

Law of Georgia On Unified State Registry of Information

Chapter I. General Provisions

Article 1. Purpose of the Law

The purpose of this Law is to facilitate establishment of a unified state registry of registers, databases, services and information systems within the public sector of Georgia, as well as, pursuant to the principle of technological neutrality in receipt, transmission and interoperability of information in the public sector, regulate basic principles of establishment, use and alteration of registers, databases, services and information systems, standardize rules on maintenance of registers, databases, services and information systems, and define main directions of state information policy on registers, databases, services and information systems.

Article 2. Use of Terms

The terms used shall have the following meaning for the purposes of this Law:

a. Data – representation of facts or concepts in a formalized manner suitable for communication and processing in an information process;

b. Data owner – person or organization that can authorize access to certain data, and is responsible for its accuracy, integrity, and timeliness;

c. Data processing – collection, recording, arrangement, storage, alteration, consultation, extraction, use, transfer, combination, closure, deletion or destruction of data, or several of the aforementioned operations regardless of the manner in which they are performed or the means used;

d. Database – a collection of works, data or other material arranged in a systematic or methodical way and individually accessible by electronic or other means. The term does not imply a computer program which is used in development and application of a database accessible by electronic means;

e. Maintenance of a database – data processing, the maintenance of records of data processing, data protection and the organization of these activities;

f. Registry subject – administrative body, medical and authorized educational institution performing creation, alteration, destruction or deletion of data;

g. Information system – any combination of information technology and actions performed with the use of such technology that facilitates management and/or decision-making;

h. Registry – formal and/or official recording of objects, names, actions or any other information;

i. Service – service offered by the registry subject to organization and/or end user that requires processing of data;

j. Catalog – systematized list of record of data that also contains their description;

k. Business process – structured collection of connected actions or tasks that result in a production of a specific product or service for a specific user or group of users;

k. Principle of technological neutrality – prevention of unjustified advantage in favor of a specific technology where equal resources are available

l. Archiving – entry of historic and/or inactive record, document or other data into the archive.

Chapter II. Uniform State Registry of Information

Article 3. Uniform state registry of information

1. Unified state registry of information is a single catalog of registers, databases, services and information systems of the registry subjects, aiming at description of information resources available within the Georgian public sector, establishment of uniform standards for information processing, facilitation of coordination and coherent development of information systems, promotion of uniform information policy and efficient use of public resources.

2. Uniform state registry of information is maintained by the legal entity of public law under the governance of the Ministry of Justice of Georgia – the Data Exchange Agency (hereinafter: Data Exchange Agency).

3. Data Exchange Agency coordinates establishment of and compliance with uniform standards for maintenance of registers, databases, services and information systems operating at registry subjects.

4. Data Exchange Agency provides recommendations to the relevant registry subject on establishment, alteration, use, expansion, combination, interoperability, revocation or other actions with regard to registers, databases, services and information systems.

5. Data Exchange Agency develops and provides recommendations on alteration and modernization of case management procedures of the registry subject, with a view to streamlining management of electronic documents.

6. Data Exchange Agency develops and provides recommendations for establishment, improvement and optimization of services offered by the registry subject.

7. Information classified by law as state secret cannot be entered into the unified registry of state information and is outside the scope of this Law.

Article 4. Obligation to report establishment of a register, database, service or information system

1. The registry subject shall notify the Data Exchange Agency in writing on the establishment of a register, database, service and information system within 30 working days.

2. A date of initial use of a register, database, service and information system shall serve as the date of creation of a register, database, service and information system and establishment of corresponding obligation to notify under this Law.

3. An obligation to notify under this Article shall be equally applicable to any significant alterations to maintenance of a register, database, service and information system that alters its subject, expands or narrows its scope, has impact on its communication or corresponding business process, causing an effect on any parameter provided under Article 5(2) and (3) of this Law.

Article 5. Information to be submitted to the registry

1. A written notice of the registry subject under Article 4 of this Law shall contain information that describes operative and information technology environment.

2. Notice on operative environment shall contain the following information:

a. Data owner, namely, contact information, information on persons authorized by data owner and description of main activities;

b. Description and purpose for maintenance of a register, database, service and information system;

c. Case management procedures applicable in maintenance of a register, database, service and information system, brief description of a business process of information processing, and any other information that describes the process of maintenance of a register, database, service and information system.

3. Notice on information technology environment shall contain the following information:

a. Technical standards applicable to register, database, service and information system;

b. Contact data of administration of the register, database, service and information system or other authorized person;

c. Data on person/body responsible for identifying and remedying errors in data contained in registry subject's register, database, service and information system (if such exists);

d. Information on data protection measures.

4. Data Exchange Agency shall define procedures, technical standards, format and means of communication for information provided under this Article.

Article 6. Extension or combination of a register, database, service and information system

1. Register, database, service and information system of a registry subject may be extended or combined with other register, database, service and information system where:

a) extension or combination is necessary for more efficient performance of functions by the registry subject;

b) a normative act requires the registry subject to perform a new function which requires extension or combination for adequate performance.

2. Notice on extension or combination of a register, database, service and information system shall be submitted to the Data Exchange Agency.

3. Data Exchange Agency shall define the template and related procedures for notice provided under par. 2 of this Article.

Article 7. Revocation, destruction, archiving and transfer of a register, database, service and information system

1. The registry subject shall notify the Data Exchange Agency of its decision to revoke, destruct, archive or transfer its register, database, service and information system at least 30 days in advance before such decision is put into effect. Data Exchange Agency then issues recommendations as to feasibility of revocation, destruction, archiving and transfer of a register, database, service and information system.

2. Data Exchange Agency shall define the template and related procedures for notice provided under par. 1 of this Article.

Article 8. Personal data protection

1. Data Exchange Agency/unified state registry of information does not extract, process or alter any content of information submitted, and respects information neutrality.

2. Data Exchange Agency/unified state registry of information cannot be held liable for personal data protection in performance of functions that imply access to personal data within registry subject's register, database, service and information system for the purposes/function defined by this Law.

Article 9. Enforcement of the provisions of this Law

1. Following receipt and consideration of any notification provided by this law, the Data Exchange Agency has the right to recommend the registry subject to abstain from establishment, alteration, extension, combination or revocation of a register, database, service and information system where such action may cause potential obstruction to maintenance of other system(s), or where data processing therein is not compliant with the standards set by the Agency or provided by law.

2. In cases where the registry subject does not comply with the obligation to notify/report provided by this Law, the Data Exchange Agency provides written notification of this fact to person responsible for releasing information from the relevant institution. In case of repeated failure to comply, the Data Exchange Agency notifies the head of the relevant institution in writing describing the fact of non-compliance and recommending applicable remedies.

Chapter III. Basic Principles for Maintenance of a register, database, service and information system

Article 10. Principles for data processing in a register, database, service and information system

In the process of maintaining a register, database, service and information system, registry subject has the right to collect (process) only those data that are necessary for performance of a function determined by normative act or where data processing is directly provided by normative act.

Article 11. Access to information in registers, databases, services and information systems

Data stored (processed) in registry subject's register, database, service and information system is open and accessible unless access or publication is restricted by law.

Chapter IV. Final Provisions

Article 12. Temporary provision

A notice on already operating register, database, service and information system of the registry subject shall be submitted to the Data Exchange Agency no later than 90 days from the entry of this Law into force.

Article 13. Final provision

This Law shall enter into force on 1 June 2011.

President of Georgia

Mikheil Saakashvili

Tbilisi

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