

ORGANIC LAW OF GEORGIA

ON THE APPROVAL OF THE CONSTITUTION OF THE AUTONOMOUS REPUBLIC OF AJARA

Article 1

The Constitution adopted by the Supreme Council of the Autonomous Republic of Ajara on 20 February 2008 shall hereby be approved.

Article 2

This Law shall enter into force from 4 August 2008.

President of Georgia

M. Saakashvili

Tbilisi

15 July 2008

No 232-RS

Constitution of the Autonomous Republic of Ajara

The citizens of Georgia residing in the Autonomous Republic of Ajara, guided by the Constitution of Georgia, principles of human rights, principles of democratic governance and separation of powers and by universally recognised human values, proclaim the Constitution of the Autonomous Republic of Ajara.

Chapter I - General Provisions

Article 1

The Autonomous Republic of Ajara is a territorial unit that is an integral part of Georgia. In the Autonomous Republic of Ajara public authority is exercised on the basis of the principles established by the Constitution of Georgia.

Article 2

1. The Autonomous Republic of Ajara comprises the territory within the administrative borders existing at the time of adoption of the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara.

2. The administrative borders of the Autonomous Republic of Ajara may be changed at the initiative of at least two-thirds of the total members of the Supreme Council of the Autonomous Republic of Ajara. A decision on said issue is made by the Parliament of Georgia under the Organic Laws of Georgia.

Article 3

The following fall under the special jurisdiction of the Autonomous Republic of Ajara:

- a) adoption and amendment of the Constitution of the Autonomous Republic of Ajara and other normative acts of the Autonomous Republic of Ajara;
- b) determination of the structure, powers and rules of operation of the Government of the Autonomous Republic of Ajara;
- c) conduct of elections of the Supreme Council of the Autonomous Republic of Ajara;
- d) promotion of education and science, establishment and management of cultural and sports institutions and maintenance of cultural monuments of local importance;
- e) libraries and museums of local importance;
- f) tourism, culture and sports;



- g) construction and urban development of local importance;
- h) motorways and other communication lines of local importance;
- i) sanitation; participation in the resolution of health and social security issues;
- j) agriculture and hunting;
- k) monitoring of the quality of food and food products;
- l) trade fairs, markets and exhibitions;
- m) development and implementation of a budgetary policy within the limits of the revenues of the Autonomous Republic of Ajara in accordance with the legal acts of Georgia, preparation of a draft budget of the Autonomous Republic of Ajara, approval of the budget and supervision of its execution;
- n) introduction or elimination of local taxes and fees prescribed by the laws of Georgia;
- o) management and administration of the property of the Autonomous Republic of Ajara;
- p) the Archive Service of the Autonomous Republic of Ajara;
- q) forestry management;
- r) fire protection.

Article 4

1. The powers of the Autonomous Republic of Ajara are based on the Constitution of Georgia, the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, and this Constitution.
2. The Constitution of the Autonomous Republic of Ajara is a basic law of the Autonomous Republic of Ajara. All other legal acts of the Autonomous Republic of Ajara shall comply with the Constitution of the Autonomous Republic of Ajara.

Article 5

The city of Batumi is the administrative centre of the Autonomous Republic of Ajara.

Article 6

1. The flag of the Autonomous Republic of Ajara is a rectangular piece of fabric with a 2:3 ratio. It displays seven horizontal stripes: stripes 1-3-5-7 are sky-blue, and stripes 2-4-6 are white. The flag bears the flag of the State of Georgia in the upper right angle. The image of the flag of the Autonomous Republic of Ajara is attached to this Constitution.
2. The rule for using the flag of the Autonomous Republic of Ajara is defined by the law of the Autonomous Republic of Ajara.
3. The size of the flag of the Autonomous Republic of Ajara is three-fifths the size of the national flag of Georgia.
4. During official events in the Autonomous Republic of Ajara, the national anthem of Georgia is performed, and in the cases stipulated by the legislation of Georgia, the flag of the Autonomous Republic of Ajara is displayed along with the national flag of Georgia, and the flag of the Autonomous Republic of Ajara shall also be raised when the national flag of Georgia is raised.

Article 7

1. The coat of arms of the Autonomous Republic of Ajara is a heraldic shield divided by a wavy line and bears a small heraldic shield in the middle. On the red field of the small shield an image of Saint George is depicted mounted on a silver horse, with a golden halo and with a silver lance with a golden cross affixed to the staff and impaling a silver dragon. The upper part of the shield displays a golden castle on a green field. The lower part of the shield displays three gold coins, two on top of one, , on a sky-blue field. The image of the coat of arms of the Autonomous Republic of Ajara is attached to this Constitution.
2. The rule for using the coat of arms of the Autonomous Republic of Ajara is defined by the law of the Autonomous Republic of Ajara.
3. During official events in the Autonomous Republic of Ajara, the national anthem of Georgia is performed, and in the cases stipulated by the legislation of Georgia, the coat of arms of the Autonomous Republic of Ajara is displayed along with the coat of arms of Georgia.

Chapter II - Supreme Council of the Autonomous Republic of Ajara



Article 8

The Supreme Council of the Autonomous Republic of Ajara is a representative body of the Autonomous Republic of Ajara, which, within the scope of its authority, performs a legislative activity, monitors the activity of the Government of the Autonomous Republic of Ajara, and exercises other powers defined in the legislation of Georgia and the Autonomous Republic of Ajara.

Article 9

1. The Supreme Council of the Autonomous Republic of Ajara is composed of 15 deputies elected through a proportional electoral system and 6 deputies elected through a majoritarian electoral system on the basis of universal, equal and direct suffrage, by secret ballot, for a term of four years; the deputies are citizens of Georgia and reside in the territory of the Autonomous Republic of Ajara.

2. The regular elections of the Supreme Council of the Autonomous Republic of Ajara are conducted in October of the calendar year in which the term of powers of the Supreme Council of the Autonomous Republic of Ajara expires. The elections of the Supreme Council of the Autonomous Republic of Ajara are called by the President of Georgia according to rules established by the Organic Law.

3. Any citizen of Georgia with electoral rights, from the age of 25, may be elected to the Supreme Council of the Autonomous Republic of Ajara.

4. The seats in the Supreme Council of the Autonomous Republic of Ajara are allocated only among those political parties and electoral blocs that receive at least 5 per cent of votes cast in the elections conducted under the proportional system.

5. The rule for electing members the Supreme Council of the Autonomous Republic of Ajara and eligibility to stand for election is determined by the legislation of the Autonomous Republic of Ajara.

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Article 10

Internal organisation, procedures and rules of operation of the Autonomous Republic of Ajara are defined by the Constitution of the Autonomous Republic of Ajara and the Rules of Procedure of the Supreme Council of the Autonomous Republic of Ajara.

Article 11

1. The first meeting of a newly elected Supreme Council of the Autonomous Republic of Ajara shall be held not later than one month after the elections. The President of Georgia sets the date of the first meeting.

2. The Supreme Council of the Autonomous Republic of Ajara may begin its work if the powers of two-thirds of the total membership of the Supreme Council of the Autonomous Republic of Ajara have been confirmed.

Article 12

1. A member of the Autonomous Republic of Ajara enjoys a free mandate and cannot be recalled.

2. A member of the Supreme Council of the Autonomous Republic of Ajara has the right not to testify about the fact that was disclosed to him/her as a member of the Supreme Council of the Autonomous Republic of Ajara.

3. The unhindered exercise of the powers of members of the Supreme Council of the Autonomous Republic of Ajara is guaranteed.

Article 13

1. The question of recognition or early termination of powers of a member of the Autonomous Republic of Ajara is decided by the Supreme Council of the Autonomous Republic of Ajara. This decision of the Supreme Council of the Autonomous Republic of Ajara may be appealed to a court according to rules established by legislation.

2. The Supreme Council of the Autonomous Republic of Ajara shall prematurely terminate the powers of a member of the Supreme Council of the Autonomous Republic of Ajara if:

a) the member of the Supreme Council of the Autonomous Republic of Ajara submits a personal application for resignation;

b) the member dies;

c) the court recognises the member as legally incompetent;

d) the member loses Georgian citizenship;



e) a judgement of conviction comes into force against the member;

f) the member holds a position or engages in an activity incompatible with the status of a member of the Supreme Council of the Autonomous Republic of Ajara;

g) the member fails to participate in the work of the Supreme Council of the Autonomous Republic of Ajara (plenary and commission sessions) for three consecutive months without valid reasons.

3. The rule for early termination of powers of a member of the Autonomous Republic of Ajara is determined by the Rules of Procedure of the Supreme Council of the Autonomous Republic of Ajara.

Article 14

1. A member of the Supreme Council of the Autonomous Republic of Ajara may not at the same time be a member of another representative body or a member of the Government of the Autonomous Republic of Ajara, or be engaged in entrepreneurial activity, or hold a position in public service.

2. A member of the Supreme Council of the Autonomous Republic of Ajara receives a salary determined by law.

3. Other issues regarding the status of a member of the Supreme Council of the Autonomous Republic of Ajara are determined under the laws of the Autonomous Republic of Ajara.

Article 15

1. The Supreme Council of the Autonomous Republic of Ajara, for the term of its authority, in accordance with its Rules of Procedure and by secret ballot, shall elect the Chairperson and the Deputy Chairperson of the Supreme Council of the Autonomous Republic of Ajara.

2. The Chairperson of the Supreme Council of the Autonomous Republic of Ajara is in charge of the work of the Supreme Council of the Autonomous Republic of Ajara, ensures free expression of opinions, signs acts adopted by the Supreme Council of the Autonomous Republic of Ajara, and performs other duties defined by the Rules of Procedure.

3. The Deputy Chairperson of the Supreme Council of the Autonomous Republic of Ajara performs the duties of the Chairperson upon instructions of the Chairperson or when the Chairperson is unable to exercise his/her powers.

Article 16

1. Commissions may be established in the Supreme Council of the Autonomous Republic of Ajara for the term of its authority in order to prepare legislative issues, facilitate the implementation of decisions, and to monitor the activities of entities accountable to the Supreme Council of the Autonomous Republic of Ajara.

2. A commission of the Supreme Council of the Autonomous Republic of Ajara shall consist of at least 5 members of the Supreme Council of the Autonomous Republic of Ajara.

3. The rule for the establishment and operation of commissions and their powers shall be defined by the Rules of Procedure of the Supreme Council of the Autonomous Republic of Ajara.

Article 17

1. Members of the Supreme Council of the Autonomous Republic of Ajara may join a faction of the Supreme Council of the Autonomous Republic of Ajara.

2. The number of members in a faction of the Supreme Council of the Autonomous Republic of Ajara may not be less than 3.

3. The rule for the establishment and operation of a faction and its powers are defined by the Rules of Procedure of the Supreme Council of the Autonomous Republic of Ajara.

Article 18

1. The Bureau of the Supreme Council of the Autonomous Republic of Ajara shall be established to manage the current activities of the Supreme Council of the Autonomous Republic of Ajara. The Bureau shall consist of the Chairperson and the Deputy Chairperson and the Chairpersons of factions of the Supreme Council of the Autonomous Republic of Ajara.

2. The powers and the rules of operation of the Bureau of the Supreme Council of the Autonomous Republic of Ajara are determined by the Rules of Procedure of the Supreme Council of the Autonomous Republic of Ajara.

Article 19



1. Meetings of the Supreme Council of the Autonomous Republic of Ajara are public. By decision of a majority of members present, the Supreme Council of the Autonomous Republic of Ajara may declare a meeting or part thereof closed when discussing certain issues.
2. An official elected or approved by the Supreme Council of the Autonomous Republic of Ajara, or an official for the appointment of whom the Supreme Council of the Autonomous Republic of Ajara gave consent, may, and if requested, shall attend the meetings of the Supreme Council of the Autonomous Republic of Ajara.
3. Voting shall be open except as provided for by the legislation of the Autonomous Republic of Ajara.

Article 20

1. The Supreme Council of the Autonomous Republic of Ajara shall meet in its official capacity for a regular session twice a year. The spring session opens on the first Tuesday of March and closes on the third Thursday of June; the autumn session opens on the first Tuesday of September and closes on the third Thursday of December.
2. During the period between regular sessions, the Chairperson of the Supreme Council of the Autonomous Republic of Ajara shall summon a special session of the Supreme Council of the Autonomous Republic of Ajara upon written request of the Chairperson of the Government of the Autonomous Republic of Ajara, or of not less than one-third of the members of the Supreme Council of the Autonomous Republic of Ajara, or on his/her own initiative, and during a regular session, a special meeting of the Supreme Council of the Autonomous Republic of Ajara. If a convening notice is not issued within two days after the submission of a written request, the Supreme Council of the Autonomous Republic of Ajara is obliged under its Rules of Procedure to assemble and start working within two days thereafter.
3. A written request to call a special session (meeting) shall be accompanied by a list of issues to be discussed.
4. A special session (meeting) of the Supreme Council of the Autonomous Republic of Ajara shall be held only with a specific agenda and shall close after the agenda has been completed.

Article 21

The Supreme Council of the Autonomous Republic of Ajara shall:

- a) adopt the Constitution of the Autonomous Republic of Ajara, laws of the Autonomous Republic of Ajara relating to issues falling under the special jurisdiction of the Autonomous Republic of Ajara under the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, and in the cases expressly defined by the legislative acts of Georgia;
- b) approve the budget of the Autonomous Republic of Ajara;
- c) monitor the spending of budget resources by the executive bodies of the Autonomous Republic of Ajara;
- d) approve the Chairperson of the Government of the Autonomous Republic of Ajara;
- e) approve the composition of the Government of the Autonomous Republic of Ajara on the recommendation of the Chairperson of the Government;
- f) be authorised to adopt a vote of no confidence against the Government of the Autonomous Republic of Ajara by two-thirds of its total membership;
- g) monitor enforcement of normative acts adopted by it;
- h) elect the Chairperson and Deputy Chairperson of the Supreme Council of the Autonomous Republic of Ajara, and chairpersons of commissions, and approve the composition of commissions and quotas of proportional representation;
- i) give its consent to the appointment and dismissal of officials as provided for by legislation;
- j) enjoy the right of legislative initiative in the Parliament of Georgia, according to Article 67 of the Constitution of Georgia;
- k) be entitled to bring a legal action in the Constitutional Court of Georgia as determined by the legislation of Georgia;
- l) perform other duties within the scope of its authority under the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, the legislations of Georgia and the legislation of the Autonomous Republic of Ajara.

Article 22

1. The Constitution of the Autonomous Republic of Ajara, a constitutional law, shall be considered adopted if adopted by at least two-thirds of the total membership of the Supreme Council of the Autonomous Republic of Ajara.
2. A draft law of the Autonomous Republic of Ajara, a draft Rules of Procedure or a draft resolution of the Supreme Council of the Autonomous Republic of Ajara shall be deemed adopted if adopted by a majority of the members present at a meeting of the Supreme Council of the Autonomous Republic of Ajara, but in no event by less than one-third of the total membership of the Supreme Council of the Autonomous Republic of Ajara, unless otherwise provided for by the legislation of the Autonomous Republic of Ajara.
3. The number of votes required for the approval of acts adopted by an interim presidential council shall be the number of votes of the members of the



Supreme Council of the Autonomous Republic of Ajara determined for the adoption of this act.

4. The rule for adopting other decisions is determined by the Rules of Procedure of the Supreme Council of the Autonomous Republic of Ajara.

Article 23

1. The right of legislative initiative is vested in the Chairperson of the Government of the Autonomous Republic of Ajara, the Government, members of the Supreme Council of the Autonomous Republic of Ajara, commissions of the Supreme Council, fractions of the Supreme Council, or at least 2 000 voters of the Autonomous Republic of Ajara.

2. Draft laws on the budget of the Autonomous Republic of Ajara and the structure, powers and rules of operation of the Government of the Autonomous Republic of Ajara shall be submitted to the Supreme Council of the Autonomous Republic of Ajara by the Chairperson of the Autonomous Republic of Ajara.

3. Only a member of the Supreme Council of the Autonomous Republic of Ajara, a commission of the Supreme Council of the Autonomous Republic of Ajara, or a faction of the Supreme Council of the Autonomous Republic of Ajara shall be entitled to submit a draft Rule of Procedure of the Supreme Council of the Autonomous Republic of Ajara to the Supreme Council of the Autonomous Republic of Ajara.

Article 24

1. A draft law adopted by the Supreme Council of the Autonomous Republic of Ajara shall be submitted to the Chairperson of the Government of the Autonomous Republic of Ajara within five days.

2. The Chairperson of the Government of the Autonomous Republic of Ajara shall sign and promulgate the law within 10 days or return it to the Supreme Council of the Autonomous Republic of Ajara with comments.

3. The Supreme Council of the Autonomous Republic of Ajara shall put to a vote the comments of the Chairperson of the Government of the Autonomous Republic of Ajara in their entirety. The majority of votes required for the adoption of a law of the Autonomous Republic of Ajara shall be sufficient to adopt the comments. The affirmative vote of three-fifths of the total membership of the Supreme Council of the Autonomous Republic of Ajara is necessary to adopt the original version of a law of the Autonomous Republic of Ajara. If comments are accepted, the final version of the draft law shall be submitted to the Chairperson of the Government to sign and promulgate within five days. If the Chairperson of the Government of the Autonomous Republic of Ajara fails to sign the law within the time limit specified in the Constitution, the Chairperson of the Supreme Council of the Autonomous Republic of Ajara shall sign and promulgate it.

4. A law of the Autonomous Republic of Ajara shall enter into force on the 10th day after its official promulgation unless another date is defined by the same law.

Article 25

1. The powers of the Supreme Council of the Autonomous Republic of Ajara shall be terminated:

a) upon the recognition of powers of a newly elected Supreme Council of the Autonomous Republic of Ajara;

b) upon the entry into force of a decree of the President of Georgia dismissing the Supreme Council of the Autonomous Republic of Ajara;

2. The President of Georgia may dismiss the Supreme Council of the Autonomous Republic of Ajara with the consent of the Parliament of Georgia if the actions of the Supreme Council pose a danger to the sovereignty and territorial integrity of the country, to the exercise of constitutional powers by public authorities, and/or fails to exercise other powers granted by the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara and the Constitution of the Autonomous Republic of Ajara.

3. According to the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, the President of Georgia is authorised to dismiss the Supreme Council of the Autonomous Republic of Ajara if the Council fails, twice in a row, to approve a Chairperson for the Government of the Autonomous Republic of Ajara.

4. In the case of dismissal of the Supreme Council of the Autonomous Republic of Ajara, extraordinary elections shall be held according to the rules established by the legislations of Georgia and the legislation of the Autonomous Republic of Ajara.

Article 26

1. In the case of dismissal of the Supreme Council of the Autonomous Republic of Ajara, its powers shall be exercised by an interim presidential council which shall be appointed by the President of Georgia.

2. An act passed by an interim presidential council shall be subject to approval of the Supreme Council of the Autonomous Republic of Ajara within one month after its authority is recognised. If the Supreme Council of the Autonomous Republic of Ajara fails to approve an act adopted by the interim presidential council, the act shall cease to have legal effect.

3. The powers of an interim presidential council shall be terminated immediately after the powers of a newly elected Supreme Council of the Autonomous Republic of Ajara are recognised.



Article 27

1. The Government of the Autonomous Republic of Ajara is an executive body of the Autonomous Republic of Ajara, which exercises the executive authority of the Autonomous Republic of Ajara and determines basic areas of activity of the executive authority of the Autonomous Republic of Ajara.
2. The Government of the Autonomous Republic of Ajara consists of the Chairperson of the Autonomous Republic of Ajara and the ministers of the Autonomous Republic of Ajara.
3. The structure, powers and rules of operation of the Autonomous Republic of Ajara are determined by a law of the Autonomous Republic of Ajara, the draft version of which shall be submitted to the Supreme Council of the Autonomous Republic of Ajara by the Chairperson of the Government of the Autonomous Republic of Ajara.
4. The Government of the Autonomous Republic of Ajara is accountable to the President of Georgia and the Supreme Council of the Autonomous Republic of Ajara.

Article 28

1. On the basis of the Constitution of Georgia, the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, laws of Georgia, the Constitution and laws of the Autonomous Republic of Ajara and other normative acts and for the purpose of their implementation, the Government of the Autonomous Republic of Ajara shall adopt ordinances and decrees that shall be signed by the Chairperson of the Government of the Autonomous Republic of Ajara.
2. The President of Georgia shall be authorised to suspend or cancel an act adopted by the Government of the Autonomous Republic of Ajara if it contradicts the Constitution of Georgia, the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, international agreements and treaties of Georgia, laws of Georgia and legal acts of the President of Georgia.

Article 29

1. The President of Georgia, with prior consent of the Government of Georgia and after having consulted with the political entities represented in the Supreme Council, shall nominate a candidate for chairperson of the Government of the Autonomous Republic of Ajara for approval by the Supreme Council within 10 days after the powers of the newly elected Supreme Council of the Autonomous Republic of Ajara are recognised, . The Chairperson of the Government of the Autonomous Republic of Ajara shall be considered approved if approved by more than half of the total membership of the Supreme Council of the Autonomous Republic of Ajara. If the Supreme Council of the Autonomous Republic of Ajara does not approve the candidate nominated by the President of Georgia, the President of Georgia shall be authorised to present the same or another candidate to the Supreme Council of the Autonomous Republic of Ajara for approval within 10 days.
2. If the Supreme Council of the Autonomous Republic of Ajara fails, twice in a row, to approve the candidate, the President of Georgia shall be authorised to dismiss the Supreme Council of the Autonomous Republic of Ajara.

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Article 30

1. The Chairperson of the Government of the Autonomous Republic of Ajara, within 10 days after his/her approval and after having completed the agreement procedure with the head(s) of the appropriate government agency (agencies) of Georgia, shall present the composition of the Government of the Autonomous Republic of Ajara to the Supreme Council of the Autonomous Republic of Ajara for approval. The composition of the Government of the Autonomous Republic of Ajara shall be deemed approved if approved by a majority of the members present at a meeting of the Supreme Council of the Autonomous Republic of Ajara, but in no event less than one third of the total membership of the Supreme Council of the Autonomous Republic of Ajara.
2. The Supreme Council of the Autonomous Republic of Ajara shall be entitled not to approve the composition of the Government of the Autonomous Republic of Ajara and in the same decision raise an issue rejecting a certain member of the Government of the Autonomous Republic of Ajara. If the Chairperson of the Government of Autonomous Republic of Ajara supports the decision on rejection, the rejected person may not be appointed in the same composition of the Government of the Autonomous Republic of Ajara in the place of a dismissed or resigned member of the Government.
3. If the Supreme Council of the Autonomous Republic of Ajara does not approve the composition of the Government of Autonomous Republic of Ajara, the Chairperson of the Government of Autonomous Republic of Ajara shall submit to the Supreme Council of the Autonomous Republic of Ajara the same or a new composition of the Government of the Autonomous Republic of Ajara within one week.
4. The Supreme Council of the Autonomous Republic of Ajara shall have the right to pass a vote of no confidence against the Government of the Autonomous Republic of Ajara. A vote of no confidence may be initiated by at least one third of the total membership of the Supreme Council of the Autonomous Republic of Ajara.
5. The powers of the Government of the Autonomous Republic of Ajara shall be terminated not earlier than 20 days after a vote of no confidence is initiated against the Government and not later than 30 days after a vote of no confidence in the Government is passed by two-thirds of the total



membership of the Supreme Council members of the Autonomous Republic of Ajara. If the Supreme Council of the Autonomous Republic of Ajara fails to pass vote of no confidence in the Government, the issue may not be raised again for the following six months.

Article 31

1. The Government of the Autonomous Republic of Ajara is headed by the Chairperson of the Autonomous Republic of Ajara.
2. The Chairperson of the Government of the Autonomous Republic of Ajara:
 - a) is a high official of the Autonomous Republic of Ajara and represents the Autonomous Republic of Ajara;
 - b) manages the activity of the Government of the Autonomous Republic of Ajara;
 - c) presents the composition of the Government of the Autonomous Republic of Ajara to the Supreme Council of the Autonomous Republic of Ajara for approval, in agreement with the head(s) of the appropriate government agency (agencies);
 - d) is authorised to dismiss a member of the Government of the Autonomous Republic of Ajara and cancel an act issued by a minister of the Autonomous Republic of Ajara;
 - e) administers the property of the Autonomous Republic of Ajara according to rules established by the legislation of Georgia and the Autonomous Republic of Ajara;
 - f) submits the budget of the Autonomous Republic of Ajara to the Supreme Council of the Autonomous Republic of Ajara for approval;
 - g) determines basic areas of activity of the Government of the Autonomous Republic of Ajara on the basis of the legislation of Georgia and the Autonomous Republic of Ajara;
 - h) supervises the activity of the ministers of the Autonomous Republic of Ajara;
 - i) is responsible to the President of Georgia and the Supreme Council of the Autonomous Republic of Ajara for the activity of the Government of the Autonomous Republic of Ajara;
 - j) proposes legislative initiatives in the Supreme Council of the Autonomous Republic of Ajara;
 - k) signs and promulgates laws of the Autonomous Republic of Ajara, except for the Constitution or a constitutional law;
 - l) issues legal acts within the scope of his/her authority;
 - m) appoints and dismisses other officials in the cases and according to the rule prescribed by the legislation;
 - n) exercises other powers within the scope of his/her authority under the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, and the legislation of Georgia and the Autonomous Republic of Ajara.

Article 32

1. In the absence of the Chairperson of the Government of the Autonomous Republic of Ajara, one of the ministers shall perform his/her duties on behalf of the Chairperson of the Government.
2. In the case specified in paragraph 1 of this Article, the acting Chairperson of the Government of Autonomous Republic of Ajara may not:
 - a) dismiss ministers of the Autonomous Republic of Ajara or heads of subordinate agencies;
 - b) administer the property of the Autonomous Republic of Ajara.

Article 33

1. If the powers of a member of the Government of Autonomous Republic of Ajara are terminated, the Chairperson of the Government of Autonomous Republic of Ajara shall appoint a new member of the Government of the Autonomous Republic of Ajara within two weeks, in agreement with the head(s) of the appropriate government agency (agencies).
2. If after the approval of the composition of the Government of the Autonomous Republic of Ajara by the Supreme Council of Autonomous Republic of Ajara, more than half of the members of the Government of the Autonomous Republic of Ajara is renewed, the Chairperson of the Government of the Autonomous Republic of Ajara shall present the renewed composition of the Government of the Autonomous Republic of Ajara to the Supreme Council of the Autonomous Republic of Ajara for approval, in accordance with the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara.

Article 34

Within the scope of the Constitutions and the legislation of the Autonomous Republic of Ajara and Georgia, the Government of the Autonomous



Republic of Ajara:

- a) coordinates and supervises the activities of the ministries and subordinate agencies of the Autonomous Republic of Ajara;
- b) approves the statutes and structure of the ministries and subordinate agencies of the Autonomous Republic of Ajara;
- c) approves the Statute and structure of the Staff of the Government;
- d) establishes advisory bodies and approves their statutes;
- e) is authorised to suspend or cancel legal acts issued by the ministers and subordinate agencies of the Autonomous Republic of Ajara;
- f) prepares a draft budget of the Autonomous Republic of Ajara;
- g) ensures the execution of the budget of the Autonomous Republic of Ajara after its approval and submits quarterly reports on the execution of the budget of the Autonomous Republic of Ajara to the Supreme Council of the Autonomous Republic of Ajara every three months;
- h) establishes legal entities under public law in accordance with the legislation of Georgia;
- i) promotes the implementation of a uniform national policy in the areas of education and science in the territory of the Autonomous Republic of Ajara, and facilitates the management of cultural and scientific institutions, and the maintenance of monuments, libraries and museums of local importance;
- j) participates in resolving economic, social and health care issues, and ensures the implementation of measures for the social protection of citizens;
- k) ensures the maintenance of motorways of local importance and promotes the development of other lines of communication;
- l) promotes construction of local importance and urban development;
- m) creates appropriate conditions for the development of tourism and sports in the territory of the Autonomous Republic of Ajara;
- n) manages agriculture and forestry, and monitors the quality of food and food products in the territory of the Autonomous Republic of Ajara;
- n) exercises other powers under the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, and the legislation of Georgia and the Autonomous Republic of Ajara.

Article 35

1. Ministries of the Autonomous Republic of Ajara are created to ensure governance of specific areas of the State and public life in the territory of the Autonomous Republic of Ajara.
2. The Ministries of the Autonomous Republic of Ajara are:
 - a) the Ministry of Education, Culture and Sports;
 - b) the Ministry of Agriculture;
 - c) the Ministry of Finance and Economy;
 - d) the Ministry of Health and Social Protection.

Article 36

1. The Ministries of the Autonomous Republic of Ajara are accountable to the Government of the Autonomous Republic of Ajara and perform the duties provided for by law and assigned by the Chairperson of the Government of the Autonomous Republic of Ajara on the basis of the law.
2. The Ministries of the Autonomous Republic of Ajara shall conduct their activity according to the Constitution of Georgia, the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, laws of Georgia, normative acts of the President of Georgia, the Constitution of the Autonomous Republic of Ajara, the Law of the Autonomous Republic of Ajara on the Structure, Powers and Rules of Operation of the Government of the Autonomous Republic of Ajara and other appropriate legal acts.
3. The Ministries of the Autonomous Republic of Ajara are financed from the budget of the Autonomous Republic of Ajara. The Ministries of the Autonomous Republic of Ajara are responsible, in accordance with the rules established by the legislation of Georgia, for spending the budgeted funds according to the intended purpose.

Article 37

1. The President of Georgia shall be authorised to dismiss the Government of the Autonomous Republic of Ajara if:
 - a) the actions of the Government threaten the sovereignty and territorial integrity of the country, and the exercise of constitutional powers of public authorities;



b) it fails to exercise the powers conferred on it by the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, and the Constitution of the Autonomous Republic of Ajara.

2. In case referred to in paragraph 1(a) of this article, within one month after the elimination of the given circumstances, and in the case referred to in paragraph 1(b) of this article, within two weeks after the dismissal of the Government of Autonomous Republic of Ajara, the President of Georgia shall select a candidate for Chairperson of the Government of the Autonomous Republic of Ajara and present him/her for approval to the Supreme Council of Autonomous Republic of Ajara, after having consulted with the factions of the Supreme Council of the Autonomous Republic of Ajara.

Article 38

1. The powers of the Supreme Council of the Autonomous Republic of Ajara shall be terminated:

a) immediately after the powers of the Chairperson of the Government of the Autonomous Republic of Ajara are terminated;

b) immediately after the powers of a newly elected Supreme Council of Ajara are recognised;

c) when two-thirds of the total membership of the Supreme Council of the Autonomous Republic of Ajara adopt a vote of no confidence in the Government of the Autonomous Republic of Ajara;

d) when the Government of the Autonomous Republic of Ajara is dismissed by the President of Georgia in the cases defined in the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara.

2. In the cases specified in paragraph 1(a) and (b) of this article, or upon the resignation of the Government of the Autonomous Republic of Ajara, the Government of the Autonomous Republic of Ajara shall exercise its powers until a new composition of the Government of the Autonomous Republic of Ajara is approved.

3. In the cases specified in paragraph 1(c) and (d) of this article, before a new composition of the Government of the Autonomous Republic of Ajara is approved, the powers of the Government of the Autonomous Republic of Ajara shall be exercised by a state trustee appointed by the President of Georgia for the Autonomous Republic of Adjara and by the administration of this trustee.

Chapter IV - The Budget and Finances of the Autonomous Republic of Ajara

Article 39

1. The Supreme Council of the Autonomous Republic of Ajara shall annually adopt the Law on the Budget of the Autonomous Republic of Ajara by a majority of the current nominal list of its members.

2. A draft budget of the Autonomous Republic of Ajara shall be prepared, submitted, discussed and approved according to the legislation of Georgia and the Autonomous Republic of Ajara.

3. The procedure for discussing a draft law on the budget of the Autonomous Republic of Ajara in the Supreme Council of the Autonomous Republic of Ajara shall be determined by the Rules of Procedure of the Supreme Council.

Article 40

1. The Chairperson of the Government of the Autonomous Republic of Ajara shall have the right to present a draft law on the budget of the Autonomous Republic of Ajara to the Supreme Council of the Autonomous Republic of Ajara after having agreed to the basic data and directions with the Supreme Council of the Autonomous Republic of Ajara.

2. The Chairperson of the Government of the Autonomous Republic of Ajara, not later than two months before the start of a new budget year, shall submit for approval to the Supreme Council of the Autonomous Republic of Ajara a draft law on the budget of the Autonomous Republic of Ajara and a progress report of the Government of the Autonomous Republic of Ajara on the execution of the budget of the current year. The Government of the Autonomous Republic of Ajara shall submit an annual progress report on the execution of the budget of the Autonomous Republic of Ajara to the Supreme Council of the Autonomous Republic of Ajara not later than three months after the end of a budget year.

3. Amendments may not be made to a draft budget without the consent of the Chairperson of the Government of the Autonomous Republic of Ajara.

Article 41

If a draft budget of the Autonomous Republic of Ajara is not approved, the Ministry of Finance and Economy of the Autonomous Republic of Ajara shall be authorised to make required payments to fulfil obligations undertaken in the budget year, on a monthly basis, in an amount not exceeding 1/12 of the appropriation of the previous year.

Article 42



1. The Autonomous Republic of Ajara enjoys a financial autonomy within the scope of the laws of Georgia.
2. To ensure the exercise of powers by the Autonomous Republic of Ajara, part of the state tax and non-tax revenues, and a special financing from the State Budget may be granted to the Autonomous Republic of Ajara in accordance with the laws of Georgia.
3. The Autonomous Republic of Ajara has its property and the rule for forming this property is determined by the legislation of Georgia.
4. Financial resources may be transferred from the budget of the Autonomous Republic of Ajara to local self-governing bodies in the territory of the Autonomous Republic of Ajara in accordance with legislation.

Chapter V - Adoption and Revision of the Constitution of the Autonomous Republic of Ajara

Article 43

1. The Constitution of the Autonomous Republic of Ajara shall be adopted by two-thirds of the total membership of the Supreme Council of the Autonomous Republic of Ajara and shall enter into force upon the enactment of the Organic Law of Georgia on the Approval of the Constitution of the Autonomous Republic of Ajara.
2. A draft Constitution of the Autonomous Republic of Ajara and a draft Constitutional Law on the Revision of the Constitution may be submitted to the Supreme Council of the Autonomous Republic of Ajara by:
 - a) the Chairperson of the Government of the Autonomous Republic of Ajara;
 - b) more than the half of the total membership of the Supreme Council of the Autonomous Republic of Ajara;
 - c) at least 20 000 voters of the Autonomous Republic of Ajara.

Article 44

1. After a draft constitution of the Autonomous Republic of Ajara has been submitted to the Supreme Council of the Autonomous Republic of Ajara, the Supreme Council of the Autonomous Republic of Ajara, to ensure a public review of the draft Constitution, shall, by an ordinance, establish a commission to organise public review of the draft Constitution of the Autonomous Republic of Ajara.
2. The number and composition of the commission responsible for the organisation of public review of the Constitution of the Autonomous Republic of Ajara shall be determined by the Supreme Council of the Autonomous Republic of Ajara.
3. The Supreme Council of the Autonomous Republic of Ajara shall start the review of the draft Constitution of the Autonomous Republic of Ajara one month after it is made public.
4. The Supreme Council of the Autonomous Republic of Ajara shall review the draft Constitution of the Autonomous Republic of Ajara according to the Rules of Procedure of the Supreme Council of the Autonomous Republic of Ajara.

Article 45

To approve the Constitution of the Autonomous Republic of Ajara, the Supreme Council of the Autonomous Republic of Ajara shall submit, in the form of a legislative initiative, a draft Organic Law of Georgia on the Approval of the Constitution of the Autonomous Republic of Ajara to the Parliament of Georgia in accordance with Article 67(1) of the Constitution of Georgia and Article 23 of the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara. Along with the draft Organic Law of Georgia, the Constitution of the Autonomous Republic of Ajara adopted by the Supreme Council of the Autonomous Republic of Ajara shall also be submitted to the Parliament of Georgia for approval.

Article 46

1. The Constitution of the Autonomous Republic of Ajara shall be revised by a constitutional law by the Supreme Council of the Autonomous Republic of Ajara.
2. A draft law to amend the Constitution of the Autonomous Republic of Ajara shall be submitted to the Supreme Council of the Autonomous Republic of Ajara, which shall make it available for public review. The Supreme Council of the Autonomous Republic of Ajara shall start the review of the draft law two weeks after it is made public.
3. The procedures for the adoption and commencement of the draft law to Amend the Constitution of the Autonomous Republic of Ajara shall be determined according to this Chapter of the Constitution.

Chapter VI - Transitional Provisions



Article 47

1. The Constitution of the Autonomous Republic of Ajara shall enter into force immediately after the enactment of the Organic Law of Georgia on the Approval of the Constitution of the Autonomous Republic of Ajara.
2. After the Constitution of the Autonomous Republic of Ajara comes into force, only those legal acts that do not contradict this Constitution shall have legal force.
3. Within one year after the Constitution of the Autonomous Republic of Ajara enters into force, the Government of the Autonomous Republic of Ajara and the Supreme Council of the Autonomous Republic of Ajara shall ensure that normative acts adopted before the entry into force of the Constitution comply with the Constitution.

Article 48

1. Until the powers of the Supreme Council of the Autonomous Republic of Ajara elected in 2004 are terminated, its composition shall be determined according to the legislation applicable at the time of the elections of the Supreme Council of the Autonomous Republic of Ajara.
2. Until the powers of the newly elected Supreme Council of the Autonomous Republic of Ajara are recognised, the internal organisation, procedures and rules of operation of the Supreme Council shall be regulated according to the Rules of Procedure of the Supreme Council of the Autonomous Republic of Ajara applicable at the time of adoption of the Constitution of the Autonomous Republic of Ajara.
3. The regular elections of the Supreme Council of the Autonomous Republic of Ajara shall be held within the time limits defined by the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara.

Batumi

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The flag of the Autonomous Republic of Ajara



The coat of arms of the Autonomous Republic of Ajara



