

of the Minister of Environmental Protection and Agriculture of Georgia

3 August 2021

Tbilisi

**On Approving the Rules of Operation of the Investment Plan Review Board**

On the basis of Article 8(1) of the Procedure for the Submission of the Investment Plan and for Making Decision in relation to the Investment Plan approved by the Ordinance No 222 of 18 May 2021 of the Government of Georgia on the Approval of the Procedure for the Submission of the Investment Plan and for Making Decision in relation to the Investment Plan, **I order:**

**Article 1**

The attached Rules of Operation of the Investment Plan Review Board shall be approved.

**Article 2**

This Order shall enter into force upon its promulgation.

Minister of Environmental Protection and

Levan Davitashvili

Agriculture of Georgia

**Rules of Operation of the Investment Plan Review Board**

**Article 1 General provisions**

1. Rules of Operation of the Investment Plan Review Board (the Rules) shall determine the competence and rules of operation of the Investment Plan Review Board (the Board).
2. The purpose of the Board is to prepare proposals and recommendations for making a legally correct and optimal decision on the investment plan based on a peer review.
3. The competence of the Board is to review and analyse the investment plan submitted by the interested person to the National Agency for Sustainable Land Management and Land Use Monitoring (the Agency) and to prepare relevant recommendations and proposals.

**Article 2 Composition of the Board**

1. The composition of the Board shall be approved by the Minister of Environmental Protection and Agriculture of Georgia (the Minister) on the recommendation of the Agency.
2. The Board shall have a chairperson and a co-chairperson.
3. For the purpose of promoting the operation of the Board, persons possessing special knowledge with the right of a deliberative vote may be invited on the basis of appropriate remuneration.
4. Remuneration of the persons invited under paragraph 3 of this article shall be 5 % of the service fee of the investment plan, but not less than GEL 500.



### **Article 3 Procedure for making decision by the Board**

1. The Board shall make decisions at the Board meeting.
2. The Board shall be authorised if more than half of the Board members are present at the meeting.
3. With regard to the investment plan, the Board shall be authorised to:
  - a) prepare proposals and recommendations;
  - b) postpone the review of the submitted investment plan;
  - c) return the submitted investment plan for additional elaboration.
4. Decision on the investment plan shall be made by the majority of votes of those present at the Board meeting. In case of a tie vote, the vote of the chairperson (the co-chairperson in case of the absence of the chairperson) of the Board shall be decisive.
5. A member of the Board shall participate in the Board meeting in person. A member of the Board, who is unable to attend the Board meeting for objective reasons, shall be entitled to participate in the Board meeting remotely, using electronic means of communication, in case of prior notification of the office of the Board thereon.
6. After the Board meeting, the minutes of the meeting shall be drawn up, which shall be signed by the chairperson (the co-chairperson in case of the absence of the chairperson) of the Board and the secretary of the meeting. The position of the members present at the Board meeting may also be recorded via e-mail.
7. The documents and materials submitted for review at the meeting shall be attached to the minutes of the meeting and kept at the office of the Board.
8. The minutes of the Board meeting shall be sent to the members of the Board on the e-mail address indicated by them, not later than 2 working days after it is signed.

### **Article 4 Rules of operation of the Board**

1. The Agency shall manage the process of planning and implementation of the activities of the Board provided for by this Rule.
2. The chairperson/co-chairperson of the Board shall chair the Board meetings. Meetings may be held electronically.
3. In case of absence of the chairperson of the Board, their functions shall be performed by the co-chairperson of the Board.

### **Article 5 Organisational and technical support of the Board**

1. The organisational and technical support of the activities of the Board shall be provided by the Agency through the office of the Board, which shall consist of the employees of the Agency designated by the order of the Chairperson of the Agency.
2. Office of the Board shall:
  - a) ensure the organisation of Board meetings;
  - b) be responsible for the preparation of the materials and minutes of the Board meetings, and keeping and protection of the materials of the meetings in accordance with the legislation of Georgia;
  - c) be responsible for the timely delivery of the investment plan and relevant materials to the appropriate persons and for the performance of other types of communication;



d) be responsible for sending the agenda and relevant materials to the members of the Board;

e) if necessary, depending on the topic of the meeting, ensure the presence of non-members of the Board and/or persons with special knowledge at the Board meeting.

### **Article 6 Organising Board meetings**

1. The Board meeting shall be held in accordance with the investment plan to be reviewed on the initiative of the chairperson of the Agency.

2. The Board meeting shall be convened and its agenda shall be determined by the chairperson of the Agency.

3. Communication between the members of the Board shall be carried out through mail, telephone, e-mail and/or other means, with the participation of the Office of the Board.

