S e T a n x m e b a

saqarTvelos mTavrobasa
da
kataris saxel mwifos mTavrobas
Soris

Semosavlebsa da kapitalze
ormagi dabegvris Tavidan acilebisa da
gadasaxadebis gadauxdelobis aRkveTis
Sesaxeb

saqarTvelos mTavroba da kataris saxelmwifos mTavroba surT ra gaaformon Semosavlebsa da kapitalze ormagi dabegvris Tavidan acilebisa da gadasaxadebis gadauxdelobis aRkveTis Sesaxeb SeTanxmeba,

SeTanxmdnen Semdegze:

muxli 1

pirebi, roml ebzec vrcel deba SeTanxmeba

es SeTanxmeba vrcel deba pirebze, roml ebic arian erTi an orive xel Semkvrel i saxel mwifos rezidentebi.

muxli 2
gadasaxadebi, romlebzec vrceldeba SeTanxmeba

1.   es SeTanxmeba vrceldeba xel Semkvreli saxelmwifos an misi politikur-administraciuli qvedanayofebis, an xel isuflebis adgil obrivi organoebis mier Semosavlebsa da kapitalze dawesebul gadasaxadebze, maTi gadaxdis wesis miuxedavad.

2.   Semosavlebsa da kapitalze gadasaxadebad iTvleba yvela is gadasaxadi, romliTac ibegreba mTeli Semosavali, mTeli kapitali, an Semosavlis an kapitalis calkeuli elementi.

3.   arsebuli gadasaxadebi, romlebzec vrceldeba es SeTanxmeba:
  a) saqarTvelos SemTxvevaSi:
    (i)   mogebis gadasaxadi;
    (ii) saSemosavlo gadasaxadi;
    (iii) qonebis gadasaxadi;
     (SemdgomSi "saqarTvelos gadasaxadi").

  b) kataris saxelmwifos SemTxvevaSi:
     -gadasaxadebi Semosavlebze.
      (SemdgomSi ~kataris gadasaxadi").

4.   es SeTanxmeba aseve vrceldeba yvela identur an arsebiTad analogiur gadasaxadebze, romlebic am SeTanxmebaze xel moweris Semdeg dawesebulia arsebuli gadasaxadebis damatebiT an maT nacvlad. xel Semkvrel mxareTa kompetenturi organoebi erTmaneTs acnobeben TavianTi saxel mwifoebis Sesabamis sagadasaxado kanonmdeblobaSi Setanili arsebiTi cvlilebebis Sesaxeb.

muxli 3
zogadi gansazRvrebebi

1. am SeTanxmebis miznebisaTvis, Tu konteqstidan sxva ram ar gamomdinareobs:

(a) termini "saqarTvelo" niSnavs msoflio Tanamegobrobis mier aRiarebul teritorias saqarTvelos saxelmwifo sazRvrebis farglebSi, maT Soris saxmeleTo sivrces, mis wiaRsa da sahaero sivrces mis zemoT, Sida wylebsa da teritoriul zRvas, maT fskers, wiaRs da sahaero sivrces maT zemoT, romel zec saqarTvelo axorcielebs iurisdiqciasa da suverenitets; aseve mis teritoriul zRvasTan mimdebare zonas, gansakuTrebul ekonomikur zonasa da kontinentur Selfs, romelTa mimarT saqarTvelos SeuZlia ganaxorcielos Tavisi suverenuli uflebebi da iurisdiqcia saerTaSoriso samarTlis Sesabamisad;

(b) termini "katari" niSnavs kataris saxelmwifos teritorias, Sida wylebs, teritoriul zRvas, maT Soris mis fskersa da wiaRs, sahaero sivrces mis zemoT, gansakuTrebul ekonomikur zonasa da kontinentur Selfs, romelTa mimarT kataris saxelmwifo axorcielebs Tavis suverenul uflebebs da avrcelebs iurisdiqcias saerTaSoriso samarTlis, kataris saxelmwifoSi moqmedi kanonmdeblobis Sesabamisad.

(c) termini "xelSemkvreli saxelmwifo" da "meore xelSemkvreli saxelmwifo" niSnavs saqarTvelos an katars konteqstis Sesabamisad;

(d) termini "piri" moicavs fizikur pirs, kompanias da pirTa nebismier sxva gaerTianebas, romelic sagadasaxado miznebisaTvis ganixileba rogorc erTeuli;

(e) termini "kompania" niSnavs nebismier korporaciul warmonaqmns an nebismier sxva erTeuls, romelic sagadasaxado miznebisaTvis ganixileba rogorc korporaciuli erTeuli.

(f) termini "xel Semkvrel i saxel mwifos sawarmo" da "meore xel Semkvrel i saxel mwifos sawarmo" Sesabamisad niSnavs sawarmos, roml is marTva xorciel deba erTi xel Semkvrel i saxel mwifos rezidentis mier da sawarmos, roml is marTva xorciel deba meore xel Semkvrel i saxel mwifos rezidentis mier;

(g) termini "saerTaSoriso gadazidva" niSnavs nebismier gadazidvas sazRvao gemiT an sahaero xomal diT, roml is eqspl uatacia xdeba xel Semkvrel saxel mwifoSi faqtobrivi marTvis adgil is mqone sawarmos mier, garda im SemTxvevebisa, rodesac sazRvao gemis da sahaero xomal dis eqspl uatacia xdeba mxol od meore xel Semkvrel saxel mwifoSi ganl agebul punqtebs Soris;

(h) termini "kompetenturi organo" niSnavs:
   (i) saqarTvel os SemTxvevaSi, finansTa saministros an mis ufl ebamosil warmomadgenel s, da
   (ii) kataris SemTxvevaSi, ekonomikisa da finansTa ministrs an mis ufl ebamosil warmomadgenel s;

(i) termini "nacional uri piri" xel Semkvrel saxel mwifosTan mimarTebaSi niSnavs:
   (i) nebismier fizikur pirs, romel sac aqvs xel Semkvrel i saxel mwifos erovnul oba an moqal aqeoba;
   (ii) nebismier iuridiul pirs, amxanagobas an gaerTianebas, romel ic am statuss iRebs xel Semkvrel i saxel mwifos moqmedi kanonmdebl obis safuZvel ze.

2. xel Semkvrel i saxel mwifos mier nebismier dros am SeTanxmebis debul ebebis ganxorciel ebisas nebismier termins, romel ic ar aris masSi gansazRvrul i, Tu konteqstidan sxva ram ar gamomdinareobs, eqneba is mniSvnel oba, rac mas eniWeba am dros am saxel mwifos kanonmdebl obiT im gadasaxadebis mimarT, roml ebzec vrcel deba es SeTanxmeba.

muxli 4
rezidenti

1. am SeTanxmebis miznebidan gamomdinare, termini "xel Semkvreli saxel mwifos rezidenti" niSnavs:

(a) saqarTvel os SemTxvevaSi, nebismier pirs, romelic saqarTvel os kanonmdebl obis Sesabamisad eqvemdebareba dabegvras misi mudmivi sacxovrebeli adgilis, faqtobrivad yofnis adgilis, marTvis adgilis an analogiuri Sinaarsis mqone nebismieri sxva kriteriumis safuZvelze da aseve moicavs saqarTvel os, mis nebismier pol itikur-administraciul qvedanayofs an xel isufl ebis adgil obriv organos. es termini, amasTan, ar moicavs pirs, romelic saqarTvel oSi dabegvras eqvemdebareba mxol od saqarTvel oSi arsebul wyarodan an iq ganTavsebuli kapital idan miRebul Semosavl ebTan dakavSirebiT.

(b) kataris SemTxvevaSi, fizikur pirs, romel sac gaaCnia mudmivi sacxovrebel i, misi sasicocxl o interesebis centri an Cveul ebriv cxovrobs katarSi da kompanias, romel ic registrirebul ia katarSi an aqvs efeqturi marTvis adgil i katarSi. termini aseve moicavs kataris saxel mwifos, mis pol itikur-administraciul qvedanayofs, xel isufl ebis adgil obriv organos an kanoniT dadgenil organos.

2. im SemTxvevaSi, rodesac am muxl is pirvel i punqtis debul ebaTa Sesabamisad, fizikuri piri aris orive xel Semkvrel i saxel mwifos rezidenti, misi statusi ganisazRvreba Semdegnairad:

(a) is CaiTvl eba mxol od im saxel mwifos rezidentad, sadac mas aqvs mudmivi sacxovrebel i; Tu mas mudmivi sacxovrebel i aqvs orive saxel mwifoSi, is CaiTvl eba mxol od im saxel mwifos rezidentad, sadac mas gaaCnia ufro mWidro piradi da ekonomikuri kavSirebi (sasicocxl o interesebis centri);

(b) Tu SeuZlebelia im saxel mwifos dadgena, sadac mas aqvs sasicocxlo interesebis centri, an Tu mas ar aqvs mudmivi sacxovrebeli adgili arc erT am saxel mwifoSi, is CaiTvl eba mxolod im saxel mwifos rezidentad, sadac igi Cveulebriv cxovrobs;

(c) Tu is Cveulebriv cxovrobs orive saxel mwifoSi an ar cxovrobs arc erT maTganSi, is CaiTvl eba mxolod im saxel mwifos rezidentad, romlis nacional ur pirsac warmoadgens;

(d) Tu is aris orive saxel mwifos an ar aris arcerTi maTganis nacional uri piri, maSin xel Semkvrel saxel mwifoTa kompetenturi organoebi sakiTxs gadawyveten urTierTSeTanxmebis safuZvel ze.

3. im SemTxvevaSi, rodesac am muxlis pirveli punqtis debul ebaTa Sesabamisad, piri, garda fizikuri pirisa, aris orive xel Semkvreli saxel mwifos rezidenti, igi CaiTvl eba mxolod im saxel mwifos rezidentad, sadac mdebareobs misi faqtobrivi marTvis adgili.

muxli 5

mudmivi dawesebuleba

1. am SeTanxmebis miznebidan gamomdinare, termini ~mudmivi dawesebuleba" niSnavs saqmianobis fiqsirebul adgils, romlis meSveobiTac sawarmos saqmianoba xorcieldeba mTlianad an nawilobriv.

2. termini "mudmivi dawesebuleba" moicavs, kerZod:
   (a) marTvis adgils;
   (b) filials;
   (c) ofiss;
   (d) fabrikas;
   (e) saxelosnos;
   (f) nageboba, romelic gamoiyeneba saqonlis sarealizaciod;
   (g) fermas an plantacias, da
   (h) maRaros, navTobis, an gazis WaburRils, kariers an bunebrivi resursebis mopovebis nebismier sxva adgils.

3. termini "mudmivi dawesebuleba" aseve moicavs:
   (a) samSeneblo moedans, samSeneblo, samontaJo an saamwyobo obieqts, an sazedamxedvelo saqmianobas, romelic dakavSirebulia am moedanTan an obieqtTan, magram mxolod maSin Tu amgvari moedani, obieqti an saqmianoba xorcieldeba eqvs Tveze meti xnis ganmavlobaSi. samSeneblo moedans an samontaJo an saamwyobo obieqts, Tu is arsebobs 6 Tveze meti xnis ganmavlobaSi nebismier 12 Tvian periodSi;

   (b) sawarmos mier momsaxurebis gawevas, sakonsultacio momsaxurebis CaTvliT, romelsac is axorcielebs daqiravebuli pirebis an miznobrivad daqiravebuli sxva kadrebis meSveobiT, Tu am saxis saqmianoba meore xel Semkvrel saxel mwifoSi (igive an dakavSirebuli proeqtis farglebSi) grZeldeba 6 Tveze meti xnis ganmavlobaSi 12 Tvian periodSi.

4. am muxlis wina debul ebaTa miuxedavad, termini "mudmivi dawesebul eba" ar moicavs:

    (a) Senoba-nagebobebis gamoyenebas sawarmos kuTvnili saqonlis an Sual eduri produqtis mxol od maragad Senaxvis, demonstrirebis an daniSnul ebis adgil amde mitanis mizniT;

    (b) sawarmos kuTvnili saqonlis an Sual eduri produqtis maragis dasawyobebas mxol od, maragad Senaxvis daniSnul ebis adgil amde mitanis an demonstrirebis mizniT;

    (c) sawarmos kuTvnili saqonlis an Sual eduri produqtis maragebis Senaxvas, mxol od sxva sawarmos mier maTi gadamuSavebis mizniT;

    (d) saqmianobis fiqsirebul i adgil is gamoyenebas sawarmosaTvis saqonlis an Sual eduri produqtis mxol od Sesyidvis an mxol od informaciis Segrovebis mizniT;

    (e) saqmianobis fiqsirebul i adgil is gamoyenebas sawarmosaTvis mxol od mosamzadebel i an damxmare xasiaTis nebismieri sxva saqmianobis ganxorciel ebis mizniT;

    (f) fiqsirebul i adgil is am punqtis a)-e) qvepunqtebSi CamoTvl il saqmianobaTa nebismieri erTobl iobisaTvis gamoyenebas, im SemTxvevaSi Tu, fiqsirebul i adgil is saqmianobis amgvari erTobl ioba aris mosamzadebel i an damxmare xasiaTis.

5. am muxlis pirvel i da me-2 punqtebis debul ebebis miuxedavad, Tu piri, garda am muxlis me-7 punqtSi aRniSnul i damoukidebel i statusis mqone agentisa, moqmedebs sawarmos saxel iT, aqvs da Cveul ebriv iyenebs xel Semkvrel saxel mwifoSi sawarmos saxel iT kontraqtis dadebis ufl ebamosil ebas, maSin es sawarmo am piris mier sawarmosaTvis ganxorciel ebul nebismier saqmianobasTan mimarTebiT ganixil eba am saxel mwifoSi mudmivi dawesebul ebis mqoned, Tu am piris saqmianoba ar Semoifargl eba me-4 punqtSi aRniSnul i saqmianobebiT, romel ic, amave punqtis debul ebebis Sesabamisad, am saqmianobis fiqsirebul i adgil is

meSveobiT ganxorcielebis SemTxvevaSi ar gadaaqcevs saqmianobis aseT fiqsirebul adgils mudmiv dawesebul ebad.

6. am muxlis wina debulebebis miuxedavad, xel Semkvreli saxel mwifos sadazRvevo sawarmo, garda im SemTxvevebisa, roca axorcielebs gadazRvevas, miiCneva rom gaaCnia mudmivi dawesebul eba meore xel Semkvrel saxel mwifoSi, Tu is Rebulobs meore xel Semkvreli saxel mwifos teritoriaze sadazRvevo premias an azRvevs iq arsebul risks warmomadgenlis meSveobiT, garda im SemTxvevebisa rodesac moqmedebs rogorc damoukidebeli statusis mqone agenti, romlis mimarTac gamoiyeneba me-7 punqti.

7. sawarmo ar ganixileba xel Semkvreli saxel mwifoSi mudmivi dawesebul ebis mqoned mxolod imitom, rom is am saxel mwifoSi saqmianobas axorcielebs brokeris, komisioneris an damoukidebeli statusis mqone nebismieri sxva agentis meSveobiT, im pirobiT, rom es pirebi moqmedeben TavianTi Cveuli profesiuli saqmianobis farglebSi. amasTan, rodesac amgvari agentis saqmianoba mTlianad an TiTqmis mTlianad dakavSirebulia sawarmos saqmianobis ganxorcielebasTan da maT Soris Camoyalibebulia iseTi komerciuli da finansuri urTierTobebi, romlebic gansxvavdeba damoukidebel sawarmoebs Soris urTierTobebisagan, is ar iqneba miCneuli damoukidebeli statusis mqone agentad am punqtis miznebisaTvis.

8. is faqti, rom kompania, romelic aris erTi xel Semkvreli saxel mwifos rezidenti, akontrolebs an kontroldeba meore xel Semkvreli saxel mwifos rezidenti kompaniis mier an romelic saqmianobas axorcielebs meore saxel mwifoSi (mudmivi dawesebul ebis meSveobiT an sxva saxiT), TavisTavad ar gadaaqcevs erT-erT am kompanias meoris mudmiv dawesebul ebad.

muxli 6
Semosavali uZravi qonebidan

1. xel Semkvreli saxelmwifos rezidentis mier meore xel Semkvreli saxelmwifoSi mdebare uZravi qonebidan miRebuli Semosavali (soflisa da satyeo meurneobidan miRebuli Semosavlis CaTvliT), SeiZleba daibegros am meore saxelmwifoSi.

2. termins "uZravi qoneba" eqneba is mniSvneloba, romelic mas gaaCnia im xel Semkvreli saxelmwifos kanonmdeblobiT, romelSic mdebareobs gansaxilveli qoneba. termini, nebismier SemTxvevaSi, moicavs uZravi qonebis mimarT damxmare xasiaTis qonebas, sasoflo da satyeo meurneobaSi gamoyenebul pirutyvsa da mowyobilobebs, uflebebs, romlebzec vrceldeba miwis sakuTrebasTan dakavSirebuli zogadi samarTlis debulebebi, uZravi qonebis uzufruqtsa da uflebebs, romlebic warmoadgenen cvladi an fiqsirebuli anazRaurebebis kompensacias mineraluri wiaRiseulis, sabadoebis da sxva bunebrivi resursebis damuSavebisTvis an damuSavebis uflebisTvis. sazRvao gemebi da sahaero xomaldebi uZrav qonebad ar ganixileba.

3. am muxlis pirveli punqtis debulebebi vrceldeba uZravi qonebis pirdapiri gamoyenebis, gaqiravebis an nebismieri sxva formiT gamoyenebis Sedegad miRebul Semosavlebze.

4. am muxlis pirveli da me-3 punqtebis debulebebi vrceldeba agreTve sawarmos uZravi qonebidan da damoukidebeli piradi momsaxurebis gawevis dros gamoyenebuli uZravi qonebidan miRebul Semosavlebze.

muxli 7
mogeba ekonomikuri saqmianobidan

1. xel Semkvreli saxel mwifoS sawarmos mogeba ibegreba mxolod am saxel mwifoSi, Tu es sawarmo Tavis saqmianobas meore xel Semkvrel saxel mwifoSi ar axorcielebs iq ganlagebuli mudmivi dawesebulebis meSveobiT. Tu sawarmo amgvarad axorcielebs saqmianobas, maSin misi mogeba SeiZleba daibegros meore saxel mwifoSi, magram mxolod im nawilSi, romelic miekuTvneba am mudmiv dawesebulebas.

2. am muxlis me-3 punqtis debulebebis gaTvaliswinebiT, im SemTxvevaSi, rodesac xel Semkvreli saxel mwifos sawarmo meore xel Semkvrel saxel mwifoSi axorcielebs saqmianobas iq ganlagebuli mudmivi dawesebulebis meSveobiT, TiToeul xel Semkvrel saxel mwifoSi am mudmiv dawesebulebas miekuTvneba mogeba, romelic mas SeiZleboda mieRo, rogorc imave an anal ogiuri saqmianobiT dakavebul, imave an anal ogiur pirobebSi myof calke gamoyofil, damoukidebel sawarmos, im sawarmos mimarT srul iad damoukidebeli moqmedebiT, romlis mudmiv dawesebulebasac is warmoadgens.

3. mudmivi dawesebulebis mogebis gansazRvrisas dasaSvebia mudmivi dawesebulebisTvis gaweuli xarjebis gamoqviTva, mmarTvel obiTi da saerTo administraciul i xarjebis CaTvliT, imis miuxedavad, es xarjebi im saxel mwifoSia gaweuli, romelSic ganTavsebul ia mudmivi dawesebuleba, Tu mis fargl ebs gareT, im xel Semkvreli saxel mwifos Sida kanonmdebl obis Sesabamisad, sadac mdebareobs mudmivi dawesebuleba.

4. Tu xel Semkvrel saxel mwifoSi Cveulebriv miRebul ia mudmivi dawesebulebis mogebis gansazRvra sawarmos mTliani mogebis mis calkeul nawilebze ganawilebis safuZvel ze, maSin am muxlis me-2 punqti veranairad SeuSl is xel s xel Semkvrel saxel mwifos gansazRvros dasabegri mogebis odenoba amgvari ganawilebis wesiT; ganawilebis meTodi amasTan unda iyos iseTi, rom Sedegi imyofebodes am muxlis principebTan SesabamisobaSi.

5. mudmiv dawesebulebas ar miekuTvneba mogeba am mudmivi dawesebulebis mier sawarmosaTvis saqonlis an Sualeduri produqtis mxolod SeZenis safuZvelze.

6. wina punqtebis miznebidan gamomdinare, mudmivi dawesebulebisaTvis misakuTnebeli mogeba yovel wliurad ganisazRvreba erTi da igive meTodiT, Tu ar aris sxvagvarad gansazRvris raime damajerebeli da sakmarisi mizezi.

7. im SemTxvevaSi, rodesac mogeba Seicavs Semosavlis iseT saxeobebs, romlebic am SeTanxmebis sxva muxlebSi calkea ganxiluli, maSin am muxlis debulebebi gavlenas ver iqoniebs im muxlebis debulebebze.

muxli 8

sazRvao da sahaero transporti

1.   saerTaSoriso gadazidvebSi sazRvao gemebisa da sahaero xomaldebis eqspluataciidan miRebuli mogeba ibegreba mxolod im xelSemkvrel saxelmwifoSi, romel Sic mdebareobs sawarmos faqtobrivi marTvis adgili.

2. Tu sanaosno sawarmos faqtobrivi marTvis adgili ganTavsebulia gembanze, is CaiTvleba im xelSemkvrel saxelmwifoSi arsebulad, romel Sic mdebareobs gemis miweris navsadguri. miweris navsadguris ararsebobis SemTxvevaSi, CaiTvleba im saxelmwifoSi mdebared, romlis rezidentsac warmoadgens gemis eqspluataciis ganmaxorcielebeli piri.

3. am muxlis pirveli punqtis debulebebi aseve vrceldeba pulSi, erTobliv saqmianobaSi an saerTaSoriso saoperacio saagentoebis muSaobaSi monawileobiT miRebul mogebaze.

muxli 9

urTierTdamokidebuli sawarmoebi

1. im SemTxvevaSi rodesac:

    a) xel Semkvreli saxelmwifos sawarmo pirdapir an arapirdapir
        monawileobs meore xel Semkvreli saxelmwifos sawarmos marTvaSi,
        kontrolSi an kapitalSi, an

    b) erTi da igive pirebi pirdapir an arapirdapir monawileoben erTi
        xel Semkvreli saxelmwifos sawarmosa da meore xel Semkvreli
        saxelmwifos sawarmos marTvaSi, kontrolSi an kapitalSi, da orive
        SemTxvevaSi am or sawarmos Soris komerciul an finansur
        urTierTobebSi Seqmnili an dawesebuli pirobebi gansxvavdeba im
        pirobebisagan, romlebsac adgili eqneboda or damoukidebel
        sawarmos Soris urTierTobaSi, maSin nebismieri mogeba, romelic am
        pirobebis ar arsebobis SemTxvevaSi warmoeSveboda romel ime maTgans,
        magram am pirobebis arsebobis gamo ar warmoeSva, SeiZleba CarTul
        iqnas am sawarmos mogebaSi da daibegros Sesabamisad.

2. im SemTxvevaSi, rodesac xel Semkvreli saxelmwifo am saxelmwifos
    sawarmos mogebaSi rTavs _ da Sesabamisad gadasaxadiT begravs _ im
    mogebas, romel Tan mimarTebaSi meore xel Semkvreli saxelmwifos sawarmo
    daeqvemdebara dabegvras am meore saxelmwifoSi, da aseTi saxiT CarTuli
    mogeba warmoadgens mogebas, romelic SeiZleba daricxvoda pirvelad
    xsenebuli saxelmwifos sawarmos, Tu am or sawarmos Soris iqneboda igive
    urTierToba, rogorc damoukidebel sawarmoebs Soris, maSin es meore
    saxelmwifo moaxdens mismier am mogebaze daricxuli gadasaxadis Sesabamis
    koreqtirebas. aseTi koreqtirebis gansazRvris dros saTanado wesiT unda
    iqnes gaTvaliswinebuli am SeTanxmebis sxva debulebebic, xolo
    aucileblobis SemTxvevaSi xel Semkvrel saxelmwifoTa kompetenturi
    organoebi erTmaneTTan gamarTaven konsultaciebs.

muxli 10
dividendebi

1. xel Semkvreli saxelmwifos rezidenti kompaniis mier meore xel Semkvreli saxelmwifos rezidentisaTvis gadaxdili dividendebi daibegreba mxol od am meore saxel mwifoSi.

2. am muxlSi gamoyenebisas, termini "dividendi" niSnavs Semosavals aqciebidan, "jouisance"–is aqciebidan an "jousance"-is ufl ebebidan, samTo saqmianobasTan dakavSirebul i aqciebidan, damfuZnebel Ta aqciebidan an sxva ufl ebebidan, Tu isini ar warmoadgenen mogebaSi monawil e saval e moTxovnebs, aseve Semosaval s sxva korporaciul i ufl ebebidan, romel ic eqvemdebareba iseTive sagadasaxado regul irebas, rogorsac aqciebidan miRebul i Semosaval i, im xel Semkvrel i saxel mwifos kanonmdebl obis Sesabamisad, roml is rezidentsac warmoadgens mogebis gamanawil ebel i kompania.

3. am muxl is pirvel i punqtis debul ebebi ar gamoiyeneba, Tu dividendebis mimRebi aris xel Semkvrel i saxel mwifos rezidenti, axorciel ebs saqmianobas meore xel Semkvrel saxel mwifoSi, roml is rezidentsac warmoadgens dividendebis gadamxdel i kompania, iq arsebul i mudmivi dawesebul ebis meSveobiT, an axorciel ebs am meore saxel mwifoSi damoukidebel pirad momsaxurebas masSi ganTavsebul i fiqsirebul i bazis meSveobiT da fl oba, roml is safuZvel zec xdeba dividendebis gadaxda uSual od ukavSirdeba aseT mudmiv dawesebul ebas an aseT fiqsirebul bazas. aseT SemTxvevaSi gamoiyeneba am SeTanxmebis me-7 an me-14 muxl is debul ebebi.

4. rodesac xel Semkvrel i saxel mwifos rezidenti kompania meore xel Semkvrel saxel mwifoSi iRebs Semosaval s an mogebas, am meore saxel mwifos ar SeuZl ia kompanias gadasaxadi daakisros gadaxdil dividendebze, garda im SemTxvevisa, rodesac aseTi dividendebis gadaxda xdeba am meore saxel mwifos rezidentisTvis, an rodesac fl oba, roml is safuZvel zec xdeba dividendebis gadaxda, uSual od ukavSirdeba am meore saxel mwifoSi arsebul mudmiv dawesebul ebas an fiqsirebul bazas. meore

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saxel mwifos aseve ar SeuZlia dabegros kompaniis gaunawilebeli mogeba im SemTxvevaSic ki, Tu gadaxdili dividendebi an gaunawilebeli mogeba mTlianad an nawilobriv Sedgeba am meore saxel mwifoSi warmoSobili mogebidan an Semosavlidan.

muxli 11
procenti

1. xel Semkvreli saxel mwifoSi warmoSobili da meore xel Semkvreli saxel mwifos rezidentisaTvis gadaxdili procenti daibegreba mxol od am meore saxel mwifoSi.

2. termini "procenti" am muxlSi gamoyenebisas niSnavs Semosavals nebismieri saxis savale moTxovnidan, misi ipoTekuri uzrunvel yofisa da moval is mogebaSi monawileobis uflebis arsebobis miuxedavad. kerZod, Semosavals saxel mwifo fasiani qaRaldebidan da Semosavals obligaciebidan an savale val debul ebebidan maTze daricxul i premiebisa da mogebebis CaTvliT. am muxl is miznebidan gamomdinare, jarimebi dagvianebul gadaxdaze procentad ar ganixil eba.

3. am muxl is pirveli punqtis debul ebebi ar gamoiyeneba, Tu procentis mimRebi aris xel Semkvreli saxel mwifos rezidenti, romelic Tavis saqmianobas axorciel ebs meore xel Semkvrel saxel mwifoSi, sadac warmoiSoba procenti iq arsebul i mudmivi dawesebul ebis meSveobiT an axorciel ebs am meore saxel mwifoSi damoukidebel pirad momsaxurebas iq ganTavsebul i fiqsirebul i bazis meSveobiT da savale moTxovna, roml is safuZvel zec xdeba procentis gadaxda, uSual od ukavSirdeba aseT mudmiv dawesebul ebas an aseT fiqsirebul bazas. aseT SemTxvevaSi Sesabamisad gamoiyeneba am SeTanxmebis me-7 an me-14 muxl is debul ebebi.

4. Tu procentis gadamxdel sa da mimRebs Soris, an orive maTgansa da romel ime mesame pirs Soris gansakuTrebul urTierTobaTa arsebobis gamo, procentis Tanxa, im savale val debul ebis gaTval iswinebiT, roml is safuZvel zec xdeba misi gadaxda, aWarbebs Tanxas, romel ic SeTanxmebul i iqneboda gadamxdel sa da mimRebs Soris aseTi urTierTobebis ararsebobisas, maSin am muxl is debul ebebi gamoiyeneba mxol od ukanasknel ad xsenebul i Tanxis mimarT. aseT SemTxvevaSi, gadasaxdel i Tanxis nameti nawili kvl avac eqvemdebareba dabegvras TiToeul i xel Semkvrel i saxel mwifos kanonmdebl obis Sesabamisad, am SeTanxmebis sxva debul ebebis gaTval iswinebiT.

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muxli 12
roialti

1. xel Semkvrel saxel mwifoSi warmoqmnili roialti, romlis beneficiuri mflobelia meore xel Semkvreli saxel mwifos rezidenti, daibegreba mxolod am meore saxel mwifoSi.

2. am muxl Si gamoyenebisas, termini "roialti" niSnavs gadaxdis nebismier saxes, romelic anazRaurebis saxiT miiReba nebismier literaturul, xel ovnebis an mecnierul namuSevarze, kinematografiuli i filmebis CaTvliT, saavtoro uflebiT sargeblobisaTvis an sargeblobis uflebisaTvis, nebismieri patentis, sasaqonlo niSnis, proeqtis an modelis, gegmis, saidumlo formulis an procesis, aseve samrewvelo, komerciuli an mecnierul i gamocdilebis Semcveli informaciiT sargeblobisaTvis an sargeblobis uflebisTvis.

3. am muxlis pirveli punqtis debulebebi ar gamoiyeneba Tu roialtis mimRebi aris xel Semkvreli saxel mwifos rezidenti, romelic Tavis saqmianobas axorcielebs meore xel Semkvrel saxel mwifoSi, sadac warmoiSoba roialti iq arsebuli mudmivi dawesebulebis meSveobiT an am meore saxel mwifoSi axorcielebs damoukidebel pirad momsaxurebas iq ganlagebuli fiqsirebuli bazis meSveobiT da ufleba an qoneba, ris safuZvel zec xdeba roialtis gadaxda, uSual od aris dakavSirebuli aseT mudmiv dawesebulebasTan an aseT fiqsirebul bazasTan. aseT SemTxvevaSi gamoiyeneba am SeTanxmebis me-7 an me-14 muxlis debulebebi.

4. roialti warmoSobil ad CaiTvleba xel Semkvrel saxel mwifoSi, rodesac gadamxdelia am saxel mwifos rezidenti. Tu roialtis gadamxdel pirs, miuxedavad imisa, aris Tu ara is xel Semkvreli saxel mwifos rezidenti, xel Semkvrel saxel mwifoSi gaaCnia mudmivi dawesebuleba an fiqsirebuli baza, romelTan dakavSirebiTac warmoiSva roialtis gadaxdis val debuleba da amgvari roialtis xarjis matarebelia aseTi mudmivi dawesebuleba an fiqsirebuli baza, maSin CaiTvleba, rom msgavsi roialti warmoiqmna im saxel mwifoSi, romel Sic mdebareobs mudmivi dawesebuleba an fiqsirebuli baza.

5. Tu gadamxdelsa da mimRebs Soris, an orive maTgansa da romelime mesame pirs Soris gansakuTrebuli urTierTobebis gamo, roialtis Tanxa, im sargeblobis, uflebis an informaciis gaTvaliswinebiT, romlis safuZvelze xdeba misi gadaxda, aWarbebs Tanxas, rac SeTanxmebuli iqneboda gadamxdelsa da mimRebs Soris aseTi urTierTobebis ararsebobisas, maSin am muxlis debulebebi gamoiyeneba mxolod ukanasknel ad xsenebuli Tanxis mimarT. aseT SemTxvevaSi gadasaxdeli Tanxis nameti nawili kvlavac eqvemdebareba dabegvras TiToeuli xelSemkvreli saxel mwifos kanonmdeblobis Sesabamisad, am SeTanxmebis sxva debulebebis gaTvaliswinebiT.

muxli 13
Semosavlebi kapitalis matebidan

1. Semosavlebi, romlebsac iRebs xelSemkvreli saxelmwifos rezidenti meore xelSemkvrel saxelmwifoSi mdebare me-6 muxliT gansazRvruli uZravi qonebis gasxvisebidan, SeiZleba daibegros am meore saxelmwifoSi.

2. Semosavlebi moZravi qonebis gasxvisebidan, romelic warmoadgens erTi xelSemkvreli saxelmwifos sawarmos mier meore xelSemkvrel saxelmwifoSi arsebuli mudmivi dawesebulebis komerciuli qonebis nawils, an Semosavlebi moZravi qonebis gasxvisebidan, romelic warmoadgens erTi xelSemkvreli saxelmwifos rezidentis mier damoukidebeli piradi momsaxurebis gawevis mizniT meore xelSemkvrel saxelmwifoSi arsebuli fiqsirebuli bazis komerciuli qonebis nawils, aseTi mudmivi dawesebulebis (calke an mTel sawarmosTan erTad) an fiqsirebuli bazis gasxvisebidan miRebuli aseTi Semosavlebis CaTvliT, SeiZleba daibegros am meore saxel mwifoSi.

3. saerTaSoriso gadazidvebSi eqspluatirebuli sazRvao gemebisa da sahaero xomaldebis, an maT eqspluataciasTan dakavSirebuli moZravi qonebis gasxvisebiT miRebuli Semosavali daibegreba mxolod im xelSemkvrel saxelmwifoSi, sadac mdebareobs sawarmos faqtobrivi marTvis adgili.

4. am muxlis pirvel, me-2, da me-3 punqtebSi aRniSnuli qonebis garda, Semosavlebi nebismieri qonebis gasxvisebidan daibegreba mxolod im xelSemkvrel saxelmwifoSi, romlis rezidentsac warmoadgens qonebis gamsxvisebeli piri.

muxli 14
damoukidebeli piradi momsaxureba

1. Semosavali, romel sac iRebs xel Semkvreli saxel mwifos rezidenti profesiuli momsaxurebis an damoukidebeli xasiaTis mqone sxva saqmianobis Sedegad, ibegreba mxolod am saxel mwifoSi, garda im garemoebebisa, rodesac amgvari Semosavali SeiZleba agreTve daibegros meore xel Semkvrel saxel mwifoSi:

a) Tu mas meore xel Semkvrel saxel mwifoSi gaaCnia regularulad xel misawvdomi fiqsirebuli baza Tavisi saqmianobis ganxorcielebis mizniT. aseT SemTxvevaSi am meore saxel mwifoSi SeiZleba daibegros Semosavlis mxolod is nawili, romelic miekuTvneba am fiqsirebul bazas;

b) Tu igi imyofeba meore xel Semkvrel saxel mwifoSi periodiT, an periodebiT, romel Ta saerTo xangrZlivoba kalendaruli wlis ganmavlobaSi aRwevs an aRemateba 183 dRes nebismieri TormetTviani periodis ganmavlobaSi, romelic iwyeba an mTavrdeba mocemul fiskalur wels. aseT SemTxvevaSi igi SeiZleba daibegros meore xel Semkvrel saxel mwifoSi mxolod am meore saxel mwifoSi ganxorcielebuli saqmianobidan miRebul Semosavalze.

2. termini "profesiuli momsaxureba" moicavs, kerZod: damoukidebel samecniero, literaturul, saxel ovnebo, saganmanaTleblo da pedagogiur saqmianobas, agreTve eqimebis, advokatebis, inJinrebis, arqiteqtorebis, stomatologebis da buRal trebis damoukidebel saqmianobas.

muxli 15
damokidebuli piradi momsaxureba

1. am SeTanxmebis me-16, me-18, me-19 da me-20 muxlebis debulebaTa gaTvaliswinebiT, xel Semkvreli saxelmwifos rezidentis mier daqiravebuli SromiT miRebuli xelfasi, gasamrjelo da sxva msgavsi anazRaureba daibegreba mxolod am saxelmwifoSi, Tu daqiravebuli Sroma ar ganxorcielebula meore xel Semkvrel saxelmwifoSi. Tu daqiravebuli Sroma xorciel deba amgvari saxiT, maSin aseTi anazRaureba SeiZleba daibegros am meore saxelmwifoSi.

2. am muxlis pirveli punqtis debulebaTa miuxedavad, erTi xel Semkvreli saxelmwifos rezidentis mier meore xel Semkvrel saxelmwifoSi ganxorcielebuli daqiravebuli SromiT miRebuli anazRaureba ibegreba mxolod pirvelad xsenebul saxelmwifoSi Tu:

    (a) anazRaurebis mimRebi imyofeba meore saxelmwifoSi periodiT, an periodebiT, romel Ta saerTo xangrZlivoba ar aRemateba 183 (as oTxmocdasami) dRes nebismieri TormetTviani periodis ganmavlobaSi, romelic iwyeba an mTavrdeba mocemul fiskalur wels, da

    (b) anazRaureba gaicema damqiraveblis mier, an misi saxeliT, romelic ar warmoadgens meore saxelmwifos rezidents, da

    (c) anazRaurebis xarjis matarebeli ar aris mudmivi dawesebuleba an fiqsirebuli baza, romelic damqiravebels gaaCnia meore saxelmwifoSi.

3. am muxlis wina debulebebis miuxedavad, saerTaSoriso gadazidvebSi gamoyenebul sazRvao gemebze an sahaero xomaldebze daqiravebuli SromiT miRebuli anazRaureba SeiZleba daibegros im saxelmwifoSi, romel Sic mdebareobs sawarmos faqtobrivi marTvis adgili.

4. am muxlis wina debulebebis miuxedavad, xel fasebi, gasamrjeloebi, SeRavaTebi da sxva anazRaureba, romel sac iRebs xel Semkvreli saxel mwifos sahaero an sazRvao sawarmoSi top-menejerul poziciaze myofi piri, romelic saqmianobas axorcielebs meore xel Semkvrel saxel mwifoSi, daibegreba mxolod im saxel mwifoSi, romel Sic mdebareobs sawarmos faqtobrivi marTvis adgili.

muxli 16
direqtorTa honorarebi

direqtorTa honorarebi da sxva msgavsi anazRaureba, roml ebsac iRebs xel Semkvreli saxel mwifos rezidenti, rogorc meore xel Semkvreli saxel mwifos rezidenti kompaniis direqtorTa sabWos wevri, SeiZleba daibegros am meore saxel mwifoSi.

muxli 17

xel ovnebis muSakebi da sportsmenebi

1. am SeTanxmebis me-14 da me-15 muxlebis debulebebis miuxedavad, Semosavali, romelsac iRebs erTi xel Semkvreli saxel mwifos rezidenti, rogorc xel ovnebis muSaki, kerZod, rogorc Teatris, kinos, radios an televiziis msaxiobi, an musikosi, an rogorc sportsmeni, mis mier meore xel Semkvrel saxel mwifoSi ganxorcielebuli piradi saqmianobidan, SeiZleba daibegros am meore saxel mwifoSi.

2. im SemTxvevaSi, rodesac Semosavali piradi saqmianobidan, romelsac axorcielebs xel ovnebis muSaki an sportsmeni, ericxeba ara TviT xel ovnebis muSaks an sportsmens aramed sxva pirs, maSin es Semosavali, am SeTanxmebis me-7, me-14 da 15 muxlebis debulebebis miuxedavad, SeiZleba daibegros im xel Semkvrel saxel mwifoSi, romel Sic xorciel deba xel ovnebis muSakis an sportsmenis saqmianoba.

3. am muxlis 1-li da me-2 punqtebis mixedviT erTi xel Semkvreli saxel mwifos rezidentis mier meore xel Semkvrel saxel mwifoSi ganxorcielebuli saqmianobidan miRebuli Semosavali, Tavisufldeba gadasaxadisagan am meore saxel mwifoSi, Tu am meore saxel mwifoSi viziti mTlianad an ZiriTadad dafinansebulia xel Semkvreli mxaris, politikur-administraciuli qvedanayofis an xel isuflebis adgilobrivi organos saxsrebidan an Tu es viziti ganxorciel da xel Semkvrel saxel mwifoTa mTavrobebs Soris gaformebuli kulturuli gacvlis Sesaxeb programis Sesabamisad.

muxli 18
pensiebi da anuitetebi

1. am SeTanxmebis me-19 muxlis me-2 punqtis debulebebis gaTvaliswinebiT, warsul Si daqiravebul SromasTan dakavSirebiT xel Semkvrel i saxel mwifos rezidentisaTvis gadaxdili pensiebi, sxva msgavsi anazRaureba da anuitetebi daibegreba mxol od am saxel mwifoSi.

2. termini „anuiteti" niSnavs dadgenil Tanxas, romelis gadaxda xorciel deba periodul ad, daniSnul dros sicocxlis manZilze, an drois garkveul i an dadgenil i periodis manZilze, im pirobiT, rom gadaxdis sanacvl od moxdeba misi adeqvaturi da srul i konpensacia naRdi ful iT, an misi Sesabamisi faseul obiT.

muxli 19

sajaro samsaxuri

1. (a) xel fasi, gasamrjelo da sxva msgavsi anazRaureba, pensiis garda, romelsac xel Semkvreli saxel mwifo, misi politikur-administraciuli qvedanayofi an adgilobrivi organo uxdis fizikur pirs am saxel mwifos, misi politikur-administraciuli qvedanayofis, an adgilobrivi organosTvis gaweuli samsaxurisaTvis, daibegreba mxolod am saxel mwifoSi;

(b) amasTan, amgvari xel fasi, gasamrjelo da sxva msgavsi anazRaureba daibegreba mxolod meore xel Semkvrel saxel mwifoSi, Tu samsaxuri gaweul iqna am saxel mwifoSi da fizikuri piri, romelic warmoadgens am saxel mwifos rezidents:
   (i) aris am saxel mwifos nacionaluri piri; an
   (ii) ar gaxda am saxel mwifos rezidenti mxolod samsaxuris gawevis mizniT.

2. (a) nebismieri pensia, romlis gadaxda xdeba fizikuri pirisaTvis xel Semkvreli saxel mwifos, misi politikur-administraciuli qvedanayofis an xel isuflebis adgilobrivi organos mier an maT mier Seqmnili fondebidan, am saxel mwifos, misi qvedanayofis an xel isuflebis organosaTvis gaweuli samsaxurisaTvis, daibegreba mxolod am saxel mwifoSi.

(b) amasTan, aseTi pensia daibegreba mxolod meore xel Semkvrel saxel mwifoSi, Tu fizikuri piri warmoadgens am saxel mwifos rezidentsa da nacionalur pirs.

3. am SeTanxmebis me-15, me-16, me-17 da me-18 muxlebis debulebebi vrceldeba xel Semkvreli saxel mwifos, misi politikur-administraciuli qvedanayofis an xel isuflebis adgilobrivi organos mier gaweuli ekonomikuri saqmianobis farglebSi ganxorcielebul momsaxurebasTan dakavSirebul xel fasze, gasamrjeloze, pensiebsa da sxva msgavs anazRaurebebze.

muxli 20

maswavleblebi da mecnier-muSakebi

1. fizikuri piri, romelic xel Semkvrel saxelmwifoSi Casvlamde iyo an aris meore xel Semkvreli saxelmwifos rezidenti da romelic pirvelad xsenebuli xel Semkvreli saxelmwifos mTavrobis an universitetis, kolejis, skolis, muzeumis an sxva kulturuli institutis miwveviT an kulturuli gacvlis oficialuri programis farglebSi Cadis am saxelmwifoSi mxolod aseT institutebSi swavlebis, leqciebis Catarebis an kvleviTi samuSaoebis Catarebis mizniT periodiT, romelic ar aRemateba 3 Tanmimdevrul wels, gaTavisufldeba gadasaxadisagan am xel Semkvrel saxelmwifoSi aseT saqmianobasTan dakavSirebul anazRaurebaze.

2. am muxlis pirveli punqtis debulebebi ar iqneba gamoyenebuli kvleviTi samuSaoebidan miRebul Semosavalze, Tu aseTi kvleva tardeba ara sazogadoebrivi interesebidan gamomdinare, aramed Tavad am piris an pirTa mier kerZo sargeblis miRebis mizniT.

muxli i 21
studentebi da staJiorebi

1. anazRaureba, miRebuli studentis, praqtikantis an staJioris mier, romel ic aris an xel Semkvrel saxel mwifoSi uSual od Casvl amde iyo meore xel Semkvrel i saxel mwifos rezidenti da romel ic pirvel ad xsenebul saxel mwifoSi imyofeba mxol od ganaTl ebis miRebis an kval ifikaciis amaRl ebis mizniT, Tu igi gankuTvnil ia mxol od misi cxovrebis, ganaTl ebis miRebis an kval ifikaciis asamaRl ebl ad, ar daibegreba am saxel mwifoSi, Tu dafinansebis wyaro mdebareobs am saxel mwifos fargl ebs gareT.

2. studentis, praqtikantis an staJioris, romel ic aris an xel Semkvrel saxel mwifoSi uSual od Casvl amde iyo meore xel Semkvrel i saxel mwifos rezidenti, daqiravebul i SromiT miRebul i anazRaureba, romel sac igi iRebs pirvel ad xsenebul saxel mwifoSi periodSi an periodebSi, romel Ta saerTo xangrZl ivoba mocemul i sagadasaxado wl is ganmavl obaSi ar aRemateba 2 wel s, ar ibegreba pirvel ad xsenebul saxel mwifoSi, Tu amgvari Sroma pirdapir ukavSirdeba mis swavl as, praqtikis gavl as an staJirebas am meore saxel mwifoSi.

muxli 22

sxva Semosavlebi

1. xel Semkvreli i saxelmwifos rezidentis Semosavlebis saxeebi, romlebic ar aris ganxiluli am SeTanxmebis wina muxlebSi, maTi warmoSobis adgilis miuxedavad, daibegreba mxolod am saxelmwifoSi.

2. am muxlis pirveli punqtis debulebebi ar gavrceldeba Semosavlebze, garda am SeTanxmebis me-6 muxlis me-2 punqtiT gansazRvruli uZravi qonebidan miRebuli Semosavlebisa, Tu aseTi Semosavlebis beneficiuri mflobeli warmoadgens erTi xel Semkvreli saxelmwifos rezidents da Tavis saqmianobas axorcielebs meore xel Semkvrel saxelmwifoSi iq ganTavsebuli mudmivi dawesebulebis meSveobiT, an am meore saxelmwifoSi axorcielebs damoukidebel pirad momsaxurebas iq arsebuli fiqsirebuli bazis meSveobiT da ufleba an qoneba, romlebTan dakavSirebiTac xdeba Semosavlis gadaxda realurad aris dakavSirebuli aseT mudmiv dawesebulebasTan an fiqsirebul bazasTan. aseT SemTxvevaSi gamoiyeneba am SeTanxmebis me-7 an me-14 muxlis debulebebi.

muxli 23
kapitali

1. kapitali, warmodgenili am SeTanxmebis me-6 muxliT gansazRvruli uZravi qonebiT, romelsac floobs xel Semkvreli saxel mwifos rezidenti da romelic mdebareobs meore xel Semkvrel saxel mwifoSi, SeiZleba daibegros am meore saxel mwifoSi.

2. kapitali, warmodgenili moZravi qonebiT, romelic qmnis erTi xel Semkvreli saxel mwifos sawarmos meore xel Semkvrel saxel mwifoSi arsebuli mudmivi dawesebulebis komerciuli qonebis nawils, an warmodgenili moZravi qonebiT, romelic miekuTvneba erTi xel Semkvreli saxel mwifos rezidentisaTvis meore xel Semkvrel saxel mwifoSi damoukidebeli piradi momsaxurebis gawevis mizniT xel misawvdom fiqsirebul bazas, SeiZleba daibegros am meore saxel mwifoSi.

3. kapitali, romelic warmodgenilia saerTaSoriso gadazidvebSi eqspluatirebuli sazRvao gemebiTa da sahaero xomaldebiT, an maT eqspluataciasTan dakavSirebuli moZravi qonebiT, daibegreba mxolod im xel Semkvrel saxel mwifoSi, romel Sic mdebareobs sawarmos faqtobrivi marTvis adgili.

4. xel Semkvreli saxel mwifos rezidentis kapitalis yvela sxva elementi daibegreba mxolod am saxel mwifoSi.

muxli 24

ormagi dabegvris gamoricxva

1. rodesac xel Semkvreli saxelmwifos rezidenti iRebs Semosavals, an flobs kapitals, romelic am SeTanxmebis debulebebis Tanaxmad SeiZleba daibegros meore xel Semkvrel saxelmwifoSi, pirvelad xsenebuli saxelmwifo dauSvebs:

    (a) am rezidentis Semosaval ze gadasaxadidan im Tanxis gamoqviTvas, romelic meore xel Semkvrel saxelmwifoSi Semosaval ze gadaxdili gadasaxadis tolia;

    (b) am rezidentis kapital ze gadasaxadidan im Tanxis gamoqviTvas, romelic meore xel Semkvrel saxelmwifoSi kapital ze gadaxdili gadasaxadis tolia.

aseTi gamoqviTva, arc erT SemTxvevaSi, ar unda aRematebodes gadasaxadis im Tanxebs, romelic daricxuli iqneboda am Semosavalsa da kapital ze pirvelad xsenebul qveyanaSi moqmedi wesebiTa da ganakveTebiT.

2. Tu am SeTanxmebis nebismieri debulebis Sesabamisad, xel Semkvreli saxelmwifos rezidentis mier miRebuli Semosavali an mis mflobelobaSi arsebuli kapitali gadasaxadisgan gaTavisuflebulia am saxelmwifoSi, amis miuxedavad, am saxelmwifos SeuZlia am rezidentis darCenil Semosavalsa da kapital ze gadasaxadis moculobis gaangariSebis dros mxedvelobaSi miiRos dabegvrisgan gaTavisuflebuli Semosavali an kapitali.

muxli 25

diskriminaciis Tavidan acileba

1. xel Semkvreli saxelmwifos nacionaluri pirebi ar daeqvemdebarebian meore saxel mwifoSi gansxvavebul an ufro mZime pirobebiT dabegvras an nebismier masTan dakavSirebul val debulebebs, romlebsac eqvemdebarebian an SeiZleba daeqvemdebaron am meore saxelmwifos nacionaluri pirebi imave garemoebebSi, kerZod, rezidenciis Tval sazrisiT.

2. erTi xel Semkvreli saxelmwifos sawarmos meore xelSemkvreli saxelmwifoSi kuTvnili mudmivi dawesebulebis dabegvra ar unda ganxorcieldes naklebad xelsayrel pirobebSi, vidre im sawarmoTa dabegvra, romlebic analogiur saqmianobas axorcieleben am meore saxelmwifoSi. es debuleba ar unda iqnes gagebuli ise, TiTqos is xel Semkvreli saxelmwifos aval debuldes meore xel Semkvreli saxelmwifos rezidentebis romlime gadasaxadisgan gaTavisuflebas, maTTvis raime sagadasaxado SeRavaTis miniWebas an gadasaxadis Semcirebas maTi samoqalaqo statusis an ojaxuri mdgomareobis safuZvel ze, romlebsac is aniWebs sakuTar rezidentebs.

3. im SemTxvevebis garda, romlebzec am SeTanxmebis me-9 muxlis pirveli punqtis, me-11 muxlis me-4 punqtis an me-12 muxlis me-5 punqtis debul ebebi vrcel deba, erTi xel Semkvreli saxelmwifos mier meore xelSemkvreli saxelmwifos rezidentisaTvis gadaxdili procenti, roialti an sxva gadasaxdelebi, am sawarmos dasabegri mogebis gansazRvris mizniT eqvemdebareba igive pirobiT gamoqviTvas, rogorc es moxdeboda pirvel ad xsenebuli saxelmwifos rezidentTan mimarTebaSi. analogiurad, erTi xel Semkvreli saxelmwifos sawarmos nebismieri vali meore xelSemkvreli saxelmwifos rezidentis mimarT, am sawarmos dasabegri kapitalis gansazRvris mizniT, eqvemdebareba igive pirobebiT gamoqviTvas, rogorc es moxdeboda pirvel ad xsenebuli saxelmwifos rezidentis SemTxvevaSi.

4. xel Semkvreli saxel mwifos sawarmoebi, romel Ta kapitali mTlianad an nawil obriv ekuTvnis, an pirdapir an arapirdapir kontrol deba meore xel Semkvreli saxel mwifos erTi an ramdenime rezidentis mier, pirvel ad xsenebul saxel mwifoSi ar unda daeqvemdebaron gansxvavebul an ufro mZime pirobebiT dabegvras an masTan dakavSirebul nebismier val debul ebas, roml ebsac eqvemdebarebian an SeiZl eba daeqvemdebaron pirvel ad xsenebul i saxel mwifos sxva msgavsi sawarmoebi.

5. kataris erovnul pirTa daubegraoba, romel ic gansazRvrul ia kataris sagadasaxado kanonmdebl obis mixedviT, ar unda iqnes miCneul i diskriminaciad am muxl is debul ebebis Tanaxmad.

6. miuxedavad me-2 muxl is debul ebebisa, am muxl is debul ebebi vrcel deba nebismieri saxisa da formis gadasaxadebze.

muxli 26
urTierTSeTanxmebis procedura

1. Tu piri Tvlis, rom erTi an orive xel Semkvreli saxel mwifos moqmedeba iwvevs an gamoiwvevs mis dabegvras am SeTanxmebis debulebebis Seusabamod, mas SeuZlia am saxel mwifoTa SidaD kanonmdebl obebiT gaTval iswinebul i zomebisgan damoukidebl ad, Tavisi saqme gansaxil vel ad waradginos im xel Semkvrel i saxel mwifos kompetentur organoSi, roml is rezidentsac igi warmoadgens; an, Tu misi SemTxveva eqvemdebareba am SeTanxmebis 24-e muxl is pirvel i punqtis moqmedebas, im saxel mwifoSi, roml is nacional ur pirsac igi warmoadgens. gancxadeba wardgenil unda iqnas am SeTanxmebis debul ebaTa Seusabamod dabegvris gamomwvevi moqmedebis Sesaxeb pirvel i Setyobinebidan ori wl is ganmavl obaSi.

2. kompetenturi organo, Tu gancxadebas dasabuTebul ad CaTvl is da ar SeuZlia sakiTxis damakmayofil ebl ad gadawyveta damoukidebl ad, unda Seecados meore xel Semkvrel i saxel mwifos kompetentur organosTan SeTanxmebiT gadawyvitos sakiTxi am SeTanxmebis debul ebebTan Seusabamo dabegvris Tavidan acil ebis mizniT.

3. xel Semkvrel saxel mwifoTa kompetenturi organoebi urTierTSeTanxmebis safuZvel ze Seecdebian gadaWran nebismieri sirTul e an gaugebroba, roml ebic warmoiSoba am SeTanxmebis ganmartebis an gamoyenebis dros. ormagi dabegvris Tavidan acil ebis mizniT, maT agreTve SeuZliaT erTmaneTTan konsul taciebis warmoeba am SeTanxmebiT gauTval iswinebel SemTxvevebSic.

4. xel Semkvrel saxel mwifoTa kompetentur organoebs, wina punqtebiT gaTval iswinebul i SeTanxmebis miRwevis mizniT, SeuZliaT erTmaneTTan pirdapiri kontaqti iqonion, maT Soris, maTi an maTi warmomadgenl ebis monawil eobiT Semdgari erTobl ivi komisiis saSual ebiT.

muxli 27
informaciis gacvla

1. xel Semkvrel saxel mwifoTa kompetenturi organoebi cvlian im informacias, romel sac miiCneven saWirod am SeTanxmebis debulebebis Sesrulebis an Sida kanonmdeblobis gatarebis mizniT am SeTanxmebiT gaTvaliswinebul gadasaxadebTan mimarTebaSi, Tu Sida kanonmdeblobebis mixedviT dabegvra ar modis SeTanxmebasTan winaaRmdegobaSi. informaciis gacvla ar aris SezRuduli am SeTanxmebis pirveli da meore muxlebiT.

2. xel Semkvreli saxel mwifos mier am muxlis pirveli punqtis Sesabamisad miRebuli nebismieri informacia iTvleba saidumlod, iseve, rogorc am saxel mwifos Sida kanonmdeblobis farglebSi miRebuli informacia da maTi gacnoba SeuZliaT mxolod im pirebs an organoebs (sasamarTloebisa da administraciuli organoebis CaTvliT), romel Ta kompetencias warmoadgens pirveli punqtiT gansazRvruli gadasaxadebis dakisreba an akrefa, iZulebiTi wesiT amoReba an sasamarTlo devna an gadasaxadebTan dakavSirebuli sarCelebis ganxilva an zemoaRniSnulis zedamxedveloba. es pirebi an organoebi am informacias gamoiyeneben mxolod amgvari miznebisaTvis. maT SeuZliaT am informaciis gamoyeneba sasamarTlos sxdomaze an sasamarTlo gadawyvetilebebis miRebis dros.

3. am muxlis pirveli da meore punqtebis debulebebi arcerT SemTxvevaSi ar unda iqnes gagebuli ise, TiTqos xel Semkvrel saxel mwifos ekisreba valdebuleba:

   (a) gaataros administraciuli RonisZiebebi, romlebic ewinaaRmdegeba erTi an meore xel Semkvreli saxel mwifos kanonmdeblobas an administraciul praqtikas;

   (b) miawodos informacia, romlis mopoveba ar aris nebadarTuli erTi an meore xel Semkvreli saxel mwifos kanonmdeblobiT an Cveulebrivi administraciuli praqtikiT;

(c) gasces informacia, romel mac SesaZloa gaamJRavnos nebismieri savaWro, samewarmeo, samrewvelo, komerciuli an profesiuli saidumloeba an savaWro procesi an iseTi informacia, romlis gamJRavnebac ewinaaRmdegeba saxelmwifo politikas (sazogadoebriv wesrigs).

4. Tu erTi xelSemkvreli saxelmwifo informacias am muxlis Sesabamisad moiTxovs, meore xelSemkvrelma saxelmwifom unda miiRos moTxovnili informaciis moZiebis mis xelT arsebuli zomebi, miuxedavad imisa, sWirdeba Tu ara meore saxelmwifos es informacia Tavisi sagadasaxado miznebisaTvis. wina winadadebaSi Camoyalibebuli valdebulebaze me-3 paragrafis SezRudvebi gavrceldeba, magram es SezRudvebi ar iqneba interpretirebuli imgvarad, rom TiTqos xelSemkvreli saxelmwifo uflebamosilia uari ganacxados informaciis miwodebaze mxolod im mizeziT, rom meore saxelmwifos es informacia Sidasaxelmwifoebrivi interesebisTvis ar esaWiroeba.

5. me-3 paragrafis moTxovnebi ar unda iqnas gagebuli ise, TiTqos xelSemkvreli saxelmwifo uflebamosilia uari ganacxados informaciis miwodebaze mxolod im mizeziT, rom informacia bankis, sxva finansuri institutis, agentis an uflebamosili warmomadgenlis statusis mqone piris gankargulebaSia an igi dakavSirebulia piris sakuTrebis uflebis interesebTan.

muxli 28

diplomatiuri warmomadgenlobebisa da sakonsulo dawesebulebebis TanamSromlebi

es SeTanxmeba gavlenas ver moaxdens diplomatiuri warmomadgenlobebisa da sakonsulo dawesebulebebis TanamSromelTa sagadasaxado privilegiebze, romlebic dadgenilia saerTaSoriso samarTlis sayovelTaod aRiarebuli normebis an specialuri SeTanxmebebis debulebebis safuZvelze.

muxli 29
ZalaSi Sesvla

1. xel Semkvreli saxelmwifoebi diplomatiuri arxebis saSualebiT erTmaneTs werilobiT acnobeben am SeTanxmebis ZalaSi Sesasvlelad saWiro Sida kanonmdeblobiT gaTvaliswinebuli procedurebis dasrulebis Sesaxeb. es SeTanxmeba ZalaSi Sedis ukanasknel werilobiTi Setyobinebis miRebis dRidan.

2. am SeTanxmebis debulebebi imoqmedeben:

    (a) wyarosTan dakavebuli gadasaxadebis mimarT, gadaxdili an dakreditebul Tanxebze, romlebic miiReba am SeTanxmebis ZalaSi Sesvlis wlis momdevno wlis pirvel ianvars an mis Semdeg; da

    (b) sxva gadasaxadebis mimarT, sagadasaxado wlebisaTvis, romlebic iwyeba am SeTanxmebis ZalaSi Sesvlis wlis momdevno wlis pirvel ianvars an mis Semdeg.

muxli 30
moqmedebis Sewyveta

1. es SeTanxmeba ZalaSia vidre erT-erTi xel Semkvreli saxel mwifo ar Sewyvets mis moqmedebas. TiToeul xel Semkvreli mxares SeuZlia Sewyvitos SeTanxmebis moqmedeba misi ZalaSi Sesvlis dRidan 5 wlis gasvlis Semdeg, kalendaruli wlis dasrulebamde sul mcire eqvsi TviT adre meore xel Semkvreli saxel mwifosaTvis SeTanxmebis Sewyvetis Taobaze diplomatiuri arxebiT werilobiTi Setyobinebis saSualebiT.

2. es SeTanxmeba wyvets moqmedebas:

(a) wyarosTan dakavebuli gadasaxadebis mimarT, im Semosavlebze, romelic miRebuli iqna Setyobinebis miRebis wlis momdevno kalendaruli wlis pirvel ianvars an mis Semdeg.

(b) sxva gadasaxadebis mimarT, sagadasaxado wlebisTvis, romlebic iwyeba SeTanxmebis moqmedebis Sewyvetis Taobaze Setyobinebis gagzavnis wlis momdevno wlis pirveli ianvridan an mis Semdeg.

ris dasturadac am SeTanxmebas xeli moaweres saTanado ufl ebamosil ebiT aRWurvil ma pirebma.

Sedgenil ia 201....... wl is .... q..., or dednad, TiToeul i qarTul , arabul da ingl isur enebze. amasTan yvel a teqsti Tanabrad auTenturia. winamdebare SeTanxmebis debul ebaTa ganmartebasTan dakavSirebiT uTanxmoebis warmoSobis SemTxvevaSi upiratesoba mieniWeba teqsts ingl isur enaze.

saqarTvel os mTavrobis
saxel iT

kataris saxel mwifos mTavrobis
saxel iT