

LAW OF GEORGIA
ON CONSTITUTIONAL PROCEEDINGS

Chapter I - Principles of Constitutional Proceedings

Article 1

1. Constitutional proceedings shall be conducted before the court based on the Constitution and the equality of arms and the adversarial principle.
2. The persons and authorities referred to in Articles 33(1)-41 ³(1) and in Articles 41 ⁴ and 42 of the Organic Law of Georgia on the Constitutional Court of Georgia shall be equally entitled to apply directly to the Constitutional Court.
3. The parties shall enjoy equal rights and opportunities to provide justification for their requests, to object to or refute the opinions and evidence of the other party.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 600 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175

Law of Georgia No 4629 of 5 May 2011 – website, 25.5.2011

Article 2

1. The proceedings in the Constitutional Court shall be public.
2. To ensure the confidentiality of state, personal, professional or commercial secrets, at the initiative of the Constitutional Court or upon a motion of the parties, a hearing or part of a hearing of the Constitutional Court may be closed. If necessary, witnesses, experts and interpreters may attend a closed hearing. Upon a motion of the parties, the Constitutional Court may authorise other persons to attend a closed hearing as well.
3. A ruling on the consideration of a case in a closed hearing shall be made by the Constitutional Court in the deliberation room.
4. An armed person may not be present during a court hearing, except for persons ensuring the security of the Constitutional Court, who shall be allowed into the courtroom only with the permission of the President of the Constitutional Court.
5. The making of radio, TV, audio and video recordings at a court hearing shall be permissible only with the consent of the court hearing the case concerned.
6. This article shall not apply where the Constitutional Court is considering a case without an oral hearing.

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Law of Georgia No 3070 of 4 May 2010 - LHG I, No 25, 17.5.2010, Art. 171

Article 3

Legal proceedings in the Constitutional Court shall be conducted in the Georgian language. The court shall assign an interpreter to a participant who has no command of the language of the proceedings.

Article 4

1. A judgement on a case may be delivered only by the judges participating in the hearing of that case. If, during the preliminary session and/or the main hearing, any of the judges is replaced by another judge, if requested by the latter, the same stage of the case hearing shall start anew.
2. The removal of any of the judges hearing the case shall not preclude further review of the case, provided that the remaining number of judges makes up a quorum.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 4629 of 5 May 2011 – website, 25.5.2011

Law of Georgia No 5162 of 3 June 2016 – website, 4.6.2016

Article 5



1. Hearings shall be held orally, except for the cases provided for by Article 27¹ of the Organic Law of Georgia on the Constitutional Court of Georgia. The court shall, in the manner prescribed by law, hear the statements and submissions of the participants of the proceedings, the testimonies of witnesses, experts and specialists, and publish the written evidence adduced in the case and provided by trial participants.
2. In cases provided for by Article 27¹ of the Organic Law of Georgia on the Constitutional Court of Georgia, the Constitutional Court shall, upon admitting a constitutional claim/submission for hearing on the merits, make a reference in the record of the ruling to the review of the case without oral hearing
3. To fully and comprehensively examine the details of a case, when reviewing a case without oral hearing, the Constitutional Court may adopt a record of the ruling on the oral hearing of the case, which shall be immediately communicated to the parties.

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Article 6

1. A court hearing shall continue without interruption during a working day. In agreement with the parties, the Constitutional Court may hold a hearing at any time.
2. The court may defer or suspend a hearing if it is necessary to summon additional witnesses and specialists, to conduct an expert examination, to request additional evidence, or to eliminate any other circumstances impeding the hearing. The hearing shall be resumed from the moment at which it was suspended.
3. (Deleted).
4. A member of the Constitutional Court participating in the hearing may, before the completion of the deferred or suspended hearing, participate in any other hearing.
5. When reviewing or deciding a constitutional claim and/or a constitutional submission, the Plenum/Board of the Constitutional Court may review and decide the admission of any other constitutional claim and/or constitutional submission for hearing on the merits. After the completion of the hearing on the merits of a constitutional claim and/or of a constitutional submission and after retiring to the deliberation room, the Plenum/Board of the Constitutional Court may hear on its merits and any other constitutional claim and/or constitutional submission.

Law of Georgia No 1270 of 12 February 2002 – LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 3712 of 15 October 2010 – LHG I, No 57, 25.10.2010, Art. 368

Law of Georgia No 4629 of 5 May 2011 – website, 25.5.2011

Article 7

1. The court shall adopt a judgement in the deliberation room by open ballot. In the process of deliberation and decision-making, only those judges shall be present in the deliberation room who participated in the hearing of that case.
2. A judge participating in the hearing may not refuse to vote or abstain from voting.
3. A member of the Constitutional Court participating in the consideration of a case may have a dissenting opinion, or a concurrent opinion during the decision-making process, which shall be recorded in writing.
4. A dissenting/concurrent opinion of a member of the Constitutional Court shall be attached to the record of the hearing of the Constitutional Court and shall, under the procedure established by this Law, be published on the website of the Constitutional Court and in the Legislative Herald of Georgia.
5. (Deleted – 3.6.2016, No 5162).

Law of Georgia No 1270 of 12 February 2002 – LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 5162 of 3 June 2016 – website, 4.6.2016

Article 8

1. No one may require a member of the Constitutional Court to give an account or explanation of a specific case.
2. A member of the Constitutional Court may not:
 - a) before the start of a hearing, or outside a court session, express his/her opinions or give consultations to any person on compliance with the Constitution of the laws or any other acts to be reviewed;
 - b) disclose the content of the deliberations held by the Constitutional Court during the decision-making process or the position of a member of the Constitutional Court during the vote.



Article 9

The rules of the Constitutional Court for hearing cases in a panel and for decision-making are laid down in Articles 44 and 45 of the Organic Law of Georgia on the Constitutional Court of Georgia.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Chapter II - Jurisdiction and Participants of Constitutional Proceedings

Article 10

1. The issues determined by Article 19 of the Organic Law of Georgia on the Constitutional Court of Georgia shall fall within the jurisdiction of the Constitutional Court of Georgia.

2. Issues falling within the jurisdiction of the Plenum and that of the Board of the Constitutional Court are separated under Article 21(1-4) of the Organic Law of Georgia on the Constitutional Court of Georgia.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Article 11

1. The Constitutional Court may not discuss the compliance of an entire law or a normative act with the Constitution if the claimant or the author of the submission requests that only a certain provision of the law or of the normative act be recognised as unconstitutional.

1¹. In cases provided for by Article 41¹ of the Organic Law of Georgia on the Constitutional Court of Georgia, the Constitutional Court may not discuss the compliance of an entire normative act with the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, or in the cases provided for by Article 41² of the same Law, with the Constitution of Georgia, with the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, with the Constitutional Agreement, with the treaties and international agreements of Georgia or with the laws of Georgia, if the claimant or the author of the submission requests that only a certain provision of the disputed act be recognised as void.

2. If a claimant or an author of a submission requests a judgement on several issues, some of which fall within the jurisdiction of the Constitutional Court and the others fall within the competence of any other public authority, the Constitutional Court shall review only the issues falling within its jurisdiction under the Organic Law on the Constitutional Court of Georgia.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 175 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175

Article 12

1. Participants of constitutional proceedings shall be:

a) the parties - persons and authorities that, according to Articles 33-40, 41¹ and 41³, are considered claimants and defendants;

b) representatives of the parties- authorised persons to whom the parties have transferred their powers in accordance with the law. The assignment of a representative to the Constitutional Court of Georgia shall be mandatory if the number of persons filing a constitutional claim or a constitutional submission is more than two, or if the person filing a constitutional submission is in a penitentiary. The power of attorney of a party's representative shall be certified by a notary or in the manner prescribed for the respective institution;

c) defenders of the interests of the parties- defence lawyers who, according to the legislation, are authorised to practice law, or any other persons with a degree in law who participate in legal proceedings only with the parties or with their representatives. They may be appointed both by a party and by its representative.

2. The Constitutional Court shall hear on the merits the constitutional submissions specified in Article 19(1)(f),(h) and (j) and Article 19(2) of the Organic Law of Georgia on the Constitutional Court of Georgia without the authors of the submissions and their representatives. The Constitutional Court may invite the authors of a submission, or, when preparing an opinion on the issue specified in paragraph 1(h) of the same article, the relevant officials as well, and hear their explanations, but it shall not recognise those persons as the parties. Regardless of whether or not they have been invited to a court hearing, the above officials may submit written explanations to the Constitutional Court.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 2313 of 2 June 2003 - LHG I, No 13, 2.6.2003, Art. 89

Law of Georgia No 600 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175



Article 13

1. The participants of constitutional proceedings shall be equally entitled to review the case materials, make extracts and copies, participate in the examination of evidence, provide evidence, put questions to each other, to witnesses, to experts and specialists, file a motion with the Constitutional Court, give the Court oral or written explanations, submit their conclusions and express their opinions on all the issues raised during the court hearing, reject the motions, conclusions and opinions of the other party, and deliver closing arguments.

2. A claimant may reduce the extent of the claim, or withdraw the claim. The withdrawal of a claim, as well as the annulment or invalidation of the disputed act at the time of the hearing, shall result in the termination of the proceedings in the Constitutional Court, except for the cases provided for by paragraph 6 of this article.

3. The author of a submission specified in Article 19(1)(h) of the Organic Law of Georgia on the Constitutional Court of Georgia may, at any stage of the constitutional proceedings, withdraw the constitutional submission and request the termination of the proceedings in the Constitutional Court. For this purpose, the author of the constitutional submission shall apply to the Constitutional Court, which shall be obliged to satisfy the request.

3¹. The author of the constitutional submission specified in Article 19(1)(j) of the Organic Law of Georgia on the Constitutional Court of Georgia may, at any stage of the constitutional proceedings, withdraw the constitutional submission and request the termination of the proceedings in the Constitutional Court. For this purpose, the author of the constitutional submission shall apply in writing to the Constitutional Court. The withdrawal of a constitutional submission, and the annulment or invalidation of a disputed act at the time of the hearing, shall result in the termination of the proceedings in the Constitutional Court, except for the cases provided for by paragraph 6 of this article.

4. The Common Court and/or the High Council of Justice of Georgia which files a constitutional submission to the Constitutional Court may not withdraw the constitutional submission and request the termination of the proceedings in the Constitutional Court.

5. At any stage of the constitutional proceedings, a defendant may admit the claim in full or in part. Admission of the claim by the defendant shall not result in the termination of the proceedings in the Constitutional Court.

6. If a disputed act is annulled or invalidated after the Constitutional Court admits a case for a hearing on the merits and if the case concerns the human rights and freedoms recognised by the Second Chapter of the Constitution of Georgia, the Constitutional Court may continue the proceedings and decide on the compliance or otherwise of the annulled or invalidated disputed act with the Constitution of Georgia where the decision on that case is particularly important in safeguarding constitutional rights and freedoms.

Article 14

Participants of constitutional proceedings shall be obliged to exercise their rights in good faith. Provision of false information knowingly to the Constitutional Court shall incur liability under the law.

Chapter II¹ - Amicus Curiae in Constitutional Proceedings

Law of Georgia No 1891 of 22 October 2009 – LHG I, No 33, 9.11.2009, Art. 210

Article 14¹

1. Any physical or legal person may, with regard to a specific case, submit to the Constitutional Court of Georgia his/her written opinion in accordance with the Rules of the Constitutional Court of Georgia.

2. The Constitutional Court of Georgia shall not be obliged to consider the written opinion referred to in paragraph 1 of this article.

3. The Constitutional Court may, if it deems necessary, use the opinion submitted by the friend of the court, which may also be included in the reasoning part of the judgement.



4. If the Constitutional Court considers the written opinion of the friend of the court to be sufficiently important, it may summon him/her to a court hearing in order to put additional questions.

Law of Georgia No 1891 of 22 October 2009 – LHG I, No 33, 9.11.2009, Art. 210

Chapter III -Commencement of Constitutional Proceedings and Admission of Cases for Hearing

Article 15

1. The lodging of a constitutional claim or a constitutional submission with the Constitutional Court shall serve as grounds for the commencement of constitutional proceedings.

1¹. A constitutional claim or a constitutional submission shall be deemed to be admitted for hearing on its merits by the Constitutional Court if the Plenum or Board of the Constitutional Court makes a decision at the preliminary session to admit the case for a hearing on the merits.

2. A constitutional submission shall be filed with respect to issues provided for by Article 19(1)(h), (j and l), Articles 19(2) and 19(1)(f) of the Organic Law of Georgia on the Constitutional Court of Georgia (in the case provided for by Article 38(2) of the same Law), while a constitutional claim shall be filed with respect to the other issues.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 600 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175

Law of Georgia No 4629 of 5 May 2011 – website, 25.5.2011

Article 16

1. A constitutional claim shall be prepared in accordance with the claim form approved by the Constitutional Court of Georgia. A constitutional claim shall be signed by the claimant (claimants) (if the claimant is the President of Georgia or a group of the members of the Parliament of Georgia, his/her/their signatures shall be certified under Article 12(1)(b) of this Law) and it shall include:

- a) the name of the Constitutional Court;
- b) the names and addresses of the claimant and the defendant;
- c) the name of the disputed legal act, the name of the authority that has adopted/issued the act and the date of its adoption/issue;
- d) the provisions of the Constitution of Georgia which, in the claimant's opinion, the disputed legal act conflicts with or violates, or in violation of which the legislative act of Georgia or a resolution of the Parliament of Georgia has been adopted/issued, signed, published or has entered into force;
- e) the evidence that, in the claimant's opinion, supports the constitutional claim;
- f) the substance of the claim;
- g) the provisions of the Constitution of Georgia, of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law, that entitle the claimant to file a constitutional claim;
- h) a list of documents attached to the constitutional claim as well as a list of the names and addresses of persons who, in the opinion of the claimant, must be summoned by the Constitutional Court;
- i) a request to review the case without oral hearing, provided that the claimant requests the review of the case without oral hearing.

2. The constitutional claim provided for by paragraph 1 of this article shall be accompanied by:

- a) the text of the disputed legal act;
- b) a document confirming the powers of the representatives and of the defenders of the interests of the claimant, including their addresses;
- c) a document issued by a banking institution confirming the payment of the state fee;
- d) an electronic copy of the constitutional claim.

3. A constitutional submission filed with respect to the issues provided for by Article 19(1)(f) and (h) of the Organic Law of Georgia on the Constitutional Court of Georgia shall be signed by the authors of the submission (if the author of the submission is a group of the members of the Parliament of Georgia, their signatures shall be confirmed in the manner prescribed by Article 12(1)(b) of this Law) and it shall include:

- a) the name of the Constitutional Court;
- b) the names and addresses of the authors of the constitutional submission;
- c) the title of the disputed treaty or international agreement, the name of its signatory and the date of signature, if the submission is filed with respect to



the issue provided for by Article 19(1)(f) of the Organic Law of Georgia on the Constitutional Court of Georgia, or the name of the official, if the submission is filed with respect to the issue provided for by Article 19(1)(h) of the same;

d) the provisions of the Constitution of Georgia which, in the opinion of the authors of the constitutional submission, the disputed treaty or international agreement conflicts with or violates;

d¹) the provisions of the Constitution of Georgia which, in the opinion of the authors of the constitutional submission, are violated by the official, and/or an article (articles) of the Criminal Code of Georgia specifying the crime that, in the opinion of the author of the constitutional submission, has been committed by the official, and the description of the actions that, in the opinion of the authors of the constitutional submission, serve as grounds for impeachment;

e) the evidence that, in the opinion of the authors of the submission, supports the constitutional submission;

f) the substance of the claim;

g) the provisions of the Constitution of Georgia, of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law, that entitle the authors to file a constitutional submission;

h) a list of documents attached to the constitutional submission, as well as a list of the names and addresses of persons who, in the authors' opinion, must be summoned by the Constitutional Court.

4. The following shall be attached to the constitutional submission provided for by paragraph 3 of this article:

a) a text of the disputed treaty or international agreement, if a submission is filed with respect to the issue provided for by Article 19(1)(f) of the Organic Law of Georgia on the Constitutional Court of Georgia;

b) a document confirming the power of representatives of the authors of constitutional submission that includes their addresses;

c) a document issued by a banking institution confirming the payment of the state fee;

d) an electronic copy of the constitutional submission.

4¹. A constitutional claim filed with respect to the issues provided for by Article 19(1)(i) of the Organic Law of Georgia on the Constitutional Court of Georgia shall be signed by the claimants (if the claimant is a group of the members of the Parliament of Georgia, their signatures shall be confirmed in the manner prescribed by Article 12(1)(b) of this law), and shall include:

a) the name of the Constitutional Court;

b) the names and addresses of the claimants and defendants;

c) the name of the disputed legal act, the name of the adopting/issuing authority and the date of its adoption/issue;

d) the provisions of the Constitutional Law of Georgia on the Status of the Autonomous Republic of Adjara which, according to the claimant, the disputable act conflicts with or violates;

e) the evidence that, in the opinion of the claimants, supports the constitutional claim;

f) the substance of the claim;

g) the provisions of the Constitution of Georgia, of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law, that entitle the claimant to file a constitutional claim;

h) a list of the documents attached to the constitutional claim as well as a list of the names and addresses of persons who, in the opinion of the claimant, must be summoned by the Constitutional Court;

i) a request to review the case without oral hearing, provided that the claimants request the review of the case without oral hearing.

4². The constitutional claim provided for by paragraph 4¹ of this article shall be accompanied by:

a) the text of the disputed legal act;

b) a document confirming the powers of the representatives of the claimants, including their addresses;

c) a document issued by a banking institution confirming the payment of the state fee;

d) an electronic copy of the constitutional claim.

4³. A constitutional submission filed with respect to the issues provided for by Article 19(1)(j) of the Organic Law of Georgia on the Constitutional Court of Georgia shall include:

a) the name of the Constitutional Court;

b) the name of the author of the constitutional submission and his/her address;

c) the title of the disputed act, the name of the adopting/issuing authority and the date of adoption/issue;



d) the provisions of the Constitution of Georgia, of the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, of the treaties and international agreements or laws of Georgia, that, in the opinion of the author of the constitutional submission, the disputed act conflicts with or violates;

e) the evidence that, in the opinion of the author of the submission, support the constitutional submission;

f) the substance of the claim;

g) the provisions of the Constitution of Georgia, of the Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara, of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law, which entitle the author of the submission to file a constitutional submission;

h) a list of the documents attached to the constitutional submission as well as a list of the names and addresses of persons who, in the author's opinion, must be summoned by the Constitutional Court.

4⁴. The constitutional submission provided for by paragraph 4³ of this article shall be accompanied by:

a) the resolution provided for by Article 41²(1) of the Organic Law of Georgia on the Constitutional Court of Georgia;

b) the text of the disputed legal act;

c) a document confirming the powers of the representatives of the authors of the constitutional submission that includes their addresses;

d) a document issued by a banking institution confirming the payment of the state fee;

e) an electronic copy of the constitutional submission.

4⁵. A constitutional submission filed with respect to the issues provided for by Article 19(1)(l) of the Organic Law of Georgia shall be signed by the Secretary of the High Council of Justice of Georgia and shall include:

a) the name of the Constitutional Court;

b) the name of the author of the constitutional submission and his/her address;

c) the name of the normative act in relation to which the establishment of constitutionality is requested by the High Council of Justice of Georgia, the name of the adopting/issuing authority and date of adoption/issue, and if the act is a treaty or an international agreement, the name of its signatory and date of signature;

d) the provisions of the Constitution of Georgia which, in the opinion of the authors of the constitutional submission, are violated by the normative act in relation to which the establishment of constitutionality is requested by the High Council of Justice of Georgia;

e) the evidence that, in the opinion of the author of the constitutional submission, supports the constitutional submission;

f) the substance of the claim;

g) the provisions of the Constitution of Georgia, of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law, that entitle the authors of the constitutional submission to file a constitutional submission;

h) a list of the documents attached to the constitutional submission as well as a list of the names and addresses of persons who, in the author's opinion, must be summoned by the Constitutional Court.

4⁶. The constitutional submission provided for by paragraph 4⁵ of this article shall be accompanied by:

a) the text of the disputed legal act;

b) the document confirming the powers of the representatives of the authors of the constitutional submission, including their addresses;

c) a document issued by a banking institution confirming the payment of the state fee;

d) an electronic copy of the constitutional submission.

5. A constitutional submission filed by a Common Court shall be signed by the single judge hearing the case, or by members of the panel of judges of the court hearing the case and shall include:

a) the name of the Constitutional Court;

b) the names and addresses of the court and of the judge/panel of judges of the court filing the constitutional submission;

c) the title of the normative act in relation to which the establishment of the constitutionality is requested by a Common Court, the name of its the adopting/issuing authority and the date of adoption/issue, and if the act is a treaty or an international agreement, the names of its signatories and date of signature;

d) the provisions of the Constitution of Georgia which, in the opinion of authors of the constitutional submission, the normative act conflicts with or violates;

e) the evidence that, in the opinion of court filing the submission, support the constitutional submission;



f) the provisions of the Constitution of Georgia, of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law, that entitle the court filing the constitutional submission to file a constitutional submission;

g) a list of the documents attached to the constitutional submission.

6. The constitutional submission provided for by paragraph 5 of this article shall be accompanied by:

a) the text of the normative act in relation to which the establishment of the constitutionality is requested by the Common Court;

b) a court order on the suspension of the proceedings;

c) an electronic copy of the constitutional submission.

7. A constitutional claim, a constitutional submission and the attached documents shall be drafted in the Georgian language.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 600 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Law of Georgia No 1891 of 22 October 2009 – LHG I, No 33, 9.11.2009, Art. 210

Law of Georgia No 4629 of 5 May 2011 – website, 25.5.2011

Law of Georgia No 1021 of 6 September 2013 - website, 23.09.2013.

Article 17

1. After having been filed at the Constitutional Court, a constitutional claim and a constitutional submission shall be registered by an authorised employee of the Constitutional Court after a formal examination (not of content) of the case materials. If immaterial, formal inaccuracies are found in the constitutional claim or the constitutional submission, they shall be registered with the consent of the Secretary of the Constitutional Court, and the claimant or the author of the submission or their representatives shall be given 15 days to correct the inaccuracies. Unless the inaccuracies have been corrected within the above period, the registration of the claim or submission shall be annulled. If registration is denied, the claimant or the author of a submission or their representatives may apply to the Secretary of the Constitutional Court, who shall make the final decision.

2. A registered constitutional claim or constitutional submission shall be immediately transferred to the President of the Constitutional Court who shall, considering the requirements defined in Article 21(1, 2 and 4) of the Organic Law of Georgia on the Constitutional Court of Georgia, transfer a case that fall within jurisdiction of the Board of the Constitutional Court to the Board to decide whether to admit the case for hearing on the merits, and if a case falls within jurisdiction of the Plenum of the Constitutional Court, the President of the Constitutional Court shall, within the same period, on the basis of the procedure established under paragraph 3¹ of this article, appoint a judge rapporteur for the session of the Plenum, and refer the case to him/her. During referral of cases to the Boards of the Constitutional Court, the order of sequence must be observed, except as provided for in paragraph 2¹ of this article.

2¹) If a registered constitutional claim has the same contents, or is legally substantially connected to the matter to which a constitutional claim transferred earlier to the Board of the Constitutional Court refers, the President of the Constitutional Court may, for combining this claim into one proceeding, transfer it to the same Board for consideration.

2²) If a registered constitutional claim/constitutional submission is to be considered by the Plenum of the Constitutional Court or, by decision of the Board of the Constitutional Court/the President of the Constitutional Court, has been transferred to the Plenum for consideration and it is, in content or legally, substantially connected to the matter to which a constitutional claim/constitutional submission transferred earlier to the Plenum refers, the Plenum may combine these claims/submissions into one proceeding.

3. Upon receiving a case, the chairperson of the Board of the Constitutional Court shall, on the basis of the procedure established under paragraph 3¹ of this article, appoint a judge rapporteur for a preliminary session and refer the case to the members of the Board.

3¹) For the purposes of paragraphs 2 and 3 of this article, the judge rapporteur shall be selected with the use of an automated, electronic selection system.

4. The Plenum/Board of the Constitutional Court shall, without oral hearing, decide on the admission of a constitutional claim or a constitutional submission for hearing on its merits. If a record of the ruling has been adopted on the holding of an oral hearing, a preliminary session shall be held. The date of the preliminary session of the Plenum shall be set by the President of the Constitutional Court and, in the case of the Board, by the chairperson of the Board.

5. The admission of a constitutional claim or constitutional submission for hearing on its merits shall be documented in a record of the ruling of the Plenum or the Board of the Constitutional Court, and if the admission for hearing on the merits is refused, the Plenum/Board shall deliver a reasoned ruling.

5¹. In cases provided for by Article 25(4¹) of the Organic Law of Georgia on the Constitutional Court of Georgia, the Constitutional Court shall pass a reasoned ruling.

6. When examining a constitutional claim or a constitutional submission, the judge rapporteur shall verify whether there exist grounds determined by Article 18 of this Law to deny the hearing on the merits of the claim or submission or of any issue referred to in them, and if necessary, clarify, with the authors of the constitutional submission and/or with the authors' representatives, the relevant issues. If a decision on the admission of a constitutional



claim or a constitutional submission for hearing on the merits is adopted without oral hearing, the judge rapporteur shall prepare a draft ruling or a draft record of the ruling for the preliminary session. The draft shall, along with the case materials, be submitted to the chairperson of the Plenum or of the relevant Board of the Constitutional Court; the chairperson shall, at least 2 days before the preliminary session, ensure that they are transferred to the members of the Board. If any of the members of the Board do not agree with the draft to be submitted for discussion to the preliminary session, that member may submit his/her version of the draft.

6¹. In cases provided for by Article 25(4)(¹) of the Organic Law of Georgia on the Constitutional Court of Georgia, the judge rapporteur shall find out whether there exist grounds for recognising as invalid the disputed act or part thereof, and if necessary, clarify the issues relating to the case with the authors of the constitutional submission and/or with their representatives. If a decision on the admission of a constitutional claim or a constitutional submission for hearing on the merits is adopted without oral hearing, the judge rapporteur shall prepare a draft judgement for the preliminary session.

7. If a constitutional claim or a constitutional submission is admitted for hearing on the merits, the Constitutional Court shall, within 3 days after receiving a record of the ruling, send to the defendant a notification on the admission of the case for hearing on its merits, and case materials. In the case provided for by Article 19(1)(h) of the Organic Law of Georgia on the Constitutional Court of Georgia, the Constitutional Court shall, within 3 days after registering the constitutional submission according to paragraph 1 of this article, send to the official whose impeachment is required, a notification on the filing of a constitutional submission to the Constitutional Court, and the case materials.

8. The hearing of a case falling within the jurisdiction of the Plenum of the Constitutional Court shall start earlier than the hearing of a case falling within the jurisdiction of the Board. The Constitutional Court shall review the issues provided for by Article 19(1)(d),(g),(h),(i),(j) and (l), Article 19(1)(f) (in the case provided for by Article 38(2) of the same law) and Article 19(2).

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 600 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Law of Georgia No 78 of 27 June 2008 - LHG I, No 12, 14.7.2008, Art. 99

Law of Georgia No 1891 of 22 October 2009 – LHG I, No 33, 9.11.2009, Art. 21 0

Law of Georgia No 4629 of 5 May 2011 – website, 25.5.2011

Law of Georgia No 1021 of 6 September 2013 - website, 23.09.2013

Law of Georgia No 5162 of 3 June 2016 – website, 4.6.2016

Article 18

A constitutional claim or a constitutional submission shall not be admitted for review if:

- a) it does not satisfy the requirements set forth by Article 3 of this Law either in terms of form or content;
- b) it has not been filed by an authorised person or body (entity);
- c) none of the disputed issues indicated in it falls within the jurisdiction of the Constitutional Court;
- d) all the disputed issues indicated in it have already been decided by the Constitutional Court of Georgia, except for the cases provided for by Article 21¹ of the Organic Law of Georgia on the Constitutional Court of Georgia.
- e) none of the disputed issues indicated in it have been decided under the Constitution of Georgia;
- f) the proper review of the constitutionality of the disputed subordinate normative act is impossible without a review of the constitutionality of a normative act ranking higher in the hierarchy of normative acts, but which has not been appealed under the constitutional claim.
- g) the deadline for its filing has been missed without valid reasons.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Law of Georgia No 1891 of 22 October 2009 – LHG I, No 33, 9.11.2009, Art. 21 0

Article 19

A refusal to admit for review a constitutional claim or a constitutional submission on any of the grounds provided for by Article 18(c-f) of this Law shall exclude the admission for review of a constitutional claim or a constitutional submission resubmitted on the same subject and on the same grounds, except for the case provided for by Article 18(d) of this Law.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18



Article 20

1. The Constitutional Court shall notify in advance the claimant, the author of the constitutional submission or their representatives of the date of the preliminary session.
2. The Plenum/Board of the Constitutional Court may, or in the case of a written application of the claimant, of the author of the submission or of their representatives, shall be obliged, to summon to the preliminary session the claimant, the author of the submission or their representatives and defenders of their interests and hear their explanations on the issues specified in Article 18 of this Law.
3. The Plenum/Board of the Constitutional Court may summon to the preliminary session the claimant, its representative, and defender of interests and hear their explanations.
4. In the cases provided for by Article 25(4)(1) of the Organic Law of Georgia on the Constitutional Court of Georgia, the Plenum/Board of the Constitutional Court may, or in the case of a written application of the authors of the submission or of their representatives, shall be obliged to, summon to the preliminary session the claimant, the author of the submission, the defendant, their representatives, defenders of their interests and hear their explanations.
5. This article shall not apply to the review of a case without oral hearing. In that case, a ruling or a record of the ruling of the Constitutional Court shall be sent to the parties within 2 days after its adoption.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 600 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Article 21

1. A record of the ruling on the admission of a constitutional claim or a constitutional submission for hearing on its merits shall indicate:
 - a) the name and composition of the Constitutional Court hearing the case;
 - b) the time and place of the drafting of the record of the ruling;
 - c) the participants of the hearing and the subject-matter of the dispute;
 - d) the issue with respect to which a record of the ruling has been drafted;
 - e) the provisions of the Constitution of Georgia, of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law on which basis the Plenum or Board of the Constitutional Court has admitted for hearing the constitutional claim or the constitutional submission;
 - f) a notation on the admission for hearing of the constitutional claim or the constitutional submission;
 - g) an estimated date for the commencement of the hearing;
 - h) in cases provided for by Article 27¹ of the Organic Law of Georgia on the Constitutional Court of Georgia, a reference to the review of the case without oral hearing.
2. A ruling on the refusal to admit a constitutional claim or a constitutional submission for hearing on its merits shall indicate:
 - a) the name and composition of the Constitutional Court;
 - b) the time and place of the adoption of the ruling;
 - c) the participants of the hearing and the subject-matter of the dispute;
 - d) the issue on which the ruling has been delivered;
 - e) the provisions of the Constitution of Georgia, of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law on which basis the Plenum or the Board of the Constitutional Court has dismissed the constitutional claim or the constitutional submission;
 - f) a notation on the dismissal of the constitutional claim or the constitutional submission;
3. In cases provided for by Article 25(4)¹ of the Organic Law of Georgia on the Constitutional Court of Georgia, the ruling on declaring a disputed act invalid shall indicate:
 - a) the name and composition of the Constitutional Court;
 - b) the time and place of the adoption of the ruling;
 - c) the participants of the hearing and the subject-matter of the dispute;



d) the issue on which the ruling has been delivered;

e) the provisions of the Constitution of Georgia, of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law on which basis the Plenum or the Board of the Constitutional Court has dismissed the constitutional claim or the constitutional submission and declared the disputed act invalid;

f) a notation on the dismissal of the constitutional claim or the constitutional submission;

g) a notation on the declaration of the disputed act as invalid.

4. In cases provided for by Article 21¹ of the Organic Law of Georgia on the Constitutional Court of Georgia, the record of the ruling shall indicate:

a) the name and composition of the Constitutional Court hearing the case;

b) the time and place of the drafting of the record of the ruling;

c) the participants of the hearing and the subject-matter of the dispute;

d) the issue with respect to which the record of the ruling has been drafted;

e) the provisions of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law on which basis the Board of the Constitutional Court refers the case to the Plenum;

f) a notation on the referral of the constitutional claim/submission to the Plenum;

g) (deleted – 5.5.2011, No 4629).

5. The following information shall be indicated in the record of ruling under Article 25(5) of the Organic Law of Georgia on the Constitutional Court of Georgia, by which the validity of a disputed act or an appropriate part thereof is suspended until the delivery of the final ruling:

a) the name and composition of the Constitutional Court hearing the case;

b) the time and place of drafting the record of ruling;

c) participants of the hearing and the subject matter of the dispute;

d) the issue with respect to which the record of ruling has been drafted;

e) grounds on which the findings of the Constitutional Court are based;

f) provisions of the Organic Law of Georgia on the Constitutional Court of Georgia and of this Law on which the record of ruling is based;

g) notation regarding the suspension of the validity of a disputed act or an appropriate part thereof, and the period of suspension;

h) notation regarding the revocation of the ruling on suspending the validity of a disputed act or an appropriate part thereof.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 600 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Law of Georgia No 4629 of 5 May 2011 – website, 25.5.2011

Law of Georgia No 5162 of 3 June 2016 – website, 4.6.2016

Article 22

1. The Constitutional Court shall make a decision on the admission of a constitutional claim/a constitutional submission for hearing on the merits, and on the issues provided for by Article 21¹ and Article 25 (4¹ and 5) of the Organic Law of Georgia on the Constitutional Court of Georgia, by open ballot, in the deliberation room.

2. A draft ruling or a draft record of the ruling shall be submitted to the Plenum/Board of the Constitutional Court by the judge rapporteur. If there exists another draft ruling or draft record of the ruling, it shall be voted for separately.

3. A ruling/record of ruling of the Constitutional Court, except as provided for in paragraph 4 of this article, shall enter into force from the moment of its signature by all members of the Constitutional Court participating in a case hearing. In the case when a member of the Court deliberately avoids signing, or fails to put his/her signature due to an objective reason and the number of signatories is sufficient for adopting the relevant ruling/record of ruling, such a ruling/record of ruling may be announced in the courtroom.

4. Announcement of a ruling and a record of ruling adopted in cases provided for in Article 25(4¹ and 5) of the Organic Law of Georgia on the Constitutional Court of Georgia in the courtroom shall be mandatory.

5. The ruling/record of ruling specified in paragraph 4 of this article shall enter into force after its signature by all members of the Constitutional Court



participating in the case hearing. In the case when a member of the Court deliberately avoids signing, or fails to put his/her signature due to an objective reason and the number of signatories is sufficient for adopting the relevant ruling/record of ruling – from the moment of its publication, unless a different time frame is determined under the Organic Law of Georgia on the Constitutional Court of Georgia. A ruling and a record of ruling shall be considered published when their full text is published on the website of the Constitutional Court.

6. The parties shall be notified of the adoption (announcement) of a ruling/a record of the ruling of the Constitutional Court of Georgia.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 600 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Law of Georgia No 4629 of 5 May 2011 – website, 25.5.2011

Law of Georgia No 5162 of 3 June 2016 – website, 4.6.2016

Article 23

A record of a preliminary session of the Constitutional Court shall be prepared in the manner prescribed by Article 34 of this Law.

Chapter IV -Hearing a Case on its Merits and Adopting a Judgement

Article 24

1. The Plenum of the Constitutional Court shall hear a case on its merits at the session of the Plenum, which is chaired by the President of the Constitutional Court or the acting President.

2. The Plenum of the Constitutional Court may hear a case on the merits and adopt a judgement if at least 6 members are present at its session, except as provided for in Article 44(2) of the Organic Law of Georgia on the Constitutional Court of Georgia.

3. The Board of the Constitutional Court shall hear a case on its merits at a session of the Board, which is chaired by its chairperson or acting chairperson.

4. The Board may hear a case on its merits and adopt a judgement if at least 3 of its members are present during the session.

Law of Georgia No 5162 of 3 June 2016 – website, 4.6.2016

Article 25

1. Before the commencement of the hearing of a case on its merits, the presiding judge shall:

a) open the session of the Constitutional Court of Georgia and announce the case that is to be heard on its merits;

b) check the quorum of judges and the presence of the secretary of the session;

c) check the powers of the parties;

d) verify the presence of the participants of the proceedings, of witnesses, experts and specialists, and the reasons for their absence;

e) announce the composition of the Constitutional Court hearing the case and the name of the secretary;

f) inform the participants of the proceedings about their rights and obligations provided for by the Organic Law of Georgia on the Constitutional Court of Georgia and by this Law;

g) inquire whether the participants of the proceedings wish to call additional witnesses, experts and specialists, or request additional evidence. The court shall decide motions filed with respect to such issues by a majority of votes without retiring to the deliberation room:

h) announce the commencement of the hearing of a case on its merits.

2. A party may apply to the Constitutional Court hearing the case with a request to remove a member of the Constitutional Court, an expert, a specialist, or an interpreter participating in the hearing if:

a) the member of the Constitutional court, the expert, the specialist, or the interpreter is a close relative of a party or of its representative;

b) the member of the Constitutional Court, the expert, the specialist or the interpreter is directly or indirectly interested in the outcome of the case, or if there are any other circumstances that put in question the impartiality of the member of the Constitutional Court, the expert, the specialist or the interpreter.



3. If there exist grounds provided for by paragraph 2 of this article, a member of the Constitutional Court, an expert, a specialist, or an interpreter may remove themselves from the hearing.

4. A decision on removal shall be taken by the Constitutional Court in accordance with the procedural legislation.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Article 26

1. The hearing of a case on its merits shall commence with a report of the member of the Constitutional Court reporting on the case. The judge reporting on the case shall:

a) report to the Constitutional Court on the grounds for the commencement of the hearing in the Constitutional Court and for hearing the case on its merits, as well as on the contents of the materials contained in the case files;

b) respond to the questions of the members of the Constitutional Court participating in the hearing.

2. After reporting on the case, the Constitutional Court shall first hear the statement of the claimant and then the statement of the defendant. A member of the Constitutional Court participating in the hearing may put questions to the parties and their representatives.

3. After hearing the parties, the Court shall hear the testimonies of the witnesses, experts and specialists, and publish the written evidence contained in the case and provided by the participants of the hearing. Before examining the experts and specialists, the presiding judge shall establish their identity and warn them in writing about the liability provided for by law that may be incurred for refusing to give testimony or for knowingly giving false testimony or for providing a false opinion. The presiding judge shall also warn the interpreter about his/her liability for deliberately inaccurate interpretation.

4. A member of the Constitutional Court participating in the hearing may put questions to witnesses, experts and specialists.

5. The presiding judge may, upon a motion of the parties, or on his/her own initiative, or at the initiative of a member of the Constitutional Court participating in the hearing and with the consent of the majority of the members of the Constitutional Court participating in the hearing, disallow a question put to the parties, witnesses, experts, specialists and the friend of the court.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 1891 of 22 October 2009 – LHG I, No 33, 9.11.2009, Art. 21 0

Article 27

Measures against persons causing disturbance in the courtroom shall be applied, and the liability for providing knowingly false information and for refusing to give testimony or for giving a knowingly false testimony shall be incurred under the Criminal Code of Georgia and the procedural legislation.

Article 28

After examining all the evidence relating to the case, the Constitutional Court shall hear the closing arguments of the parties to the hearing. Floor shall be given first to the claimant or to his/her representative and defence lawyer. After hearing the closing arguments, the court shall retire to the deliberation room, which the presiding judge shall announce to the participants of the hearing and to other persons present in the courtroom.

Article 29

1. After all members of the Constitutional Court participating in the hearing of a case on the merits sign the judgement or opinion of the Constitutional Court, the presiding judge shall announce the judgement/opinion and the information about whether there is a dissenting opinion/concurrent opinion of a member of the Constitutional Court in the courtroom. In the case when a member of the Constitutional Court deliberately avoids signing, or fails to put his/her signature due to an objective reason and the number of signatories is sufficient for adopting the relevant ruling/record of ruling, the presiding judge shall announce the judgement/opinion and the information about whether there is a dissenting opinion/concurrent opinion of a member of the Constitutional Court in the courtroom.

2. A judgement and an opinion of the Constitutional Court shall be announced on behalf of Georgia.

3. A judgement delivered or an opinion adopted without oral hearing need not be announced in the courtroom.

4. The Constitutional Court may only announce the **reasoning** and operative parts of a judgement/opinion of the Constitutional Court. In that case, the parties shall immediately be provided with the full text of the judgement/opinion. (*Invalidated* – Judgement No 3/5/768, 769, 790, 792 of the Constitutional Court of Georgia of 29 December 2016 – website, 12.1.2017)

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18



Article 30

A decision or conclusion of the Constitutional Court shall be substantiated. The Constitutional Court shall base its judgement or opinion only on the evidence that has been examined at the session of the Constitutional Court or that has been presented to the Constitutional Court in the case of a review of a case without oral hearing.

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Article 31

A judgement and an opinion of the Constitutional Court shall consist of the introductory, descriptive, reasoning and operative parts.

Article 32

1. The introductory part of a judgement or opinion of the Constitutional Court shall indicate:

- a) the name of the Constitutional Court;
- b) the date and place of delivering the judgement or the opinion;
- c) the composition of the court and the name of the secretary of the sitting;
- d) the participants of the hearing and subject-matter of the dispute;

2. The descriptive part shall indicate:

- a) the claim of the author of the constitutional claim or constitutional submission;
- b) the position of the defendant;
- c) the opinions presented by witnesses, specialists, experts and the friend of the court.

3. The reasoning part shall indicate:

- a) the circumstances established by the Constitutional Court;
- b) the evidence on which the conclusions of the Constitutional Court are based;
- c) the reasons for which the Constitutional Court rejects the opposing opinion, evidence;

d) the norms (provisions) of the Constitution of Georgia, for cases specified in Article 19(1)(i) of the Organic Law of Georgia on the Constitutional Court of Georgia; the norms (provisions) of the Constitutional Law of Georgia on the Status of the Autonomous Republic of Adjara, and for the cases specified in Article 19(1)(j) of the same Law; the norms (provisions) of the Constitution of Georgia, the Constitutional Law of Georgia on the Status of the Autonomous Republic of Adjara, the Constitutional Agreement, treaties and international agreements and laws of Georgia with which the disputed act complies or fails to comply;

e) the provisions of the Constitution of Georgia, the Organic Law on the Constitutional Court of Georgia and this Law used by the Constitutional Court when adopting a judgement or an opinion.

4. The operative part shall include:

- a) a resolution of the Constitutional Court of Georgia satisfying in full or in part or dismissing the constitutional claim;
- b) a resolution of the Constitutional Court of Georgia on the recognition as unconstitutional or on the non-confirmation of the inconsistency with the Constitution of Georgia of the normative act or part thereof referred to in the constitutional submission filed by a Common Court and/or by the High Council of Justice of Georgia;
- b) a resolution of the Constitutional Court of Georgia on the compliance, or on the non-confirmation of the inconsistency, of the act or part thereof referred to in the constitutional submission of the Parliament of Georgia, with the Constitution of Georgia, with the Constitutional Law of Georgia on the Status of the Autonomous Republic of Adjara, with the constitutional Agreement, with the treaties and international agreements and laws of Georgia;
- c) the opinion of the Constitutional Court recognising as unconstitutional, or not confirming the inconsistency with the Constitution, of the treaty or international agreement of Georgia or of individual provisions thereof;
- d) the opinion of the Constitutional Court of Georgia on the constitutionality of the act of the official referred to in the constitutional submission and/or



on the presence or absence of the element of crime in his/her action;

e) the legal consequences of the judgement or opinion.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 175 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175

Law of Georgia No 4629 of 5 May 2011 – website, 25.5.2011

Law of Georgia No 1021 of 6 September 2013 - website, 23.09.2013.

Article 33

1. The full text of a judgement and an opinion of the Constitutional Court, as well as of a ruling under Article 25(4¹) of the Organic Law of Georgia on the Constitutional Court of Georgia and of a record of ruling under paragraph 5 of the same article, which complies with the requirements determined under Article 21(3 and 5), Article 22(5), Article 29(1) and Articles 31 and 32 of this Law, after being announced in the courtroom as determined under Article 22(4) and Article 29 of this Law, shall immediately be published on the website of the Constitutional Court, and be forwarded to the Legislative Herald of Georgia, who will publish it upon receipt.

2. If an act of the Constitutional Court under paragraph 1 of this article, which is adopted as a result of consideration of a case without oral hearing, was not announced in the courtroom, its full text shall immediately be published on the website of the Constitutional Court, and be forwarded to the Legislative Herald of Georgia, who will publish it upon receipt.

3. An act of the Constitutional Court under paragraph 1 of this article shall enter into force from the moment of its publication. The act shall be considered published when its full text is published on the website of the Constitutional Court.

4. A dissenting opinion/concurrent opinion of a member of the Constitutional Court participating in the adoption of an act of the Constitutional Court under paragraph 1 of this article, if any, shall accompany the act and shall be published together with it if transferred to the Constitutional Court before announcing the act in the courtroom. Otherwise, a dissenting opinion/concurrent opinion of a member of the Constitutional Court shall be published if transferred to the Constitutional Court within ten days after announcing the act in the courtroom. In such a case, the Constitutional Court shall publish the dissenting opinion/concurrent opinion of the member of the Constitutional Court on the website of the Constitutional Court within two days, and shall forward it to the Legislative Herald of Georgia, who will publish it within the next two days.

5. A copy of the judgement of the Constitutional Court, a copy of the ruling under Article 25(4¹) and a copy of the record of ruling under Article 25(5) of the Law of Georgia on the Constitutional Court of Georgia shall be forwarded to the parties, while a copy of the opinion shall be forwarded to the authors of the constitutional submission and a copy to the officials specified in Article 19(1)(h) of the Organic Law of Georgia on the Constitutional Court of Georgia. A copy of a judgement delivered on issues specified in Article 19(1)(j) of the Organic Law of Georgia on the Constitutional Court of Georgia shall be forwarded to the author of the constitutional submission and a copy to the Supreme Council of the Autonomous Republic of Ajara.

6. A copy of the judgement and of the opinion of the Constitutional Court, as well as a copy of the ruling under Article 25(4¹) and a copy of the record of ruling under Article 25(5) of the Organic Law of Georgia on the Constitutional Court of Georgia shall be forwarded to the Parliament of Georgia, the President of Georgia, the Government of Georgia and the Supreme Court of Georgia.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Law of Georgia No 175 of 25 November 2004 - LHGI, No 37, 16.12.2004, Art. 175

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

Law of Georgia No 4629 of 5 May 2011 – website, 25.5.2011

Law of Georgia No 5162 of 3 June 2016 – website, 4.6.2016

Article 34

1. A record of a session of the Constitutional Court shall be drafted by the secretary of the hearing court.

2. The record of the session shall indicate:

a) the date and place of the court session;

b) the date of the commencement and completion of the court session;

c) the name of the Constitutional Court, the judges participating in the hearing and the judges who, for some reason, are unable to participate in the hearing;

d) the name of the secretary of the session;

e) the name of the case;

f) information on the participants, witnesses, experts, specialists and interpreters participating in the hearing, as well as on informing them of their



rights and obligations;

g) orders of the presiding judge and resolutions passed by the Constitutional Court in the courtroom;

h) statements and explanations of the participants of the hearing;

i) testimonies of witnesses, experts and specialists, and written evidence published by the Constitutional Court of Georgia.

3. A record of the session of the Constitutional Court shall be signed by the presiding judge and the secretary of the session.

Law of Georgia No 1270 of 12 February 2002 - LHGI, No 4, 5.3.2002, Art. 17

Article 35

1. Other issues concerning the organisation of the Constitutional Court shall be determined by the Rules of the Constitutional Court.

2. (Deleted).

3. The Rules shall be considered approved if supported by at least 2 members of the Constitutional Court in an open ballot.

Law of Georgia No 4216 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 18

President of Georgia

Eduard Shevardnadze

Tbilisi

21 March 1996

№159-IIS

