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Amendments to the civil service legislation of Georgia

(2004-2012)

Law of Georgia on Civil Service

2004

Date amendment: *13.02.2004*

- ✚ A state servant was permitted to perform other paid jobs within the limits determined by the Constitution of Georgia and other legislative acts (Article 64, paragraph 2)

Date amendment: *24.02.2004*

- ✚ A state servant was prohibited to occupy another position or take other paid jobs in other state or local self-government agencies, be a member of a representative or legislative body of any level, unless the law stipulates otherwise. A state servant may occupy an additional position and perform other paid jobs only within the system of the same agency (Article 64, paragraphs 1 and 3)

Date amendment: *24.06.2004*

- ✚ The Civil Service Council was established under the President of Georgia in order to elaborate unified state policy in the field of the civil service. Also Civil Service Bureau was established in order to facilitate elaboration of unified state policy in the field of the civil service and coordinate relevant actions, to provide organisational, material and technical assistance for the activities of the Civil Service Council (Articles 128, 128¹, 129)

Law of Georgia on Civil Service

2005

Date amendment: *17.06.2005*

- ✚ It was defined that rules of reimbursement of business trip expenses of civil servants are determined by the President of Georgia and those rules for members of Parliament and civil servants of the staff of the Parliament are determined by the chairman of the Parliament (Article 39¹)

Date amendment: *23.12.2005*

- ✚ It was determined that remuneration (salary) of the servant includes wages, bonuses and additional pay envisaged by the law. Additional pay shall be made only within the limits of assignments set by the budget law for spending agencies (Article 37, paragraph 1)
- ✚ The rule granting additional days of paid leave per year according to length of service was abolished (Article 42, paragraph 2)
- ✚ It was determined that in cases of dismissal due to liquidation of the agency or staff reduction, a civil servant shall be granted compensation in the amount of two months' remuneration. Former rule of granting compensation was abolished (Article 109)

Law of Georgia on Civil Service

2006

Date amendment: *28.04.2006*

- ✚ It was determined that Ordinance of the President of Georgia defines the upper and lower limits of remunerations of state servants according to the grades of civil service positions (Article 9)

Date amendment: *23.06.2006*

- ✚ The rule of granting maternity leave, assistance and compensation was determined (Article 41¹)

Date amendment: *29.12.2006*

- ✚ It was determined that Upon entry to the service, and annually thereafter, the civil servant (candidate) presents a declaration of his/her income and property, and income and property of his/her family members to the relevant service of the Ministry of Finance (Article 18)

Law of Georgia on Civil Service

2007

Date amendment: 22.06.2007

- ✚ It was determined that in cases of the death of a civil servant due to an attack on him/her while performing duties, the family of the deceased shall receive 10 000 GEL as a one - time assistance. A civil servant, who, while performing duties, receives a body injury following an attack, resulting in mutilation and disability, shall receive 5000 GEL as a one- time assistance (Article 49)

Law of Georgia on Civil Service

2008

Date amendment: *19.03.2008*

- ✚ It was determined that absence of the civil servant due to medical examinations during pregnancy shall be considered a reasonable excuse after presentation of documents certifying medical examinations and the salary shall not be reduced (Article 41¹ , paragraph 5)

Law of Georgia on Civil Service

2009

Date amendment: *12.06.2009*

- + The rules of conduct for civil servants were determined (Chapter VI¹)

Date amendment: *04.12.2009*

- + A CV was defined as an alternative to an autobiography (Article 25, paragraph 1)
- + The obligation to submit notification of submission of an asset declaration from Tax Agency upon entrance into the civil service was abolished (Article 25, paragraph 1)
- + The obligation to keep work record cards was abolished (XIII was abolished)

Law of Georgia on Civil Service

2010

Date amendment: *11.07.2010*

- + Amendments abolished the reserve system of civil servants except when directly stipulated by the legislation
- + Period during which the person was enrolled in the reserve prior to the amendments, will be included in the length of service (Article 113, paragraph 2)

Law of Georgia on Civil Service

2011

Date amendment: *17.05.2011*

- ✦ It was determined that the competition announcement shall contain job descriptions (Article 31, paragraph 2)
- ✦ According to amendment a public competition in order to fill a vacant position of a civil servant is announced on the webpage administered by the Civil Service Bureau (www.hr.gov.ge). If there is a wish, a vacancy can also be published in an official printing body, following a request from an official authorised to make appointments; the head of the executive agency of the local self-government announces on the webpage administered by the Civil Service Bureau and in a relevant printing body (Article 31, paragraph 1)
- ✦ It was determined that candidates are given 10 days from the date of publishing of the announcement to submit all relevant documents (Article 31, paragraph 1)
- ✦ Amendments determined that the meeting of the Selection and Certification Commission shall be held no later than 10 days after the publishing of the competition announcement (Article 31, paragraph 3)

Law of Georgia on Civil Service

2012

Date amendment: 29.06.2012

- ✦ It was determined that a person can be appointed to a position only based on the results of the competition (Article 29, paragraph 1)
- ✦ The amendment established a limitation on the appointment of acting officials (Article 30, paragraph 2)
- ✦ It was determined that announcement of vacancies and conducting of competition through www.hr.gov according to the Law of Georgia on civil service shall be applicable to LEPLs as well, with the exception of LEPLs established for religious, educational and cultural purposes (Article 11¹)
- ✦ Amendment establish that Applications for competitions are submitted only electronically through a website administered by the Civil Service Bureau. Until January 1 2014, to hold a vacant position announced by the bodies of local authorities, submission of documents can be non electronic, submitted to the address of the competition-certifying commission (Articles 32, 134³)

Law of Georgia on Civil Service

2012

Date amendment: 29.06.2012

- + Amendments cancels the limitation by which a civil servant could be promoted to a higher position, if he/she has served at least 6 months on a previous position and provides opportunity for them to be promoted in less than 6 month of service, in case their professional qualification correspond to the requirements of the higher position (Article 77, paragraph 1)
- + The obligation of presenting a declaration of his/her income and property, and income and property of his/her family members by the civil servant (candidate) upon entry to the service, and annually thereafter, to the relevant service of the Ministry of Finance was abolished (Article 18)

Date amendment: 21.12.2012

- + It was determined that the rule which establishes the limitation of appointment of acting officials should be enforced from 1 July 2013).

Law of Georgia on Conflict of Interests and Corruption in Civil Service

2004

Date amendment: *13.02.2004*

- ✚ Law determined the following terms: “Conflicts of interests in public services” , “Unreasonable property” and “Certification of property origin” (Article 3, paragraphs 3,4,5)
- ✚ It was determined that a close relative of an official cannot be appointed to the position of a public servant except appointment by the competition (Article 13, Paragraph 7)
- ✚ Amendment established that if the Constitution of Georgia or Organic Law does not prescribe anything else, an official shall be released from the occupied position if It can be confirmed by the Court’s decision that an official owns illegal or/and unreasonable property (Article 13, paragraph 10, subparagraph „b”)

Law of Georgia on Conflict of Interests and Corruption in Civil Service

2005

Date amendment: *13.05.2005*

- ✚ Amendment determined for receiving a copy of a declaration and copies of other materials relating to a declaration submitted by an official a person shall pay fee in compliance with established rule of the Law of Georgia (Article 19, paragraph 3)

2007

Date amendment: *08.06.2007*

- ✚ It was determined that the Candidates for members of Parliament of Georgia are obliged to submit asset declaration (Article 14, paragraph 5)

Law of Georgia on Conflict of Interests and Corruption in Civil Service

2008

Date amendment: *02.10.2008*

- ✚ It was determined in case of non-submission of asset declaration in time an official shall be fined the amount of 1000 GEL on which individual-administrative acts shall be issued –a resolution on fine (Article 20)

Law of Georgia on Conflict of Interests and Corruption in Civil Service

2009

Date amendment: *27.03.2009*

- + It was determined who is the civil servant for the purpose of the Law of Georgia on Conflict of Interests and Corruption in Civil Service (Article 2¹)
- + It was determined the list of the institutions equalised with the civil service institutions (Article 2²)
- + The rules regarding gifts were defined more clearly
- + Amendment established the institution of whistleblowers (Chapter V¹)

Law of Georgia on Conflict of Interests and Corruption in Civil Service

2009

Date amendment: 14.12.2009

- ✦ The law determined that for the purpose of submitting asset declaration “officials” also mean heads of some Legal Entities of Public Law, which are directly determined by the President Decree (Article 2)
- ✦ The term of submitting declaration after appointment and dismissal was increased. It was 1 month before amendment and 2 - after it (Article 14)
- ✦ The amendments regarding establishment electronic asset declaration system were carried out
- ✦ It was determined that the asset declarations are fully public with the exception of the personal number permanent address, telephone number and secret page (Article 19, paragraph 1)

Law of Georgia on Conflict of Interests and Corruption in Civil Service

2010

Date amendment: *21.07.2010*

- ✚ The law determined that officials submits declaration only once in a year (Article 14, paragraph 8)
- ✚ Non submission of appointment or dismissal orders of officials within the time prescribed by law to the Civil Service Bureau causes disciplinary action against the responsible human resource manager (Article 14, paragraph 10)
- ✚ The Anti-Corruption Council (Council) was established in order to ensure an effective and coordinated fight against corruption (Article 12¹)

Law of Georgia on Conflict of Interests and Corruption in Civil Service

2012

Date amendment: 29.06.2012

- ✚ The following persons were determined as high officials :
 - ✓ Deputy heads of structural sub-divisions of ministries and their equal officials
 - ✓ Head of the Administrative Department of the Parliament of Georgia, his/her deputy, Heads of the Departments and their equal officials
 - ✓ Deputy heads of the City Councils, Heads of the Council Commission and Secretaries
 - ✓ Deputy Mayors
 - ✓ Deputy governors of municipalities and city districts

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