

Decree of the Government of Georgia №181

20 February, 2014

Tbilisi

On the Approval of the Statute of the Legal Entity of Public Law (LEPL) - Civil Service Bureau

Article 1.

Pursuant to the Article 129, Section 2 of the “Law of Georgia on Civil Service” and Article 25 of the “Law of Georgia on the Normative Acts”:

1. The enclosed Statute of the Legal Entity of Public Law (LEPL) - Civil Service Bureau (hereinafter the “Bureau”) shall be approved.
2. The Decree N338 of the Government of Georgia (www.matsne.gov.ge, 17/12/2013, 040030000.10.003.017505), dated 17 December 2013 “On the Approval of the Statute of the Legal Entity of Public Law (LEPL) - Civil Service Bureau” shall be abolished.

Article 2.

The Decree shall come into effect from 1st February 2014.

Prime Minister Irakli Garibashvili

Statute of the Legal Entity of Public Law (LEPL) - Civil Service Bureau

Article 1. General Provisions

1. The Civil Service Bureau (hereinafter the “Bureau”) is a Legal Entity of Public Law which is established in accordance with the “Law of Georgia on Civil Service” to develop a uniform civil service state policy and support coordination of the related activities; meet major objectives as set out under the law; provide with organizational, technical, informational support and expertise necessary for the operation of the Civil Service Council and its members; collect assets declarations of public officials, ensure control over public disclosure of information on the assets

- of public officials and timely submission of assets declarations, monitor compliance of public officials assets declarations with the law of Georgia; perform other tasks as assigned by the Law.
2. The Bureau performs its functions in accordance with the Constitution of Georgia, “Law of Georgia on Legal Entities of Public Law, “Law of Georgia on Civil Service”, “Law of Georgia on the Conflict of Interest and Corruption” and other laws, government decrees and resolutions, and other legislative acts and this Statute.
 3. Statute, structure and staff list of the Bureau is approved by the Government of Georgia.
 4. To meet its objectives and perform its functions the Bureau shall be entitled to possess rights and obligations, to conclude deals and to act as a party in the court.
 5. The Bureau shall have a separate budget, payment and current accounts (including currency account), a seal, a letterhead and other attributes of legal entity.
 6. The Bureau is registered at the legal address: #7 Ingorokva Str, Tbilisi.

Article 2. Main Goals of the Bureau

The main goals of the Bureau are to:

- a) Develop a uniform civil service state policy and support coordination of the related activities;
- b) Explore and analyze the current situation within the civil service and the fulfillment of the related normative acts; submit a report to the Government of Georgia, and submit findings and recommendations to the Civil Service Council;
- c) Develop and submit proposals to the Civil Service Council on the improvement of the civil service regulations for further consideration;
- d) Coordinate activities of HR units of the government agencies;
- e) Coordinate and provide methodological support for the HRM processes within the civil service; and for training, re-training and professional development of civil servants;
- f) Provide organizational, technical, informational support and expertise necessary for the operation of the Civil Service Council and its members;
- g) Explore and generalize civil service management practices of other countries to elaborate the civil service management system, and cooperate with international organizations;
- h) Develop filling instructions of Asset Declaration Forms for public officials;
- i) Ensure easy access to Asset Declaration Forms by public officials;
- j) Accept, register and preserve filled Asset Declaration Forms of public officials;
- k) Ensure public access to the content of Asset Declaration Forms of public officials;
- l) Implement monitoring of public officials assets declarations compliance with the law of Georgia;
- m) Prepare the register of public officials subject to a submission of an Asset Declaration Form, based on the list provided under the Article 2 of the Law of Georgia “On Conflict of Interests and Corruption in Civil Service“, and submit to the Government of Georgia for its approval;
- n) Develop recommendations to improve asset disclosure procedures;
- o) Accomplish other tasks assigned under the Law.

Article 3. Functions of the Bureau

1. To accomplish the tasks specified under the Article 2 of this Statute, the Bureau shall:
 - a) Estimate efficiency of the functioning of civil service system and develop respective findings;
 - b) Identify needs and capacities for modifying the existing systems within the civil service, develop recommendations on modifying the existing systems or establishing the new ones;
 - c) Develop proposals on the general principles of the structures within the government agencies, placement and roles of the positions within this structures;
 - d) Analyze the organizational structure of the government agencies and if necessary develop recommendations for the further improvement;
 - e) Arrange activities of the Civil Service Council, provide necessary information to the members of the Council;
 - f) Develop standards for the civil service, guidelines and other methodological and normative documents and draft laws;
 - g) Explore the existing practices on recruitment, attestation, promotion and dismissal within the civil service, and develop respective recommendations;
 - h) Explore the efficiency level of training and qualification of civil servants; implement activities promoting professional development of civil servants;
 - i) Promote development and administration of a unified civil service HR database;
 - j) Develop a reform strategy for the civil servants remuneration system;
 - k) Analyze and summarize information received on rights and guarantees of civil servants, and disciplinary liability;
 - l) Ensure the collection of civil service statistical data; analyze the data and develop a unified civil service information system;
 - m) Draft the Ethics Code and disciplinary standards for the civil servants;
 - n) Prepare proposals on establishing new methods and mechanisms of civil service management;
 - o) Analyze the implementation of normative acts on civil service and submit a report to the Government of Georgia;
 - p) Participate in the development and implementation of the national anti-corruption programmes within the civil service, in the process of planning and arranging of particular activities;
 - q) Develop filling instructions in order to ensure proper filling of Asset Declaration Forms by public officials;
 - r) Ensure easy access to Asset Declaration Forms by public officials;
 - s) Accept, register and preserve filled Asset Declaration Forms of public officials;
 - t) Ensure public access to the content of Asset Declaration Forms of public officials;
 - u) Ensure easy access to the unified Asset Declaration e-filling system by public officials;
 - v) Monitor the submission of filled Asset Declaration Forms by public officials in accordance with the timelines specified under the law.

- w) Prepare the register of public officials subject to a submission of an Asset Declaration Form, as well as amendments to the register and submit it to the Government of Georgia for the approval;
 - x) Take corresponding actions as specified by the Law in the case of violations in the process of filling up of Asset Declaration Forms by public officials;
 - y) Analyze data provided in the Asset Declaration of public officials;
 - z) Request necessary information from state agencies and public officials to carry out assigned tasks and obtain more specific information on the data provided in the Asset Declarations;
 - aa) Take respective measures on offences related to the filling the asset declarations of public officials;
 - bb) Analyze the data of asset declarations of public officials;
 - cc) Implement monitoring of public officials assets declarations compliance with the law of Georgia;
 - dd) Request necessary information from the government agencies and public officials to ensure implementation of imposed tasks, and to precise and monitor the data included in asset declarations of public officials;
 - ee) Explore and generalize civil service management practices of other countries, and cooperate with international organizations, including donor organizations;
 - ff) Organize conferences, seminars, academic workshops, briefings and press conferences on civil service related issues;
 - gg) Interact with NGO sector and media to ensure transparency of the Civil Service Council and the Civil Service Bureau and involvement of the civil society in civil service related processes;
 - hh) Consider written requests of individuals and legal entities in accordance with the provisions of the Law of Georgia;
 - ii) Provide information to the media on the activities of the Bureau;
 - jj) Accomplish other tasks assigned under the Law.
2. The Bureau is entitled to contract field experts to accomplish assigned tasks efficiently.
 3. The Bureau shall not be responsible for the completeness and accuracy of the information provided in the submitted asset declarations of public officials.

Article 4. Management of the Bureau

1. Head of the Bureau is appointed and released by the Prime Minister of Georgia.
2. Head of the Bureau shall:
 - a) Supervise activities of the Bureau and represent the Bureau in dealings with third persons;
 - b) Develop and submit the Bureau's annual work plan for approval to the Civil Service Council;
 - c) Submit annual reports to the Government of Georgia and the Civil Service Council on carried out activities by the Bureau, as well as financial report;
 - d) Prepare the draft of the Bureau's staff list and remuneration rates and submit for the approval to the Government of Georgia;

- e) Prepare draft of the Bureau's budget and submit for the approval as necessary;
- f) Appoint and release employees included in the staff list, contract employees and distribute functions between the staff members;
- g) Approve internal regulations of the Bureau and statutes of the Bureau's structural units;
- h) Monitor the fulfillment of the tasks by the structural units of the Bureau and supervise personnel activities;
- i) Delegate its functions to the Bureau's employees if necessary;
- j) Issue individual administrative legal acts within the competence;
- k) Appoint (except the candidates for the position of the head of local self-government competition/attestation commission) the head of competition/attestation commission nominated by the respective agency;
- l) Take respective actions as specified by the Law in the case of violations in the process of filling the Asset Declaration Forms by public officials;
- m) Notify the head of respective public agency in the case of failure to send written notice to the Bureau on the appointment or dismissal of a public official subject to a submission of a declaration;
- n) Accomplish other tasks assigned under the Law.

3. Head of the Bureau has two Deputy Heads which are appointed and released by the Head of the Bureau.

4. Duties and responsibilities of the Deputy Heads of the Bureau are determined by the Head of the Bureau.

5. In the absence of the Head of the Bureau his/her functions are performed by the Deputy Head of the Bureau determined by the individual administrative legal act.

Article 5. Structural units of the Bureau

Structural units of the Bureau include:

- a) Civil Service Institutional Set-up and Practice Generalization Department;
- b) Civil Service Human Resource Management Department;
- c) Administrative Department;
- d) Asset Declarations Department;
- e) Declarations Monitoring Department.

Article 6. The Main Functions of the Bureau's Structural Units

1. The functions of the Bureau's Structural Units are determined by the Statute approved by individual administrative legal act of the Head of the Bureau.
2. Head of the Bureau's Structural Unit shall:
 - a) Give assignments to the employees of the supervised structural unit;

- b) Monitor performance by the employees of the supervised structural unit;
- c) Control authority exercised by the structural unit;
- d) Submit proposals to the Head of the Bureau on the work organization, rewards and disciplinary measures against structural unit employees;

Article 7. Funding

1. Funding sources of the Bureau include:

- a) Special purpose funds from the State Budget of Georgia;
 - b) Income generated as a result of delivered services;
 - c) Income generated as a result of implementing imposed duty under the contract;
 - d) Grants;
 - e) Other incomes as specified under the law of Georgia.
2. To achieve its goals the Bureau is entitled to carry out economic activities in accordance with provisions set out under the Law of Georgia.
3. All funds and incomes specified herein shall be spent to achieve Bureau's goals and perform its functions and for these purposes only.

Article 8. State Control

Pursuant to the Article 12, Section 1 (b) and (c) and Section 2 of the Law of Georgia on "Legal Entities of Public Law" control over the activities of the Bureau is solely exercised by the Ministry of Finance of Georgia.

Article 9. Restructuring and Liquidation of the Bureau

Reorganization and liquidation of the Bureau shall be accomplished in accordance with the provisions set out under the Law of Georgia.

Article 10. Amendments to the Statute of the Bureau

Any changes or amendments to the Statute of the Bureau shall be accomplished in accordance with the provisions set out under the Law of Georgia.