



## ReformMeter

# E-Commerce Reform Assessment Report

**December, 2023**

**The USAID Economic Governance Program Grant Activity: Support to the Reform Progress Tracking System - ReformMeter**

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## About the E-Commerce Reform

The reform aims to facilitate e-commerce in Georgia by developing a legal and regulatory framework in the areas of consumer rights protection, activities of Intermediary Service Providers (ISP), personal data protection and payment system and payment services. The objective of the reform is to strengthen the e-commerce ecosystem, increase Georgia's export potential, implement high standards for consumer rights in e-commerce, and boost confidence in e-commerce and electronic transactions.

Given the incomplete legal and regulatory framework in the field of e-commerce, which was unable to meet the sector's challenges, it was necessary to implement the reform. The obstacles included shortcomings in the protection of consumer rights, risks associated with the protection of personal data, ambiguous requirements and responsibilities of ISPs regarding illegal content posted on e-commerce platforms, and problems with payment systems and payment services.

The government agencies involved in the development and implementation of the e-commerce reform are the Parliament of Georgia, the Ministry of Economy and Sustainable Development of Georgia (MoESD), Sakpatenti, the National Bank of Georgia (NBG), Georgian National Competition Agency, the Georgian National Communications Commission, and the Personal Data Protection Service. The roles and responsibilities of each of them in relation to the reform are discussed below:

- The Sector Economy and Economic Policy Committee of the Parliament of Georgia supervises the general progress of e-commerce reform, and the European Integration Committee worked on the Law on "Protection of Consumer Rights" in 2013-2022.
- Ministry of Economy and Sustainable Development of Georgia (MoESD) plays an important role in implementing the reform given that the institution developed the Law on E-commerce. The Communications, Information, and Modern Technologies Department is involved in fulfilling Association Agreement (AA) obligations within the telecommunications sector, and policymaking related to e-commerce, electronic communications, information technologies, and postal services<sup>1</sup>.
- The Payment Systems Department of the National Bank of Georgia is responsible for the effective functioning of the payment systems of Georgia by promoting the proper operation of payment services and protecting the rights of parties receiving payment services<sup>2</sup>. According to the reform framework, one of the major developments is the creation of an independent collegial body, the Dispute Review Commission, at the National Bank of Georgia.
- The Consumer Rights Protection Department of the National Competition Agency of Georgia is responsible for the protection of consumer rights and is considered as the consumer rights and e-commerce law enforcement authority.
- On March 1, 2022, the State Inspector's Service (SIS) was abolished and replaced by a new public entity, the Personal Data Protection Service. The Service is responsible for protecting personal information of e-commerce service users.

The Georgian Parliament adopted the Law on E-commerce during the third hearing on June 14, 2023. The purpose of the law is to create a legal framework for the e-commerce sector, protect the rights of users, define the rights and responsibilities of ISPs, and protect them from illegal content monitoring obligations. In addition, the Law on Protection of Consumer Rights, which came into effect on March 29, 2022, defines the general principles of consumer rights protection and the legal relationships between consumers and merchants. One of the major components in the process of e-commerce is the protection of the rights of the recipients of payment services, for which a Dispute Resolution Commission was established with the National Bank of Georgia, which reviews customer complaints related to payment issues in a collegial manner. This

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<sup>1</sup> Cost-Benefit Analysis (CBA) on the E-commerce Legal Framework

<sup>2</sup> Cost-Benefit Analysis (CBA) on the E-commerce Legal Framework

should contribute to increasing the confidence of consumers in the e-commerce process. In addition, the issue of personal data protection in online trade is also a significant challenge. In this direction, an updated legal framework was created, according to which new personal data protection standards are introduced and the institution of a personal data protection officer is created.

## ReforMeter Methodology

Under the ReforMeter project, reform assessment is conducted through three distinct tools:

1. Through a qualitative survey, **the government survey** evaluates the activities of the government agencies involved in reform implementation, along four primary domains: legislative framework; infrastructure and budget; institutional setup, and capacity development. The survey measures the government’s distance from the stated reform objectives on a scale from 0% to 100%.
2. As part of **the stakeholder survey**, the stakeholders of the reform are evaluating the four main dimensions: reform content and adequacy; current performance; reform progress; and expected outcomes. Each component is evaluated on a 10-score scale (see Annex 1 for the stakeholder questionnaire).
3. In addition, **economic indicators** related to the expected outcomes of the reform are used to evaluate reform progress.

The three assessment tools discussed above are complemented by qualitative assessment of the reform by the stakeholders based on the opinions expressed during the public-private dialogue meetings.

On December 7, 2023, a public-private dialogue (PPD) was held to evaluate the e-commerce reform for the second time<sup>3</sup> within the framework of the ReforMeter project.

## Assessment of Ongoing and Planned Activities

Considering the above-discussed aspects and the four main domains of reform assessment (legislative framework, infrastructure and budget, institutional setup and capacity development) defined in the government survey section, **Table 1** provides information about the primary reform activities and ongoing status of their implementation.

**Table 1: Primary reform activities and ongoing status of their implementation**

	Implemented	Ongoing	Planned
<b>Legal Framework</b>	<ul style="list-style-type: none"> <li>• Adoption of a legislative and regulatory framework for consumer rights protection.</li> <li>• Amendment to the Law on Payment Systems and Payment Services.</li> <li>• Adoption of the Law on E-commerce</li> <li>• Adoption of policy and procedures for e-commerce case analysis</li> <li>• Adoption of the new Law on Personal Data Protection.</li> <li>• Issuing a resolution on approving the rules of activity of the Dispute Resolution Commission with the National Bank of Georgia</li> <li>• Approval of the resolution on the selection of the members and the chairman of the commission</li> </ul>	<ul style="list-style-type: none"> <li>• Issuance of normative acts by the Personal Data Service in accordance with the new Law on Personal Data Protection</li> </ul>	<ul style="list-style-type: none"> <li>• Amendments to the Law of Georgia on Copyright and Related Rights</li> </ul>

<sup>3</sup> So far three PPD events have been held on e-commerce reform, however, the first meeting was of introductory nature and reform assessment was not conducted.

<b>Infrastructure and Budget</b>	<ul style="list-style-type: none"> <li>Allocation of budgetary funds for the activities of Consumer Rights Protection Department</li> </ul>		<ul style="list-style-type: none"> <li>Allocation of budgetary funds for supporting new functions of the Georgian National Competition Agency</li> </ul>
<b>Institutional Setup</b>	<ul style="list-style-type: none"> <li>Creation of a new division at Georgian National Competition Agency, responsible for consumer rights protection</li> <li>Formation of the support department (apparatus) of the Dispute Resolution Commission</li> </ul>	<ul style="list-style-type: none"> <li>Appointing the members of the Dispute Resolution Commission</li> </ul>	<ul style="list-style-type: none"> <li>Expansion of the authority of Georgian National Competition Agency in the field of e-commerce with respect to consumer rights protection issues</li> <li>Introducing the Institute of Personal Data Protection Officer</li> </ul>
<b>Capacity Development</b>			<ul style="list-style-type: none"> <li>Capacity development for relevant personnel for the execution of the authorities provided by the new regulations</li> </ul>

The qualitative assessment of the reform's progress revealed that the agencies involved in the development and implementation of the reform made substantial progress in the reform's primary directions.

The Parliament of Georgia adopted the legislative and regulatory framework on the protection of consumer rights, and the amendment to the Law of Georgia on Payment Systems and Payment Services. Furthermore, the Law on Electronic Communications was adopted on June 14, 2023.

In November 2023, the case study rule and procedure document defined under the Law of Georgia on Electronic Commerce was adopted, and the new Law of Georgia on Personal Data Protection also came into force. In addition, the resolution on approving the procedure for the activities of the dispute resolution commission and the selection, nomination, appointment, dismissal and remuneration of its members and chairman entered into force on July 26, 2023.

Notably, budget funds were allocated for the creation of the Consumer Rights Protection Department at the Georgia National Competition Agency, which has been actively enforcing the law since November 1, 2022. In August 2023, the support department of the Dispute Resolution Commission was established.

Among the ongoing reform activities, the process of issuing normative acts by the Personal Data Protection Service in accordance with the new Law on Personal Data Protection should be noted. According to the law, the following normative acts will be issued before March 1, 2024<sup>4</sup>:

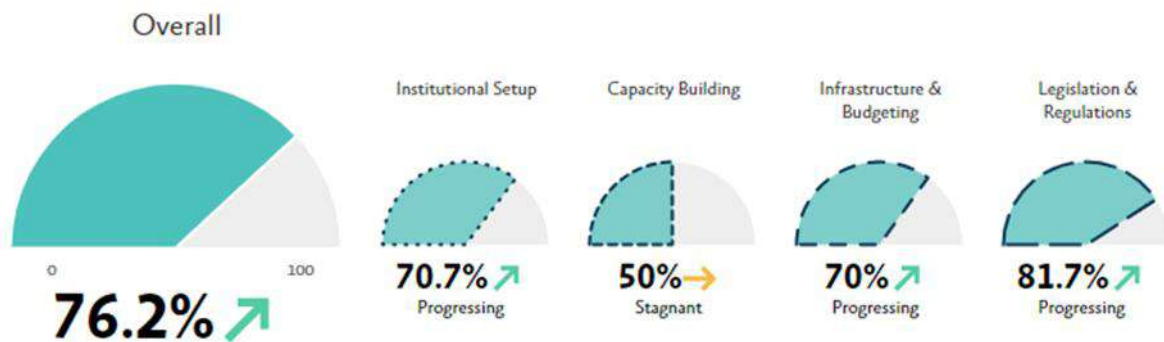
- The act on determining the circumstances giving rise to the obligation to assess the impact on data protection and defining the assessment procedures.
- The act on defining the enterprises that are not obligated to appoint a personal data protection officer.
- Criteria for defining the incident posing a significant threat to basic human rights and freedoms, and procedures for reporting the incident to the Personal Data Protection Service.
- The procedure for registering a special representative of the Personal Data Protection Service.

As for the future activities, based on the Law of Georgia on Electronic Commerce, changes are planned to the Law on Copyright and Related Rights. Additionally, the law envisages the allocation of a budget for the National Competition Agency of Georgia for the provision of new functions. On June 1, 2024, according to the Personal Data Protection Act, the obligation to appoint a Personal Data Protection Officer will enter into force. The National Competition Agency of Georgia is also planning to raise the qualifications of the relevant personnel for the performance of the responsibilities stipulated by the new regulations of the Department of Consumer Rights.

<sup>4</sup> [Law of Georgia on Personal Data Protection](#)

According to the findings of a survey of the reform implementing agencies, 76.2 % of the activities planned under the e-commerce reform have been completed, as shown in **Figure 1** below. The highest rate of implementation was observed for activities related to the legal framework dimension (81.7%). The rate of implementation of the activities under the institutional setup (70.7%) and infrastructure and budget (70%) was likewise high, while the activities planned under the capacity development (50%) received the lowest assessment.

**Figure 1. Results of the Survey of the Reform Implementing Agencies**



## Stakeholder Assessment

Based on an anonymous stakeholder survey (excluding government agencies implementing the reform) conducted at the public-private dialogue meeting on e-commerce reform, the reform was assessed with an overall score of 6.58 out of 10, indicating a moderate evaluation of the reform's progress by the meeting participants.

**Figure 2** depicts the results of the stakeholder survey, according to which two components - content and adequacy, and expected outcomes exhibited strong performance, while the progress and current performance components were assessed as moderate.

**Figure 2. Results of stakeholder survey on e-commerce reform evaluation**



## Public-Private Dialogue

Public-private dialogue on e-commerce reform engaged representatives from multiple government agencies and private sector representatives. Attendees shared their perspectives on the significance of the reform and suggested possible improvements to its implementation process.

This section of the report provides a summary of the suggestions and opinions outlined during the public-private dialogue event:

- Following the introductory speeches, the ReforMeter team presented the government survey and the results of progress tracking indicators and discussed future activities planned within the scope of the reform. Representative of Deputy Head of the Private Sector Supervision Department of the Personal Data Protection Service overviewed the newly adopted Law of Georgia on Personal Data Protection and focused on the sections of the law that are most relevant to the e-commerce sector, specifically:
  - i. The need for the consent of the data subject for processing personal data, orally or in writing.
  - ii. The need for the consent of the data subject when processing data for direct marketing purposes.
  - iii. Determining the risks related to personal data in the process of developing new products or services and prioritizing data protection considerations.
  - iv. Introduction of the Personal Data Protection Officer's institute for organizations dealing with significant number of personal data.
- The representatives of the National Bank of Georgia (NBG) overviewed the activities of the recently established Dispute Resolution Commission at NBG and highlighted some of its key responsibilities. The Dispute Resolution Commission aims to handle disputes between the payment service users and the payment service providers (licensed commercial banks, digital banks, micro banks, registered payment service providers and microfinance organizations) in a collegial manner. The issues monitored by the commission may be related to: i) unauthorized payment transactions; ii) incorrect and late payment operations; iii) debiting the wrong amount of payment fee; iv) cash withdrawals or depositing money into the account, etc. The representative of the NBG emphasized that the activities of the Dispute Resolution Commission will increase the consumers' safety on e-commerce platforms. Additionally, trust in electronic payments will increase, which will further encourage e-commerce activities in Georgia.
- The representative of the Consumer Rights Protection Department at the Georgian National Competition Agency summarized the issues of expansion of the authority and responsibilities of the agency stemming from the newly adopted Law on E-commerce. Several points highlighted in the presentation were:
  - i. Expansion of its authority from only traders to also covering e-commerce platforms.
  - ii. Need to clearly indicate the information about vendors, including their names and trade policies, on e-commerce platforms.
  - iii. Establishing the definition of electronic contracts within the framework of the new law.

In the final part of the event, a discussion was held among the attendees of the meeting, during which the participants expressed their opinions regarding several important topics, discussed below:

- During the discussion participants highlighted challenges related to the accurate calculation of the size of the e-commerce sector. Parties agreed that a large share of online purchases are characterized by cash on delivery payments or direct transfers to vendors' personal accounts. Due to the lack of data, such purchases cannot be included in the total amount of e-commerce, thus causing challenges while assessing the sector size.
- Next section of the discussion was dedicated to questions about the management of e-commerce disputes with GNCA. It was highlighted that the consumer and the vendor are encouraged to resolve the dispute between themselves and address the relevant government authority only if the agreement is not reached. It was noted that in instances when the complaint includes more than one aspect of the product purchased through e-commerce platforms, GNCA forwards the complaint to the most relevant authority, or works jointly with them. The attendees mentioned two challenges of such a system: firstly, the complaint forms differ across the authorities, causing the need to fill in the form again in a new format, and secondly, consumers might not be aware where to record their complaints

and which agency they should address. The suggested solution was to harmonize the complaint forms and create a single online platform.

- Participants also focused on the requirement of appointing a data protection officer in certain organizations. The requirement is based on the following criteria: “Public institutions, insurance organizations, commercial banks, micro-finance organizations, credit bureaus, electronic communication companies, airlines, airports, and medical institutions, as well as controllers/processors processing the data of a significant number of data subjects or carrying out systematic and large-scale monitoring of their behavior, are obliged to appoint or designate a personal data protection officer.”<sup>5</sup> The participants from the private sector raised concerns that a large share of organizations creating digital platforms and websites, as well as other e-commerce services, are smaller enterprises, start-ups, or individual entrepreneurs, with limited resources for hiring a dedicated data protection officer. It was reiterated once again during the discussion, that while the law is applied to all companies, regardless of their structure or form, the requirement to have an officer is assessed based on the criteria set out in the law.

It was also clarified that instead of having a separate position of a data protection officer, the companies are allowed to outsource the service, assign the officer’s tasks to an existing employee, or employ an officer jointly with other companies, however, the conflicts of interest should be avoided in all cases. Personal Data Protection Service will conduct regular monitoring of the companies and the failure to comply with the law will result in warnings or administrative fines. Additionally, clarification was requested about the definition of “significant number of data”, which was explained to be calculated as at least 3% of the number of the population of Georgia, based on the most recent census data.

- The last point of discussion covered new considerations for the e-commerce platforms. It was suggested that to protect themselves from consumer disputes, the platforms should sign individual contracts with each vendor and clearly indicate their name and policies on the platform. Additionally, platforms will need to clearly indicate when they themselves are the sellers on the platform.
- Additionally, the attendees highlighted the need for awareness-raising and information dissemination among the private sector around the new requirements set out in the Law on Personal Data Protection. Participants from the private sector voiced their willingness to facilitate communication and the attending government stakeholders expressed readiness to continue active dialogue, in addition to their ongoing sectoral meetings and development of guidelines for the private sector. The PPD attendees also agreed that to promote the e-commerce sector it is crucial to increase the consumers’ trust towards online platforms and vendors. Therefore, a targeted campaign highlighting the efforts towards protecting the consumers’ rights and personal data might be beneficial.

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<sup>5</sup> Source: [Law of Georgia on Personal Data Protection](#)



## Reform Tracking Indicators

To measure progress in the implementation of the e-commerce reform, the ReforMeter team selected a set of economic indicators, some of which assess general performance related to e-commerce sector in Georgia, while others focus on the reform outcomes.

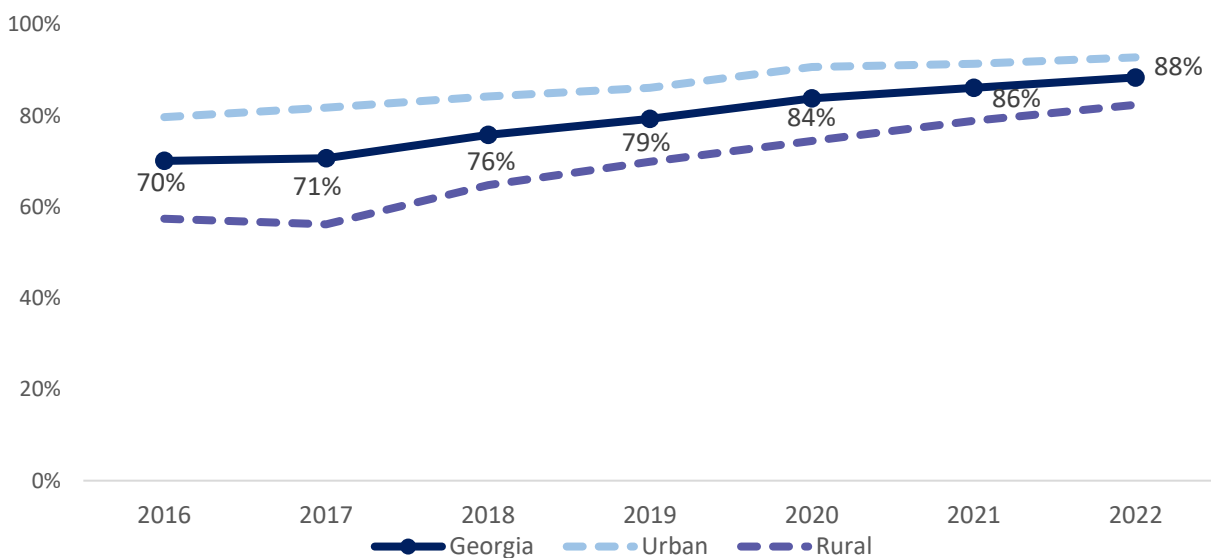
### 1. Background indicators related to the E-commerce Reform

Digital infrastructure and education are important aspects for the development of e-commerce. It should be noted that internet access and digital skills development help engage people and businesses in e-commerce activities.

#### 1.1. Households with internet access

As **Figure 1.1** shows, the share of households with internet access increased from 70% to 88% between 2016-2022. However, there is still a distinction between urban (93% in 2022) and rural (82% in 2022) households. It should be noted that in 2022 the same indicator amounted to 66% worldwide, 57% in developing countries, and 90% in developed countries.

**Figure 1.1 Share of households with internet access, 2016-2022**

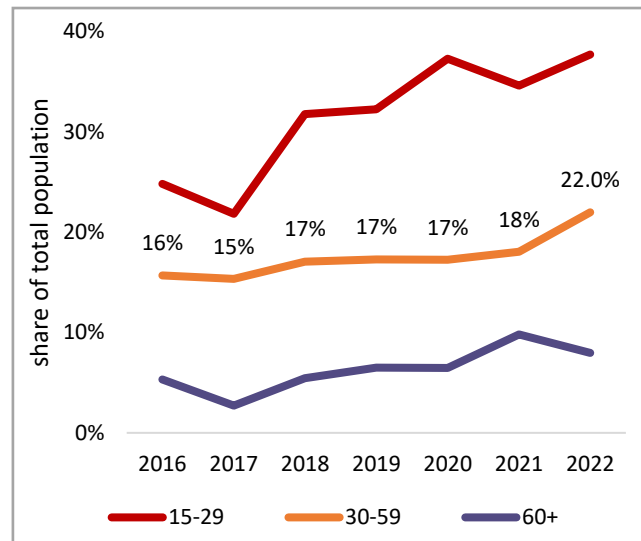
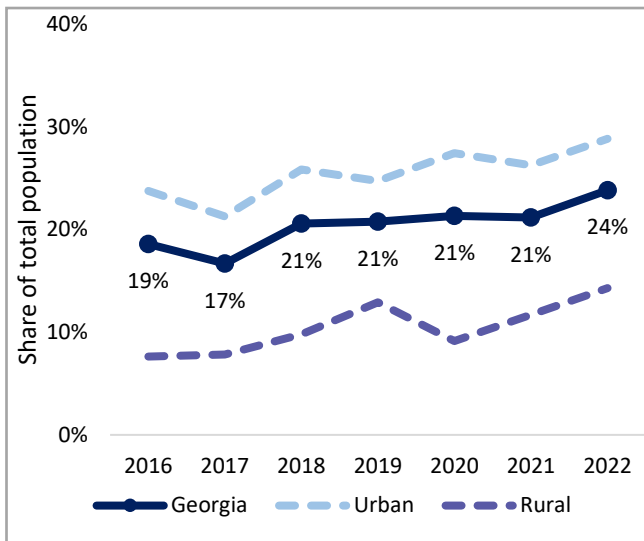


Source: National Statistics Office of Georgia.

#### 1.2. Purchases of goods and services online

The following indicator shows the proportion of the population, aged 15+, who purchased or ordered goods or services online during 2016-2022. The figure on the left indicates that 24% of the population ordered or purchased goods or services online in 2022. There is a significant difference between the urban (29%) and rural (14%) population. The diagram on the right shows the breakdown of online shopping by age, according to which the population aged 15-29 are the most active.

**Figure 1.2 Share of population, aged 15+, purchasing or ordering goods/services online, 2016-2022**



Source: National Statistics Office of Georgia

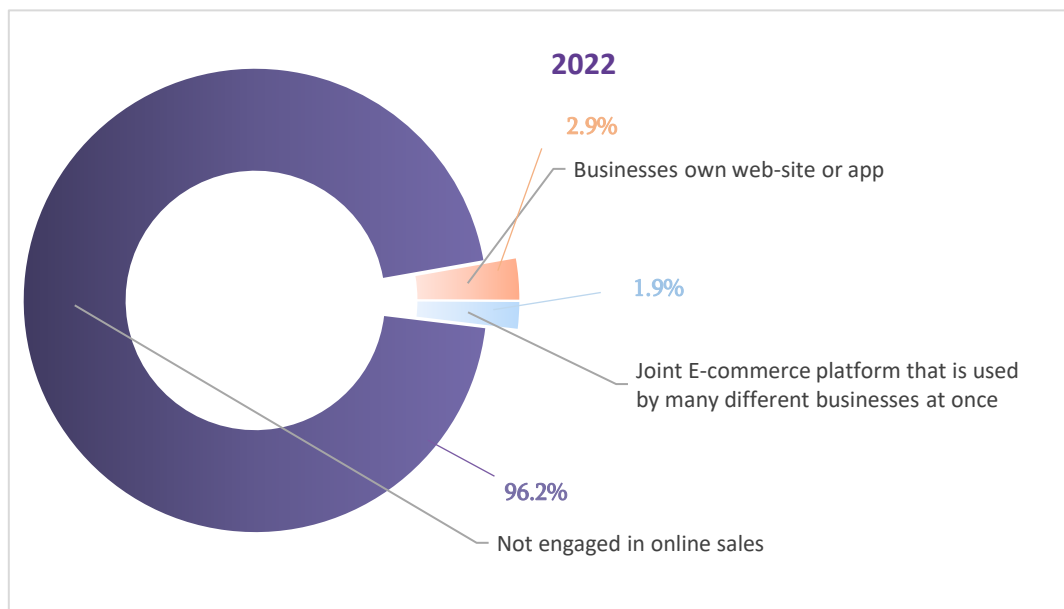
## 2. Indicators related to E-commerce Reform outcomes.

The reform aims to facilitate e-commerce activities in Georgia by developing a legal framework, improving the credibility of local e-commerce platforms, and broadening business' access to international markets.

### 2.1. Share of businesses that engage in online sale.

Figure 2.1 below displays the proportion of enterprises that engaged in online sales of goods or services in 2022. As the chart shows, 2.9% of enterprises sold goods/services via their own websites or apps, 1.9% used joint e-commerce platforms or apps, while 96.2% did not engage in online sales.

**Figure 2.1 Share of enterprises engaged in online sales, 2022**



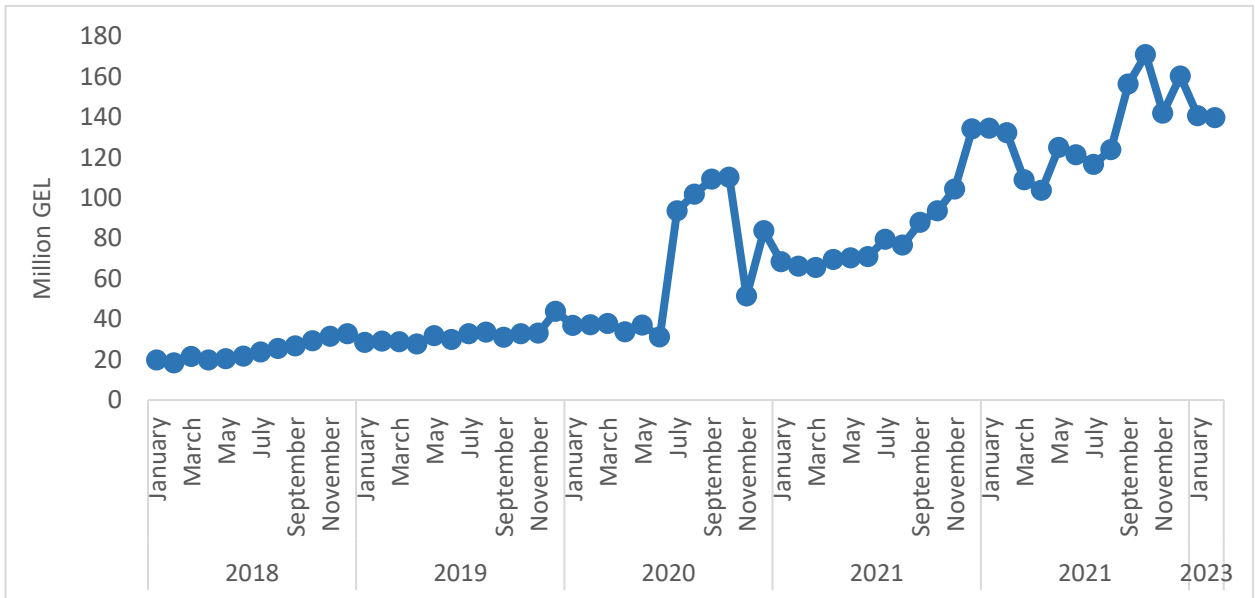
Note: These percentages were calculated only for businesses with internet access in the respective period.

Source: National Statistics Office of Georgia

## 2.2. Local e-commerce

The figure below represents the extent of local e-commerce, including transactions through local e-commerce terminals (with Georgian and foreign bank cards), across all establishments, excluding gambling and payments to government institutions. The volume of transactions was particularly high during 2020-2023. Year-over-Year (YoY), the growth of local e-commerce was 99% in 2020, 29% in 2021, 62% in 2022, and 12% in 2023 (including October).

**Figure 2.2 Local E-commerce, 2018-2023**

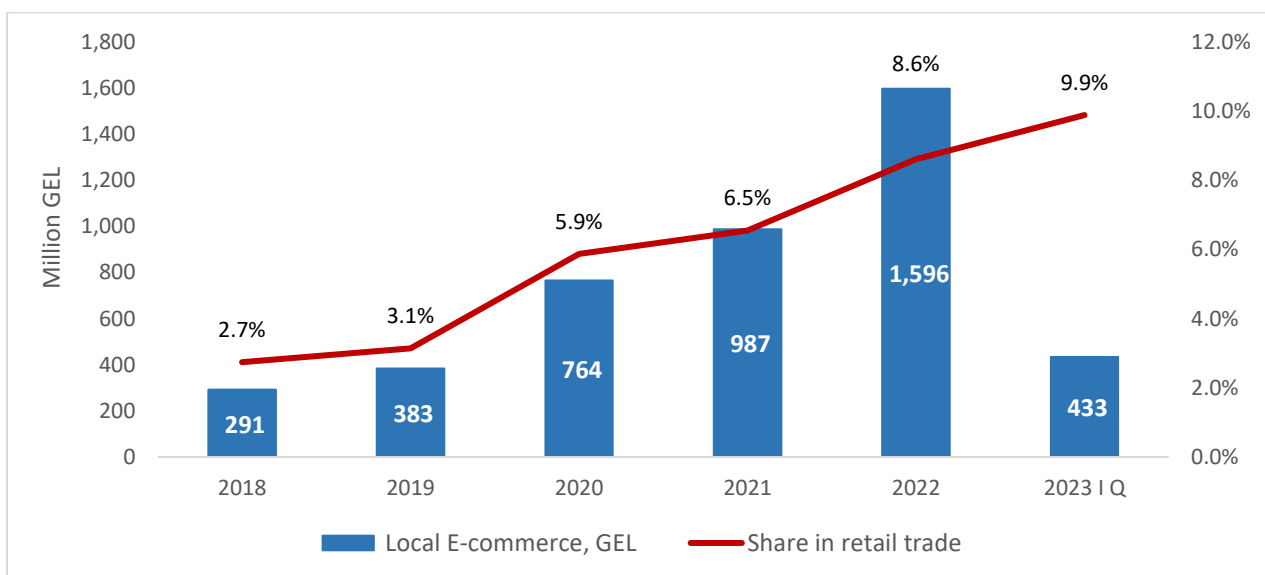


Source: National Bank of Georgia

## 2.3. Ratio of local e-commerce to retail trade

This indicator analyzes the development of local e-commerce relative to turnover of the retail trade sector. The figure below shows an upward trend and an increase from 2.7% in 2018 to 9.9% in 2023.

**2.3 Ratio of local e-commerce to retail trade, 2018–2022**



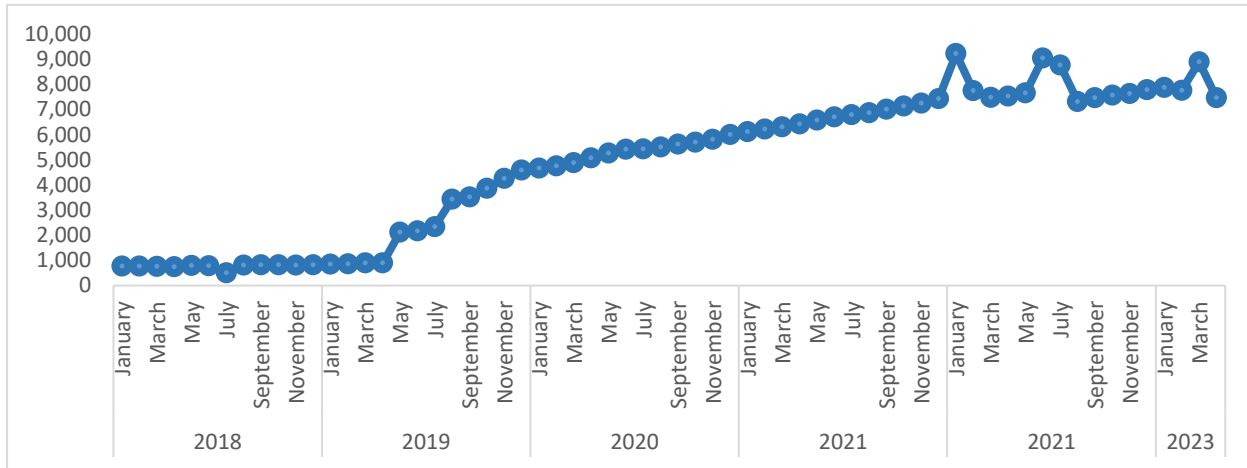
Note: Retail trade excludes the trade of motor vehicles, motorcycles, and fuel.

Source: National Bank of Georgia; National Statistics Office of Georgia

#### 2.4. Number of e-commerce terminals

The following indicator measuring the number of e-commerce terminals pinpoints the involvement of businesses in e-commerce activities. The number of terminals has been rising as more businesses engage in e-commerce, which has been the case since 2019.

**Figure 2.4 Number of e-commerce terminals, 2018-2023**

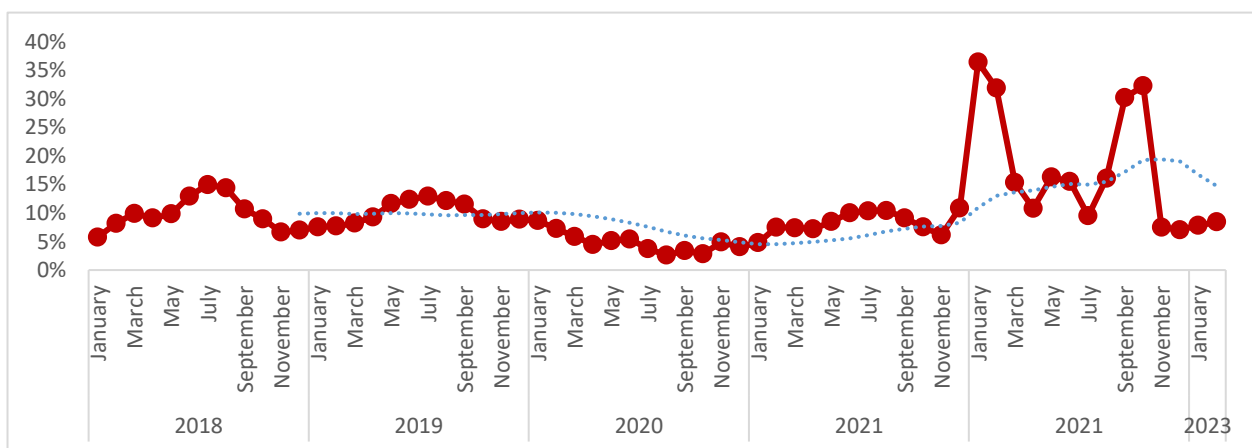


Source: National Bank of Georgia

#### 2.5. Share of foreign card payments in local e-commerce

By increasing the trust towards local e-commerce platforms and facilitating businesses' access to international payments and, therefore, international markets, the e-commerce reform has also been impacting Georgia's export potential. **Figure 2.5** shows the share of foreign card payments in local e-commerce. The share of foreign card payments decreased significantly in 2020 compared to 2019, which was likely the result of the Covid-19 pandemic and the accompanying restrictions. An improvement, however, can be observed in 2021 and in 2022 years. Fluctuations stabilized in 2023.

**Figure 2.5 Share of foreign card payments in local E-commerce, 2018-2023**



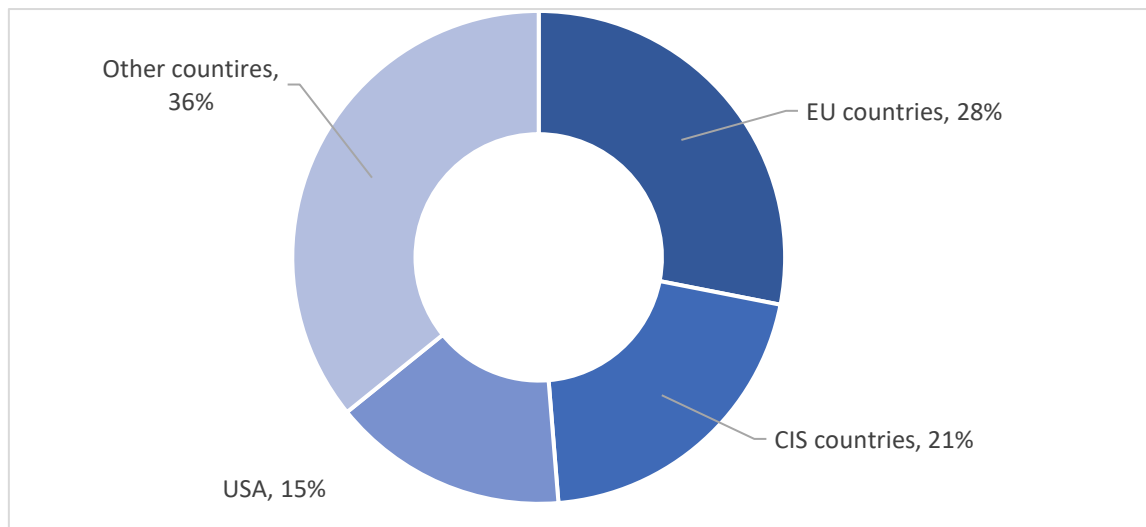
Note: Local e-commerce includes transactions from all establishments, excluding gambling. The blue dotted line represents the 12-month moving average trendline.

Source: National Bank of Georgia

#### 2.6. Percentage distribution of online purchases outside the country

According to Georgian enterprises surveyed by the National Statistics Office of Georgia, the largest share of their online sales made outside Georgia derive from EU countries (28%), followed by CIS countries (21%), and the USA (15%).

**Figure 2.6 Percentage distribution of online purchases outside the country, 2022**

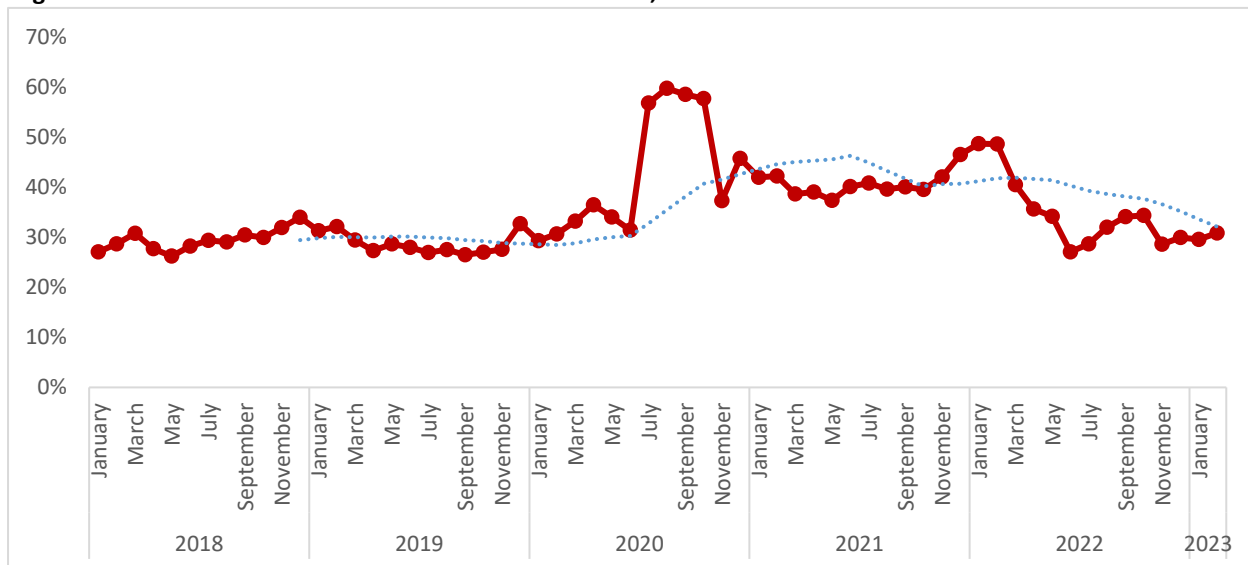


Source: National Statistics Office of Georgia

**2.7. Ratio of local e-commerce to total e-commerce**

The following indicator highlights the ratio of local e-commerce to the total amount of e-commerce, where the total includes local trade as well as online operations carried out abroad using Georgian cards. Despite local e-commerce platforms' recent growth in popularity, in 2022 this figure showed a downward trend. Presently, 70% of users still make purchases on foreign platforms.

**Figure 2.7 Ratio of local e-commerce to total e-commerce, 2018-2023**



Source: National Statistics Office of Georgia Source: National Bank of Georgia

## Annex N1. Stakeholder Survey Questionnaire

### Content and Adequacy

1. How well do the objectives of E-commerce development reform align with the sector's challenges?

1	2	3	4	5	6	7	8	9	10
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2. Is the policy-making and legal-drafting process conducted in an inclusive manner that enables the active participation of stakeholders?

1	2	3	4	5	6	7	8	9	10
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### Progress

3. How would you assess the current measures implemented within the framework of the tourism reform?

1	2	3	4	5	6	7	8	9	10
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4. To what extent do the implemented and planned measures within the framework of the reform contribute to overcoming E-commerce development's limiting factors?

1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	----

### Current Performance

5. How would you evaluate the present state of the E-commerce industry?

1	2	3	4	5	6	7	8	9	10
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### Expected Outcomes

6. Will the reform's objectives be met?

1	2	3	4	5	6	7	8	9	10
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7. Are the reform's proposed measures the best method to achieve the desired outcomes?

1	2	3	4	5	6	7	8	9	10
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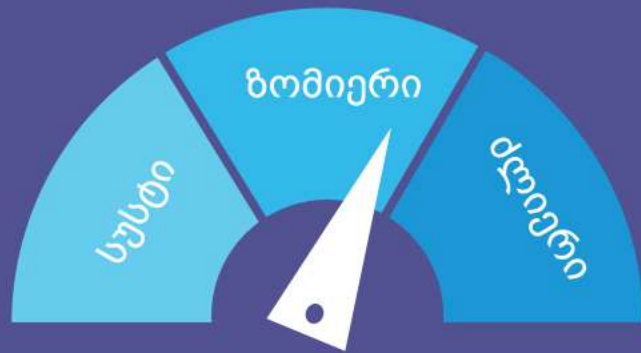


## **Annex N2. E-Commerce Reform PPD Event Presentations**



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# რეფორმები

თითოეული რეფორმის კვალდაკვალ

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# Agenda



- **Progress of E-commerce reform – Reform indicators**
- **The new law of Georgia on personal data protection**
- **Creation of an independent collegial body at the National Bank of Georgia - Dispute Review Commission**
- **Expansion of the authority of the National Competition Agency in the field of E-commerce in the direction of consumer protection issues**



## About ReforMeter

ReforMeter aims to track the progress of selected economic reforms, facilitate dialogue among reform stakeholders, and support the implementing agencies in increasing awareness and efficiency of these reforms.

- The first phase of the project: 2015-2019.
- The new phase of the project: 2021-2024.

### **Selected reforms:**

- Insolvency reform
- Capital market development reform
- Water resources management reform
- E-commerce reform
- Tourism reform
- Regulatory Impact Assessment (RIA) institutionalization
- Small and medium sized enterprises development reform

# ReforMeter Methodology



- 1. Government surveys:** The responsible governmental institutions evaluate the reform implementation process.
- 2. Stakeholder surveys:** Reform stakeholders assess the progress of the reforms.
- 3. Economic indicators:** The ReforMeter project team identifies economic indicators to track the progress and results of the reforms.



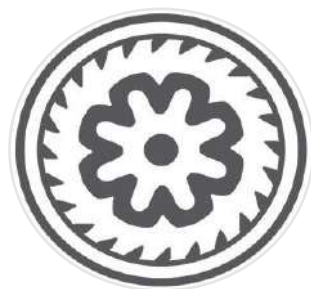
## Objectives of E-commerce reform

Strengthening E-commerce ecosystem and increasing Georgia's export potential

Boosting confidence in E-commerce and electronic transactions

Implement high standards for consumer rights in E-commerce

## Government agencies involved in implementation of the reform



# E-commerce reform – Planned activities



- Regulation of Intermediary Service Providers (ISP) Activities
- Ensuring the protection of consumer rights in the process of E-commerce
- Ensuring personal data protection
- Changes related to the payment system and payment services
- Changes related to taking down of illegal content from the web-sites in the framework of copyright and related rights

# Assessment of the progress of E-commerce reform



## Legal framework

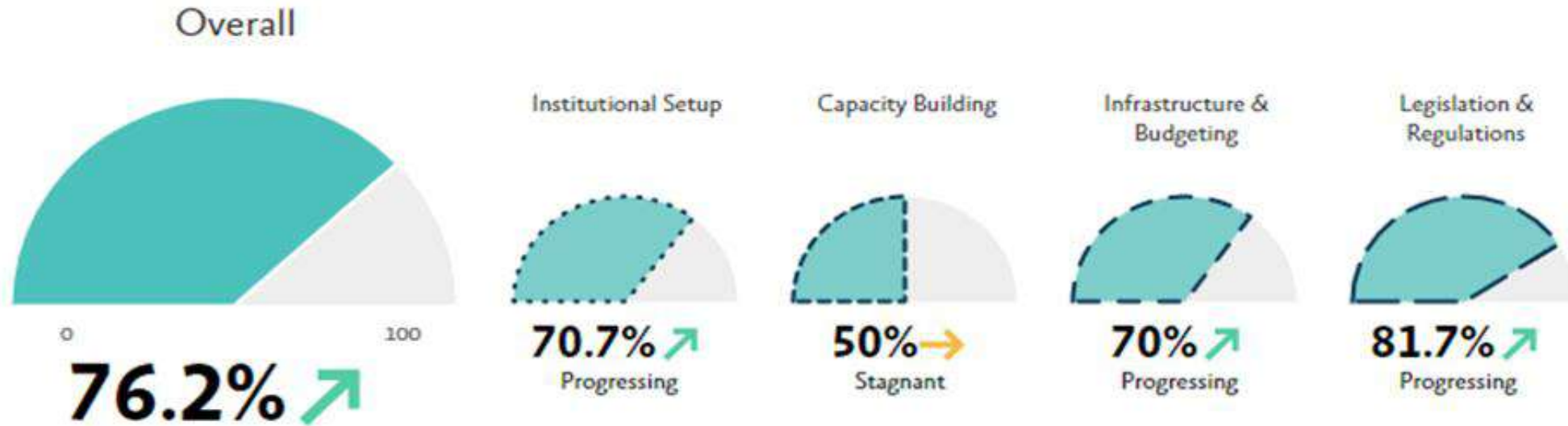
Implemented	Ongoing	planned
<ul style="list-style-type: none"> <li>• Adoption of a legislative and regulatory framework for consumer rights protection</li> <li>• Amendment to the Law on Payment Systems and Payment Services.</li> <li>• Adoption of the Law on Ecommerce</li> <li>• Adoption of e-commerce case study policy and procedure</li> <li>• Adoption of the new law "On Personal Data Protection".</li> <li>• Issuing a resolution on approving the rules of activity of the dispute review commission with the National Bank of Georgia</li> <li>• Approval of the resolution on the selection of the members and the chairman of the said commission</li> </ul>	<ul style="list-style-type: none"> <li>• Issuance of normative acts by the Personal Data Service in accordance with the new law "On Personal Data Protection"</li> </ul>	<ul style="list-style-type: none"> <li>• Amendments to the Law of Georgia on Copyright and Related Rights</li> </ul>

# Assessment of the progress of E-commerce reform



	Implemented	Ongoing	Planned
<b>Infrastructure and budget</b>	<ul style="list-style-type: none"> <li>Allocation of budgetary funds for the activities of Consumer Rights Protection Department</li> </ul>		<ul style="list-style-type: none"> <li>Allocation of budgetary funds for supporting new functions of Georgian National Competition Agency</li> </ul>
<b>Institutional setup</b>	<ul style="list-style-type: none"> <li>Creation of a new division at Georgian National Competition Agency, responsible for consumer rights protection</li> <li>Formation of the support department (apparatus) of the dispute resolution commission</li> </ul>	<ul style="list-style-type: none"> <li>Staffing of the Dispute Review Commission with members</li> </ul>	<ul style="list-style-type: none"> <li>Expansion of the authority of Georgian National Competition Agency in the field of Ecommerce with respect to consumer rights protection issues</li> <li>Introducing the Institute of Personal Data Protection Officer</li> </ul>
<b>Capacity development</b>			<ul style="list-style-type: none"> <li>Capacity development for relevant personnel for the execution of the authorities provided by the new regulations</li> </ul>

# Survey of the Reform Implementing Agencies







## Reform Assessment Indicators



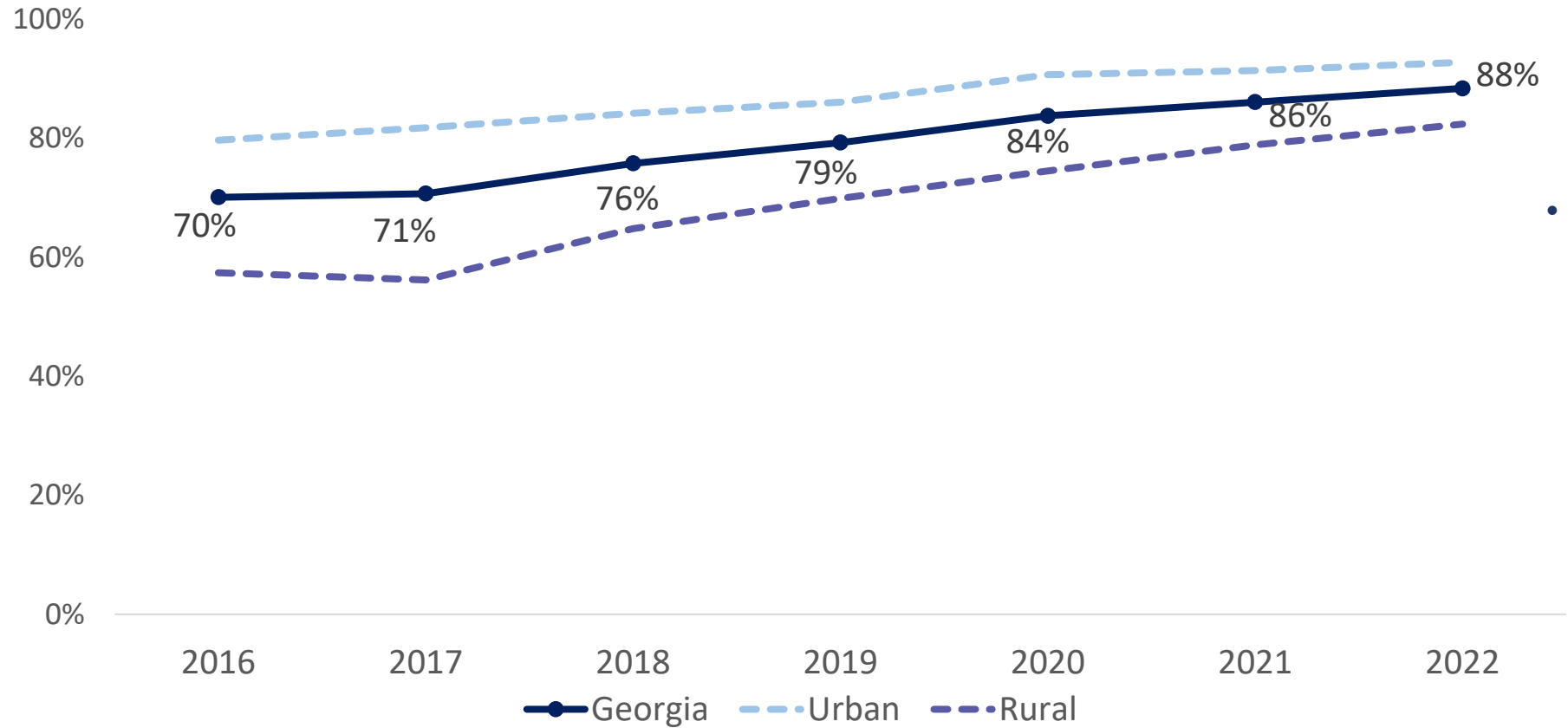
## Background Indicators Related to E-commerce Reform



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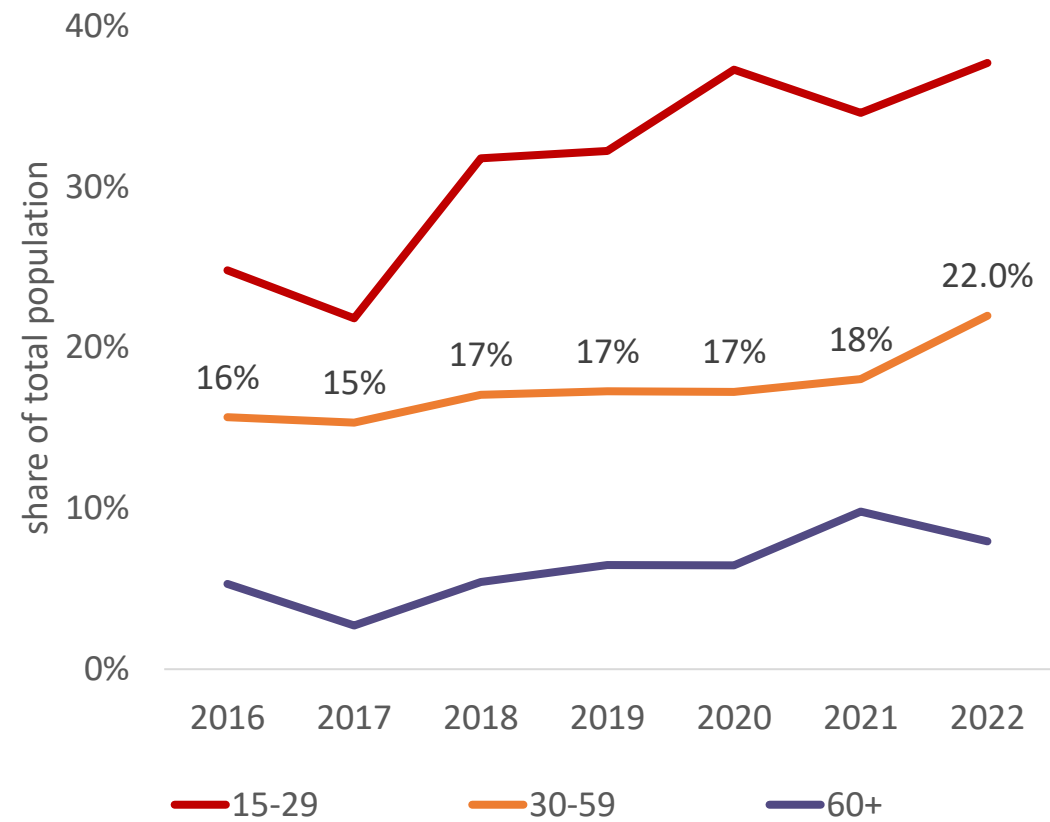
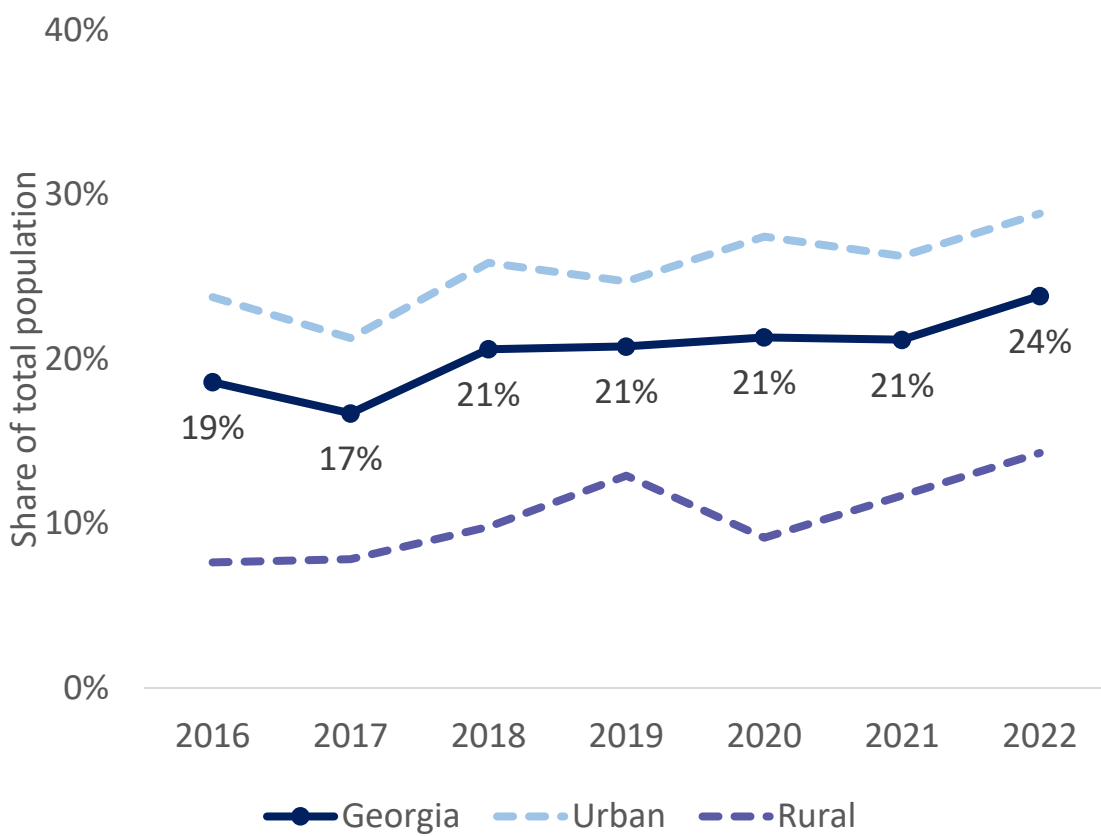
# Households with internet access



- In 2022, the share of population with internet access amounted to 66% worldwide.

Source: National Statistics Office of Georgia. International Telecommunication Union

# Purchases of goods and services online

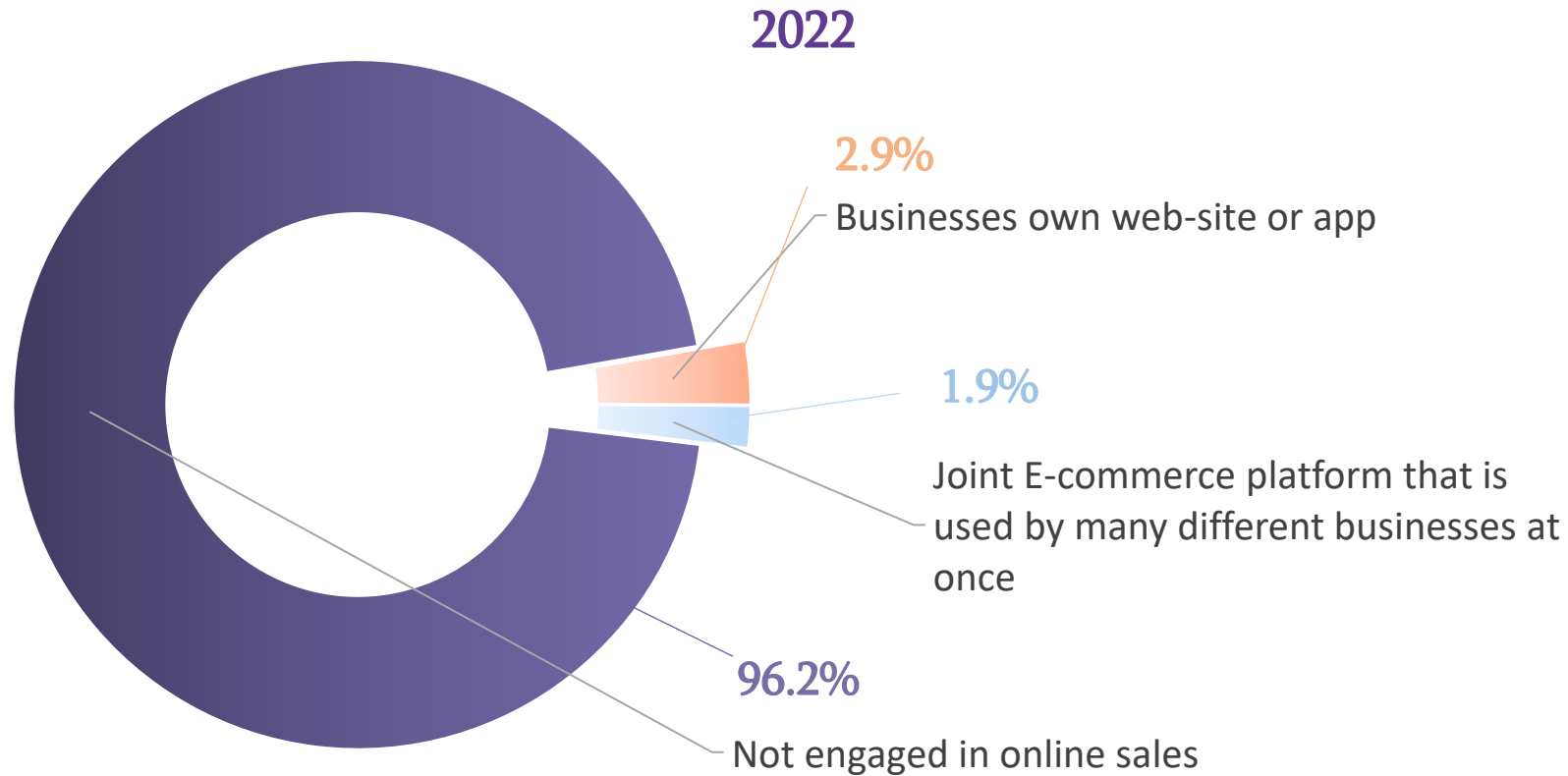


Source: National Statistics Office of Georgia



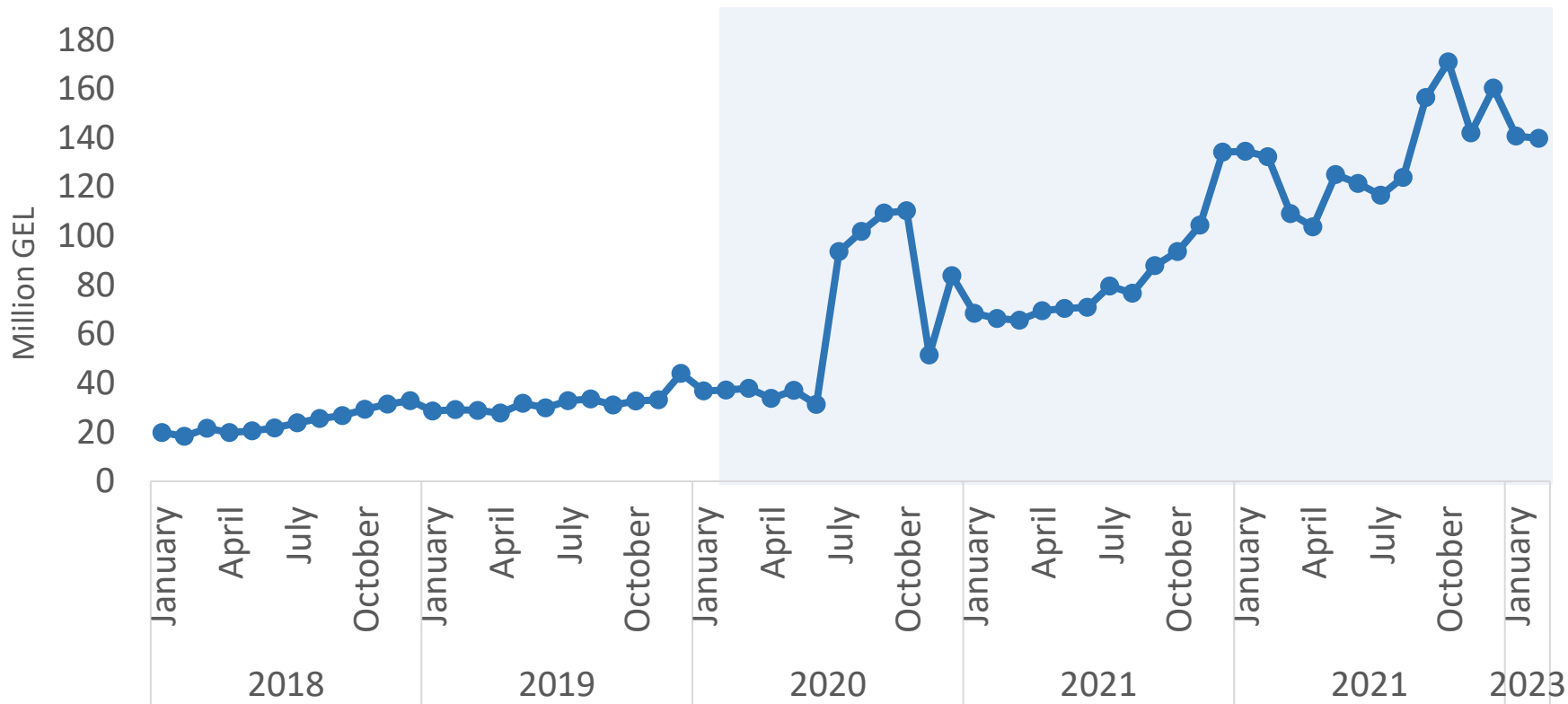
## Indicators Related to E-commerce Reform Outcomes

# Share of businesses that engage in online sales



Source: National Statistics Office of Georgia

# Local e-commerce

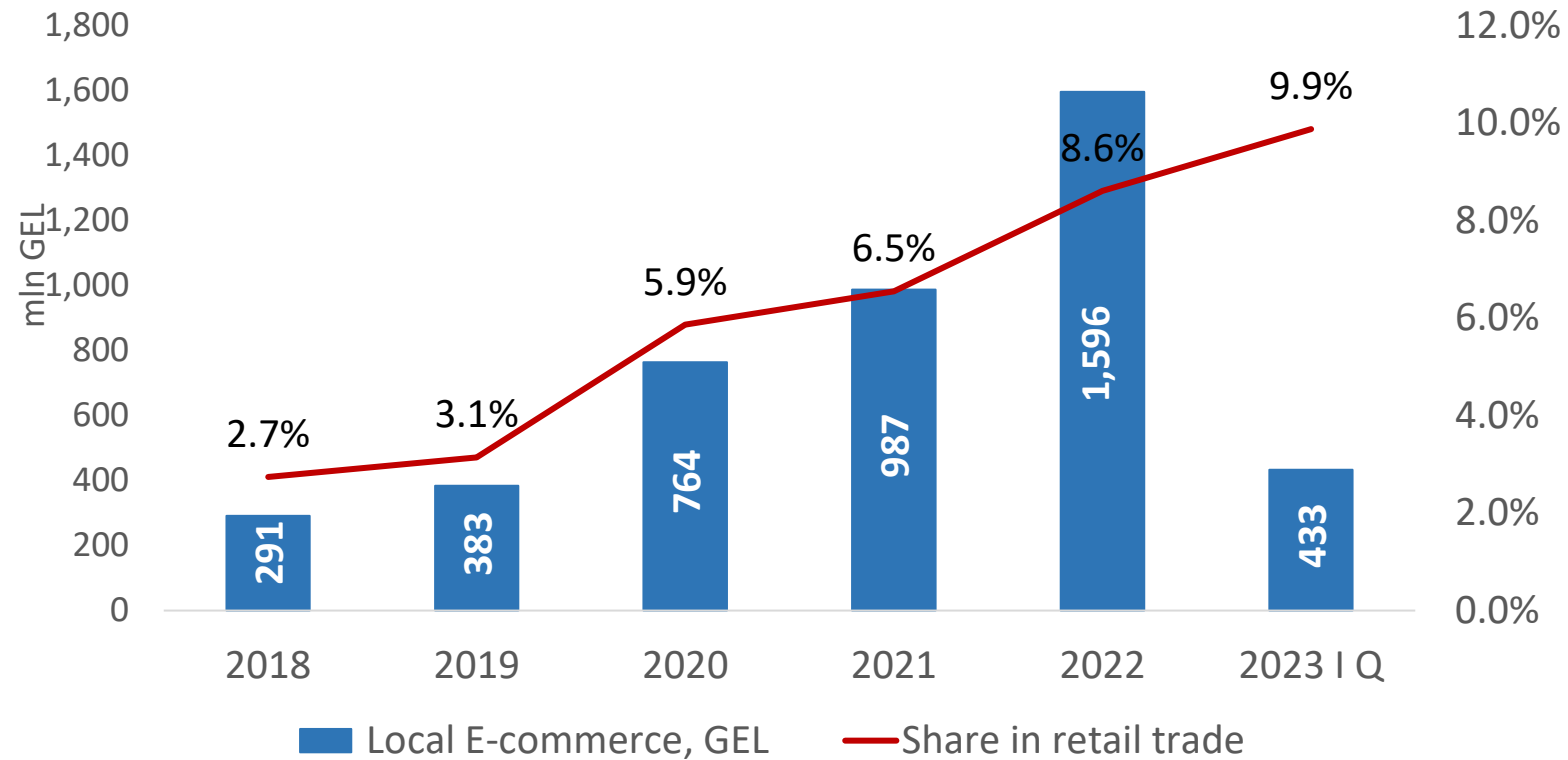


The following figure represents the extent of local E-commerce, including transactions through local E-commerce terminals (with Georgian and foreign bank cards), across all establishments; excluding:

- Gambling and
- Payments to government institutions

Source: National Bank of Georgia

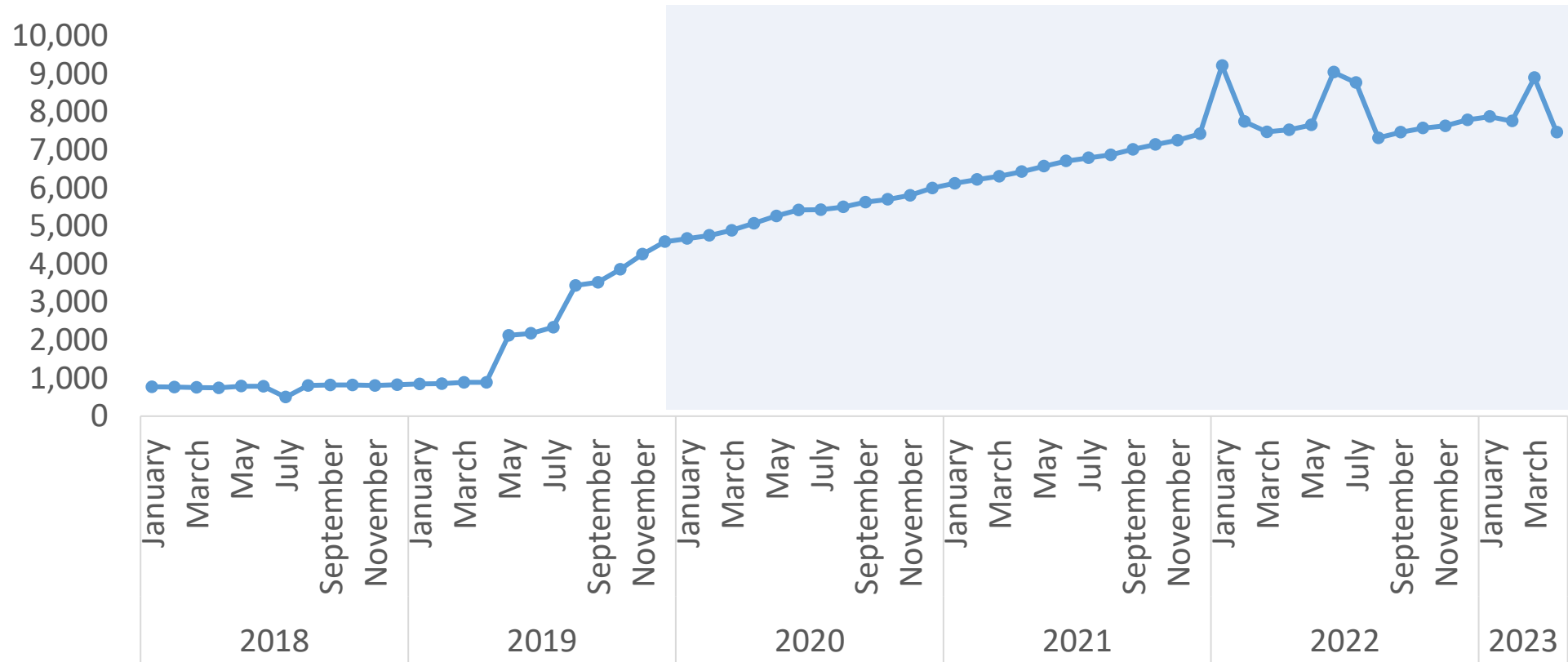
# Ratio of local e-commerce to retail trade



Source: National Bank of Georgia, National Statistics Office of Georgia

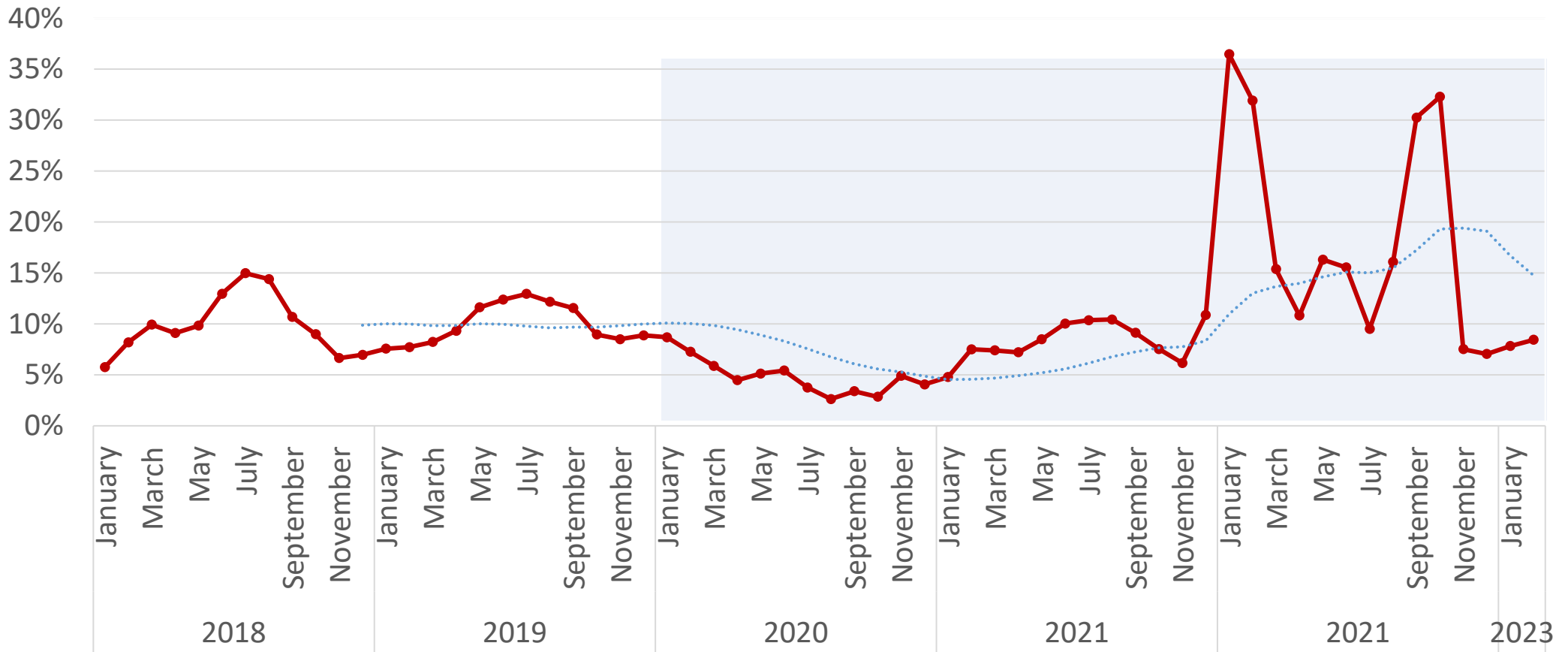


# Number of e-commerce terminals



Source: National Bank of Georgia

# Share of foreign card payments in local e-commerce



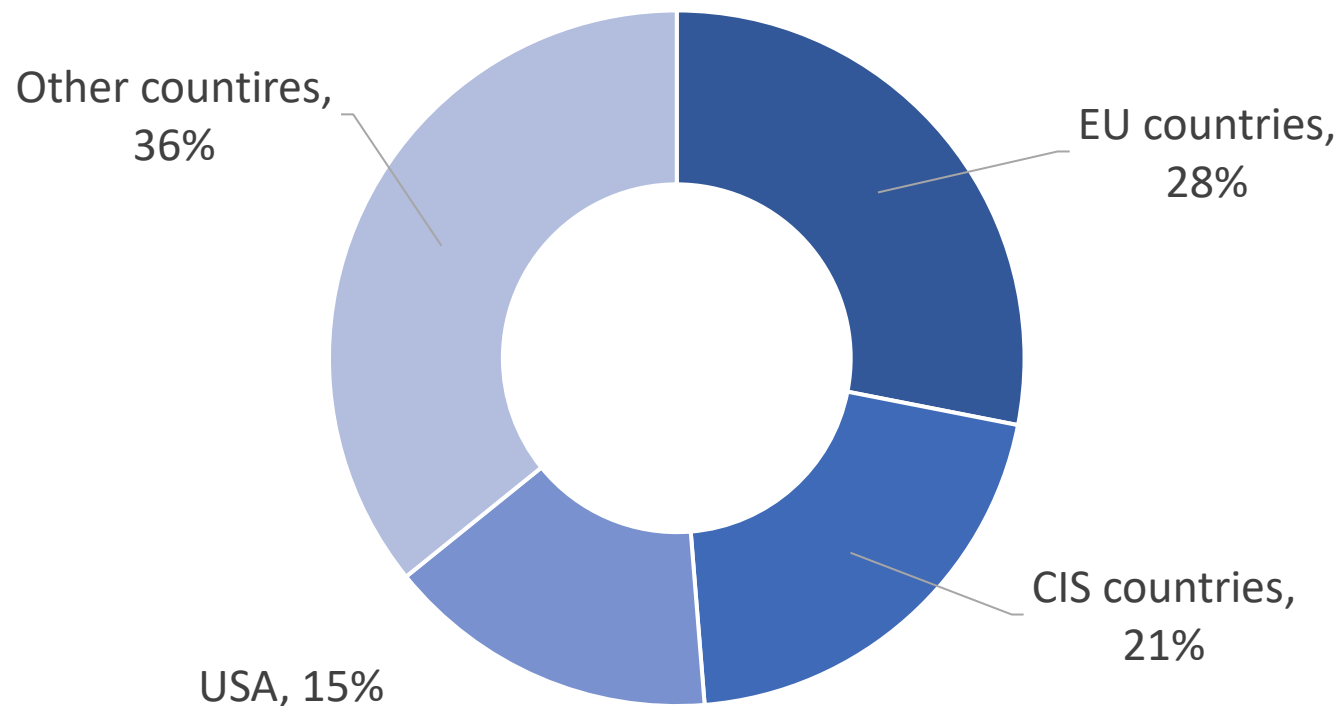
Note: Local E-commerce includes transactions from all establishments, excluding gambling.

Source: National Bank of Georgia



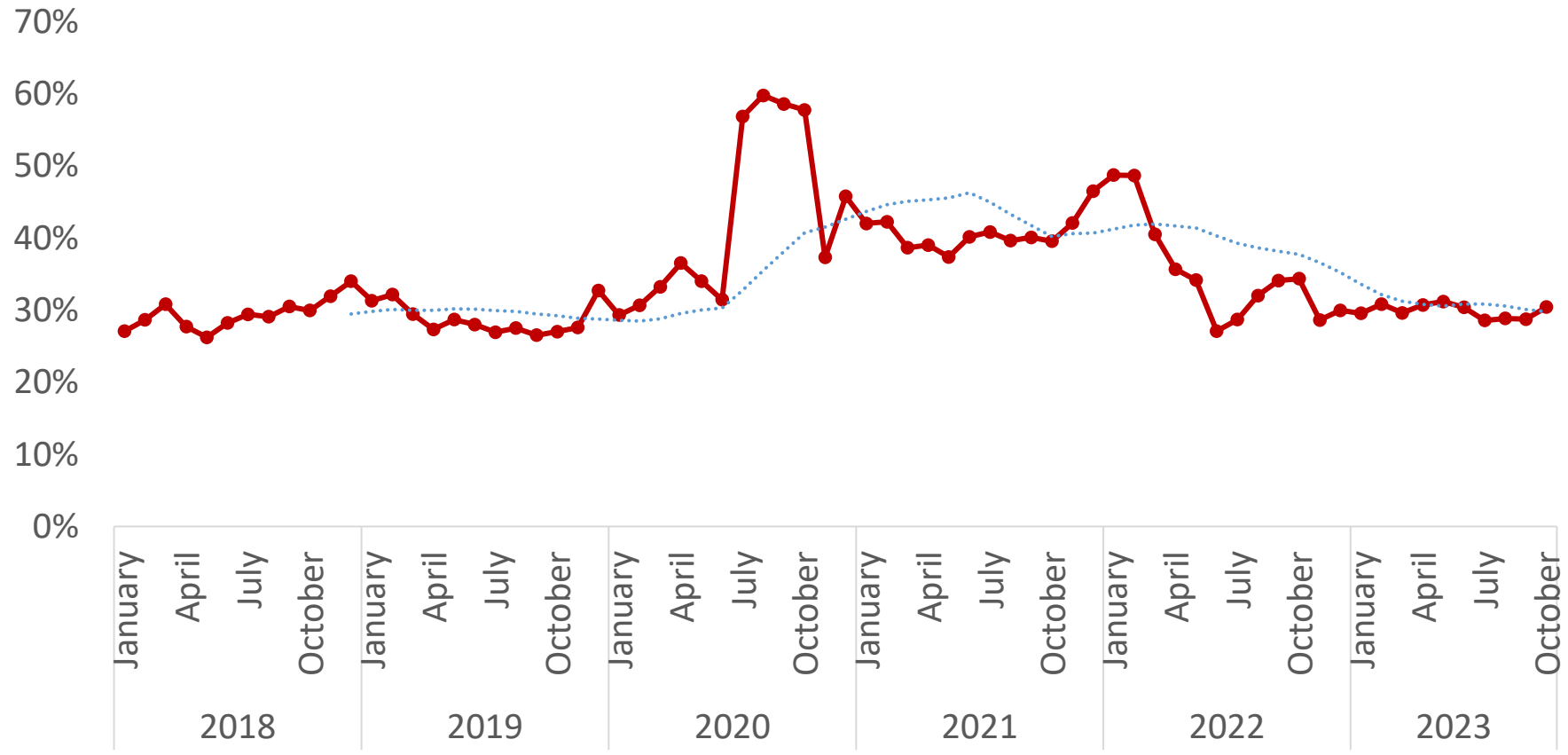
# Percentage distribution of online purchases outside the country

2022



Source: National Statistics Office of Georgia

# Ratio of local e-commerce to total e-commerce



Total E-commerce includes local E-commerce as well as online operations carried out abroad using Georgian cards.

Source: National Bank of Georgia



# გმადლობთ



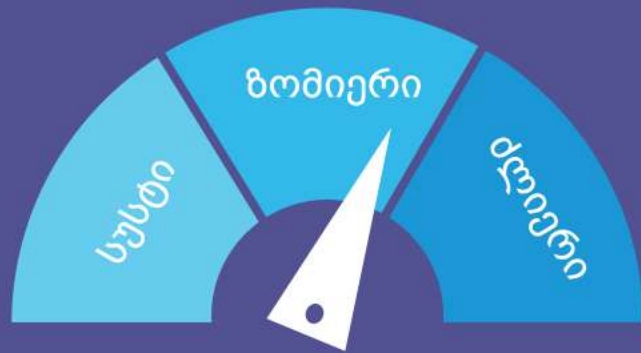
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- ❑ მონაცემთა პორტირება
- ❑ ინციდენტი
- ❑ მონაცემთა დაცვაზე ზეგავლენის შეფასება
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- ❑ პირდაპირი მარკეტინგი
- ❑ პერსონალურ მონაცემთა დაცვის ოფიცერი
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- ❑ მონაცემთა მეტად დაფარვის პრიორიტეტი
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ფორმა: ზეპირი ან წერილობითი

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- მონაცემთა დაცვა პირველად პარამეტრად



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- ოფიცრის საქმიანობის გარანტიები
- ოფიცრის დანიშვნისას ინფორმირების ვალდებულება



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National Bank of Georgia

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დეკემბერი, 2023

საგადახდო სისტემების დეპარტამენტი



# დავების განმხილველი კომისიის მიზანი

## კომისიის მიზანია:

- ❑ კოლეგიური წესით განიხილოს საგადახდო მომსახურების მომხმარებელსა და საგადახდო მომსახურების პროვაიდერს შორის დავები
- ❑ საგადახდო მომსახურების პროვაიდერებია: ლიცენზირებული კომერციული ბანკი, ციფრული ბანკი, მიკრო ბანკი და რეგისტრირებული საგადახდო მომსახურების პროვაიდერი და მიკროსაფინანსო ორგანიზაცია

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- ❑ “საქართველოს ეროვნული ბანკის შესახებ” საქართველოს ორგანული კანონიდან, “საგადახდო სისტემისა და საგადახდო მომსახურების შესახებ” საქართველოს კანონიდან, აგრეთვე მათ საფუძველზე მიღებული კანონქვემდებარე ნორმატიული აქტებიდან წარმოშობილ უფლებებთან და ვალდებულებებთან დაკავშირებულ დავებს

# ქვემდებარე საჩივრები

---

განსახილველი საკითხები შესაძლებელია უკავშირდებოდეს შემდეგს:

- ❑ არაავტორიზებული გადახდის ოპერაციები
- ❑ არასწორად და დაგვიანებით შესრულებული გადახდის ოპერაციები
- ❑ გადახდის საკომისიოს არასწორი ოდენობის ჩამოჭრა
- ❑ თანხის განაღდება, თანხის ანგარიშზე შეტანა და ა.შ.

რომლებიც შესრულდა, მათ შორის, შემდეგი საშუალებებით:

- ❑ ინტერნეტ- და მობაილ-ბანკით
- ❑ საგადახდო ბარათით, როგორც ფიზიკურ, ასევე ვირტუალურ ტერმინალზე
- ❑ Google Pay-ით და Apple pay-ით

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კომისია არ განიხილავს შემდეგ საკითხებთან დაკავშირებულ დავებს (მაგალითები):

- ❑ სესხის, ანაზრის და ა.შ. პროცენტის ცვლილება, რესტრუქტურისაცია
- ❑ საკრედიტო ბარათებთან დაკავშირებული ჯარიმა და საკომისიოები
- ❑ ნაღდი თანხით შექმნა
- ❑ ონლაინ შექმნილი საქონლის/მომსახურების მახასიათებლები
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- ❑ ნივთის შეცვლა/დაბრუნების პოლიტიკა
- ❑ შენაძენი საქონლის/მომსახურების მიწოდების დაგვიანება ან მიუწოდებლობა
- ❑ სავაჭრო/მომსახურების ობიექტსა და შემძენს შორის კომუნიკაცია

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- ❑ დავის საგნის ღირებულება 50 000 ლარს ან უცხოურ ვალუტაში 50 000 ლარის ეკვივალენტს არ აღემატება (სადავო ქმედების განხორციელების თარიღით ან წარდგენის დღის თარიღით)
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# დამატებითი საკითხები

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- წარმომადგენლობა
- საჩივრის დასაშვებობა
- წარმოებაში მიღების და ხარვეზის აღმოფხვრის საკითხები
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- გადაწყვეტილებს ფორმები
- მხარეებთან კომუნიკაცია
- კომისიის მხარდაჭერა - აპარატის ფუნქციები

# კომისიის შემადგენლობა

## კომისიის შემადგენლობა

- ❑ კომისია შედგება 5 წევრისგან, რომელთაგან არაუმეტეს 2 წევრისა შესაძლებელია იყოს საქართველოს ეროვნული ბანკის თანამშრომელი, ხოლო არანაკლებ 3 წევრი უნდა იყოს დამოუკიდებელი ფიზიკური პირი
- ❑ კომისიის წევრი ეროვნული ბანკის თანამშრომლები არიან:
  - ❑ საგადახდო სისტემების დეპარტამენტის საგადახდო სისტემების ოვერსაიტის განყოფილების უფროსი
  - ❑ მომხმარებელთა უფლებების დაცვის დეპარტამენტის მომხმარებელთა მომართვებზე რეაგირების განყოფილების უფროსი
- ❑ კომისიის წევრი, რომელიც არ არის საქართველოს ეროვნული ბანკის თანამშრომელი ინიშნება კონკურსის წესით
- ❑ კომისიის წევრებს, მათ შორის, კომისიის თავმჯდომარეს, 5 წლის ვადით ნიშნავს საქართველოს ეროვნული ბანკის საბჭო

# გადაწყვეტილების მიღების პრინციპი

კომისია გადაწყვეტილებას იღებს:

- ❑ კოლეგიურად, განხილვაში მონაწილე წევრთა უმრავლესობით
- ❑ ხმათა თანაბრად გაყოფის შემთხვევაში გადამწყვეტი ხმის უფლება აქვს კომისიის თავმჯდომარეს
- ❑ კომისია უფლებამოსილია გადაწყვეტილება მიიღოს იმ შემთხვევაში, თუ კომისიის სხდომას ესწრება სულ მცირე 3 წევრი (რომელთაგან ერთ-ერთი თავმჯდომარე ან მისი მოვალეობის შემსრულებელია)
- ❑ კომისიის წევრს, რომელიც არ ეთანხმება უმრავლესობას, შეუძლია წერილობით ჩამოაყალიბოს თავისი განსხვავებული აზრი, რაც დაერთვის კომისიის გადაწყვეტილებას. აღნიშნული კომისიის წევრი კომისიის გადაწყვეტილებას ხელს არ აწერს

# კომისიის მიერ მიღებული გადაწყვეტილება

კომისია საქმის არსებითი განხილვის შემდეგ იღებს ერთ-ერთ შემდეგ გადაწყვეტილებას:

- ❑ საჩივრის დაკმაყოფილების შესახებ
- ❑ საჩივრის ნაწილობრივ დაკმაყოფილების შესახებ
- ❑ საჩივრის დაკმაყოფილებაზე უარის თქმის შესახებ
- ❑ დავაში მონაწილე მხარეთა შეთანხმების შემთხვევაში კომისია იღებს გადაწყვეტილებას დავის მორიგებით დასრულების შესახებ



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# გმადლობთ ყურადღებისთვის...

საქართველოს  
კონკურენციის  
ეროვნული სააგენტო

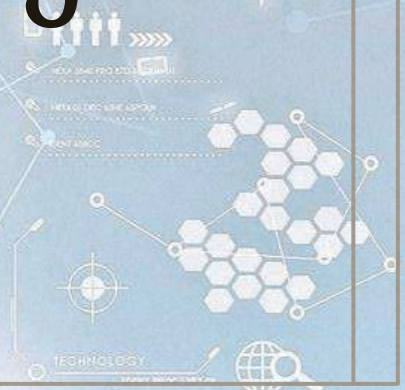
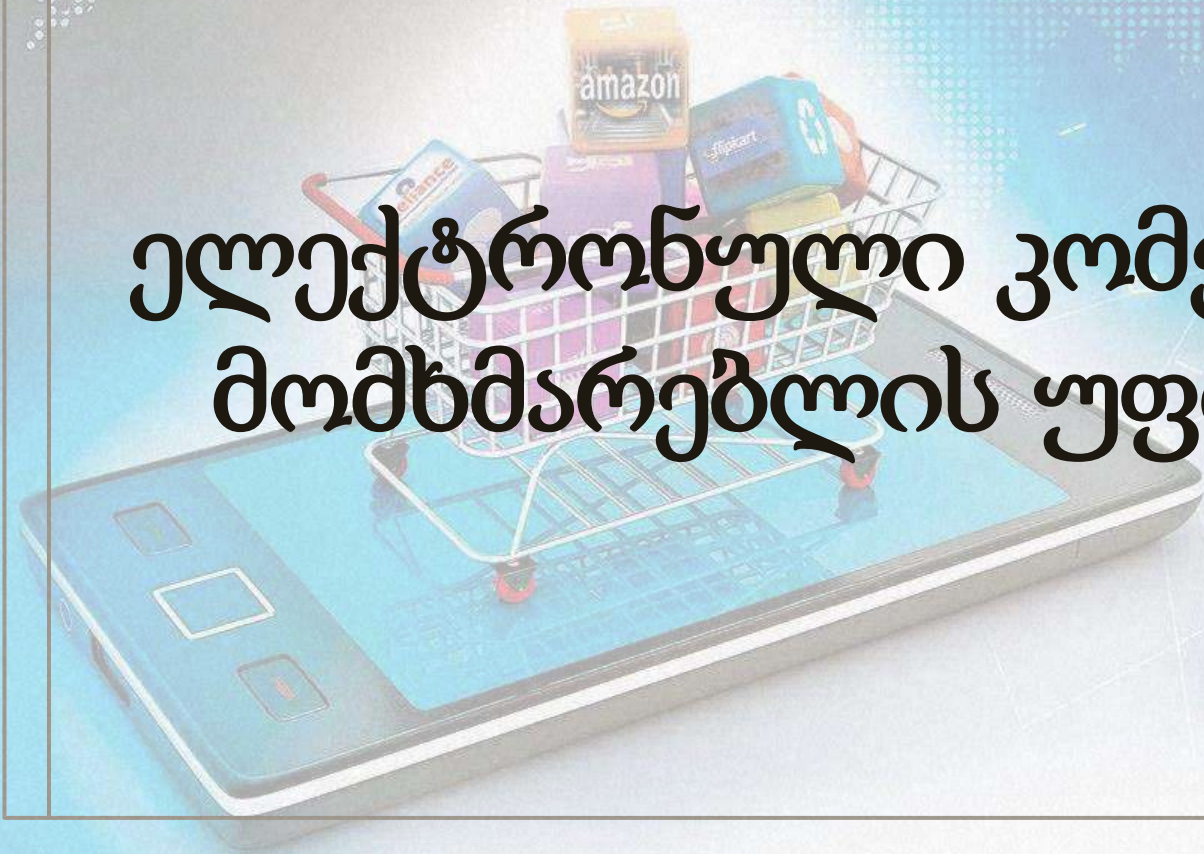


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# ელექტრონული კომერცია და მომხმარებლის უფლებები



# „ელექტრონული კომერციის შესახებ“ საქართველოს კანონი

## ქოკანონის მიზანი

საინფორმაციო საზოგადოების მომსახურების თავისუფალი გადაადგილების უზრუნველყოფით შიდა ბაზრის სათანადოდ ფუნქციონირების ხელშეწყობა, ელექტრონული კომერციის პროცესში მომხმარებელთა უფლებების დაცვა, შუალედური მომსახურების მიმწოდებელთა უფლებებისა და მოვალეობების განსაზღვრა და ზოგადი მონიტორინგის ვალდებულების დაწესებისგან მათი დაცვა.


## კანონის ამოქმედება

მე-4-23-ე მუხლები ამოქმედდება 6 იანვარს



# მომსახურების მიმღები vs. მომხმარებელი





დისტანციური ხელშეკრულება  
**VS.**  
ელექტრონული ხელშეკრულება

მოვაჭრე

**VS.**

შუალოდური მომსახურების მიმწოდებელი



# კონკურენციის ეროვნული სააგენტოს კომპეტენცია

საქართველოს ტერიტორიაზე კანონით განსაზღვრული მომსახურების მიმღების უფლებებისა და კანონიერი ინტერესების დაცვას, მისი უფლებების დარღვევის პრევენციასა და დარღვეული უფლებების აღდგენის ხელშეწყობას, მომსახურების მიმღების უფლებების დარღვევის ფაქტების გამოვლენასა და დარღვევებზე კანონით გათვალისწინებულ სათანადო რეაგირებას ახორციელებს სააგენტო.





გმადლობთ  
ყურადღებისათვის