Unofficial Translation

Order №1-1/585
Of the Minister of Economy and Sustainable Development of Georgia
April 14, 2011

Tbilisi

On Approval of the Charter of the Legal Entity of Public Law the Maritime Transport Agency

According to the paragraph 3 of the article 7 of the Law of Georgia "On Management and Regulation of Transport",

I, hereby declare

1. Approval of the attached Charter of the Legal Entity of Public Law the Maritime Transport Agency.
2. This order shall enter into force from the April 15, 2011.

V.Kobalia
Minister
Amendments made:

Order №1-1/2116 of the Minister of Economy and Sustainable Development of October 21, 2011 – Official Legislative Portal, 21.10.2011.

Order №1-1/715 of the Minister of Economy and Sustainable Development of March 6, 2012 – Official Legislative Portal, 06.03.2012.

Order №1-1/1503 of the Minister of Economy and Sustainable Development of July 18, 2012 – Official Legislative Portal, 19.07.2012.

Order №1-1/71854 of the Minister of Economy and Sustainable Development of October 9, 2012 – Official Legislative Portal, 10.10.2012.

Order №1-1/1907 of the Minister of Economy and Sustainable Development of December 12, 2012 – Official Legislative Portal, 13.12.2012.

Order №1-1/33 of the Minister of Economy and Sustainable Development of February 14, 2013 – Official Legislative Portal, 15.02.2013.

Order №1-1/152 of the Minister of Economy and Sustainable Development of June 13, 2013 – Official Legislative Portal, 17.06.2013.

Charter of the Legal Entity of Public Law the Maritime Transport Agency

Article1. General provisions

1. The Legal Entity of Public Law Maritime Transport Agency (hereinafter referred to as the Agency) which is established in accordance with the Laws of Georgia "On Management and Regulation of Transport Field" and "On a Legal Entity of Public Law" is a Legal Entity of Public law under the Ministry of Economy and Sustainable Development of Georgia (hereinafter referred to as the Ministry).
2. The full name of the Agency is "the Legal Entity of Public Law Maritime Transport Agency". The Agency is entitled to use a shortened name "the Maritime Transport Agency" or "Maritime Transport Agency of Georgia".
3. Agency carries out its activities in accordance with the Constitution of Georgia, international treaties of Georgia, the law of Georgia "On a Legal Entity of Public Law", "On Management and Regulation of Transport Field", "On Education and Certification of Seafarers' ", "On Maritime Rescue Service", "Maritime Code of Georgia", this regulation and other statutory and normative acts.
4. In the frames of and according to the Laws of Georgia "On Management and Regulation of Transport Field", "On a Legal Entity of Public Law" and present Charter the Agency is accountable before the Ministry.
5. The Agency shall acquire rights and obligations, make transactions and appear before the court and in relationships with third persons in its name and on its behalf.
6. Agency shall have the independent balance, bank account, and logo, seal with the imprint of small state coat of arms and other requisites of a legal entity.
7. The registered address of the Agency shall be as follows: N50, Baku str., Batumi, Georgia.

Article 2. Purpose of the Agency

Agency shall provide maritime safety, organizational-legal regulation of maritime transport functionality and establishment of international standards in this sphere.

Article 3. Functions and Scope of Work of the Agency

1. The main scope of the Agency's work shall be technical regulation of maritime transport field and rendering service therein, in terms of non-delayed and safe implementation of maritime cargo transportation and passengers' movement.

2. In terms of granted authority by the legislation in force, main functions of the Agency are as follows:

a) Flag State Control, survey of the vessels flying the Georgian Flag;

b) Maintenance of the Ships State Registry of Georgia;

c) Defining the conditions for the registration of ships and Mortgages and Liens in the state ships registry and maintenance rules of the registration therein;

d) Issuance of Certificate of Registry, Minimum Safe Manning Certificate and Ships Radio Certificate;

d^1) Issuing of Call Sign and MMSI to Georgian flagged vessels;

e) Defining of minimum safe manning requirements in order to prevent marine pollution and protect labour rights, to guarantee safety of navigation;

f) Monitoring ship movement in the territorial sea and port areas and providing with information system;

g) Granting Management Level and Operational level status for Georgian and non-Georgian citizens;

h) Within the granted authority providing assistance in investigation of marine causalities of any vessel in the territorial sea of Georgia;

i) Within the granted authority providing assistance in marine causalities investigation of floating objects registered in Georgia;

j) Approval of port/terminal security plan, elaborated by the port, in accordance with the legislation in force;

k) Define traffic rules together with an authorized trustee of ship-building and other enterprises in maritime ports, bordering territories therein, also in the port merging waters;

l) Implementation of state control over the safety of navigation in the port area, by the means of Port State Control.

m) To ensure state supervision and control over the safety of navigation;

n) Issuance, amendment and cancel of seafarer's certificate of competency and/or other certificates foreseen by the international treaties binding upon Georgia and the Law of Georgia on "Education and Certification of Seafarers'".

o) Approval of qualification standards for seafarers' and issuance of COCs for management, operational and support level;

p) Recognition and monitoring of maritime training and maritime education centres;

q) Approval of a diploma issued by the other state maritime authority in accordance with the legislation in force;

r) Registration of the seafarer holding a diploma, or a certificate;

s) Temporary suspension of a diploma or a certificate in accordance with the requirements of the legislation in force;

t) State supervision of Maritime Search and Rescue Coordination Centre and a Port State Control over the safety of life at sea and prevention of marine pollution;

u) Approval of the plan on the following issues: Search and rescue operations plan in the port responsibility area for the distressed vessels and persons; Rescue operations for the oil and hazardous substances spill liquidation;

v) Inspection of port security measures, established in accordance with the requirements of international organisations and issuance of appropriate certificates therein;

w) Approval of a pilotage service rules on the Georgian ports roadstead and within Georgian ports

x) Certification of pilotage services and pilots and the state supervision pilotage services;

y) Issuance, inspection and recognition of the certificate of liability of the ship-owner for the marine pollution in accordance with the legislation in force;

z) Issuance, inspection and recognition of the certificate of liability of the nuclear vessel operator;

z^1) Maintenance of State control over the nuclear vessels in the territorial sea, internal waters and ports together with the relevant authorities;

z^2) Defining of traffic separation schemes, corridors, farvaters and recommended navigational directions in Georgian territorial waters with respective authorities.

z^3) Prevention and reducing of marine pollution according to international and national standards within the granted authority by the state;

z[4]) Implementation of delegated functions referred by the international treaties binding upon Georgia in the field of maritime transport;

z[5]) Within the scope of granted authority by this charter and legislation in force, maintenance of State supervision on the fulfilment of the requirements established by the technical regulations and in case of non-fulfilments therein impose appropriate measures as referred in the operating legislation;

z[6]) Approval of technical regulation for the safety of passengers and their luggage carriage at sea to the listing approved by the Ministry;

z[7]) Periodical preparation of proposals on improvement of normative acts covering the sphere of the authority of the Agency;

z[8]) Cooperation with relevant international organizations and foreign maritime authorities exchange of information, fulfilment of taken liabilities and for fulfilment of assignments defined by the law;

z[9])Within the scope of the granted authority, for the purposes of safety, security of maritime transport and for development of transport infrastructure, take part in an elaboration of governmental concepts and programs as well as in their implementation;

z[10]) within the framework of the granted authority, discussion and decision making on the applications admitted to the Agency;

z[11]) Cooperation with relevant international organizations operating in maritime field. On behalf of Georgia, participation in the meetings (meetings, seminars, conferences, etc.) hold by them for the purpose of ensuring protection of interests of Georgia within the granted authority;

z[12]) Creation of computer based information bank of the data related to implementation of authorities of the Agency;

z[13]) Ensuring the implementation of measures and participation therein within the granted authority during the time of war and/or extraordinary situation.

z[14]) Within the granted authority, taking part in elaboration and implementation of sectional action plan of reaction established in accordance with 4the "National Action Plan in the Extraordinary Situations of a Natural or Techno genic Character", which is approved by the President decree #415 of the 26th August, 2008 "On the Approval of the National Reacting Plan in the Extraordinary Situations of a Natural or Techno genic Character".

z[15]) Reviewing or impose administrative misdemeanours in terms of granted authority imposed

z[16]) Verification and issuance of copies of administrative-law acts and other documentation issued by the sub-agency of the Ministry of Economy and Sustainable Development – the United Transport Administration in the field of maritime transport before the establishment of the Agency.

z[17]) Elaboration and approval of legal acts within the granted authority;

z[18]) Review of cases regarding administrative misdemeanours within the granted authority;

z[19]) Issuance of seaman' books;

z[20]) Implementation of other rights and obligations granted by this charter and the Georgian legislation.

z[21]) Selection and supervision of the medical institutions and Practitioners authorized to issue the Medical Fitness Certificate.

Z[22]) Recognition and supervision of the Crewing Companies.

Z[23]) Issue of licenses and permits in accordance with the law of Georgia "On Licences and Permit".

3. According to the Georgian legislation, during implementation of its functions, the Agency has the right to:

a) Detain a ship and/or cargo;

b) Check the documents of the ships, entering the Georgian port, as well as diplomas of the crew members and the certificates proving qualification;

c) Issue the directives and monitor activities carried out by the ports regarding safety of navigation;

d) Cooperate with international and nongovernmental organizations, as well as state entities;

e) Request registration and contact information of the ship agents, as well as companies providing stevedoring, survey and transport-expeditionary services in the maritime port.

f) Within the granted authority, to give consent on apportion of water space and a land, as well as, on construction works in the zone of maritime routes and in the area of placement and activity of navigation means;

g) Give consent on requirements for the ships of navigating in internal waters and on the navigation area;

h) Issue an exemption from the requirements for the Ship's conventional certificates, only in the cases prescribed by the Georgian legislation;

i) Participation in the works of taking out the sunken property which in the responsibility zone of Georgia;

j) To terminate navigation of vessels over the territorial sea and internal waters during the military training and manoeuvres in a non-discriminative form and content;

k) To make other respective decisions within the competencies as prescribed by the present Charter and other normative acts of Georgia.

Article 4. Management of the Agency

1. The Agency is governed by a director of the Agency, which is appointed and dismissed by the Minister of Economy and Sustainable Development of Georgia.

2. The director of the Agency:

a) Represents the Agency;

b) Independently supervises and solely manages the activities of the Agency according to the Georgian legislation and this Charter;

c) Within the scope of Agency authority, Director shall be responsible for fulfilment of the Constitution of Georgia and other statutory acts and bylaws;

d) Within its authority, issues normative and individual–legislative acts (orders), issues a resolution imposition of an administrative penalty;

e) Approves regulations of the Agency and job descriptions;

f) With the prior consent of the Ministry, approves staff chart and balance sheets;

f^1) is authorised to pay overtime in agreement with Minister to employees of the Agency for a certain period of time (no more than the end of budget(fiscal) year) in accordance with the article 17 of the Labour Code for the overtime work performance on behalf of the Director of the Agency and/or direct manager, for performing duty which is beyond the direct responsibility of the employee, however is directly related to the goals and objectives of the Agency and Ministry, as well as for performing task with exceptional complexity or/and importance which is connected with the activity of Agency and/or Ministry.

g) Selects candidates for deputy directors and presents them to the Ministry for the prior consent and defines their authority;

h) Shares responsibilities among the staff members of the Agency, gives them corresponding directives and assignments, also controls fulfilment of duties by the Agency staff;

i) Decides promotion and imposition of disciplinary measures for employees;

j) Makes transactions and gives authorization on representation of the Agency on behalf of the Agency;

k) Provides readiness of the Agency during a war, or extraordinary situation;

l) Provides protection of legal rights and interests of the staff members;

m) Announces competitions and tenders on behalf of the Agency;

n) Makes proposals to the Ministry on making amendments to the Regulations of the Agency;

o) Makes proposals on filling the gaps in the statutory acts and sub-laws belonging to the competence of the Agency;

p) Mediates on emission of the sums and material valuables, which are necessary for fulfilment of the tasks of the Agency;

q) Decides on disposal of the sums and material valuables of the Agency, which are necessary for fulfilment of the tasks of the Agency;

r) Approves the form of a work permit sample of the Agency's staff members;

s) Approves samples of the forms, seals and stamps of the Agency and its structural divisions;

t) Within the granted authority, provides coordination of elaboration and implementation of the sectional action plan established according to the "National Action Plan in the Extraordinary Situations of a Natural or Techno genic Character", which is approved by the president decree #415 of the 26th August, 2008 "On the Approval of the National Reacting Plan in the Extraordinary Situations of a Natural or Techno genic Character".

u) Implements other competencies granted by the present Charter and legislation.

3. The director of the Agency has three deputy directors. Among others, there is a first deputy director, who is appointed on the position and dismissed by the director of the Agency with the prior consent of the Ministry.

4. On the basis of a decision of the director deputies, shall supervise a concrete field, which belongs to their duties and responsibilities. The authority of the deputies is defined by the order of the director of the Agency.

5. In case of absence of the director, or if the director of the Agency is not able to fulfil his/her duties, the duties of the director of the Agency is implemented by the first deputy director.

6. By the assignment of the director of the Agency, the deputy directors implement the other authorities as well, which are not defined by the paragraph 4 of this article.

7. Repealed;

8. Public Relations Manager of the Agency provides establishment and maintenance effective working relationships with media institutions.

Article 5. Structure of the Agency

1. The Agency is comprised of the following structural units

a) Maritime Rescue Coordination and Vessel Traffic Monitoring & Information System Department;

b) Seafarers' Department;

c) Quality Assurance and Occupational safety Service;

d) Maritime Safety Department;

e) Flag State Implementation and Ship's Registration Department;

f) Human Recourses Management and Chancellery Division;

g) Financial and Procurement Division;

h) Material-Technical Resources Assurance Division;

i) Legal Division;

j) International Relations Division;

j) Analytical Service.

2. The structural unit is supervised by the head, which is appointed on this position and dismissed by the director of the Agency.

3. In case of absence of a head of the structural unit of the Agency, or if the latter is not capable to fulfil the authority, the duty of the head of the structural unit shall be implemented by one of the members of the structural unit on the basis of an order of the director of the Agency.

4. The head of the structural unit of the Agency:

a) Supervises and leads the work of the structural unit;

b) Shares the responsibility among the staff members of the structural unit and delivers assignments and directives;

c) Controls the implementation of duties by the staff members of the structural unit;

d) Within the delegated authority, signs or gives consent on the documents prepared by the structural unit;

e) Reports to the director of the Agency or to the oversight deputy director

f) Fulfils other assignments upon the directives of the director of the Agency, or those of one of the deputy directors.

5. The Agency has a territorial unit in Tbilisi, the authority of which is defined by the act of the Director.

Article 6. Maritime Rescue Coordination and Vessel Traffic Monitoring & Information System Department

1. Maritime Rescue Coordination and Vessel Traffic Monitoring & Information System Department consists of following two Centres: Maritime Rescue Coordination Center and Vessel Traffic Monitoring & Information System Center.
2. Maritime Rescue Coordination Center:
   a) Maritime Rescue Coordination Centre shall be headed by the head of the Center.

b) Centres authority shall be defined in accordance with the Law of Georgia on "Maritime Search and Rescue Coordination", the present Charter, and other acts of the Agency, also operating legislation of Georgia.

3. Vessel Traffic Monitoring & Information System Canter:

a) Carry out 24 hrs. Radio watch in the territorial Sea of Georgia and in the port waters.

b) Renders the vessels by information service – to ensure the vessels important information available in good time to assist the shipboard navigational decision making process;

c) Renders the Navigational assistance - to assist the navigational decision making process on board and to monitor the effects, especially in difficult navigational or meteorological circumstances or in case of defects or deficiencies;

d) Traffic organization - to prevent of dangerous situations within the VTS area by forward planning of movements and monitoring.

e) The center is located in the administrative building of the Agency;

f) Vessel Traffic Monitoring & Information System Canter has sub-centers located in all of Georgia's port. Supsa port service is carried out from the port of Poti port.

g) The subcenter operator takes technical instructions from the head of Port State Supervision and Control Service of the respective port.

Article 7. Seafarers Department

1. The Seafarers Department shall be responsible for the creation of common Seafarers education and training system and shall issues certificates therein.

2. Seafarers' Department consists of following two divisions: Seafarers Education System Monitoring and Seafarer's Certification.

3. Seafarers Education System Monitoring Division:

a) carries out inspection and preparation of proposals on recognition of maritime training institutions and training Programs;

b) Creates and presents for approval to the Agency director inspection plan for the maritime education institutions and maritime training centres, in the terms as prescribed by Georgian legislation.

c) Creates recommendations for the attending and monitoring of examination processes in the maritime education institutions and maritime training centres.

d) Oversights and controls international requirements for the seafarers' education and certification.

e) Maintains recognition of maritime education institutions and maritime training centres, also controls activities carried out by them.

f) Maintains other functions and duties as prescribed by present Charter and Georgian legislation.

4. Seafarers certification division maintains:

a) Amendments or cancelling certificates evidencing seafarers documents;.

b) Drafting of qualification requirements for the seafarers and issuance of appropriate certificates to the all ranks.

c) Proposal of decision for the assignment of ranks to the management level and ratings, for the citizens of Georgia and citizens of other countries.

d) Registration of the seafarers holding appropriate seafarers documents.

e) Decision on suspension of appropriate seafarers documents as prescribed by Georgian legislation.

f) Conduction of state qualification exam for the assessment of seafarers' qualification.

g) Proposal of protocol form for the assessment of candidate qualification and presents to the director for the approval.

h) The list of documents to be submitted for the issuance of appropriate certificate in accordance with Georgian legislation.

i) Deleted;

j) Attesting of authenticity of the documents issues by the Agency and former United Transport Administration of the Ministry of Economy and Sustainable Development of Georgia.

k) Recognition of Certificates issued by foreign maritime administrations.

l) Issuance of Seaman's Books.

m) Issuance of Certificates prescribed in Georgian legislation.

m^1) According to the applicable legislation issuing certificates, registration and draftiong qualification requirements for fishermen.

n) Maintains other functions and duties as prescribed by present Charter and Georgian legislation.

Article 8. The Quality Assurance and Occupational safety service

The Quality Assurance and Occupational safety service:

a) Defines QMS procedures and ensures utilizing process within the Agency.

b) Determines the sequence and interconnection of this procedure;

c) Establishes criteria and methods necessary for ensuring functioning of QMS processes as well as effective management therein;

d) Develops recommendations on resources and information necessary for maintaining functioning and monitoring of QMS processes;

e) Carries out monitoring of QMS implementation and presents to the Agency director monitoring report at least biannually;

f) Establishes a continuous improvement plan.

g) Performs the second party audit in the maritime training centres and maritime education institutions and produces a quality system reverification of maritime training centres and maritime education institutions.

h) Ensure the compliance of the Agency's activities with the Law of Georgia on Labour Safety, within them Develop and implement general principles of labour safety requirements and preventive measures, which are related to the workplace occupational safety issues, and the potential threats, accidents and occupational disease prevention, Agency staff training, including for information and consultation and occupational safety and health protection of the equal participation of the employees;

i) Discharges other duties and rights in accordance with the present charter and Georgian legislation.

Article 9. Maritime Safety Department

1. The Maritime Safety Department consists of Port state control offices and the Maritime Safety and Security Division.

2. The Safety and Security Division:

a) Performs supervision and control of the ships safe navigation in the port, port waters and anchorage area.

b) Within the granted authority performs the investigation of maritime incidents related to any ship in territorial waters of Georgia;

c) Within the granted authority performs investigation of maritime incidents related to a sea-going vessels registered in Georgia;

d) Participates in the drafting of technical regulations and normative acts related to maritime safety and security;

e) Provides general oversight over maintaining safety in accordance with Georgian legislation;

f) Performs control over compliance with the provisions of international maritime treaties;

g) Inspects compliance with international requirements related to seaports security within its authority and issues relevant certificates;

h) Approves sea port/terminal security plan developed by a sea port in accordance with the Georgian legislation;

i) Gathers and analyses information about checking and/or seizing ships at sea ports of Georgia;

j) Participates in establishment of traffic rules at sea ports and roadstead together with authorized representatives of shipbuilding and other enterprises waters of which border with the waters of a seaport;

k) Inspects security measures in accordance with internationally recognized standards and issues appropriate certificate therein;

l) Prepares recommendations on the rules of harbour piloting at access points and within the waters of seaports of Georgia;

m) Towards the seafarers safety of s within territorial waters of Georgia participates in developing the systems of division of traffic, maritime corridors, fairways and recommended ways, rules for seafaring in territorial waters;

n) Ensures the compliance with the norms and standards adopted by Georgia on prevention and reduction of pollution of marine environment within the authority of the Agency;

o) Performs certification of piloting offices and pilots, oversees their performance;

p) Discharges other rights and duties set forth under this Charter and the Georgian legislation.

3. The Port State control offices of ports are established at Batumi, Poti and Kulevi ports. The Poti port state control office also covers Supsa terminal. The authorizations of these offices are as follows:

a) State oversight and control of maritime safety at a relevant port;

b) Documenting entry/departure of a ship (including a fishing ship) to/from a port (regardless of the state under which flag a ship is sailing and the type of ownership) in accordance with the rules of the port;

c) Compliance with the requirements stipulated in international treaties of Georgia and the Georgian legislation by ships that have entered Georgia's domestic waters (regardless of the state under which flag a ship is sailing and the type of ownership);

d) Leading emergency assistance operations for rescuing an individual and ship in danger, as well as any elimination works of accidental spillage of oil and harmful substances and coordination of the use of all resources within the port in agreement with Maritime Rescue and Coordination Centre;

e) Restriction of the departure of a ship in bad weather (in case of poor visibility, storm, earthquake and other cases) as well as other special conditions unfavourable for safe navigation;

f) In agreement with Agency director provide consent to keep operations to remove submerged property;

g) Control compliance with relevant technical regulations on navigation safety at Georgia's seaports;

h) Perform other rights and duties delegated by the Agency director or a deputy director in charge in accordance with this Charter and Georgian legislation.

Article 10. Ship registration and flag State implementation department

1. Ship Registration and Flag Control Department is comprised of Ship Registration and Flag Control Divisions.

2. Ship Registration Division:

a) Grants and ejects the right of ships to navigate flying the Georgian flag according to the Georgian legislation;

b) Maintains state registry of ships;

c) Registers mortgage for the ships flying the Georgian flag;

d) Develops and submits to the Agency Director the rule of registration of ships and maritime mortgages and liens for approval;

e) Issues a certificate from State Registry of Georgian ships in cases defined in legislation;

f) Ensures issuance of relevant certificate for navigation for ships;

g) Within the granted authority cooperates with ship owners, classification societies and other states' maritime authorities;

h) In accordance with Georgian legislation approves ship security plan developed by a ship owner, unless defined otherwise in legislation;

i) Issues certificate on ensuring the responsibility of a ship owner for sea pollution, examination and recognition according to the rules defined by law;

j) Issues certificate of responsibility of a nuclear ship operator, examination and recognition according to the rules defined by law;

k) Issues a certificate for right to fly the Georgian flag, ship ticket, ship ownership certificate and radio station certificate;

l) Discharges other rights and duties in accordance with this Charter and Georgian legislation.

3. Flag State Implementation Division:

a) Exercises control over the ships sailing under the Georgian flag in accordance with international requirements and Georgian legislation;

b) Develops recommendations on granting/forfeiture of the right to navigate under Georgia's state flag;

c) Oversees discharge of obligations taken under by the classification organizations before the Agency;

d) Inspects ships navigation under the Georgian flag;

e) Collects and analyses statistical information about ships under the Georgian flag;

f) Develops and submits to the Agency director the concept on granting the right to sail under Georgia's state flag for approval;

g) In agreement with the Sea-farer Department determines Minimum Safe Manning, in order to prevent marine environment pollution and provide protection of labour rights;

h) Undertakes other rights and duties in accordance with this Charter and the Georgian legislation.

Article 11. Human Recourse management and Chancellery Division

Human Recourse management and Chancellery Division is responsible for:

a) Human resources issues, namely:

a.a) carries out human resources management, monitoring and analysis within the Agency system;

a.b) Drafts orders of the Agency director on HRM issues;

a.c) Creates personal case files of the Agency employees;

a.d) Organizes preparation and holding of professional training, further training and professional development, qualification tests of the Agency personnel;

a.e) develops labour regulations, job descriptions and controls compliance thereof;

b) Organization of records keeping, namely:

b.a) In accordance with unified records management rules, organizes records management within the Agency;

b.b) Ensures checking and control of compliance of relevant legal acts, control assignments and administrative-legal acts of the Agency director;

b.c) Performs registration, processing and transfer to archive (archival) of completed records;

b.d) Ensures access to public information;

b.e) Ensures sending of the Agency documents to various institutions and organizations and the protection of these documents;

b.f) Performs the verification and issuance of copies of administrative legal acts, other documents issued by the United Transport Administration, a state sub-agency of the Ministry of Economy and Sustainable Development of Georgia prior to establishment of the Agency that fall within its competence;

b.g) Creates computer information data bank related to the performance of the Agency authority.

Article 11[1]. The Financial and Procurement Division

The Financial and Procurement Division

a) Provides material and technical support to the Agency operation;

b) Organizes state procurement;

c) Ensures rational spending of funds;

d) Develops annual state procurement plan and determines the rule of procurement based on annual cost of specific objects of procurement;

e) Prepares agreements based on the Law of Georgia on State Procurement;

f) Organizes announcement of tenders, prepares tender documents, ensures concluding agreement with a supplier and monitors the performance of concluded agreement;

g) Keeps financial and economic record keeping and reporting and accounting throughout the Agency system;

h) Prepares analysis of financial and accounting activity, cumulative balance sheets, and reports;

i) Drafts budget of the Agency and its expenditures list;

j) Develops financial and statistical reports and submits thereof to the Ministry and the treasury;

k) Is responsible for the interaction with the Ministry and the Ministry of Finance of Georgia in relation to the functions stipulated in this Article;

l) Undertakes other rights and duties in accordance with this Charter and Georgian legislation.

Article 11[2]. Material-Technical resources assurance Division

Material-Technical resources assurance Division:

a) Provides protection of material assets accounted for the Agency's balance;

b) Is in charge of supply;

c) Leads economic activity;

d) Leads warehouse activity;

e) Organizes inventory of the Agency fixed assets, funds and financial-material assets;

f) Ensures unimpeded operation of the Agency computer network and equipment.

g) undertakes other rights and duties in accordance with this Charter and Georgian legislation.

Article 12. Legal Division

1. The Legal Division:

a) Provides legal services to the Agency system;

b) Participates in drafting normative acts that govern the Agency operations, brings thereof into conformity with other normative acts and endorses those;

c) Drafts the Agency normative acts and brings them into conformity with other normative acts;

d) Drafts legal conclusions on the disputes related to the Agency activity;

e) Represents the Agency at judicial bodies;

f) Carries out legal expertise of individual legislative acts issued by the Agency director;

g) Reviews and undertakes legal assessment of the cases of disciplinary misconducts identified within the Agency;

h) Provides legal information to the Agency employees;

i) Undertakes general coordination of current projects;

j) Develops recommendations with regard to objectives of strategic development of the Agency and ensures that they are reflected in relevant documents;

k) Participates in drafting and review of international treaties of Georgia and their implementation within its authority;

l) Jointly with structural sub-units of the Agency prepares recommendations with regard to the harmonization of national legislation with the requirements of international organizations that represent priority for Georgia;

m) Performs legal expertise of draft agreements;

n) Discharges other rights and duties in accordance with this Charter and Georgian legislation;

Article 12[1] The International Relations Division

The International Relations Division:

a) Organizes and coordinates international relations of the Agency;

b) Develops proposals on priority directions for cooperation with international organizations and relevant bodies of other states;

c) Based on needs of the Agency establishes relations with international and local donor organizations and donor organizations of other states;

d) Participates in the drafting and review of international agreements and treaties of Georgia and their implementation with the scope of its authority;

e) Cooperates with international organizations active in maritime field and safeguards Georgia's positions in relations with them;

f) Participates in international conferences, seminars, and meetings, as well as in organizing those on issues falling within the Agency authority;

g) Implements protocol functions, including: greeting/see-off of the delegations of other states, accompanying such delegations, drafting and filing of relevant documents, organizing receptions and cultural activities and participating in them;

h) Prepares reports in accordance with the provisions of international agreements and/or requirements of international organizations jointly with other structural units of the Agency;

i) Undertakes other rights and duties in accordance with this Charter and the Georgian legislation.

Article 13. Repealed

Article 13[1]. Analytical Service

1. Functions of Analytical Service:

a) Implementation of statistical and analytical activities of the Agency;

b) Study the Agency activities based on data obtained from the analysis of the various departments. Prepare relevant conclusions, develop proposal for the purpose of optimization of the Agency activities in the certain directions and present to the Director a report;

c) Initiate innovative projects and analysis of the results;

d) Within the scope present short, medium-and long term development plan and determine the main directions for implementation;

e) Search and analyse information of the best practices in the maritime field. Considering these present recommendations with the aim of promoting the maritime field;

f) Undertakes other rights and duties in accordance with this Charter and Georgian legislation.

Article 14. The Agency property

1. In accordance with the Law of Georgia on a Legal Entity of Public Law for the implementation of set objectives and functions assets shall be transferred to the Agency, alienated and acquired in accordance with the rule prescribed under the Georgian legislation.

2. The Agency assets include working assets, as well as other tangible assets and financial resources.

Article 15. Sources of the Agency funding

1. The Sources of funding of the Agency are following:

a) Targeted funds allocated from the State Budget of Georgia;

b) Income from the implementation of state orders;

c) Fee for services rendered by the Agency;

d) Income from the works performed under agreements;

e) Targeted credits and grants;

f) Other income allowed under the Georgian legislation;

2. The consent of the Ministry of Finance of Georgia is necessary to carry out the actions stipulated in Paragraph 1 subparagraph “b” “c” of this Article.

Article 16. Activities subject to consent

1. With the consent of the Ministry the Agency can carry out the following activities:

a) Acquisition of immovable property, granting or selling and burdening of the property owned by the Agency;

b) Take loan;

c) Serve as a guarantor;

d) Determine staff chart and balance sheet;

e) Other decisions related to the property provided they go beyond the boundaries of regular activity.

f) Determining the limits for the funds to be allocated to provide material incentive to employees, as well as the limits for fuel to be purchased by a legal entity of public law and communication costs to be incurred;

2. The Ministry of finance of Georgia consent must be obtained for the implementation of activities stipulated under sub-paragraphs (b) and (c) of Paragraph 1 of this Article.

3. The Agency is authorized to transfer under the right to use/alienate to another person the property owned by the state transferred thereof in accordance with the current legislation.

Article 17. Accounting reporting

1. The Agency shall be required to carry out the accounting of and reporting on financial and economic activities, draw up the balance sheets and submit them to the Ministry commensurate with the procedure, envisaged by the Georgian legislation.

2. Agency's annual balance sheet shall be checked by an independent auditor who is appointed by the Ministry..

Article 18. State control

1. Supervision over the activities of the Agency shall be administered by the Ministry and shall be entitled to demand files/materials and information necessary thereof.

2. Ministry shall be entitled to audit financial and economic activities of the Agency and legality, reasonability of the activities performed thereof.

3. The Minister of Economy and Sustainable Development of Georgia shall be entitled to suspend and/or cancel an unlawful decision of the Agency.

Article 19. Liquidation of the Agency

Agency is to be liquidated by a liquidator appointed by the Ministry. Director of the Agency can be appointed as a liquidator.

Article 20. Distribution of property remaining after liquidation.

The assets remaining after the liquidation of the Agency shall be transferred to the state commensurate with the procedure, envisaged by Georgian legislation.

Article 21. Final provision

Amendments to present Charter, as well as reorganization of the Agency shall be carried out in accordance with operating legislation.