

damouki debel i eqspertis daskvna

kanonis proeqtze
„saxel mwifo sakuTrebaSi arsebul i
sasofl o-sameurneo daniSnul ebis
miwis privatizebis Sesaxeb“

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al baT bevri eqsperti, roml ebsac qveyanaSi Seqmnil i mZime ekonomikuri mdgomareobis Sefaseba uxdebaT, daiRal a imaze saubriT, rom kerZo seqtorisaTvis ndobis gamocxadeba da saxel mwifo seqtoridan ekonomikurad amortizebul i da gaufasurebul i saxel mwifos uefeqto marTvaSi arsebul i qoneba rac SeiZl eba swrafi tempebit unda gankerZovdes. vfiqrob, saxel mwifo moxel eebic Zal ian Znel ad, magram mainc eTanxmebian aseT Sefasebebs.

saintereso da aRniSvnis Rirsia Tundac es aRniSnul i garemoeba (igul isxmeba saxel mwifos mxridan privatizaciis Sesaxeb bol o periodis aqtivoba), magram ufro metad mniSvnel ovania, Tu rogori sakanonmdebl o baza Seiqmneba aseTi procesebis civil urad ganxorciel ebisaTvis da ra aris an unda iyos privatizebis ganxorciel ebis mizani a) maqsimal urad maRal i fasis miReba¹ Tu b) stabil urad ganviTarebadi ekomomikuri aRmavl oba da kerZo mesakuTreTa fenis simravl iTa da gaZl ierebit mzaradi gadasaxadebis miReba.

Sesaval i

saxel mwifo qonebis privatizebas moqmedi kanonmdebl obiT axorciel ebda saqarTvel os saxel mwifo qonebis marTvis saministro, xol o kanonSi Setanil i cvl il ebis Semdgom mas axorciel ebs saqarTvel os ekonomikuri ganviTrebis saministro. cxadia, rom saministros da mis teritoriul organoebis daugrovdaT garkveul i gamocdil eba, magram aqve unda aRiniSnos, rom saministros arasdro ar hqonia Sexeba sasofl os-sameurneo da arasasofo-sameurneo daniSnul ebis miwebTan. arasasofo-sameurneo daniSnul ebis miwebis gankerZoebas raionul i an saqal aqo administraciebi axorciel eben, xol o sasofl o-sameurneo daniSnul ebis miwebis saijarod gacemis mzadebas axorciel eben saqarTvel os sofl is meurneobisa da sursaTis saministros Sesabamisi teritoriul i organoebi adgil obrivi TviTmmarTvel obebis monawil eobiT. amdenad, ekonomikuri ganviTarebis saministrosaTvis absol uturad ucxoa kanonproeqtiT SemoTavazebul i funqciebis ganxorciel eba. Tu gaTval iswinebul i iqneba is garemoeba, rom kanonproeqtiT gaTval iswinebul i funqciebi daekisreba

¹ mimaCnia, rom saxel mwifo qonebis privatizebis mizans ar unda warmoadgendes maqsimal urad maRal i fasis miReba, vinai den aseTi piroba araefeqturs xdis TviT privatizebis process da afer xebs ekonomiki s ganviTarebas.

saqarTvel os sofl is meurneobisa da sursaTis saministros, gacil ebiT efeqtiani iqneba gansaxorciel ebel i privatizebis procesi, amasTanave, es saministro aris dargobrivad da funqcional urad dakavSirebul i sasofl o-sameurneo daniSnul ebis miwebTan da isini absol uturad fl oben saWiro informaci es da rac mTavaria, funqcional urad es saministro mzad aris privatizebis ganxorciel ebisaTvis. vfiqrob, es mniSvnel ovani sakiTxia da unda moxdes am Temaze special uri msj el oba.

SemoTavazebul i kanonis proeqti, vfiqrob, srul ad ver daaregul irebs misi amoqmedebis Semdgom yvel a im sakiTxs, roml ebic SesaZl oa warmoiSvas, vinaidan 1) davebis Sesaxeb warmodgenil kanonproeqtSi aranairi regul acia ar aris gaTval iswinebul i, agreTve ar aris gaTval iswinebul i 2) samoqal aqo kodeqsiT regul irebul i debeul ebebis Sesabamisoba miwis mesakuTresTan xel Sekrul ebis gaformebis regul irebisaTvis da absol uturad haerSia gamokidebul i 3) ipoTekasTan dakavSirebul i urTierTobebi.

1. dReis mdgomareobiT, vinaidan saqarTvel os mosaxel eobis garkveul i nawil i sasofl o-sameurneo daniSnul ebis miwebs fl obs da sargebl obs saij aro safuZvl ebiT, SesaZl ebel ia arsebobdes sasamarTl o an sasamarTl os gare davebi, roml ebic dRemde gadawyvetil i ar aris da garda amisa, aris ramodeni me faqti, rodesac sofl ad mosaxl eoba dapirispirebul ia erTimeoresTan miwebis vergayofis gamo. es sakiTxebi warmoadgenen seriozul probl emebs rogorc adgil obrivi, aseve central uri xel isufl ebisaTvis da aucil ebl ad moiTxoven special uri (SesaZl ebel ia gardamaval i) normebiT regul irebas.
2. saqarTvel oSi dRes moqmedi administraciul i normebis Tanaxmad, privatizebis (nasyidobis) xel Sekrul eba warmoadgens administraciul garigebas, romel ic amave normebis miTiTebiT regul irdeba saqarTvel os samoqal oqo kodeqsiT. maSasadame, is nasyidobis xel Sekrul ebebi, roml ebzedac saubarია kanonproeqtSi, unda daregul irdes ssk Sesabamisi muxl ebiT.

ramodeni me norma ssk-dan:

muxl i 481. miwis nakveTis gamyidvel is val debul ebani

1. miwis nakveTis gamyidvel i val debul ia gadaixados am nakveTis aTvisebisa da msgavsi RonisZiebebis gatarebisaTvis xel Sekrul ebis dadebamde gaweul i xarj ebi, miuxedavad gadaxdis val debul ebis warmoSobisa²;

muxl i 506. ganvadebiT nasyidobis xel Sekrul ebis forma xel Sekrul ebaSi unda aRiniSnos: a) naRdi gadaxdis odenoba; b) nawil -nawil gadasaxadi Tanxis odenoba da gadaxdis dro; g) wl iuri procentis odenoba).

² minda SegaxsenoT, rom kanonproeqtze warmodgenil ganmar tebiT baraTsi naTqvamia „kanonproeqti ar saWiroebs damatebiTi sabiuj eto saxsr ebis gamoyofas“.

warmodgenil i kanonproeḡti gvTavazobs 9-wl ian periods saprivatizacio qonebis Rirebul ebis srul i dafarvisaTvis, aseTi ganvadeba real urad niSnavs kreditis gacemas myidvel isaTvis, amasTan uprocento pirobiT. garigebis dadebis dros agreTve gasaTval iswinebel ia saqarTvel os zogadi administraciul i kodeḡsis moTxovnebi, roml is mixedviTac Tu garigebis Rirebul eba aRemateba 100 000 l ars aseT SemTxvevaSi aḡti unda gamoices damoukidebel i organos mier.

3. kanonproeḡti, rogorc aRvniSneT, gvTavazobs 9 wl ian ganvadebis periods, im pirobiT, rom miwa gadaecema Tavidanve sakuTrebaSi myidvel s da mis srul gamosyidvamde Sesabamisma saḡaro reestrma unda gaavrcelos am nakveTze ipoTeka. vfiqrob, SeuZl ebel i iqneba am debul ebis dacva, vinaidan ipoTekiT samoḡal aḡo kodeḡsis Tanaxmad itvirTeba uzravi qoneba, magram ipoTekis da misi pirobebis Sesaxeb unda SeTanxmdnen mxareebi xel Sekrul ebiT. garda amisa SeuZl ebel ia saxel mwifos mxridan dai tvirtos miwis nakveTi ipoTekiT, radganc aseT SemTxvevaSi gadawyvetil eba unda miROS mesakuTrem, winaaRmdeg SemTxvevaSi aseTi midgoma eweinaaRmdegeba saqarTvel os konstituciis me-II Tavis 21-e muxl s, romelic krZal avs iseTi debul ebebis gamocemas, roml ebic zRudaven mesakuTris ufl ebebs.

SemoTavazebul i kanonproeḡtis erT-erT ganxil vis sagans unda warmoadgendes dRemde ganxorciel ebul i saxel mwifo qonebis privatizacia, vinaidan privatizebul i iqna yofili sabWoTa meurneobebi, sxvadaxva agrarul i seḡtoris qarxnebi da dawesebul ebebi, fermebi da sxva uamravi is qoneba, roml is ZiriTad resurss warmoadgenda sasofl o-sameurneo daniSnul ebis miwebi. magal iTisaTvis: rodesac xdeboda Rvinis qarxnis an romel ime fermis privatizeba, saprivatizacio obieḡtTa nusxaSi Sedioda igive kanonproeḡtSi aRniSnul i qarsacavi zolis mraval wliani nargavebi, damxmare da ZiriTadi Senoba nagebobebi. e.i. konkretul i miwis nakveTi, romelic SemosazRvrul ia qarsacavi zolis mraval wliani nargavebiT, nargavebi anu es zoli mTli anad mistvis mikuTvnebul miwis nakveTTan erTad aris privatizirebul i, xolo SemosazRvrul zol Si mdebare sasofl o-sameurneo daniSnul ebis miwis nakveTi darCa privatizebis gareSe. vfiqrob kanonproeḡts seriozul i probl emebi aḡvs am nawil Sic, vinaidan es vitareba aranairad ar aris gaanal izebul i da gaTval iswinebul i.

cal keul i muxl ebis Sesaxeb:

- kanonproeḡtis terminTa ganmartebaSi saubarია sakoml o wignze da wignSi aRricxul koml is wevrebze. dRemde namdvil ad SeiZl eba iTqvas, rom arseboben aseTi tipis sakoml o wignebi, magram arseboben Tu ara es wignebi namdvil ad yvel a sasofl o sakrebul oSi, aravin icis, amasTan arc arsad aris aRricxul i es wignebi da arc is aris cnobil i, Tu ra normatiul i aḡtiT aris damtkicebul i am wignis forma.

- terminSi „special uri auqcioni“ miniWebul ia ufl ebamosil eba im pirebisaTvis, roml ebsac ufl eba aqvT monacil eoba miiRon aseTi saxis auqcionSi da aRniSnul ia mxol od saqarTvel os is moqal aqeebi, roml ebic miwis nakveTis geografiul i mdebareobis administraciul teritoriaze arian sakoml o wignSi aRricxul ebi. es Canaweri saerTod arRvevs am kanonis moqmedebis sivrces pirTa wris mimarT, vinaidan terminSi privatizacia, naTl ad aris ganmartebul i Tu vin SeiZl eba iyos myidvel i (privatizeba-saxel mwifo sakuTrebaSi arsebul i sasofl o-sameurneo daniSnul ebis miwis sasyidliani formiT kerZo sakuTrebaSi gadacema saqarTvel os moqal aqeze an saqarTvel oSi registrirebul kerZo samarTl is iuridiul pirze), xol o special uri auqcioni kerZo samarTl is iuridiul pirebs ar aZl evs ufl ebas maT monawil eoba miiRon am auqcionSi. rac Seexeba sakoml o wignSi aRricxul saqarTvel os moqal aqes, vfiqrob aqac Seusabamobaa, vinaidan Znel ad warmosadgenia sakoml o wignSi aRniSnul i iyos piri saqarTvel os moqal aqearis Tu ara.
- kanonproeqtis me-6 muxl Si arasworad aris interpretirebul i sajaro informaciis arseboba, aRniSnul ia, rom “sajaro reestris erovnul i saagentos Sesabamisma teritoriul ma samsaxurebma uzrunvel yon maT xel T arsebul i informaciis xel misawvdomoba”, dameTanxmebiT, rom es informacia ar aris „xel T arsebul i“ aramed igi aris arsebul i saagentoSi.
- me-7 muxl is pirvel punqtsi arasworad aris Sinaarsi, vinaidan sajaro reestrSi ar registrirdeba saijaro xel Sekrul eba, reestrSi fiqsirdeba nivTTan dakavSirebul i ufl ebrivi mdgomareoba. amave muxl is meore punqti, vfiqrob arasasurvele gaxdeba saxel mwifosaTvis, vinaidan Tu piri wl ebis manZil ze fl obs sxvadasxva miwis nakveTebis, man ukve icis Tu romel ia ufro metad efeqturad gamosayenebel i an SesaZl ebel ia iseT miwis nakveTze Segnebul ad Tqvas Tanxmoba, uroml isodac gamousadegari xdeba meore nakveTi. amave muxl is me-5 punqti gadatanil i unda iqnes gardamaval debul ebebSi.
- me-10 muxl Tan dakavSirebiT, aq fasi aris absoluturad sxvadasxva gadaxdis wl ovanebidan gamomdinare da saerTod gaugebaria ras niSnavs me-4 punqti.
- me-14 muxl Tan dakavSirebiT kidev erTxel minda gamaxvil des yuradReba mis iuridiul Sesabamisobaze. am muxl is aqvs seriozul i probl emebi, vinaidan Tu myidvel i ver gadaixdis saprivatizacio qonebis Rirebul ebas srul ad, es imas niSnavs, rom radgan qoneba datvirtul ia ipoTekiT³, moqmedi kanonmdebl obiT aseTi miwis nakveTis realizeba unda ganxorciel des sasamarTl os iurisdicciis fargl ebSi, rac imas niSnavs, rom miwa gaiyideba saarSrul ebo wesebis mixedviT. garda amisa, es muxl i redaquiul adac araswori Sinaarsisaa. am muxl is ganxil vis dros agreTve ganxil ul i unda iqnes me-15 muxl is me-4 punqti.

³ ipoTeki s Seusabamobebze Cven zemoT vi saubreT

daskvnis saxiT:

vfiqrob kanonproeqti saWiroebs seriozul gadamuSavebas da Sinaarsobrivad daxvevas, winaaRmdeg SemTxvevaSi adgili eqneba seriozul xarvezebs da samwuxaro korufciul faqtebs, vinaidan amis saSual ebas iZl eva kanonproeqtis cal keul i muxl ebi.