advice.
2. Any notarial deed performed in the manner prescribed by Paragraph 1 of this Article is a public deed.
3. Any person may enter into contract as a public deed or request from the notary to draw up such other documents, for the genuineness of which it is not mandatory by laws of Georgia to execute them notarially.
4. Formal rules for drafting a public notarial deed shall be established by these Instructions.
5. When certifying a document as a public notarial deed, a notary shall explain to the party the contents and legal consequences of the notarial deed. Explanation may be provided verbally and not be specified in the notarial deed, except for the cases stipulated by laws, when it is mandatory to provide written explanation. It is understood that the parties have been given due explanation before signing the notarial deed.
6. When certifying signatures on agreements or other documents, a notary shall only verify the identity, capability of the parties (representatives) and certify the genuineness of signatures of the signatories.
7. Any document draw up in the manner prescribed by Paragraph 6 of this Article is a private deed.
8. A notary shall not be responsible for any incompliance of private deed with the laws or inadequate specification of a signatory's will in a private deed.

Article 16. General Procedure for Performance of Notarial Action by Separate Persons Equal to Notary

Any person equal to notary having been assigned a duty to perform separate notarial acts under the laws of Georgia and having the qualification of a lawyer and specific knowledge around notarial activities may certify signature(s) of a party (parties) to private deed(s) without the obligation to draw up a public deed.

Article 17. Formal Basis for Performance of Notarial Action

1. Any notarial action shall be performed only upon the completion of all procedures necessary for the performance of such action.
2. If any notarial action is to be performed on the basis of a document prescribed by laws, the document shall meet the provisions set forth in this Article.
3. Unless otherwise prescribed by laws, the basis for performance of a notarial action may be the document (including the one issued by automatic control means) issued (executed, certified) in the manner prescribed by laws by any administrative agency, notary or other person equipped with public authority, or the direct perception of facts and events by a notary.
4. Any document submitted to a notary shall be original or certified copy or electronic copy of the document received through automatic control means, the authenticity of which may be checked back by a notary in the public database. Any original document shall be submitted to a notary in the form established by laws. If the law does not oblige to notarize a document submitted to a notary, the genuineness of the signature on such document shall be certified by a notary or another authorized officer. It is not mandatory to certify the genuineness of signatures in the manner prescribed if the document has been drawn up by any administrative agency, except for the religious and political associations.
5. No notary action shall be performed on the basis of the document containing deleted, scratched and/or crossed (rubbed out) words, sentences and similar corrections, and if such alterations were not previously agreed upon with the notary. No documents drawn up by a pencil shall be accepted. Furthermore, this restriction shall not exclude the certification of identity of the photocopies of such documents with their originals in the manner prescribed by these Instructions.
6. Documents executed abroad shall be accepted by a notary if they are legalized or apostilled in the manner prescribed by laws, except when the legalization of a document is not required by any international agreement of Georgia.
7. Unless otherwise prescribed by these Instructions or other normative acts, when certifying a public deed, the documents sent via fax or other electronic means shall be accepted only when reliable identification of the sender (source) is

possible and when the document is received through the channels or means that exclude any unauthorized involvement of third parties in the content thereof.

Article 18. Documents Issued by Use of Unified Automatic Control Means

1. A notary shall be authorized to accept the document (original or copy made in accordance with the laws) issued by the National Agency of Public Registry or other administrative agency by use of unified automatic control means.
2. The provision under Paragraph 1 of this Article shall apply to electronic documents (and hardcopies thereof).

Article 19. Establishment of Identity and Capability of a Party to Notarial Act

1. The identity of a natural person participating in a notarial act, including when performing a notarial act by using electronic means of communication, is established by a notary through an identity document submitted by the person. Basic identity document of a Georgian citizen is a passport, ID card or temporary return certificate. The identity of a party to any notarial act may be also established against the general sample of national or international driving license issued by appropriate authorized agencies of Georgia. Identity document of a foreign citizen and stateless individual shall be the passport issued by appropriate country for acting abroad, certificate of residence or temporary return certificate.
2. Identification and establishment of identity of any Georgian citizen or foreigner living in Georgia is also possible by using the ID card (certificate of residence) data of appropriate person available in the electronic database of the Legal Entity under Public Law - Civil Registry Agency at the Ministry of Justice of Georgia. If the notary act is fulfilled by using electronic means of communication, the notary shall be obliged, in addition to the ID Card mentioned in the paragraph 1 of this Article, also use the data of ID Card (residence) provided in the electronic database.
3. If a notary doubts that the presented documents do not belong to the presenter, or the authenticity of identity document causes suspicion, or doubts in the compliance of the data of person's identity (residence) card existing in the electronic database of LEPL - the Public Service Development Agency of the Ministry of Justice of Georgia to the person whose identification and identity must be confirmed by a notary, or any other circumstance that prevents the notary from identifying the person and confirming the identity, the notary shall be obliged to refuse to perform a notarial act.
4. (deleted – 17.03.17, #223).

5. Identity of a minor under the age of 14 not having an identity card shall be established by a notary against a birth certificate in the presence of lawful representative of the minor (parent, foster parent, guardian, fiduciary) who will confirm the identity of the minor.
6. A notary shall indicate in a notarial act the first name, family name, place of birth and date of birth, declared residential address, personal number (in the case of a foreigner; and if the foreigner does not have a personal number, the number and date of issue of his/her identity document) of the parties to any notarial act.
7. A notary shall make himself/herself sure of the capability of the parties to a notarial act and indicate his/her assurance in an evidencing inscription. A notary shall not perform a notarial act if he/she doubts the capability of any party to a notarial act.

Order N136 of the Minister of Justice of Georgia, dated 02 August 2012 – website, 02.08.2012.

Order N223 of the Minister of Justice of Georgia, dated 17 March 2017 – website, 17.03.2017.

Article 20. Drafting Notarial Acts with Participation of Legal Entities

1. If the party to a notarial act is a legal entity, a notary shall request the following documents evidencing the representative authority of such legal entity:
 - a) From resident legal entities - extract from the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities;
 - b) From non-resident legal entities – document issued by appropriate foreign agency legalized or apostilled in the manner prescribed by laws, which shall substitute the document set forth in Subparagraph “a” of Paragraph 1 of this Article;
 - c) Charter (bylaws or any substitute document if the relevant country’s legislation provides for the existence thereof) of a resident and non-resident legal entity, which shall be an original or certified copy;
2. A notary may not request the submission of all certificates of authority (charter, extract from appropriate registry, etc) if the notarized certificate of authority presented thereto (e.g. a power of attorney) clearly evidences that the notary having notarized the document checked the authority of a person giving the power of attorney, and if the document specifies all the data (e.g. details of the person giving the power of attorney, authority of the person giving the power of attorney, etc) that are necessary to draw up a notarial act. In addition, this authority may be used only if the circumstances of the case do not rise to the necessity of requesting other documents.

3. Documents set forth in Subparagraph “b” of Paragraph 1 of this Article shall be accepted during six months after issuance, despite what term has been fixed in an appropriate country for the validity of such document.
4. Exceptionally from Paragraph 3 of this Article, a notary may accept the documents set forth in Subparagraph “b” of Paragraph 1 of this Article regardless of their date of issuance if all parties to the contract release the notary from this obligation on the ground that no changes in the data of non-resident legal entity are known thereto. In such case, the full responsibility for possible consequences shall be borne by the parties. In addition, a notary shall warn the parties of all possible consequences and mention about it in a notarial act.
5. When certifying agreement with participation of any branch (representative office) of a foreign company and non-entrepreneurial (non-commercial) legal entity acting in Georgia, an extract from the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities, also a certificate of representation (bylaws of the branch, certificate of authority of the branch representative, etc) shall be submitted.

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Article 21. Formal and Technical Rules for Document Drafting

1. A notarial act shall be drafted in clear and understandable language in order to eliminate the ambiguous definition hereof.
2. A notarial act must be printed by use of technical means or be written by hand (handwritten document). When drafting a complete or partial handwritten document or when affixing signature, only a ballpoint, fountain pen with lightproof and waterproof ink shall be used.
3. Certifying inscription may be made through combined means (by use of technical means and handwriting) but the text of public deed shall be drafted through uniform means (by use of either one and the same technical means or handwriting).
4. Handwritten document shall be easily readable.
5. A notarial act shall be executed on A4 format (210X297 mm) hard white papers, the density of which shall be not less than 80 g /m². In addition, different colored paper may be used for the cover of the notarial act.
6. In order to protect document against falsification, a notary is authorized to perform notarial acts on the papers with protective features.

7. The Board of the Notarial Chamber of Georgia may decide upon standard rules for execution of public deeds (notarial deeds) (uniform cover page of document, information to be specified on the cover page, uniform rules for binding of documents, etc).
8. Words and terms may be abbreviated in a notarial act only if abbreviations are commonly known and accepted.
9. Documents on the basis of which a public notarial deed has been executed and are to be kept with the notary shall be attached to the copy of the notarial deed that is intended to be kept in the notary archive. At the request of the party to a notarial act, an appendix may be attached to other counterparts of the notarial deed as well.
10. If the document submitted to a notary consists of several pages, the document shall meet at least one of the following requirements (except for the cases set forth in Paragraph 17 of Article 59 of these Instructions):
 - a) Pages shall be bound, stringed and duly stuck with ribbon. At the same time, the ribbon shall be covered by the paper so that to ensure that no attempt to unbind document is possible safely without disturbing the integrity of the paper. The seal of the document issuing authority and signature of authorized person shall be affixed to the paper stuck on the ribbon so that to ensure the parts of such signature and seal are located on the stuck paper and the other parts – on the paper of the document. At the same time, the number of pages shall be specified in words in the same manner.
 - b) Each page shall be sealed and signed, and the total number of pages specified. If the seal is not necessary for the genuineness of document, each page shall be numbered, signed, and the total number of pages specified.
11. A public notarial deed intended to be kept with the notary archive shall be attached with all documents (bound together with the notarial deed in the manner prescribed by this Article), on the basis of which the notarial deed has been executed, except for the motor registration certificate, personal identification document, and the document already kept with the notary archive. A notarial deed shall specify the details of the above documents.
12. If certification of agreement or issuance of certificate requires any other document (documents) to be presented, the party to a notarial action shall present the originals of all required documents in accordance with the requirements of these Instructions, or any certified copy thereof unless otherwise prescribed by laws or these Instructions. A notarial deed shall be attached with the original document or a copy of the original. The copy of an original document kept with the notary

archive and bound together with the notarial deed in the manner prescribed by Subparagraph “a” of Paragraph 10 of this Article shall be deemed a certified true copy of the document and certified copies thereof or extracts therefrom may issued from the notary archive in the manner established by laws.

13. The procedure set forth in Paragraph 10 of this Article shall not apply to the documents received from the state where the mandatory rule of binding does not apply (e.g. the USA). Full responsibility for the authenticity of such documents (including the criminal-legal responsibility) shall be borne by the document presenter. A notary shall warn the parties of the absence of such obligation and all possible consequences thereof, and mention about it in a notarial act.

Order N125 of the Minister of Justice of Georgia, dated 30 June 2010 – Georgian Legislative Bulletin III, N77, 01.07.2010, art. 1128

Article 22. Language of Appendixes

1. A notarial deed may be appended with a document in Georgian and/or any foreign language known by a notary without mandatory translation if such documents prove the authority of parties and other similar issues (e.g. extract from the business registry, extract from the public registry of real estate, etc). Such documents shall be translated in the language known by the party to a notarial deed only at the request of the party. If such request is not specified in a notarial deed, it is understood that he/she has not requested the translation thereof. If a notary does not know the language of the appended document, he/she shall request the translation and certification of the document in Georgian.
2. The provision under Paragraph 1 of this Article shall not apply and the translation of any appended document into Georgian and/or any other language known by the party to a notarial act is mandatory if the appendix is the part of notarial act and it regulates certain issues of contractual relations (e.g. certificate of foundation is appended with the charter of a legal entity, the appendix regulates the procedure for dispute settlement, the appendix establishes the procedures for acceptance of work performed, etc).
3. Minutes of meetings of legal entities drafted by a notary may be appended with any document submitted at the meeting in Georgian and/or any foreign language understandable for the party to a notarial act without mandatory translation.
4. The language of appendixes to private deeds shall be determined by the parties.

Article 23. Numbers in Notarial Act

1. Numbers in a notarial deed shall be written in letters when they denote the date of notarial action and value of contract.
2. Numbers in a private deed shall be written as the parties consider expedient.

Article 24. Language of Public and Private Deeds

1. A notarial deed (public deed) shall be made in the official language. If the party (parties) to a notarial deed does (do) not know the official language or its script, a notary shall perform a notarial action with the help of translator. In such case, a notarial deed shall also be drafted in other language understandable to a client (clients). Translator's data shall be entered in the register of notarial acts and the notarial deed. If a notary knows appropriate language, he/she shall translate the document himself/herself and shall mention it in a notarial deed, unless the party to a notarial deed is not against it. In addition, the consent of the party may not be specified in a notarial deed. It is understood that he/she has given his/her consent to the translation of the document by a notary.
2. A translator shall be chosen by the party to a notarial deed, if there are several parties, all of them shall unanimously agree upon the choice of translator. It is prohibited that a party to a notarial deed or a witness act as a translator.
3. A translator shall confirm that he/she knows the relevant language (languages) and guarantees that the translation will be true and correct. This shall be recorded in a notarial deed. There is no obligation to present evidence of proficiency in a foreign language if the translator is chosen with the consent of all parties to the contract.
4. The requirements set forth in these Instructions for witnesses shall apply to translators.
5. A notary shall warn all parties to a notarial deed (including the translator) about the circumstances excluding translating but he/she is not obliged to provide documented examination of the existence-absence of such circumstances. All parties and the translator shall confirm the absence of circumstances excluding translating.
6. Genuineness of signature on a private deed may be certified so that a private deed may be drafted in non-official language if the signatory declares to the notary that he/she knows the language in which the private deed is drafted or has read the document and does not need the translation thereof. Such statement of a signatory shall be specified in the notary's certifying inscription, which in all cases shall be made in the official language as well.

7. In the case set forth in Paragraph 6 of this Article, translator's participation in a notarial action is not mandatory if the notary can establish the authenticity of the will expressed by parties without the help of a translator. All this shall be mentioned in a certifying inscription. If a notary cannot establish the authenticity of the will expressed by parties because he/she does not know the language, the notarial act shall be performed with participation of a translator. Information on a translator's participation shall be specified in the certifying inscription, and the translator shall sign the private deed.

Article 25. Formal Procedure for Participation of Minor in Notarial Act. Representative of Minor

1. When performing a notarial act, any minor shall be represented by a lawful representative, and in absence of a lawful representative – by other representative appointed under laws and holding appropriate certificate of authority. Authority of a lawful representative shall be proved by the birth certificate of a minor.
2. A minor shall be represented in a notarial act by one of the lawful representatives unless otherwise agreed by the parents of the minor. When certifying a contract on a thing owned by a minor and subjected to registration, it is understood that the minor's parents' agreement on joint representation does not exist unless such agreement is registered with the registering body.
3. When entering into contract, a lawful representative of a minor is authorized to act on his/her own behalf and at the same time, on behalf of a minor without any special permit or consent unless the restriction set forth in Paragraph 2 of this Article does not exist.
4. A minor under the age of sixteen shall participate in a notarial contract (either a private or a public deed) only through his/her lawful representative and not directly.
5. A minor at the age from sixteen to eighteen may enter into notarial contract (either a private or a public deed) personally (directly) by consent of his/her lawful representative. Such consent may be expressed by the lawful representative's presence at the notarial act performance in person or through submission of a notarized consent. The fact of such presence shall be mentioned in a notarial deed to be also signed by the minor's lawful representative as the person attending the notarial act to evidence his/her consent.
6. A minor at the age from sixteen to eighteen may enter into notarial contract (either a private or a public deed) without direct (personal) participation of a minor but with participation of his/her lawful representative and by requesting or without requesting the consent of a minor.

7. In the case established by law, the presence of a minor's lawful representative is mandatory at the notarization of minor's consent, which shall be specified in an appropriate notarial deed. Minor's consent in all cases shall be drafted as a public deed. Deed of consent shall be signed by the minor's lawful representative and the minor himself/herself.
8. In all cases set forth in Subparagraphs 1-7 of this Article, the authority of a minor's lawful representative shall be verified, which shall be mentioned in a notarial act.
9. A minor getting married before reaching the full legal age in accordance with laws shall participate in legal relations as an adult. In this case, he/she shall submit the marriage certificate to a notary.

Article 26. Witnesses

1. The presence of witnesses shall be mandatory if it is attested an act a party to which is a deaf-and-dumb, deaf, blind, illiterate and it is impossible to record a video of the process of notarial act.
2. The presence of witnesses shall also be mandatory in other cases established by laws.
3. The presence of witnesses shall be mandatory if their presence is required by a notary or any party to a notarial act. If a notarial act is performed with participation of a witness so that the legislation does not define the obligation of a witness participation, a notary shall include in a notarial act upon whose request is a witness present.
4. A witness shall be a legally capable person of full legal age.
5. A witness shall be literate.
6. A witness shall not have a limited civil capacity and shall not be a person directly or indirectly interested in a notarial act.
7. A witness shall not be a relative of any party to a notarial act and/or a notary in ascending and descending line including the third line, also an employee of any party to a notarial act.
8. Unless otherwise provided for by laws, witnesses shall be present from the beginning of the reading of a notarial deed by a notary until the full completion of execution thereof.
9. A notary shall warn all parties to a notarial deed (including the witness) about the circumstances excluding witnessing but he/she is not obliged to provide documented examination of the existence-absence of such circumstances. All

parties and the witness shall confirm the absence of circumstances excluding witnessing.

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Order N356 of the Minister of Justice of Georgia, dated 03 December 2018 – website, 04.12.2018

Article 27. Performance of Notarial Act with Participation of Deaf and/or Dumb or Illiterate

1. A literate deaf participating in a notarial act shall read the notarial deed himself/herself and clearly state that he/she has read the document, the document is in line with his/her will and approves it.
2. A literate deaf-and-dumb participating in a notarial act shall read the notarial deed himself/herself and at the end of the deed, above a notary's signature, personally write that he/she has read the document, the document is in line with his/her will and approves it.
3. Upon the request of a deaf or hard of hearing person participating in the notarial act, the notary shall ensure during the notarial act the presence of a specialist or a person who knows the language of the deaf or hard of hearing person and who confirms that his will correspond to the content of the notarial act. The involvement of such a person is ensured by a deaf or hard of hearing literate person participating in the notarial act. In other cases, the notarial act is completed by a written communication between the notary and a deaf or hard of hearing person.
4. If the notarial act is performed with the participation of a literate blind person, the notary shall be obliged to read the text of the notarial deed to this person, that must be mentioned in the notarial act. At the request of a blind person, at least one witness, who notifies the blind person of the text of the deed in the presence of a notary, shall be present at the execution of the notarial act. The blind person signs the act personally or by mechanical signature (facsimile). When signing a deed by means of mechanical signature (facsimile), the signatory literate blind person must also present a notarized document on the authenticity of the mechanical signature (facsimile).
5. If the blind participant of the notarial act has the ability to read in Braille, then it is possible to perform the notarial act using the Braille. When performing the notarial acts by using Braille, the rules set out in this Instruction to the translators shall apply. At the request of a blind person, at least one witness is present during the performance of the notarial act. A literate blind person signs the deed personally or by mechanical signature (facsimile).
6. If a notarial act is made with the participation of an illiterate, illiterate blind, deaf or hard of hearing person, the notary is obliged to perform the notarial act with the

assistance of a witness and/or translator who can explain the essence of the case to a given person and in witness therefore sign that the content of the transaction corresponds to the will of an illiterate, blind, deaf or hard of hearing person. This must be indicated in the notarial act. The participation of a witness and/or translator shall be provided by an illiterate, illiterate blind, deaf or hard of hearing person.

7. If the will is made with the participation of a deaf, hard of hearing, blind or illiterate person, the notary shall act in accordance with the requirements of Article 1361 of the Civil Code of Georgia.
8. The notary is obliged to establish the identity of a witness and/or translator in accordance with the rules established by this instruction. The invited person is obliged to prove to the notary that he knows the language of the deaf or hard of hearing person and guarantees the full and correct interpretation of the will of that person. The notary warns the invited person about the responsibility for incorrect translation, which is specially mentioned in the text of the notarial act.
9. The norms established for the translator shall apply to the person referred to in paragraph 8 of this Article.
10. When performing the notarial acts provided for in this Article, the notary shall be obliged to record the video of the notarial act by using the appropriate technical means, except a case when it is impossible to provide the video recording of the notarial act due to objective circumstances. The video recording must provide the full process of the notarial act to be performed and it must be attached to the notarial act and properly archived.
11. The notary shall indicate the observance of the rules established by this Article in the notarial act.
12. If the document is signed by another person instead of or together with the notary act participant for any reason established by this Article, this person may be a relative of the notary public participant or another person, but at the same time may not be a party to the notarial act.
13. When confirming the conformity the content of the will and transaction of a blind, deaf or hard of hearing person or illiterate person, the signature of a witness, translator or other person is considered as an integral part of this notarial act and cannot be considered as a separate act. In such a case, the fee shall be paid only taking into account the number of person/persons whose legitimate interest is served by this notarial act.
14. The notary shall be guided by the rules established by this Article when performing the notarial act provided for in subparagraph "c1" of paragraph 1 of Article 3 of this Instruction.
15. When performing the notarial acts specified in this Article, the notary shall be obliged to ensure that the notarial act participants understand the content of the notarial act and its consequences, as well as the conformity of the will expressed by them to the text in relation to which it was revealed. A notary is obliged not to perform a notarial act if the notary doubts the observance of the conditions set forth in this Article and fails to establish the authenticity of the will expressed by the person as provided for in this Article.

Article 28. Performance of Notarial Act on the Basis of Power of Attorney (Trust, Assignment Agreement)

1. When drafting a public deed on the basis of power of attorney (trust, assignment agreement), the data of such power of attorney (trust, assignment agreement) shall be specified in the deed on the basis of which the notarial action was performed.
2. When drafting a public deed, a notary shall check the extents of authority of the representative.
3. When certifying a signature on a private deed, it is not mandatory to check the authority of the representative and to ask for a relevant certificate of authority (power of attorney), or to specify the data of such document in the certifying inscription (a notary's form sheet), or to attach it to a private deed.
4. Validity term of a power of attorney (assignment agreement) made on the assumption of the right of reassignment shall not exceed the term of authority stipulated in the certificate of representative authority, on the basis of which the reassignment is carried out.
5. If a notarial act is to be performed by consent of other person, such consent shall be notarized.

Article 29. Procedure for Signing Notarial Acts

1. At the end of the text of a notarial act, all participants of the act (party, witness, translator and specialist) shall put their signatures in the presence of the notary. A signature shall include a signatory's first name and family name. The name shall be written in full and clearly. Such signature shall be easily readable. Following signing a notarial act by all participants, the deed shall be signed by a notary.
2. If a person cannot sign due to illness or physical disability but can read a document, instead of and at the request of such party, other person may put a signature who shall be present while the act is being made. Signatory may be a relative of the party to a notarial act but at the same time he/she cannot be the party to a notarial act. A notary shall establish the identity of a person signing instead of the party in the manner prescribed by these Instructions. A notary shall state the reason for which such party cannot put his/her signature and the personal data of a signatory signing instead of him/her.

3. If a person does not know the language or its script, in which a document is made, he/she shall sign in the language that he/she knows.
4. If any signed document is presented to a notary and the signatory asks to certify the genuineness of signature affixed, a notary may certify a person's statement that the signature on the document belongs to the applicant. The statement that is attached to the signed document shall be signed by the applicant and his signature shall be notarized.
5. A notary and all parties to a notarial act (party, witness and translator) shall sign all texts made in different languages. Under agreement between the parties, a notarial deed made in two or several languages may specify to which text shall be given priority if any discrepancy occurs among the texts made in different languages.

Article 30. Required Data of Notarial Act

1. A public deed shall made in accordance with these Instructions and have all constituent elements under this Article.
2. A notarial act shall be attached with a cover page, as provided by Paragraph 8 of Article 35 of these Instructions, which shall contain the image of small state emblem, the inscription of "Georgia", the number and date of notarial act registration in the Electronic Notary Registry, the type of a notarial deed (name of contract, certificate), the name of certifying notary, the address of notary office, and other binding data provided for by these Instructions.
3. In addition to the data set forth in Paragraph 2 of this Article, a public deed shall include:
 - a) Identification of data of all parties to a notarial act as provided by Paragraph 6 of Article 19 of these Instructions. If any party to a notarial act is represented by a proxy, a notarial act shall also include the details on such proxy;
 - b) A notary's reference to the capability of the persons set forth in the preceding subparagraph and applications of such persons;
 - c) Provisions of a contract (certificate) (divided by articles or not);
 - d) List of documents to be attached to a notarial act and data thereof;
 - e) Reference to the location of a notarial action if a notarial deed has been executed outside the notary office;
- f) Exact amount of the notarial fee (unless the law provides for the payment of fees for notarial acts), including the costs of maintenance work and other expenses related to notary service, also the clauses of the normative acts based on which they have been calculated;

- g) Indication that the notarial deed was read to the party (parties) (by notary, or notary officer), the parties read the deed, approved the text thereof and signed in the presence of a notary.
 - h) Signatures of all parties to a notarial act;
 - i) Signature and seal of a notary.
4. The beginning and ending time of will drafting shall be specified in a public deed. The beginning and ending time of deed drafting in other public deeds shall be specified if so requested by any of the parties to a notarial action.
 5. A public deed shall contain all other data provided for by laws, also the reference to performance of the procedures established by these Instructions, other normative acts, and everything the indication of which is required.

Order N146 of the Minister of Justice of Georgia, dated 30 July 2016 – website, 31.07.2016.

Article 31. Procedure for Certifying Genuineness of Signature on Private Deeds and Making Inscriptions Certifying Other Inscriptions

1. If the genuineness of a signature or the conformity of a copy to the original (or certified copy) or an extract from a document is to be certified or any other actions is to be performed except for a public deed, a certifying inscription shall be made (form sheet).
2. A form sheet may be printed directly on a document or placed on a separate sheet of paper and bound to the document (along with a private deed, the copy). A form sheet may be placed either at the beginning of a notarial deed or in the end, unless otherwise prescribed by these Instructions.
3. Except as provided for by Paragraph 9 of Article 35 of these Instructions, a form sheet shall specify:
 - a) Identification data of all signatories (including a witness and a translator) in the manner prescribed by Paragraph 6 of Article 19 of these Instructions. If the party to a private deed is represented by a proxy, a statement of a proxy (if any) shall be referred to in a form sheet, specifying that he/she has signed on behalf of a person whom he/she represents;
 - b) A notary's reference on the capability of persons set forth in the preceding Subparagraph;
 - c) Contents of a notarial act;
 - d) Place of performance of a notarial act;

- e) Exact amount of the notarial fee, including the costs of maintenance work and other expenses related to notary service, also the clauses of the normative acts based on which they have been calculated;
 - f) A notary's signature and seal.
4. Other data provided for by these Instructions may be also specified in a form sheet.
 5. It is not mandatory to specify the data set forth in Subparagraphs "a" and "b" of Paragraph 3 of this Article when certifying the conformity of a copy (photocopy) to its original or an extract from a document.
 6. Performance of several notarial acts may be entered in one form sheet (copy and signature certification, draft execution and certification of genuineness of signature). In such a case, the total amount of payments and constituent parts thereof (the amount of fee for each notary service) shall be specified in a notary's reference to notarial fees, for example:

"Fee for notary service:
2,50 GEL including:
2,00 GEL – for certification of authenticity of signature, 0,50 GEL – for certification of conformity of copy to its original."
 7. Different signatures on a private deed may be certified by one or several notaries and at various times, in any order.
 8. If a signatory signs several pages of a private deed, the fee for signature certification shall be calculated by the number of signatures and this shall be mentioned in a notary's certifying inscription.

Order N146 of the Minister of Justice of Georgia, dated 30 July 2016 – website, 31.07.2016.

Article 32. Procedure for Making Amendments to Public and Private Deeds

1. Any amendments (deletion, supplement) to any notarial deed shall be made in the following manner:
 - a) Word (letter, sentence and figure) to be deleted shall be outlined so that to ensure that the outlined word (letter, sentence, and figure) is readable. A figure shall be placed at the side of the word (letter, sentence, figure) so outlined. Such figure shall be also put at the end of the texts of the document, but above the signatures of the parties. The following shall be

specified at the side of the figure: “deleted”, and then the outlined word (letter, sentence, and figure) shall be repeated;

- b) Word (letter, sentence, and figure) to be amended shall be outlined and a figure shall be placed at the side. Such figure shall be also put at the end of the texts of the document, but above the signatures of the parties. The following shall be specified at the side of the figure: “deleted”, then the outlined word (letter, sentence, and figure) shall be repeated, and then the following shall be specified: “it shall be” followed by the word (letter, sentence, figure) with which the deleted word (letter, sentence, figure) is to be replaced.
 - c) A figure shall be placed at the side of the missed word (letter, sentence, and figure). Such figure shall be also put at the end of the texts of the document, but above the signatures of the parties. The following shall be specified at the side of the figure: “added” followed by the word (letter, sentence, and figure) which is to be put in the place marked by the figure;
 - d) Amendments made as in Subparagraphs “a”-“c” of Paragraph 1 of this Article shall be signed by a party and a notary. Following the signatures a notary’s seal shall be affixed.
2. Any amendments to the notarial deed already signed by the parties shall be made:
- a) According to the procedure established under the first paragraph of this Article with the difference that after the notices of the changes specified at the end of the text of the notarial deed it is necessary to place repeated signatures of the parties;
 - b) By drafting and certifying an independent public deed.
3. At the request of an interested party or on his/her own initiative, a notary shall have the right to correct apparent mechanical errors made in the text of a notarial deed. Apparent error may be the pen-made, spelling, arithmetic or other defects, the mechanical nature of which is clearly evidenced by the other parts of one and the same notarial deed and/or the attached documents, and the correction of which will not cause any substantial change in the content of a notarial deed. When correcting apparent mechanical errors, repeated signatures of parties are not mandatory after the reference to amendments as set forth in this Article at the end of the text of a notarial deed. A notary’s signature and seal shall be affixed on the amended draft.
4. A notary shall have the right to specify the text of the original document in the copy of the notarial deed in the corrected final form without specification of the changes made to such original document.
5. Errors made in a private deed shall be corrected:

- a) By drafting an independent private deed and certifying the authenticity of signature (signatures) of a party (parties) thereon, or
 - b) By subscribing appropriate text by a party (parties) on the same deed and certifying the authenticity of signature (signatures) of such party (parties) on the subscription.
6. Errors made in a form sheet (notary's form sheet) of a private deed shall be corrected by a notary on his/her own initiative or at the request of an interested party. When making amendment, the rules set forth in Paragraphs 1-5 of this Article shall apply with the difference that only a notary's seal and signature shall be placed on the inscription certifying amendment.
 7. Correction of errors pursuant to this Article, if the error cannot be corrected by an independent public or private deed, is not an independent (separate) notarial action and shall not be entered in the register of notarial acts.
 - 7¹. In the cases set forth in Subparagraph "b" of Paragraph 2 of this Article, the deed by which amendment was made to a notarial deed shall be entered in the register of notarial deeds, and the figure "0" shall be specified in the graph for notarial fees.
 8. The provisions under Paragraphs 7 and 7¹ of this Article shall apply to the procedure for error correction and do not establish the procedure for making amendments to a notarial act.

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

CHAPTER III

NOTARY REGISTRY

Article 33. Notary Registry

1. A notary, also any other person performing a notarial action shall keep Notary Registry to register all the notarial acts performed thereby, also the resolutions and other actions (acts) provided for by laws.
2. Notary Registry shall be kept in electronic form.

Article 34. Procedure for Keeping Notary Registry

1. Notary Registry shall be uniform for all notaries involved therein. Notary Registry includes all the registries set forth in Article 38 of these Instructions.
2. Notary Registry shall contain the following mandatory information:

- a) Registration date and registration number of a notarial act;
 - b) Data of the party to a notarial act;
 - b.a) In case of a natural person: first name, last name, place of residence specified or declared in the document (identity card, certificate of residence, certificate of registration), and in the case of Georgian citizen natural persons – his/her personal number as well;
 - b.b) In case of a minor individual holding no ID document: first name, last name, date of birth;
 - b.c) In case of a legal entity: name, legal address, and in the case of resident legal entities - identification code as well;
 - b.d) In case of another organizational formation, which is not a legal entity: name, location.
 - c) Contents of a notarial act. The contents of the notarial act not intended to be kept with the notary archive shall be entered in detail in the Notary Registry. As per the notarial act intended to be kept with the notary archive, only general information (name of a notarial deed) shall be entered in the Notary Registry;
 - c¹) The contents of the contract, which is suspicious under the Law of Georgia on Facilitating the Prevention of Illicit Income Legalization and/or the amount of which exceeds GEL 30,000; also a detailed description of the subject of contract;
 - d) The exact amount of notarial fee and VAT charged thereon (if VAT taxable), as well as the fee for registration in the Notary Registry and the amount of expenses related to performance of a notarial act (if any); If the legislation does not envisage the payment of the registration fee and notarial registration fee, the information provided under this subparagraph shall not be indicated in the notarial registry;
 - e) Value of contract.
3. When registering notarial acts related to inheritance proceedings, in addition to the information provided in Paragraph 2 of this Article, a testator's name, date of death, and other well-known identification data shall be additionally specified.
4. When registering the protocol of publication of will, in addition to the information provided in Paragraph 2 of this Article, the following shall be specified additionally: contents of will order; name and identification data (if any) of a heir by will (reserve heir); first name and last name, place of residence and other identification data of a will executor (if any) appointed by will; first name, last name, and other identification data of a person (if any) being assigned by will to appoint a will

executor; first name and last name (name of legal entity) and other identification data of a legatary (if any); contents of will legacy.

Order N212 of the Minister of Justice of Georgia, dated 5 November 2010 – Georgian Legislative Bulletin III, N144, 08.11.2010, art. 2059

Order N222 of the Minister of Justice of Georgia, dated 2 December 2010 – Georgian Legislative Bulletin III, N158, 03.12.2010, art. 2234

Order N146 of the Minister of Justice of Georgia, dated 30 July 2016 – website, 31.07.2016.

Article 35. Registration of Notarial Acts in Notary Registry

1. Each notarial act registered in the Notary Registry shall be assigned a unique registration number.
2. Registration number of a notarial act registered in the Notary Registry shall consist of the part denoting appropriate (current) calendar year (e.g. "10") and the serial number of the register entry. Figures denoting the current calendar year and serial number of register entry together form the registration number of a notarial act. At the beginning of each calendar year, the numbering of notarial actions starts with one.
3. Notarial act shall be void if it is not registered in the registry, except as prescribed by these Instructions.
4. Every notarial act shall be given a separate number. In addition, one and the same number may be put on the identical copies of private deeds (contracts, applications, etc.), provided that a notary's form sheet and registry specifies the amount of copies and the fee for notary services is calculated in accordance with the number of copies. A notary may put different numbers on the identical copies of private deeds (contracts, applications, etc.) and so enter in the registry. If a public deed is certified in several copies, each original document (regardless of the number of copies) shall be assigned one registration number and the fee for notary service shall be calculated for one act.
5. A notarial act shall be registered in the Notary Registry immediately after setting a notary's signature and seal on the document, unless otherwise prescribed by these Instructions.
6. Entries in the Notary Registry shall be made by a notary or on his/her instruction, by any notary officer having assumed the obligation to ensure the secrecy of a notarial act under a written agreement with the notary.

7. Documents provided for by the Notary Law of Georgia and these Instructions, the notarization of which is mandatory, or documents, the notarization of which is not mandatory but a person concerned (party to a contract) requests such certification (public deed) shall be attached with cover page; and documents, where a notary certifies only signatures of parties affixed thereon (private deed) in accordance with the Notary Law of Georgia and these Instructions, shall be attached with a form sheet.
8. Cover pages set forth in Paragraph 7 of this Article shall contain the following data: the image of small state emblem, the inscription of "Georgia", the individual number of notarial act, the registration number of notarial act, the name of notarial act, the date of registration, the name, address and phone number of certifying notary. For the purpose of receipt-verification of information about any notarial act and notarial deed by a person concerned, the cover page shall also contain the information on the official website and contact number of the Notary Chamber of Georgia.
9. Form sheets set forth in Paragraph 7 of this Article shall contain the following details: the registration number of notarial act, the individual number of notarial act, the name of notarial act, the date of registration, the name, address and phone number of certifying notary. For the purpose of receipt-verification of information about any notarial act and notarial deed by a person concerned, the cover page shall also contain the information on the official website and contact number of the Notary Chamber of Georgia.
10. When registering in the Notary Registry, a notarial act performed by a notary shall be attached with the electronic copy (scanned version) of the original document (notarial deed) on the same business day. This procedure shall apply to the following notarial acts:
 - a) Storage of documents (amendment/repeal);
 - b) Certification of marriage contracts (amendment/repeal);
 - c) Certification of powers of attorney (amendment/repeal);
 - d) Execution of maritime protests (amendment/repeal);
 - e) Certification of the fact of a citizen being alive (amendment/repeal);
 - f) Certification of the fact of a citizen being at a certain place (amendment/repeal);
 - g) Certification of the identity of the person depicted in the photo (amendment/repeal);
 - h) Certification of the time of document submission (amendment/repeal);

- i) Certification of the fact of legal significance (amendment/repeal);
- j) Issuance of certificates of service or non-service of an application or summons upon an individual or legal entity (amendment/repeal);
- k) Issuance of writs of execution (amendment/repeal);
- l) Certification of applications for the receipt of inheritance property/certificate of inheritance (amendment/repeal);
- m) Certification of applications for disclaimer of inheritance (amendment/repeal);
- n) Issuance of certificates of inheritance (amendment/repeal);
- o) Certification of the fact of receiving no inheritance property (amendment/repeal);
- p) Issuance of certificates of transfer of heirless property to the state or other authorized entities (amendment/repeal);
- q) Issuance of certificates of filing applications for the receipt of inheritance property (amendment/repeal);
- r) Submission of checks for cashing and certification of non-cashability of checks (amendment/repeal);
- s) Execution of protests of promissory notes (amendment/repeal);
- t) Appointment of inheritance property managers (amendment/repeal);
- u) Certification of assignment agreements (amendment/repeal);

Order N125 of the Minister of Justice of Georgia, dated 30 June 2010 – Georgian Legislative Bulletin III, N77, 01.07.2010, art. 1128

Order N212 of the Minister of Justice of Georgia, dated 5 November 2010 – Georgian Legislative Bulletin III, N144, 08.11.2010, art. 2059

Article 36. Administration of Electronic Notary Registry

1. The Notary Chamber of Georgia shall provide the administration and technical supervision of the Electronic Notary Registry.
2. Confidentiality agreement shall be concluded between the persons directly in charge to provide the administration and technical supervision of the Electronic Notary Registry and the Notary Chamber of Georgia, which shall define the parties' responsibility for the secrecy of notarial acts.
3. The Notary Chamber of Georgia shall:

- a) Grant authorization to notaries (substitute notaries) to access the Notary Registry;
- b) Suspend or terminate authorization to access the Notary Registry in case of suspension or termination of a notary's (substitute notary's) authority;
- c) Provide the security and protection of the Notary Registry data;
- d) Provide the training of notaries (notary substitutes) and their officers on working with the Notary Registry;
- e) Approve the Technical Guidelines for Keeping Notary Registry.

Article 37. Procedure for Access to Notary Registry

1. A notary (substitute notary) shall file an application to the Notary Chamber of Georgia for the authorization to access the Notary Registry, and the Notary Chamber of Georgia shall immediately give authorization thereto to access the Notary Registry. Authorization to access the Notary Registry shall be given by assigning a notary a unique registry access code.
2. A notary shall ensure the protection of the unique registry access code from any unauthorized use and in case of loss or disclosure of this information, immediately notify the Notary Chamber of Georgia thereof.
3. Everybody who has access to the notary register on different legal grounds shall keep confidential information about notarial actions, which he/she has learned as a result of access to the registry. This obligation shall remain in force after that persons are ceased with the right to access the notary register.

Article 38. Registry Types

1. Notary Registry shall include the following registers:
 - a) General Register for registration of all notarial acts except those specified in the following subparagraphs of this paragraph;
 - b) Register of inheritance in which the notarial acts related to the proceedings of the inheritance are registered;
 - c) Register of Wills for registration of wills, acts on cancellation of wills and other acts associated with wills;
 - d) Register of Protest of Bills and Checks for registration of acts on protest of bills and checks and other related acts;

- e) Register of Money and Other Securities for registration of acts on keeping securities on deposit and payment thereof, also other related acts;
 - f) Register of Resolutions for registration of resolutions adopted by a notary in the process of notarial activities.
2. All notaries shall have access to the notarial actions entered in the registers set forth in Subparagraphs "b" and "c" of Paragraph 1 of this Article regardless of who has made entries in the Notary Registry (Unified Register of Inheritance and Unified Register of Wills).
 3. Notarial actions entered in the registers set forth in Subparagraphs "a", "d", "e" and "f" of Paragraph 1 of this Article can be accessed only by the notaries who have made appropriate entries in the Notary Registry.

Article 39. Composition of Notary Registry

1. The Notary Registry consists of the current and archived files.
2. In the current files of the Notary Registry the current notarial deeds shall be registered.
3. In the archived files of the Notary Registry the information of notarial deeds kept with the notary office shall be entered.

CHAPTER IV

STORAGE, PROTECTION AND ISSUE OF NOTARIAL DEEDS AND OTHER DOCUMENTS

Article 40. Storage of Notarial Deeds and Other Documents

1. The following public deeds shall subject to mandatory storage in the notary archive:
 - a) Contracts;
 - b) Powers of attorney;
 - c) Certificates of inheritance;
 - d) Certificates of ownership;
 - e) Wills;
 - f) Resolutions.

2. On his/her initiative or at the request of any party, a notary is authorized to keep in the office archive also the acts, the maintenance of which is not mandatory.
3. A notary shall keep the registers and books of registration of notarial acts.
4. Documents subjected to mandatory storage shall be kept with the notary for the term of his/her office unless otherwise defined in these Instructions; and after termination of authority, such documents shall be transferred to the Notary Chamber of Georgia for storage.
5. A notary shall number notarial acts maintained in the notary archive by use of progressive numbering or according to the types of notarial acts. In addition, the ordering principle shall not change for one calendar year.

Article 41. Storage of Notarial Deeds, Money, Securities and Other Valuables of the Notary Whose Authority Is Suspended or Terminated

1. If notary's authority is terminated, he/she shall immediately transfer the registers, notarial deeds, stamp, money received thereby and other securities to the Notary Chamber of Georgia.
2. (Deleted – 23.01.12 N13).
3. The Notary Chamber of Georgia shall:
 - a) Make inventory of the notarial deeds, registers, notary stamps, money, other securities, other things and ensure the protection thereof;
 - b) Destroy the notary stamp in the manner established by the these Instructions;
4. If notary's authority is suspended, the copies, duplicates of documents maintained in the notary archive and the extracts from such documents shall be issued by the Notary Chamber of Georgia.

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Article 42. Search for Lost Documents

1. If within performance of the procedure set forth in Article 41 of the present Instructions it is established that any document is missing, or any document is lost, the procedure performer shall immediately notify in writing the person concerned in order to provide him with the remedy to protect his/her rights.
2. If a party to the lost notarial deed, another notary or another state authority has any copy or extract of the lost notarial deed, the holder of the copy or extract shall transfer

the copy or extract to the respective notary archive for preparation of the notarially certified copy. The notarized copy shall be kept in place of the lost deed while the copy or extract shall be immediately returned to holder.

Article 43. Issue of Documents from Notary Archive

1. Except the cases established herein (will of a citizen who is alive), a notary (the Notary Chamber of Georgia) shall have the right, on the grounds of an appropriate act, to hand over the original notarial act or other document kept in the notary office to the court or other person determined by the court only for temporary use. Court or other person determined by judicial act shall give a notary a notice of receipt of the original document. A notary (the Notary Chamber of Georgia) shall put in place of the original notarial act a certified copy of the original document to be attached with appropriate judicial act (order, judgment, resolution, decision...). In this case, certification of a copy of the document does not require entering of notarial actions into register.
2. Court or other appropriate person shall, as soon as possible, return the original notarial act to a notary archive.
3. Any certified copy of a notarial act kept in a notary archive or in other public archive shall have the same legal force as the original notarial act.

Article 44. Issue of Documents and Certificates from Notary Archives

1. The Notary Chamber of Georgia shall issue certificates, copies and extracts of documents maintained in the archive of the Notary Chamber, certify their conformity with the documents maintained in the archive and perform other procedures under laws in accordance with the Notary Law of Georgia, the Resolution № 507 of 29 December 2011 of the Government of Georgia on Approval of the Amounts of Fee for Notary Services and Fee Due to the Notary Chamber of Georgia, the Procedure of Payment Thereof and the Terms of Service, and these Instructions.
2. Appropriate fee shall be paid for the action set forth in Paragraph 1 of this Article in the amount established by laws of Georgia.

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

SECTION II

SPECIAL PART

CHAPTER V

BASIS FOR CERTIFICATION OF CONTRACTS IN THE FORM OF NOTARIAL ACTS

Article 45. General Provisions for Certification of Contracts

1. Unless these Instructions otherwise define, when certifying a contract in the form of notarial act, in addition to the mandatory procedures set forth in the General Part of these Instructions, a notary shall ask for all necessary documents and information in order to:
 - a) Determine the authority of parties to contract;
 - b) Check the legal status of the subject of contract (lien, encumbrance, restriction, prohibition, etc.);
 - c) Check the compliance with all procedures established for contract authenticity in agreement with the parties and/or by applicable laws of Georgia.
2. Based on the case circumstances, in each particular case, a notary is authorized to additionally ask for any document or information related to a notarial act that is necessary to ensure the legality of contract or the protection of parties' interests, or that is provided for by methodical recommendations of the Notary Chamber of Georgia.
3. A notary is not required to verify the legal status set forth in this Article if all parties to contract release him/her from such obligation on the grounds that they already have the information about title non-defectiveness. In addition, a notary shall notify the parties of the absence of such obligation and its legal consequences, and make appropriate note thereof in a notarial deed.

Article 46. Transfer of Property by Partner/Shareholder to Company

1. If a partner/shareholder transfers property to a company in order to make a contribution, a certificate of property transfer shall be drafted for the transfer of appropriate property in the manner prescribed.
2. The provision set forth in Paragraph 1 of this Article shall apply to the withdrawal of contribution.

Article 47. Procedure for Certification of Contracts Related to Real Estate

1. When drafting a contract related to real estate (sale-and-purchase, usufruct, development, rent, lease, mortgage, etc.), a notary shall ask for the extract from the Public Registry. In addition, the certificate of inheritance shall be issued for

real estate against the submission of the documents set forth in Paragraph 2 of Article 89 of these Instructions.

2. An authorized notary having notarized the agreement on arising/amending of mortgage, shall ensure the registration of getting the application of the interested party in the relevant electronic program of LEPL National Agency of Public Registry, provided such party does not mind that registration of getting the application be made by the notary. In case of acquiring the due authorization from the Agency, notary is also entitled to make registration of arising/amending the mortgage.

Order №9 of the Minister of Justice of Georgia, dated January 29, 2014 – web-site 29.01.2014

Article 48. Vehicle Owner Identification Documents

1. Owner of the vehicle registered in Georgia shall be identified on the basis of the vehicle registration certificate or the certificate issued by the registering body.
2. When entering into contract in the form of public deed for the vehicle placed under re-export commodity transaction, only the tax documents shall be deemed the vehicle ownership documents.

Order N23 of the Minister of Justice of Georgia, dated 3 February 2011 – website, 04.02.2011

Article 49. Owner of Real Estate and Movable Property Registered in the Public Register

Presumption of authenticity and completeness shall apply to the data of the Public Registry. When performing a notarial act, it is prohibited to ask for the consent of other person than the one registered as an owner of real estate with the real estate agency and registering body.

Article 50. Procedure for Certification of Contracts Related to Real Estate in the Form of Public Deed

When drafting a notarial act related to a real thing not subjected to registration, a notary shall act under Article 158 of the Civil Code of Georgia (“Presumption of Being Owner”).

Article 51. Procedure for Certification of Preliminary Contracts in the Form of Public Deed

1. When certifying preliminary contracts in the form of notarial deed, it is not mandatory to submit documents of the property which is the subject of contract.
2. The provision set forth in Paragraph 1 of this Article shall also apply to the certification of contracts related to future property in the form of notarial deed.
3. Any lien or other restriction on the property/right to which the contract relates, also the absence of such property shall not prevent the certification of preliminary contract in the form of notarial deed. Accordingly, the preliminary contract on the property to be created in future may be drafted in the form of notarial deed.

Article 52. Certification of Contracts on Property Management/Disposal

1. When certifying powers of attorney issued for any property (including real estate, vehicle and other property subjected to registration) in the form of notarial deed, the documents on the property covered by the power of attorney are not required.
2. When certifying contracts on the transfer of property management and/disposal in the form of public deed, all the documents evidencing legal status of the property transferred under management are required.
3. Powers of attorney may be certified through electronic means of communication if the electronic means of communication allow direct visual contact between the person granting power of attorney and the notary, and his/her identification and identity verification is possible in the manner prescribed by Article 19 of these Instructions. In such case, it's obligatory to record the notary act in video file. The video file must be recorded in the means of electronic data savings (ex. on compact disc), that must be attached to the Notary Act or Notary Registry. Besides, it should be fully visible the photo of the identity document and all necessary requisites on the same page during the electronic communication (must be high quality video connection).The text of power of attorney (or certifying inscription) shall specify the fact of using electronic means of communication when certifying a power of attorney.
4. When certifying a power of attorney through electronic means of communication, instead of and at the request of the person granting power of attorney, any other person sign the document in the manner prescribed by Paragraph 2 of Article 29 of these Instructions. In addition to the signatory, a witness shall also attend the performance of a notarial action and sign a notarial deed.
5. If several principals participate in a deal, the fee for certification of a power of attorney shall be calculated by the number of principals.

Order N146 of the Minister of Justice of Georgia, dated 6 August 2010 – Georgian Legislative Bulletin III, N97, 10.08.2010, art. 1427

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Order N223 of the Minister of Justice of Georgia, dated 17 march 2017 – website, 17.03.2017

Article 53. Procedure for Cancellation of Contract (Termination, Suspension). Making Amendments to Contract

1. Any contract shall be cancelled (terminated, suspended) by drafting an independent notarial deed in compliance with the general rules for notarial action performance. Unless otherwise defined by this Article, a contract shall be cancelled as provided by the procedures for contract certification. An inscription shall be placed in the Notary Registry and on a notarial deed which is to be cancelled (terminated, suspended) stating the fact of contract cancellation (termination, suspension). Such inscription shall include the data of the cancellation (termination, suspension) deed.
2. If a contract certified by any other notary is cancelled, the notary having certified the contract cancellation shall notify thereof the notary, the notarial deed drafted whereby was cancelled. Such notice may be sent via electronic mail. The notice shall specify all data of the cancellation deed (registration number of a notarial deed, date of drafting, parties, name of the notarial deed that has been cancelled and other required data).
3. A will shall be cancelled in accordance with the Civil Code of Georgia.
4. A notary shall make appropriate notes in the Notary Registry and/or on the document maintained in his/her archive about amendments to the document.
5. If a notary certifies a contract by which amendments are made to a document maintained with the other notary, he/she shall notify the other notary of such amendments to the document executed by this latter. Such notice may be sent via electronic mail. The notice shall specify all data of the deed of amendments.
6. If amendment or cancellation (termination, suspension) relates to the document certified by a notary whose authority has been terminated and the document is maintained in the archive of the Notary Chamber of Georgia, the notice set forth in Paragraph 5 of this Article shall be sent to appropriate archive service.

Article 54. Certification of Contract with the Participation of Several Notaries

1. A contract with two or more parties may be certified with the participation of two or more notaries by use of direct electronic means of communication so that one or

several parties to a contract appear before one notary and other parties – before other notary, provided that the direct electronic means of communication allows simultaneous direct visual contact between all parties to contract and all notaries (teleconferencing).

2. All parties to a notarial action shall sign the identical copies of contract.
3. In the case provided for by this Article, two or more notarial deeds shall be drafted (as many as the notaries are), each of which shall be signed by the persons having appeared before the notary.
4. Notarial service fee shall be equally distributed among notaries.
5. Each notarial deed executed by different notaries shall be assigned independent registration number. Any contract certified in accordance with this Article shall be authentic for third parties only if all notarial deeds are submitted.

CHAPTER VI

OWNERSHIP CERTIFICATE. RECOGNITION OF PROPERTY RIGHTS

Article 55. Certification of Property Rights over Apartments in Residential Buildings of Housing Partnerships (Housing Construction Cooperatives)

1. A notary shall issue an ownership certificate for the apartments in the residential buildings of housing partnerships (former housing construction cooperatives), which under Resolution N519 of 5 July 1993 of the Cabinet of Ministers of the Republic of Georgia were transferred to the apartment owners and which are not registered in their ownership before enactment of these Instructions.
2. Certificate of ownership shall be issued based on applications of the apartment owners. Signature on such application shall be notarized.
3. All persons entered in the Housing Order or the ones known as the heirs of the persons entered in the Housing Order are authorized to have an ownership certificate. Waiver of rights shall be executed through transfer of rights (by bilateral agreement or unilateral act).
4. An applicant shall submit the following documents to a notary:
 - a) Title Deed for the apartment (Housing Order or Decision of any administrative body on recognizing as shareholder/member, or Certificate of Inheritance, or Court Decision, or any other deed issued in compliance with the laws of Georgia, which proves the applicant's right over the apartment);

b) Extract from the Public Registry, and if the apartment is not registered with the Public Registry – Certificate-Reference issued by the inventory archive of the Public Registry and Protocol of House Condominium on Legal Succession of Housing Construction Cooperative.

Order N125 of the Minister of Justice of Georgia, dated 30 June 2010 – Georgian Legislative Bulletin III, N77, 01.07.2010, art. 1128

Article 56. Procedure for Recognition of Property Rights of Other Spouse over Marital Property

1. Other spouse's property rights over the property of the spouse being alive acquired during marriage shall be recognized by agreement or based on mutual application of the spouses by issuing an ownership certificate.
2. For certification of the agreement/certificate set forth in Paragraph 1 of this Article, a notary shall be presented a marriage certificate, also the documents that are necessary for notarization of the contract on appropriate property transfer.

Article 57. Certificate for Surviving Spouse's Share

1. In the existence of the grounds provided for by the Civil Code of Georgia, based on an application of the surviving spouse, a notary shall issue an ownership certificate for the share of the surviving spouse which belongs to him/her from the marital property and which was registered as the deceased spouse's property.
2. In order to issue the certificate set forth in Paragraph 1 of this Article, a notary shall be presented the death certificate of the deceased spouse, the application of the surviving spouse, and the marriage certificate.
3. The above certificate shall be issued after expiration of the term fixed for the receipt of inheritance property.
4. A notary may issue either a certificate of general nature (without indicating specific property/rights) or a certificate indicating specific property. When indicating specific property, a notary shall ask for the documents that are necessary for the transfer of such property.
5. A notary shall notify all the applicants having filed applications for the receipt of inheritance property of the application of the surviving spouse. A notary may ask the applicant (the surviving spouse) to make a corresponding statement to the press.
6. If a document that may be the basis for the suspension or postponement of a notarial act is not submitted to a notary before the expiration of thirty days from the

date of notice (the date of statement publication), the notary shall issue an ownership certificate for the share of the surviving spouse.

CHAPTER VII

ISSUE OF COPIES OF DEEDS, EXTRACTS FROM DEEDS AND CERTIFICATES OF DEEDS MAINTAINED IN THE NOTARY ARCHIVE. CERTIFICATION OF FACTS AND STATEMENTS; OTHER NOTARIAL DEEDS

Article 58. Obligatory Procedure for Issue of Documents

1. A notary shall issue the copies of deeds (copies of copies) maintained in his/her archive, extracts from documents, and certificates of deeds, except wills the publication date of which has not occurred.
2. The right to get the documents mentioned in the paragraph above shall be granted to the persons mentioned in Paragraph 2 of Article 8 of the Notary Law of Georgia; the costs shall be paid by the recipient.
3. At request of the party to a notarial deed, a notary is authorized to issue only the copy of the supplement to the deed (with or without certification). If the conformity of the copy is to be certified, a notary shall note in the certifying inscription that this is the supplement to the notarial deed kept at the notary archive.
4. A notary is entitled to issue a copy or extract of the notarial deed made by another notary, which is kept in his archive as the supplement to another notarial deed made thereby.
5. A notary is authorized to issue a copy and extract of the notarial deed made (registered) by another notary and is available in electronic form.

Article 59. Certifying Conformity of Copies and Extracts, and Form Sheets of Certification

1. A notary may certify the conformity of any copy with the original or certified copy thereof (copy with copy).
2. A copy of the document can be produced in the form of photocopies or text copies of the document. Photocopy is the image produced by making a copy of the document through the copy-making machine so that to reflect the original document on the produced copy with photographic accuracy (certified copy, copy of copy). Text copy shall accurately reflect the document's text. In addition, a text copy does not visually reflect all requisites of the document - signatures, seal, postscripts and other similar requisites on the document. Such requisites (which are not visually reflected on the text copy) shall be displayed on the text copy with appropriate postscript. For

example, “Principal: Vakhtang Nozadze (signed). Notary Public: Giorgi Maisuradze (signed & sealed)”.

3. Text copies shall not be attached with photocopies of annexes attached to the original document. A copy which is made in the form of photocopy may be accompanied or not accompanied by the photocopies of the documents attached to the original document.
4. It is prohibited to make copies by use of mixed method (partially in the form of photocopy and partially in the form of text copy).
5. The fact that any original document is not notarized or certified by any administrative body, or that the original document is not a public deed does not exclude the certification of conformity of the copy with the original document (certified copy).
6. Conformity of a copy with the original document may be certified only if the submitted original document or certified copy contain amendments that are not stipulated by legislation but their existence is easily perceived in the photocopy of the document. Consequently, the conformity of copies with the original document (certified copy) may be certified only in the form of photocopy.
7. Furthermore, the fact that the original document contains unlawful or immoral provisions, or the document lacks the requisites required by legislation, or the document is made in non-official language and the notary does not know the language of the document does not exclude the certification of conformity of the copy with the original document (certified copy).
8. Certification of conformity of the copy with the original document by a notary does not mean the certification of legality and authenticity of the original document (certified copy), and accordingly, a notary shall not bear responsibility if the original document is illegal (or contains unlawful provisions) or is forged (materially and/or by contents).
9. It is permitted to certify the conformity of photocopies with the originals of passports, ID cards, driver's licenses, strict accounting documents (tax invoices, etc.) and other similar documents (which may exist only in one counterpart – in the form of original). In addition, in this case the certified photocopy does not have the validity of an original and cannot replace the original document.
10. Conformity of photocopies of the documents executed through technical means (except the books, newspapers, magazines and other printed publications) may be certified only if they bear signatures or original handwriting postscripts (corrections, notes, etc).
11. Any certified copy (copy of copy) shall have the validity of an original (certified copy), except as prescribed by Paragraph 9 of this Article.

12. Extract from a document is the part of the document set out in text form. When making an extract, the procedure provided for by Paragraphs 2 and 4 of this Article shall be met.
13. Form sheet of a copy or extract, in addition to the necessary requisites prescribed by these Instructions, shall include a certification that a copy (copy of copy) or extract is identical to the original document (certified copy), which is presented to the notary or maintained in the notary archive. When issuing an extract, the form sheet shall specify that the extract reflects only part of the document.
14. A notary may make notes in the form sheet about the document defects set forth in Paragraphs 4-6 of this Article.
15. Any statement in the form sheet of photocopy (photocopy of certified copy) certification that the photocopy conforms to the original document (certified copy) shall apply to the document, the conformity of the photocopy of which is to be certified but shall not apply to annexes to such document. At the same time, it is assumed that the photocopies of annexes accurately reflect the annexes in the form (original, certified copy, uncertified copy, etc.) as attached to the document, the conformity of photocopy of which was certified.
16. If a notary is to submit the copies of the documents maintained in the notary archive to the court or authorized administrative body, or shall give an explanation, testimony thereto, or file a counterclaim, claim, complaint, etc. thereto, he/she is authorized to attach any copy of the document maintained in his/her archive to the explanation, counterclaim, claim, complaint, testimony, etc. and certify the conformity of the copy of such document with the original/certified copy kept in his/her archive so that he/she may not enter such notarial act in the Notary Registry.
17. It is also permitted to certify the conformity of a copy with the original document if the document consists of several pages and is not bound, or all the pages are not numbered and signed. In such case, a notary shall state all these circumstances in the form sheet.

Order N125 of the Minister of Justice of Georgia, dated 30 June 2010 – Georgian Legislative Bulletin III, N77, 01.07.2010, art. 1128

Article 60. Term of Issue of Copy, Extract and Certificate from Notary Office Archive

1. A notary shall to issue a copy (copy of copy), extract or certificate from the notary office archive as soon as possible but not later 3 days following the request.

Article 61. Certification of Facts

1. A notary is authorized to certify facts in accordance with the law.
2. A notary shall certify the authenticity of facts only in the case the notary personally was present when the fact occurred or directly perceives the fact already occurred. A notary shall accurately describe the facts, the existence or authenticity of the occurrence of which he/she certifies.
3. A notary is authorized to refuse to certify the fact if the performance of the notarial act contradicts the laws and universally recognized norms of morality, except for the exceptions set forth in these Instructions (making and certification of protocols of meetings of legal persons or other bodies by the notary) and the cases when the facts are already occurred (e.g. or the fact of existence of some information/articles placed on the website, photographs, or other similar materials).

Article 62. Certification of Applications

1. A notary is authorized to certify applications of a person in accordance with the law.
2. When certifying an application, a notary shall confirm that the application/signature actually belongs to the applicant. A notary shall not certify the authenticity of the facts given in the application.
3. If a person so requests, his/her signature may be certified on any contract made in non-official language, regardless of whether the notary and/or applicant knows the language in which the text is written. In this case, the applicant shall confirm to the notary that he/she is aware of the contents of the application and that it corresponds to his/her will. A notary shall note about it in his/her certifying inscription.
4. A notary shall certify a person's application received through electronic means of communication only if the electronic means of communication allows direct visual contact between the applicant and the notary, and identity verification is possible in the manner prescribed by Article 19 of these Instructions. In such case, it's obligatory to record the notary act in video file. The video file must be recorded in the means of electronic data savings (ex. on compact disc), that must be attached to the Notary Act or Notary registry. Instead of and at the request of the party, other person may put a signature in the manner prescribed by Article 29 of these Instructions. In addition to the signatory, a witness shall also attend the performance of a notarial action and sign a notarial deed.

Order N223 of the Minister of Justice of Georgia, dated 17 March 2017 – website, 17.03.2017.

Article 63. Authentication of Person Depicted in Photo

1. A notary certifies the authenticity of the person depicted in the photo through issuing of the relevant certificate. In case of authentication of a minor the rule established by Article 19 of the present Instructions shall be applied.
2. The certificate shall indicate: the last and first name of the person depicted in photo, birth place and date, gender, place of residence, details of those documents which based identification of the person in the photo. In the upper left corner of the certificate shall be placed the photo affixed by the notary stamp in such way that the stamp covers the lower right side of the photo and the sheet of paper where the photo is placed.

Article 64. Certification of Time of Document Submission

1. A notary is entitled to certify the time of issue of a document to the notary or to another person in presence of a notary.
2. A notary shall establish the identity of the document transferor and the document recipient and shall note on the ground of what procedure the document was transferred.
3. A notary issue the certificate on the time of issue of the document where he shall indicate the last and first names of the transferor and recipient, their date and place of birth, sex, place of the residence, details of the documents based identification of those persons, name and details of the transferred documents.

Article 65. Certification of Individual Being Alive

1. A notary is entitled to certify that the person is alive if this person appeared before the notary. The notary shall issue the certificate with the following data: the last and first names of the person being alive, birth place and date, gender, place of residence, details of those documents which based identification of the person.
2. If the person referred to in this Article is not an adult but he/she holds an identity card or passport, a notary may perform the notarial action set forth in Paragraph 1 of this Article without participation of the minor's parents (or other lawful representative).
3. If a person is not an adult but he/she does not hold an identity card or passport, a notary may perform the notarial action set forth in Paragraph 1 of this Article with participation of one of the minor's parents (or other lawful representative).

Article 66. General Procedures for Certification and Registration of Minutes of Meeting

1. A notary is authorized, in the cases established by law or at the request of the meeting participants, attend the meetings of entrepreneurial (commercial) and non-profit (commercial) legal entities, partnerships, associations, founding and governing bodies of other organizational units and political associations of citizens, and draw up minutes on the progress of meeting and the decisions made thereat, as well as the disruption of meeting.
2. The minutes shall be made in the form of notarial act, and it shall not contain the data binding to a public deed. Besides the above, a notary shall indicate in the minutes of meeting the following: time and venue, start and completion dates, identification data of the chairman of meeting, overall progress of meeting and decisions made, and date of issuance of minutes. A notary may make preliminary entries in the Notary Registry about the meeting held (without specifying the contents and decisions) on the same day when the meeting is held, and appropriate document may be issued at any time after the meeting is held.
3. A notary is prohibited to refuse entering the facts and statements that took place at the meeting into the minutes on any grounds. In addition, if the statements made at the meeting apparently contradict the factual circumstances (e.g. the number of people invited and actually attended, the number of supporters and opponents stated during the ballot, etc.), which a notary can perceive without any special examination and/or documents studying, a notary shall make his/her comments about all of this in the minutes of meeting and indicate that this information is the result of direct perception. These comments shall be made at the end of the minutes of meeting, above the signature of the chairman of meeting and the notary.
4. The minutes shall be signed by the notary and chairman of meeting. If the meeting approved the charter or changes to the charter, the document shall be attached as an annex to the minutes of meeting and signed by the chairman of meeting and the notary. Other annexes shall be attached to the minutes if so required by the chairman or any member of meeting, or the notary. The minutes shall be attached with all documents submitted to the notary in the form as submitted (certified or uncertified copies, originals).
5. If the chairman of meeting, on any grounds, refuses to sign the minutes of meeting, or due different reasons (arrest, death, illness, etc.) he/she cannot sign the minutes of meeting, a notary shall indicate about all this in the minutes and make appropriate entries in the Notary Registry and issue minutes only with his/her signature thereon. The minutes issued in this manner shall have the legal force.
6. A notary is not required to verify the authority of shareholders present at the General Meeting of Shareholders of a joint stock company, except when the decision is solely made by an authorized shareholder (holding more than seventy-five percent of shares) in the manner prescribed by laws. If in the cases established by laws the decision is solely made by an authorized shareholder (holding more than seventy-five percent of shares), a notarial deed on the shareholder's decision shall be made as

provided by this Article taking into account the peculiarities (absence of the chairman of meeting, etc.).

7. If the meeting lasts for several days (breaks, postponements of meeting, etc.), if so requested, a notary may issue a certificate of completed meetings (interim minutes), and final minutes shall be issued after the end of meeting.
8. If the meeting was not held due to lack of quorum, at the request of a person concerned, a notary shall issue a certificate evidencing the fact of meeting disruption. The certificate shall be issued only if the request has been submitted to the notary on the day of meeting disruption and a corresponding entry has been made in the Notary Registry. In this case, the certificate may be issued on the same or subsequent days.
9. A notary is authorized to attend the meetings of the governing bodies of entrepreneurial and non-entrepreneurial legal entities held by use of electronic means of communication and draw up minutes if the direct electronic means of communication allows simultaneous direct visual contact between all participants in the meeting having casting votes and the notary (teleconferencing) and identity verification of all participants in the meeting is possible in the manner prescribed by Article 19 of these Instructions. In such case, it's obligatory to record the notary act in video file. The video file must be recorded in the means of electronic data savings (ex. on compact disc), that must be attached to the Notary Act or Notary registry. A notary shall note in the minutes that the meeting has been held by use of electronic means of communication. The minutes shall be signed by the chairman and the witness, who is required to attend the meeting until the end.
10. If the minutes of meeting of the governing bodies of entrepreneurial and non-entrepreneurial (non-commercial) legal entities are submitted to a notary, the notary shall certify the genuineness of signatures affixed to the document as provided by these Instructions.

Order N223 of the Minister of Justice of Georgia, dated 17 March 2017 – website, 17.03.2017.

Article 67. Certification of Auction Protocol

1. At the request of special trade institution or specialist, a notary may attend an auction and draw up a protocol on the progress and results of the auction.
2. Protocol shall be signed by the auctioneer (specialist) and the notary. Other participants in the auction may also sign the protocol.

Article 67¹. Notary's Right to Public Offering of Thing

1. Under Paragraph 4¹ of Article 38 of the Notary Law of Georgia, a notary shall have the right to publicly offer a thing. Given the right of public offering, a notary may also give consultation to any person concerned.
2. Public offering shall be provided through the electronic means of LEPL Service Agency of the Ministry of Finance and/or LEPL National Agency of Public Registry.

Order N40 of the Minister of Justice of Georgia, dated 27 March 2012 – website, 28.03.2012

Article 68. Certification of Other Facts

1. A notary is authorized to issue certificates on existence, whereabouts, representative, legal status, and other facts of legal person on the ground of the data of the public (business) register, as well as on other data available in the public (business) register.
2. The certificate shall note the documents basing the certificate and shall indicate the full details of those documents.
3. A notary is authorized to verify the compliance of printout from the electronic public databases with the data stored in these electronic databases.

Article 69. Transfer of Documents to Other Persons

1. At request of the person concerned, a notary receives a document to be transferred to another person and drafts an appropriate document thereon in the form of public deed – a notarial deed on transfer of document to third person. Such document shall be attached with the original document to be transferred or its certified photocopy. If it is impossible to certify a photocopy due to technical reasons, the notarial deed shall word-by-word specify the text of the document to be transferred.
2. The document set forth in Paragraph 1 of this Article shall specify the identity of third person (a person who shall be given the document), form of transfer (e-mail message, delivered in person, etc.). The declared document transferor may also state in the document the grounds for transferring it to third party and other case-related circumstances. In addition, a notary is not required to check the authenticity of these statements. The document shall be signed by the notary and the document transferor.
3. If a notary personally transfers the document to an addressee, the document recipient shall sign the document in evidence that he/she has received the document and set the date and exact time of receipt thereon. A notary shall certify this fact by making an inscription, and affixing a signature and seal thereon. If the addressee refuses to receive the document, a notary shall make appropriate note on the document set forth Paragraph 1 of this Article.

4. A notary shall make a certificate on transfer or failure to transfer the document with the following data: first names and last names of the addresser and the recipient, basis of task (the document data set forth in Paragraph 1 of this Article), results of task execution.
5. A notary shall perform the notarial actions set forth in Paragraphs 1-4 of this Article if the recipient is not a public body or public official.

Article 70. Certification of Translation Accuracy (Correctness)

1. A notary certifies the correctness of translation of the document from one language into another if the notary knows both languages.
2. If a notary does not know the language in which the document is translated, the notary shall certify only the authenticity of the translator's signature. A notary shall note in the certifying form sheet that he/she certifies only the genuineness of the translator's signature.
3. The original or copy of the document shall be attached to the translation and translation shall be signed by the translator. The document shall be bound as prescribed by these Instructions.
4. A translator shall submit to the notary the document certifying his/her qualification. Submission of qualification document is not required if translator is accredited by the competent administrative authority, for Apostille (legalization) purposes, for translation for official documents. A notary shall warn the translator about the responsibility for the incorrect translation. A notary shall note in his/her form sheet about the translator's qualification and that he/she has fulfilled the obligation of warning. Photocopy of the document certifying the qualifications of a translator is not required to be attached to translation.

Article 71. Protesting of Bills, Checks or Other Credit Instruments

1. Protesting a bill, check and another credit document shall be performed in compliance with the applicable law.
2. Drafting the protest of the documents set forth in Paragraph 1 of this Article does not require the legalization or apostilization of the document.

Article 72. Issue of Notary's Writ of Execution

1. A notary issues a writ of execution in order to enforce the notarial deed, the enforcement of obligation established whereby, in accordance with laws, may be

carried out on the basis of a notary's writ of execution and if the term of limitation for fulfillment of obligation prescribed by law has not expired.

2. A writ of execution shall be issued based on a written application of a creditor (or successor thereof), which shall contain the data prescribed by law.
3. A writ of execution shall be issued by the notary (or in his/her absence, by the substitute notary, if appointed) who certified the notarial deed subjected to enforcement.
4. If the person set forth in Paragraph 3 of this Article does not exist (in case of suspension or termination of the notary's authority), a writ of execution shall be issued by any other notary at the option of the creditor, who shall request from the Notary Chamber of Georgia the certified copy of the enforced notarial deed and the data of its cancellation (amendment), also the information about the circumstances preventing the notarial action (e.g. according to a given notarial deed, a writ of execution has been already issued by the other notary), if any.
5. A writ of execution shall be issued to authorized persons in the following number:
 - a) If there are several creditors and they have different requirements, in satisfaction of which a writ of execution is to be issued, then as many writs of execution shall be issued as many creditors there are;
 - b) If there are several debtors and they are not solidary debtors, then as many writs of execution shall be issued as many debtors there are;
 - c) If some creditors are solidary creditors, or some debtors are solidary debtors, then as many writs of execution shall be issued as many solidary responsible parties there are;
 - d) If obligations are to be fulfilled in different periods, a writ of execution shall be issued only for the enforcement of matured obligation. If there are grounds for early satisfaction of non-matured claim specified in a notarial deed, a writ of execution may be issued for non-matured claim as well.
6. In the case set forth in Paragraph 5 of this Article:
 - a) A writ of execution given to each authorized person shall be made in two identical counterparts, one of which intended to be kept in the notary office;
 - b) A writ of execution given to each authorized person shall be assigned an individual registration number and be entered in the registry as an independent deed.
7. Enforcement shall be carried out on the basis of a notary's original writ of execution. If a writ of execution is lost or damaged (if the degree of damage excludes the application of a writ of execution), a certified copy of a writ of execution (duplicate)

shall be issued by the notary having issued the writ of execution, and in case of termination or suspension of the authority of this latter – the copy of a writ of execution shall be issued in the manner prescribed by the Notary Law of Georgia. A duplicate of a writ of execution shall be issued on the basis of a creditor's notarized application and it shall be assigned an individual registration number. The creditor shall note in his/her application the circumstance due to which he/she applies for another copy of the writ of execution. The creditor shall be responsible under law for the receipt of another writ of execution by deceptive means. Any repeated writ of execution shall specify that the writ of execution has been issued repeatedly at the request of an authorized person. The creditor shall return the damaged writ of execution to an authorized notary except when the damaged writ of execution is kept with the executor. In this case, another counterpart of the writ of execution shall be issued on the basis of the creditor's notarized application and official written request of the law enforcement official.

8. A writ of execution shall be bound in the same way as notarial deeds together with the certified copy of a notarial deed, which subjects to enforcement. Appropriate note of issuance of a writ of execution shall be made in the counterpart of the notarial deed maintained with the notary office, for the enforcement of which a writ of execution has been issued.
9. A writ of execution shall contain all binding data prescribed by the laws of Georgia.
10. A writ of execution may be issued even if any lien/legal limitation is registered against the property to be enforced.

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Article 73. Notary Consultation

1. At the request of a person concerned, a notary provides legal advice orally or in writing.
2. Legal advice, which is not connected with the execution of a notarial act and for which a notary, in agreement with the party concerned, gets remuneration, shall be entered in the Notary Registry.
3. Remuneration for legal advice, for which the amount of remuneration is not defined by the laws of Georgia, shall be determined in agreement with the notary and the person concerned. Agreement may be made either in writing or in oral form. The agreed amount of remuneration shall be entered in the Notary Registry.

CHAPTER VIII

PROCEDURE FOR DRAFTING, KEEPING AND PUBLICATION OF WILL

Article 74. Procedure for Drafting of Will

1. A will may be drafted in the form of public or private deed.
2. If a will drafted in the form of public deed is written by testator, the handwritten text shall be enclosed with all data binding for a public deed.
3. A will drafted by technical means may be drafted in one or several counterparts.
4. If a will is written by testator, the will may be drafted in one counterpart.
5. When certifying a will, the testator is not required to submit the evidence of his/her authority over the inheritance property.

Article 75. Procedure for Keeping of Will

A will certified by a notary may be kept at the request of the testator in a sealed envelope in the notary office. Signatures of a testator, witnesses (if any) and a notary shall be affixed to and the seal of a notary shall be set on the place of envelope sticking. In other cases, the envelope is not required to be sealed.

Article 76. Procedure for Publication of Will

1. After submitting a testator's death certificate, a notary shall appoint a day for will publication and invite the persons concerned.
2. A will shall be read in the presence of invited person(s). If a will is sealed in an envelope, the envelope shall be opened in the presence of the persons invited.
3. A notary shall draw up the protocol of will publication in the form of public deed, which together with all binding data prescribed by these Instructions shall contain the following: first and last names of the persons present and invited and other identification data, information about the envelope and seal integrity, information about the will (name of the testator, date and registration number of the will, content of the will; there is no need to specify the contents of the will if the protocol is attached with a certified copy of the will).
4. The protocol shall be signed by the persons present and the notary. All persons concerned may get a notarized copy of the protocol.
5. The published will shall remain with the notary, while any hair-at-law or other authorized persons can get the certified copy thereof.

CHAPTER IX

RULES FOR INHERITANCE PROCEEDINGS

Article 77. Notary's Authority in terms of Inheritance Proceedings

1. A notary shall issue an inheritance certificate, and in the cases prescribed by laws, take measures to protect the inheritance property, take inventory of the inheritance property, and appoint the inheritance property administrator.
2. The duties set forth in Paragraph 1 of this Article shall be performed by a notary regardless of the location of the notary office and the place of the inheritance opening.

Article 78. Application for Receipt/Refusal of Inheritance Property. Application on Confirmation of the Fact of Inheritance Non-receipt

1. Application for the receipt of inheritance (issue of inheritance certificate), or the refusal of inheritance, or for any other issues associated with inheritance may be drawn up in the form of public or private deed.
2. The application set forth in Paragraph 1 of this Article may be submitted to any notary. An applicant shall present a testator's death certificate. Death certificate submission is not required if it is already kept with the notary or the fact of testator's inheritance opening is already entered in the unified registry of inheritance cases by the other notary or it is possible to confirm the fact of death through the electronic database of the Civil Registry Agency.
3. A notary who receives the application set forth in Paragraph 1 of this Article shall immediately enter the fact of application receipt in the unified registry of inheritance cases.
4. A notary, regardless of the place of inheritance opening, is authorized to certify any application in the form of public or private deed, whereby a person confirms/states that he/she has not received inheritance in any form (neither by filing an application to the notary office nor by actual possession or management of inheritance property) during the term fixed for inheritance receipt. Application of confirmation of the fact of inheritance non-receipt may be drawn up at any time. In addition, certification of the application of confirmation of the fact of inheritance non-receipt does not include the initiation of inheritance proceedings. This notarial action subject to registration in the unified registry of inheritance cases. In addition, the testator's data provided by the applicant may be also entered in the unified registry of inheritance proceedings.
5. Inheritance proceedings of one and the same testator shall not be conducted at several notary offices except as provided in Paragraph 6 of this Article. If it turns out that the applications related to one and the same testator's inheritance have been

filed to different notaries, the inheritance proceedings shall be combined and given to the notary who was the first to receive the application. The notary shall send the electronic copies of other documents submitted thereto with regard to the application received and the inheritance proceeding to the notary who is authorized to conduct the inheritance case.

6. If the authority of the notary by whom the inheritance proceeding has been initiated is terminated or suspended, any other notary to whom the interested person applies may continue the inheritance proceeding. In this case, the notary shall be submitted all documents available concerning the inheritance proceeding conducted before.

Order N125 of the Minister of Justice of Georgia, dated 30 June 2010 – Georgian Legislative Bulletin III, N77, 01.07.2010, art. 1128

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Order N136 of the Minister of Justice of Georgia, dated 02 August 2012 – website, 02.08.2012

Article 79. Receipt of Application of Testator's Creditor

1. A notary shall receive a written claim application of testator's creditor. The application shall be drafted in the form of private or public deed. The application shall be accepted regardless of whether the claim period has come or not.
2. A notary shall notify of all claims of the testator's creditors to the persons having filed an application for inheritance receipt to the notary office.

Article 80. Procedure for Inheritance Proceedings of the Citizen of Member State of the Convention of 1993 on legal Assistance and Legal Relations in Civil, Family and Criminal Matters (the "Minsk Convention")

1. The provisions of this Article shall apply to the procedure for the receipt of inheritance of the deceased citizen of the member state of the Convention of 1993 on legal Assistance and Legal Relations in Civil, Family and Criminal Matters (hereinafter the "Minsk Convention").
2. If a deceased is the citizen of the member state of the Minsk Convention and his permanent place of residence is Georgia and/or the mass of inheritance includes the real estate located in Georgia, the application set forth in Paragraph 1 of Article 78 of these Instructions shall be submitted to the notary acting in Georgia.

3. In the case set forth in Paragraph 2 of this Article, in order to issue an inheritance certificate, it is not required to ask for information about the circle of heirs of the testator from the member state of the Minsk Convention.
4. A notary shall be entitled to request the heir to publish his application in the manner prescribed by Article 87 of these Instructions.

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Article 81. Protection of Inheritance

A notary shall take measures to protect the inheritance in the cases prescribed by the Civil Code of Georgia. At the request of a person concerned, a notary shall issue a resolution on inheritance protection, during which the notary inspects the inheritance and registers the property inventory act in the unified registry of inheritance proceedings.

Article 82. Inventory of Property

1. A notary shall draw up the property inventory act, at the request of a person concerned, with the following data:
 - a) Date and place of the act drafting;
 - b) First and last name of the notary, address of the notary office;
 - c) Grounds for act drafting;
 - d) Identification data of the persons evidenced the inventory;
 - e) Testator's identity;
 - f) Name of each item put into the act, their features (weight, sizes, depreciation, etc);
 - g) Estimate of every separate item put into the act and estimate of total property;
 - h) If the items and/or premises are sealed, what things and/or premises are sealed and with how many seals;
 - i) First and last name, date of birth, place of residence, ID data of the custodian;
 - j) Term of custody of the property under inventory;
 - k) Explanation provided by the notary to the custodian on responsibility for alienation, misappropriation or wasting of the property transferred to custody;
 - l) Notes and representations of the persons attended the inventory; the notary's directives;

- m) Time of beginning and completion of inventory.
2. The Notary shall be obliged to include the items found when making inventory of the property that are removed from the circulation. In addition, he/she shall be obliged to transfer the mentioned items to the Police Bodies under the acceptance-delivery act.
 3. When making inventory of the property the property shall be estimated by the notary at the ordinary market prices. The notary has the right to entrust such estimation to the expert and/or auditor.
 4. The property inventory act shall be signed by the persons attended the inventory and the notary.
 5. The inventory making of the property shall be attended besides the notary by the person under the statement of whom the resolution of the inventory of this property was made as well as by two neutral persons who meet the criteria established for a witness. A notary is authorized to invite relevant police station representative to attend the inventory making.
 6. If the inventory of the property lasts for some days or is terminated the inventory act shall indicate the reasons of termination and renewal of the inventory and the time thereof as well as the state of the seal and stamp upon renewal of the inventory.
 7. The inventory act shall be kept in the notary archives, one shall be given to the person concerned and one to the custodian.

Article 83. Appointment of Inheritance Property Administrator

1. A notary shall appoint the inheritance property administrator at the request of a person concerned in the cases provided by the law.
2. An inheritance property administrator is appointed at the request of the person concerned only if the latter files an application made in the form of public or private deed to a notary with a duly substantiated request to appoint an inheritance property administrator.
3. An inheritance property administrator shall not be appointed if one of the persons has received inheritance in any form as stated under the Civil Code (submission of application, actual possession of inheritance), or the will executor has been appointed.
4. Should the circumstances as outlined in the Paragraph 3 of the present Article arise after the issue of resolution on appointing the estate administrator, a notary shall cancel the resolution by giving a good reason.
5. The inheritance property administrator shall be appointed under the notary's resolution which shall indicate the following:

- a) Date of resolution adoption;
 - b) First name and last name of the notary in question, the notary office address;
 - c) Ground for resolution adoption;
 - d) First name and last name, gender, date and place of birth, place of residence, personal number of the administrator;
 - e) Term of inheritance property administration.
6. The resolution shall be enclosed with the administrator's consent (made in the form of a public or private act) on appointment of him as the administrator.
 7. If the inheritance property administrator is to be remunerated for property management, the remuneration shall be paid at the cost of the mass of inheritance and liability for the payment thereof shall be imposed upon the person receiving the inheritance property – the heir or the state (in case of heirless property). The amount of remuneration shall not exceed 5% of the cost of mass of inheritance, which shall be in reasonable correspondence to the cost of the mass of inheritance and the work performed.

Article 84. Certification of the Fact of Application Submission for Receipt of Inheritance Property

1. A notary is authorized to issue certificate attesting the fact of application submission for receiving the inheritance property.
2. The certificate set forth in the Paragraph 1 of the present Article is not a certificate of inheritance and does not have the same legal consequences as those associated with the issue of certificate of inheritance.
3. Certificate shall be delivered to the person who submitted an application for the receipt of inheritance property to the notary office where the inheritance was opened. If the application is submitted by several persons, all of them will have a single certificate.
4. Apart from the binding data outlined in these Instructions, the certificate shall specify the rights and obligations imposed upon the certificate recipient as a lawful estate administrator, namely: the right to exercise matured right, the right to perform matured obligations, the right to represent at the court/administrative proceedings.
5. The person having given the certificate set forth in the first paragraph hereof shall be imposed a responsibility as a lawful administrator of the mass of inheritance.

Article 85. Documents Evidencing the Fact of Actual Possession of Inheritance

1. The fact of actual possession of inheritance property may be established by the following circumstances and/or by the following documents:

- a) Fact that the heir and the testator had one and the same registered place of residence during the period from the inheritance opening to the expiration date of inheritance receipt. Furthermore, this provision shall apply despite the legal relationship of the testator or the heir to the house/flat, where they were registered. Such case actually implies that the heir has actually possessed the personal properties or the house/flat included in the mass of inheritance, where the testator and the heir were registered during the period set forth in the first sentence of this paragraph;
- b) Actual possession of the testator's documents proving the existence of vehicle, amount on the bank account and registered shares in the mass of inheritance;
- c) Certificate from the tax authority, certificate from the insurance company, certificate from the bank evidencing that the heir has met the testator's outstanding tax and/or contractual obligations, or the heir has paid the taxes related to the property included in the mass of inheritance (e.g. property tax, land tax) and the insurance contributions. Besides, these obligations shall be fulfilled before receiving the inheritance property;
- d) Certificates evidencing the payment of utility costs or receipts if it is possible to identify the payer therein;
- d¹) Document issued by any local self-governing unit for the ownership or management of the testator's real estate located within a specific territory, also Order where the testator and the heir are specified among other persons;
- e) Other public documents.

2. A notary is authorized to require from the heir to place a public statement in the press in the manner prescribed by Article 87 of the present Instructions.

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Article 86. Issue of Inheritance Certificate Based on Informal Will

If the certificate of inheritance is to be issued on the basis of an informal will, a notary shall require from the party to submit an expert report stating that the handwriting actually belonged to the deceased.

Article 87. Publication on Inheritance Proceedings

1. Based upon the case materials and in the case of reasonable grounds, the notary shall be authorized to request the publication of the application on the death of the decedent and the opening of the successor's proceedings in the general-national importance newspaper (in the newspaper which is distributed throughout Georgia). The application shall specify the identity and date of death of the deceased, name of notary and the address of the notary office, where the application has been submitted in order to receive the inherited property. The application shall be published no less than twice. In addition, the second publication shall be permitted only after the expiration of 10 days from the first publication and before the expiration of 20 days from the first publication. The application shall be published by the person (including, by covering all expenses) applying for the certificate of inheritance.
2. Should the circumstances set forth in Paragraph 1 of this Article occur, a notary is authorized to postpone the issuance of the inheritance certificate before thirty calendar days expire from the first publication.

Article 88. Securing the Right of Other Heir when Issuing the Inheritance Certificate

If the inheritance recipient declares that there is another heir of the same line, who has actually possessed the inherited property but has not filed an application for opening the inheritance to the local notary office, or the inheritance recipient requires to leave the part of the mass of inheritance on behalf of this heir, a notary shall not issue the inheritance certificate for the part of the mass of inheritance that belongs to the heir, who has not filed an application to the notary office for the receipt of inheritance.

Article 89. Documents Related to Specific Property Indicated in the Inheritance Certificate

1. If the fact of receiving specific property (or title over it) is indicated in the inheritance certificate, all the documents that relate to the property (title) and are necessary for the establishment of legal status of the property (title) shall be submitted.
2. The certificate of inheritance for the real property that was duly registered under laws with the Bureau of Technical Inventory but was not registered with the Public Registry by the moment of inheritance opening shall be issued against presentation of the following documents:
 - a) Document issued by the National Agency of Public Registry (certificate, letter, reference or other document), whereby the identity of a real estate owner is established on the basis of the documents maintained in the archive of the Bureau of Technical Inventory;

- b) Document issued by the National Agency of Public Registry (certificate, letter or other document), which evidences that the given real estate is not registered in the Public Registry and no lien is registered against it.

3. (Deleted – 23.01.12, N13).

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Article 90. Inclusion of New Heir in the Inheritance Certificate

The heir having not received the inherited property within the terms prescribed by law may receive the inherited property and be given the inheritance certificate by consent of all heirs who have received inheritance in the manner prescribed by law (filing an application, actual possession of inheritance property). The consent may be declared prior to or after the issuance of inheritance certificate in the form of public or private deed, taking into account the norms established by the following paragraphs hereof.

Article 91. Issue of Inheritance Certificate

1. An inheritance certificate shall be drafted in the form of public deed.
2. Several inheritance certificates may be issued if the following inheritance certificate is to be issued by the heir for the receipt of property that was not included in the previous inheritance certificate and that subject to compulsory registration (real estate, shares in the industrial societies, motor vehicle, etc.).
3. If the inheritance property includes the property/rights subject to registration, the inheritance certificate shall specify the features of the property and the documents that evidence the legal status of the property (the fact of inclusion in the mass of inheritance and other circumstances).
4. The inheritance certificate shall specify what part of the mass of inheritance (in whole, or part thereof) the heir received. If there are several heirs, it shall be indicated what part of the mass of inheritance each heir inherited.
5. The provision prescribed by Paragraph 4 of this Article shall apply in all cases, regardless of whether the certificate of inheritance was issued or not in evidence of the receipt of specific property/rights.
6. If several heirs have filed an application to the notary office for the receipt of inheritance property, the certificate of inheritance may be given to only one of them for the share owned thereby or to all heirs specifying the share of each of them in the inheritance certificate.

7. If the inheritance certificate given to one of the heirs includes all heirs and their shares, and if the other heir applies for the inheritance certificate, a certified copy of the certificate given previously shall be issued.
8. If the testator is a foreign citizen (except the citizen of the member state of the Minks Convention) and the mass of inheritance includes the property located in Georgia, a notary shall issue an inheritance certificate against presentation of the inheritance certificate issued by appropriate country (or any other document which replaces the inheritance certificate). In this case, a notary shall be presented the testator's death certificate and appropriate document of the property located in Georgia. All documents presented to a notary shall be apostilled or legalized in the manner prescribed by laws.

Order N13 of the Minister of Justice of Georgia, dated 23 January 2012 – website, 23.01.2012

Article 92. Division of Inheritance

1. Agreement on division of inheritance, in all cases, shall be preceded by the issue of inheritance certificate, provided that the inheritance certificate specifies all heirs and ideal share of each of them in the mass of inheritance, without compulsory reference to specific property included in the mass of inheritance.
2. Agreement on division of inheritance shall specify what property is divided into heirs under what conditions. In addition, a notary shall ask for all documents which are necessary to establish the legal status of the dividable property included in the mass of inheritance.
3. Based on agreement on division of property, additional inheritance certificates are issued, which shall specify which heir was inherited what property. Such additional certificate shall also specify the information about agreement concluded among the heirs on division of inheritance.

Article 93. Transfer of Heirless Property to Authorized Entities

1. In the case provided for by the Civil Code of Georgia, any heirless property shall be transferred to authorized entities, such as:
 - a) Homes for the elderly and disabled, medical, educational and other social institutions, if the testator was at the mercy thereof;
 - b) State, if there are no grounds for the transfer of heirless property to the entities set forth in Subparagraph "a" of Paragraph 1 of this Article.

2. In order to receive the heirless property, an authorized entity is liable to file an application to a notary. The application may be drawn up in the form of public or private deed. The application may be submitted either within six months from the date of inheritance opening or upon expiration of this term.
3. The certificate of transfer of heirless property to authorized entities may be issued only after the expiration of six months from the date of inheritance opening in the manner prescribed by Paragraph 4 of this Article.
4. Upon the expiration of the six-month term from the date of inheritance opening, if the application for inheritance receipt is not filed to a notary office and an authorized entity requests to be transferred the heirless property, a notary shall publish statement about the authorized entity's claim. The statement shall describe the circumstances of the case and specify the address of the notary office. The statement shall be published in the press which covers the whole country. The statement shall be published three times at no less than seven-day intervals. The costs of publication of statement shall be borne by the authorized entity claiming for the transfer of heirless property.
5. Any entity authorized to receive the heirless property - homes for the elderly and disabled, medical, educational and other social institutions shall present to the notary the document evidencing that the testator was at the mercy thereof.
6. If the heirless property is transferred to an authorized entity, under the existing circumstances, other documents may be also asked for (documents of legal entities, documents related to heirless property, etc.)

CHAPTER X

TAKING DOCUMENTS, MONEY, SECURITIES AND/OR OTHER VALUABLES ON DEPOSIT

Article 94. Taking Documents on Deposit

1. A notary shall take documents on deposit at request of a person. In case of a good reason, the notary can refuse taking documents on deposit.
2. A notary shall draw up the protocol on deposit; the protocol shall indicate: the date and place of protocol making, the full details of a deponent, full details of the document, state of the document (available correction, spots and similar facts in the text) and the deponent application for return of the documents (if any). The protocol and the documents shall be signed by the notary and deponent.
3. A notary shall keep the document and the document deposit protocol in his archives and shall provide the deponent with the protocol copy.

4. The document can be returned to the deponent or his/her successor or another person named in the moment of depositing, if the deponent stated so at the moment of depositing and this statement is referred to in the deposit protocol.
5. In case of return of the documents the notary shall draw up the document return protocol where the following shall be indicating: the date and place of protocol making, the full details of a document recipient and the grounds for acceptance of the document, full details of the document, state of the document (available correction, spots and similar fact in the text) and indication that the document is in the same state as during its depositing. The protocol and the documents shall be signed by the notary and document recipient.

Article 95. Taking Money, Securities and Other Valuables on Deposit

1. A notary takes money, securities and/or other valuables on deposit (on notary deposit account) in the cases provided for by the laws of Georgia.
2. A notary shall take money in cash, bills, checks, state bonds and other credit instrument and/or securities for the reason of transfer them to other persons or placing them in the bank. Money (the securities) shall be deposited in the deposit account of the notary. The deposit can be provided both in cash and by bank transfer.
3. A notary shall draw up the protocol on acceptance of money, securities and/or other valuables, where the following shall be mentioned: the date and place of protocol-making, full details of the transferor, amount of money, full details of securities, reasons of transfer, the transferor's instructions on transfer of money, securities and/or other valuables to a third person (creditors), also, the debtor's stated reason why he/she failed to directly fulfill the obligation. The notary receiving the subject of the obligation (money, the securities) in the deposit does not verify the basis for the obligation. The protocol shall be signed by the notary and transferor.
4. A notary shall keep the acceptance protocol in his archives and give the copy to the transferor.

Article 96. Procedure for Keeping of Money, Securities and/or Other Valuables

1. A notary shall:
 - a) Register the accepted money, securities and/or other valuables in the register with indication of the name and amount of the accepted property, transferor's details, date and purpose of transfer, details of transferee; after completion of the assignment the notary shall make the appropriate note in the register;

- b) Keep the accepted money, securities and/or other valuables separately from his money, securities and/or other valuables.
2. The notary shall immediately notify the creditor about reception of the money, the securities and/or other valuables in the deposit and transfers him/her the subject of obligation at the request of the latter.

Article 97. Failure to transfer Money, Securities and/or other Valuables

If the creditor refuses to receive money, the securities and / or other valuables, the notary shall inform the debtor about it and require the return of the contribution. The creditor's refusal on contribution reception shall be certified by the notary. Refusal shall be considered if the creditor does not receive the subject of deposit within three years from the date of its deposit. The notary shall determine the term for the debtor to make the refund which may not be less than three months. If the debtor fails to repay the deposit in the fixed term or if he refuses to return the deposit, then the subject of obligation shall be considered as a state property. Unclaimed deposit funds shall be transferred by the Notary to the State Budget excluding the deductible amounts for performing the notarial act.

Article 98. Legal Consequences of Transfer of Money, Securities and/or Other Valuables to Notary

1. Transfer of money, securities and/or other valuables to the notary shall have the same legal consequences as such transfer to the court.
2. The rules established under these Instructions shall be also applied when the notary accepts the documents, deeds, money, other securities, other things under succession and when the property is transferred to the notary under the trust management. In this case the term of transfer depends on performance of procedure established by the law and on performance of those procedures as soon as possible.

Chapter XI

Notary Mediation

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Article 99. General Provisions

This chapter defined the general principles of notary mediation, the rule of notary participation in notary mediation process and his/her competencies, as well as other issues related to the notary mediation process.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Article 100. Concept of Notary Mediation and Principles of Mediation Procedure

1. Notary Mediation (hereinafter - Mediation) is the private - legal dispute resolution process in which the parties are negotiating voluntarily or in accordance with the provisions of paragraph 3 of this Article, with the assistance of one or more mediator notaries, in order to reach an agreement on issues in question.
2. The mediator notary must act independently and impartially and ensure that the principle of equality of parties' capability is protected during the mediation process. The mediator notary shall not be responsible for the case if the parties fail to reach an agreement as a result of mediation.
3. Mediation can be ensured only with the consent of all parties. In cases provided for by the Law of Georgia "On the Improvement of Cadastral Data and the Procedure for Systematic and Sporadic Registration of Rights to Plots of Land within the Framework of the State Project", the administrative authority shall apply to notary mediation.
4. The mediation process should ensure that the parties have enough time and opportunities to make a choice / decision regarding the issues to be discussed as well as other possible ways to resolve disputes.
5. The third parties (specialist and others) may be involved in mediation process with the consent of all parties.
6. The Notary Chamber of Georgia is obliged to organize Mediation Training Courses for Notaries and provide Certified Mediator Notary Registry, that shall be published on the Notary Chamber's website.
7. The Notary Chamber of Georgia shall submit to the LEPL National Agency of Public Registry the information on notaries that provide mediation within the framework of the Law of Georgia "On the Improvement of Cadastral Data and the Procedure for Systematic and Sporadic Registration of Rights to Plots of Land within the Framework of the State Project". The Notary Chamber of Georgia shall immediately submit to the LEPL National Agency of Public Registry such information on notary (notaries) which may become the basis for removal of his (their) mediators / mediatory notary from the above mentioned list.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Order №146 of the Minister of Justice of Georgia, dated 30 July 2016 – web-site, 31.07.2016

Order №488 of the Minister of Justice of Georgia, dated 31 December 2019 – web-site, 31.12.2019

Article 101. Legal disputes under Mediation

The notary is authorized to perform mediation on:

- a) family disputes (except for adoption, annulment of adoption, restriction of parental rights and deprivation of parental right);
- b) inheritance related legal disputes;
- c) neighborhood legal disputes;
- d) disputes arising from obligatory relationships;
- d¹) in cases foreseen by the Law of Georgia “On the Improvement of Cadastral Data and the Procedure for Systematic and Sporadic Registration of Rights to Plots of Land within the Framework of the State Project”.
- e) other property and non-material civil disputes on which the special rule of mediation is not defined by the legislation of Georgia.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Order №146 of the Minister of Justice of Georgia, dated 30 July 2016 – web-site, 31.07.2016

Order №488 of the Minister of Justice of Georgia, dated 31 December 2019 – web-site, 31.12.2019

Article 102. Confidentiality of Mediation Process

1. Mediation process is confidential.
2. The mediator notary is not authorized to disclose the information that has been known to him/her in the course of mediation.
3. Unless otherwise provided by the Parties, the Mediation Agreement shall determine that the information and the document disclosed under the terms of

confidentiality in the mediation process shall not be used as evidence in court, arbitration or other body reviewing the dispute. This rule shall not apply if the information and documents disclosed under the terms of confidentiality in the mediation process shall be submitted to the Court by the Party that disclosed it, or if this information and/or document is obtained by the other party by other means envisaged by law, or that document / information was already known by the party.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Article 103. Mediation Place

1. Mediation can be provided both in the notary office and outside it.
2. In any case, the mediator notary must provide adequate environment for mediation to the parties.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Article 104. The Grounds for Starting Mediation

1. The grounds for starting mediation may be the consent of all disputing parties for mediation, as well as the cases envisaged by the legislation, the application of the administrative body. Mediation shall start upon concluding the Mediation Agreement signed by the Parties and the Mediator Notary.
2. By the Mediation Agreement, the Parties may agree on the time and place of mediation, the terms of mediation and the number of sessions, limits and rules of maintaining the confidentiality, attendees, rights and obligations of the parties in the mediation process, distribution of mediation expenses and terms of payment, also other matters of mediation process.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Order №146 of the Minister of Justice of Georgia, dated 30 July 2016 – web-site, 31.07.2016

Article 105. General Rules of Holding Mediation

1. For mediation, a mediator notary invites the parties interested to a closed session.
2. The Mediation is usually held in oral form.

3. The Notary shall be authorized to conduct individual negotiations with each party.
4. With the consent of all parties, the notary has the right to invite witnesses and specialists at the meeting and study the documents and items. The parties shall cover the expenses for carrying out these actions.
5. Upon the request of the Parties, all persons participating in the mediation process shall be obliged to maintain confidentiality on the basis of which the these parties shall sign the relevant act before the mediator notary.
6. The authorized representative shall participate in the mediation process on behalf of legal entity.
7. The mediator notary shall determine other mediation procedures at his/her own discretion in compliance with the principles of mediation process.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Order №146 of the Minister of Justice of Georgia, dated 30 July 2016 – web-site, 31.07.2016

Article 106. Representation in Mediation Process

1. A Party may participate in the mediation process directly or through an authorized representative. Considering the circumstances of the case, the mediator notary shall be authorized to request the directly participation of the party in the mediation process.
2. For the purpose of providing the legal assistance of the Party, the mediator notary has the right to request the involvement of a lawyer or another representative in the mediation process. The refusal of a party to involve a lawyer may become the basis for termination of the mediation process.
3. When conducting the mediation process by the mediator notary in accordance with the Law of Georgia “On the Improvement of Cadastral Data and the Procedure for Systematic and Sporadic Registration of Rights to Plots of Land within the Framework of the State Project”, the circumstances envisaged by paragraph 2 of this Article may not be the basis for termination of mediation process.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Order №146 of the Minister of Justice of Georgia, dated 30 July 2016 – web-site, 31.07.2016

Order №488 of the Minister of Justice of Georgia, dated 31 December 2019 – web-site, 31.12.2019

Article 107. Recuse

The notary is obliged any time of the mediation process to recuse himself/herself if he/she considers his/her mediation is contrary to ethical norms, or there may be doubt about his/her impartiality.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Article 108. Termination of Medication Process

1. Mediation process may be terminated if:

- a) A mediator notary believes that the continuation of mediation process is unreasonable and the dispute can't be settled by means of agreement;
- b) The mediator notary declares his/her self-refusal;
- c) Any party refuses to continue the negotiations on which he/she may declare any time of mediation process, without reference to the motivation.

2. If the mediator notary is suspended or terminated the notary's authority, a mediator notary or the Notary Chamber shall be entitled to transfer the case for mediation to other notary with the consent of all interested parties. If this is impossible, the mediation process shall be terminated.

3. If the notary provides the mediation within the Law of Georgia "On the Improvement of Cadastral Data and the Procedure for Systematic and Sporadic Registration of Rights to Plots of Land within the Framework of the State Project" and he/she is suspended or terminated the notary's authority, the Notary Chamber of Georgia shall immediately send the information about the mentioned to LEPL National Agency of Public Law.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Order №146 of the Minister of Justice of Georgia, dated 30 July 2016 – web-site, 31.07.2016

Order №488 of the Minister of Justice of Georgia, dated 31 December 2019 – web-site, 31.12.2019

Article 109. Settlement Agreement

1. On the basis of an agreement reached by the Parties as a result of mediation, the Settlement Agreement shall be drawn up that must be notarized.
2. The Settlement Agreement must be confirmed in the form of a public act.
3. A mediator notary must explain to the parties the legal consequences of the agreement reached as a result of mediation.
4. A mediator Notary is authorized to refuse to confirm the Settlement Agreement if the content of the agreement reached by the parties is clearly contrary to the imperative standards of law, morality or public order.

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013

Article 109. Execution

In case of non-fulfillment of the obligation determined by the Settlement Agreement made within the framework of mediation, at the creditor's request, pursuant to the Article 72 of this Instruction, the notary's writ of execution shall be issued on the basis of which the enforcement shall be provided in accordance with the Law of Georgia "On Enforcement Proceedings".

Order №42 of the Minister of Justice of Georgia, dated 10 August 2013 – web-site, 12.08.2013