

Georgia e-Health Validator – Terms of Use

1. App Overview

The terms of use update the holder of the application about the rules that the user has to comply with in order to operate the “Georgia e-Health Validator” application.

The terms of use govern obtaining and the use of the Georgia e-health validator app that in essence is the digital Covid certificates’ QR scanner, hereinafter the App, by the users.

2. Authority

The app was developed by Legal Entity of Public Law Information Technology Agency of the Ministry of IDPs, Health, Labour and Social Affairs of Georgia (country).

The legal basis for the development of the app is the Decree No. 164 of the Government of Georgia on the “Prevention of the Spread of the Novel Coronavirus and Response to the Disease Cases” and the latest amendment to it.

Decree: <https://matsne.gov.ge/ka/document/view/4821121?publication=91>;

Amendment: <https://matsne.gov.ge/ka/document/view/5275367?publication=0>.

The decree is the main instrument for the establishing of the tools for tackling the Covid19 outbreak in Georgia. The decree No164 was issued on 28-JAN-2021, the latest amendment no1904 to it ordered Ministry of IDPs, Health, Labour and Social Affairs of Georgia, its Legal Entity of Public Law Information Technology Agency (the developer of the given app), the Ministry of Justice of Georgia and its State Services Development Agency to cooperate and ensure the development of the internationally interoperable e-tools for the identification of the person and verification of his/her Covid Status for the purposes of international travel.

3. Accountability

The app is purported to enable its users to securely check the validity of the QR code based digital covid certificates.

By accessing the app, the user confirms that he or she has understood and acknowledges the all surrounding conditions and legal information that has tight connections with the app, including the camera permission they are providing for the usage of the app. The app users who do not agree to the given condition should refrain from the use of the app.

4. Permissions

The app requires access only to the camera of the device it is installed on.

The app does not use location tracking or geopositioning.

The app does not require access to the microphone of the device.

5. Operability

Provided either of the below given conditions are met, the application generates the Green status. If not a single condition from the below is existent the given QR code checker app (Georgia eHealth Validator) returns the Red status. The list of conditions are as follows:

- Full vaccination (certificate issued in Georgia);
- Recovery – ongoing 6 months period, after the 14 days from the confirmation of the Covid19 infection had elapsed;
- Negative PCR test results obtained within the last 72 hours;
- Negative Antigen/Rapid test results obtained within the last 24 hours.

6. Usage

The app is ultimately developed for Georgian border authorities to check the validity of the digital covid certificates presented by international travelers (Georgian or foreigners).

The app is enabled to check the validity of the certificates generated by the EU gateway connected applications.

7. User obligations

Users are responsible for having the necessary bandwidth, connection and device operability for the access to the app.

Users are obligated to be cautious for preventing illegal access to their devices.

Users should pay attention to have the app updated.

Users take the responsibility about the proper handling of the data that will be displayed by the application.

Users shall be cautious for adhering to applicable legal provisions and the terms of use when using the app.

8. Rights

The developer retains rights to change or delete some or all of the information and content or to temporarily not publish it without prior notice and at any time.

To the extent that is permitted by governing legislative base, any liability claims against the developer for material or immaterial damages which may arise from access or unavailability of the app and its information, content and notification is excluded and regarded void.

The developer takes no responsibility or warranty for the perpetual operability and accessibility of the app and its content, as well as that it will be free from any errors and/or malfunctions.

The developer may interrupt or discontinue the use of the app at any time.

9. Data handling

In accordance to the governing legislation of the Republic of Georgia, all persons are entitled to have their individual privacy preserved and to be protected against the misuse of their personal information.

The developer cooperates with all relevant government agencies to protect data from unauthorized access, loss, misuse or altering.

The privacy policy of the app further explains the processing of the personal data.

The developer complies with the provisions and personal data is treated as strictly confidential.

10. The end or suspension of app usage

By deleting or uninstalling the app on the device the user can terminate fully or temporarily the app.

Relevant authorities at some point may suggest the users to delete the app.

11. Copyrights

All rights are reserved.

The app is for personal use only. Any further reproduction or transmission of the content to third parties is not permitted.

The app belongs to the government of Georgia represented by the Developer.

Reproduction of any components requires prior written consent from the holder of the copyright.

Downloading or copying content, illustrations, photos or any other data does not entail any transfer of rights concerning the content.

12. Final provisions

The exclusive jurisdiction for all disputes is adjudicated by Georgian court. The applicable legislation will be Georgian. Unless proven otherwise.

Changes in the terms of use will be notified to the users.

The provisions are provided in Georgian and English, in the event of any discrepancies, the Georgian version will prevail.