

**on the Improvement of Cadastral Data and the Procedure for Systematic and Sporadic Registration of Rights to Plots of Land
within the Framework of the State Project**

Chapter I - General Provisions

Article 1 - Scope of the Law

1. This Law establishes special procedures for the systematic and sporadic registration of rights to plots of land, the legal framework for such registration, and the rights and obligations of parties participating in administrative proceedings.
2. Relations associated with the systematic and sporadic registration of rights to plots of land within the framework of the State Project shall be governed by this Law, the Law of Georgia on the Public Registry and subordinate normative acts issued on the basis thereof.

Article 2- Purpose of the Law

The purpose of this Law is to ensure the creation of comprehensive legal and cadastral data within the framework of the State Project, in particular:

- a) the systematic performance, within the Pilot Project, of cadastral works on plots of land and the registration of title in accordance with the special procedure provided for by this Law;
- b) the sporadic registration of rights to plots of land throughout the country in accordance with the special procedure provided for by this Law;
- c) the conformity of cadastral data on plots of land with their actual location;
- d) the conformity of cadastral data on plots of land registered with unspecified cadastral data with the Public Registry with the requirements defined by the legislation of Georgia;
- e) the improvement and mutual consistency of data registered with the Public Registry.

Article 3 - Definitions of terms

1. For the purposes of this Law, the terms used herein shall have the following meanings:

- a) the State Project - a set of special public administration measures to be implemented with regard to the systematic and sporadic registration provided for by this Law and which are implemented under the preferential terms established by this Law to encourage the registration of plots of land as private property;
- b) the Pilot Project - a component of the State Project which provides for the systematic registration of rights to plots of land and is implemented in 12 localities of Georgia selected on the basis of geographical diversity;
- b¹) a project of extreme state and public importance - a component of the State Project, a set of measures to be implemented within the framework of a project of extreme state and public importance defined by an individual administrative-legal act of the government of Georgia, which must be performed under the procedure established by this Law for the Pilot Project;
- b²) an entity implementing a project of extreme state and public importance - an entity defined by an individual administrative-legal act of the government of Georgia;
- c) systematic registration - within the framework of the Pilot Project, or a project of extreme state and public importance, registration, on a proactive basis, of titles to plots of land, and of changes in the registered data, in accordance with the special procedures provided for by this Law;
- d) sporadic registration - within the framework of the State Project, registration, throughout the country, of titles to plots of land, and of changes to registered data on the basis of an application and registration documents submitted by an interested person, in accordance with the special procedures provided for by this Law;
- e) plot of land - an agricultural plot of land or a non-agricultural plot of land, with or without buildings and structures (either constructed, under construction or demolished);
- f) agricultural plot of land - a pasture, a hayfield, arable land (with perennial plants, orchards and vegetable gardens) and homestead lands;
- g) a non-agricultural plot of land - a plot of land that is not an agricultural plot of land;
- h) person entitled to request the registration of title - a person who has acquired the right to request the registration of title to a plot of land on the basis of a document certifying the right of ownership or a document certifying the lawful possession (use) of land;
- i) lawful possessor - a natural person who has acquired the right to request the registration of title on the basis of a document certifying the lawful



possession (use) of the land;

j) a user - a natural person who, before the entry into force of this Law, actually possesses a plot of land as his/her own on the basis of a transaction entered into, without observance of the proper form, with a person entitled to request the registration of title;

k) municipality representative - the Gamgebeli (head of local administration) of a municipality/mayor or an official or officer who has been granted powers to represent the relevant municipality by an individual administrative-legal act of the Gamgebeli of the municipality/mayor in accordance with Article 54(1)(a) and (f) of the Organic Law of Georgia on the Local Self-Government Code;

l) documents certifying title - an administrative contract (an acceptance and delivery certificate or any other document), or an individual administrative-legal act, or an act of a court (arbitration) that has come into effect, or a transaction or any other legal act granting the right to request the registration of title to an immovable property;

m) document certifying the lawful possession (use) of land - a detailed certificate certifying the registration of the owner (user) of an immovable property before 1994 in the Technical Inventory Archive; an excerpt from a household book; a gardener's book; a lands distribution list, with or without an attached plan of lands allocation, composed by the Commission for Land Reform established by a decision of a local self-government body of a village (or urban-type settlement) in accordance with Resolution No 48 of 18 January 1992 of the Cabinet of Ministers of the Republic of Georgia on Agricultural Land Reform in the Republic of Georgia, and approved at a convention (general meeting) of a village (or urban-type settlement); a list of payers of land tax (land tax payers list) approved by a local self-government (government) body; an act on the attachment of the plot of land or a plan of the plot of land issued by state or local self-government and government bodies in accordance with the established procedure before the entry into force of the Law on the Declaration as Private Property of Agricultural Land Used by Natural Persons and Legal Entities under Private Law; an act of a court; any other document;

n) cadastral survey/planning drawings of a plot of land - accurate information presented graphically and textually on the borders, configuration and location of a plot of land, as well as on buildings and structures placed thereon, whose conformity with the actual location of the plot of land is, where necessary, confirmed by an individual administrative-legal act of a municipality representative;

o) registration block - a set of plots of land located in a geographical area specified by an individual administrative act of a municipality representative, and within the framework of a project of extreme state and public importance – by an individual administrative-legal act of an entity implementing the project of extreme state and public importance;

p) development area of plots of land - a developed surface area of a plot of land covered with buildings and structures;

q) solid border line - a fence or any other structure used as a border, which enables the establishment of the actual border of a plot of land;

r) mediation - an alternative means of dispute resolution in accordance with the procedure established under this Law;

s) mediator - a person meeting the requirements provided for by Article 19 of this Law and leading negotiations between disputing parties;

t) notarial mediation - an alternative means of private law dispute resolution, which is used for the purposes of the State Project and is led by one or more notary mediator(s);

u) a statement of facts – the presentation of the current state of actual circumstances in accordance with the procedures established by the legislation of Georgia in order to prove relevant circumstances.

2. Other terms used in this Law shall be defined in accordance with the Law of Georgia on the Public Registry and other normative acts.

Law of Georgia No 192 of 22 December 2016 – website, 30.12.2016

Article 4 - Powers of a registering authority

1. Legal Entity under Public Law operating under the Ministry of Justice of Georgia – the National Agency of Public Registry (“the Agency”) shall, in addition to the powers granted by the legislation of Georgia, and acting within the framework of the State Project and on its own initiative:

a) retrieve and systematise registration documents;

b) carry out cadastral surveys of plots of land and document the results of the work performed for the purposes of the Pilot Project;

c) register changes to cadastral data in the Registry of Rights to Immovable Property;

d) for the purposes obtaining a statement of facts, apply to the National Bureau of Enforcement, a legal entity under public law operating under the Ministry of Justice of Georgia ;

e) ensure the improvement and mutual conformity of data registered with the Public Registry;

f) exercise other powers granted by this Law.

2. The Agency may enter into contracts with natural and legal persons to exercise powers provided for by this Law.

Chapter II - Special Registration Procedure Provided for by the State Project; Special Registration Procedure



Article 5 - Special procedure for registering titles to plots of land

1. Within the State Project, intermittent sporadic registration of titles to plots of land shall be carried out throughout the country on the basis of an application of an interested person, registration documents and cadastral survey/planning drawings made pursuant to this Law, in accordance with the advantages provided for by this Law.

2. Within the Pilot Project, the systematic registration of titles to plots of land shall be carried out in 12 localities of Georgia envisaged by the Pilot Project. The registration shall be based on the registration documents proactively and systematically obtained by the Agency, and on cadastral survey/planning drawings made proactively and systematically by the Agency, in accordance with the advantages provided for by this Law.

2¹) Systematic registration of the title to a plot of land within the framework of a project of extreme state and public importance shall be carried out based on the registration documents proactively and systematically obtained by the entity implementing the project of extreme state and public importance, and on the cadastral survey/planning drawing prepared by the same way, in accordance with the procedure and advantages determined by this Law..

3. The conditions for systematic and sporadic registration within the framework of the State Project shall be defined in accordance with the procedure approved by an order of the Minister of Justice of Georgia.

Law of Georgia No 192 of 22 December 2016 – website, 30.12.2016

Article 6 - General procedure for registering changes to the cadastral data of plots of land

1. The Agency shall, within the framework of the Pilot Project, update the data on plots of land registered with unspecified data and register their changes on the basis of a land plot cadastral survey/planning drawing prepared in accordance with this Law, on its own initiative, within the framework of a project of extreme state and public importance – on the basis of an application of an entity implementing the project of extreme state and public importance, and in the case of sporadic registration – on the basis of an application of an interested person, and shall ensure the involvement of all interested persons in administrative proceedings commenced for this purpose.

2. The Agency may, on its own initiative, change the cadastral data of a plot of land registered with updated cadastral data if, on the basis of the registration documents and/or the cadastral survey, it is established that the registered cadastral data are not consistent with the actual location of the plot of land, and shall ensure the involvement of all interested persons in administrative proceedings commenced for these purpose.

Law of Georgia No 192 of 22 December 2016 – website, 30.12.2016

Article 7 - Procedure for registering titles to plots of land in lawful possession

1. In the case of sporadic registration, the title to a plot of land in lawful possession shall be registered on the basis of an application of an interested person, a document certifying the lawful possession (use) of the land and cadastral survey/planning drawings made in accordance with this Law.

2. If the work performed under the Pilot Project reveals that the whereabouts of a lawful possessor is unknown, information as to the right to request the recognition of this person as the owner shall be entered in the Public Registry, and if a lawful possessor is dead and his/her legal successor cannot be ascertained, information on the right to request the recognition of a legal successor as the owner shall be entered in the Public Registry. A record concerning the right to request the recognition as an owner shall be effective until the recognition of the title is possible under the Law of Georgia on the Recognition of Titles to Plots of Land Possessed (Used) by Natural and Legal Persons.

3. If within the framework of the Pilot Project a lawful possessor or his/her legal successor refuses to register title, information as to the right to request the recognition of this person as the owner shall be entered in the Public Registry. A record concerning the right to request the recognition as an owner shall be effective for three years. If a lawful possessor or his/her legal successor is not registered as the owner of the plot of land within this time limit, this record shall be annulled.

4. A lawful possessor or his/her legal successor shall be registered as the owner of a plot of land within the time limits specified by paragraphs 2 and 3 of this article and a record concerning the right to request the recognition as an owner shall be annulled on the basis of an application and registration documents without the consent of the body authorised to administer state property.

Article 8 - Registration of title to plots of land currently in use

1. The fact of a transaction made without observance of the proper form (oral or written) between a person entitled to request the registration of title under the State Project and a user shall be established by a written agreement signed between the parties; the authenticity of the parties' signatures affixed to the agreement shall be certified by a notary public. This action shall be considered as entering into a new transaction in accordance with Article 61(2) of the Civil Code of Georgia.

2. A written agreement as provided for by this article and cadastral survey/planning drawings shall be the basis for registering the title of users with the Public Registry.

3. If during the registration of a title in accordance with the procedure provided for by this article it was established that a public-law restriction has been registered on an immovable thing that is to be registered, or the person entitled to request the registration of title is a natural person registered in the Registry of Debtors, the right of the person entitled to request the registration of title shall be registered with respect to the immovable property, and a decision on the registration of the title of the user shall be made in accordance with the procedure established by the legislation of Georgia.



Article 9 - Recognition of title to illegally occupied plots of land

1. If during the comparison of cadastral results and registration documents under the State Project it is established that an object to be registered is not, fully or partially, a plot of land in lawful possession, the Agency shall, with the consent of the interested person(s), request the Commission for Recognising Titles to Illegally Occupied Lands ('the Commission'), operating under the executive authority of the relevant municipality, to consider the issue within its scope of authority. The request shall be accompanied by cadastral survey/planning drawings, as well as registration documents and other relevant documents.
2. The Commission shall make a decision within 10 working days after the receipt of the relevant documentation. The Commission may, before making a decision, hear the opinion of the initiator of the request.

Article 10 - Procedure for registering plots of land within the framework of the State Project in cases where parties fail to agree on a border line

1. Where parties fail to agree on a border line between plots of land, and if the total area obtained as a result of the cadastral survey of plots of land to be registered corresponds to the sum of the areas indicated in the title documents, the plots of land shall be registered, with the consent of the parties, as one cadastral unit, unless there are impeding circumstances provided for by the legislation of Georgia. Where the plots of land are registered as one cadastral unit, the excerpt from the Registry shall include information on the unspecified border line between the plots of land, and the dispute between the parties shall be resolved by a court (or by arbitration, if so agreed by the parties) in accordance with the procedures for abolishing common rights.
2. If the parties do not consent to the registration of the plots of land as one cadastral unit, a cadastral survey of each plot of land shall be carried out taking into account the boundaries indicated by the interested persons. Cadastral survey/planning drawings of plots of land made in accordance with this procedure need not be confirmed by a municipality representative.
3. In the case provided for in paragraph 2 of this article, cadastral survey/planning drawings and registration documents shall serve as grounds for the registration of conditional applications, as provided for by the Instructions on the Public Registry, by the Agency in the relevant electronic software. A registration procedure commenced in accordance herewith shall be suspended until the reason for the suspension is eliminated, and the priority of registration of rights and registered rights specified in Article 13 of the Law of Georgia on the Public Registry shall not apply.

Article 11 - Special conditions for registering plots of land within the framework of the State Project

If, after the comparison of title documents to an agricultural plot of land and the results of a cadastral survey, it is established that the area of the plot of land enclosed by a solid border line exceeds the area indicated in the registration document, or the area registered in the Registry of Rights on Immovable Property, or the unspecified area indicated in the registration card of the Technical Registration Archive, by not more than 15 per cent, the plot of land shall be registered in accordance with the area enclosed by a solid border line ascertained as a result of its cadastral survey.

Article 12 - Procedure for registering the title to the development area of a plot of land within the framework of the State Project

1. The title registered with the Public Registry on a building or structure shall cover the development area of the plot of land occupied by this building or structure. Changes in the registered data shall be registered in accordance with the cadastral survey/planning drawings of the plot of land.
2. If an authorised state body administers only a building or structure, the title of an interested person to the plot of land shall be registered according to the development area of the plot of land occupied by this building or structure.
3. If after the comparison of title documents of the plot of land and the results of a cadastral survey it is established that the area and/or configuration of the building or structure have been changed without a proper legal basis, the title shall be registered according to the development area of the plot of land occupied by this building or structure. Registration shall be permitted if the development area of the plot of land exceeds the area indicated in the registration document by not more than 10 per cent.
4. If the development area of a plot of land exceeds the area indicated in the registration document by more than 10 per cent, the registration of title to the entire development area of the plot of land occupied by a building or structure shall be permitted if a document certifying the right provided for by the legislation of Georgia is submitted for the excessively occupied area.
5. If in the case provided for by paragraph 4 of this article a document certifying the right on the excessively occupied plot of land is not submitted to a registering authority, the title shall be registered to the development area indicated in the document certifying the right to the plot of land, taking into account the tolerances determined in paragraph 3 of this article.

Article 13 - Registration procedure within the framework of the State Project in the case of incomplete or mutually inconsistent identification data

1. To identify and verify the identity of a citizen of Georgia or of an alien living in Georgia within the framework of the State Project, the electronic database of the Public Service Development Agency, a legal entity under public law operating under the Ministry of Justice of Georgia, shall be used.
2. If there is a discrepancy between the names and/or surnames indicated in the identification document and the registration document of an interested person, a decision shall be made in accordance with the procedures established by the Law of Georgia on the Public Registry.

Chapter III - Conduct of cadastral survey/planning works within the framework of the Pilot Project



Article 14 - Rules for identifying the locations of plots of land within the framework of the Pilot Project and for conducting cadastral survey/planning works

1. The basis for commencing cadastral survey/planning works shall be the identification of the location of a plot of land on the basis of the instructions of the owner of the plot of land, or of a person entitled to request registration of title, or of a municipality representative.

1¹) Cadastral survey/planning works within the framework of a project of extreme state and public importance shall be commenced by an entity implementing the project of extreme state and public importance. The entity implementing the project of extreme state and public importance shall be responsible for identification of the location and borderline of an immovable property, complete performance of cadastral survey/planning works and the accuracy of the cadastral survey/planning drawing data.

2. Where necessary, the actual location of a plot of land (the borders and configuration of the plot of land in relation to the adjacent plots of land) shall be confirmed by the owners of the adjacent plots of land or persons entitled to request the registration of title to the adjacent plots of land.

3. Where necessary, within the framework of the Pilot Project, the identity of a plot of land covered by a title document, or of a plot of land registered in the Public Registry with unspecified cadastral data, or of a plot of land represented in a cadastral survey/planning drawing, shall be established by an individual administrative-legal act of a municipality representative, and within the framework of a project of extreme state and public importance – by an individual administrative-legal act of an entity implementing the project of extreme state and public importance.

4. If, within the framework of the Pilot Project, owners of adjacent plots of land/persons entitled to request the registration of title thereto refuse to confirm the actual location of the plot of land, or if the whereabouts of an owner of an adjacent plot of land/a person entitled to request the registration of title is unknown, the actual location of the plot of land shall be established by a municipality representative on the basis of the evaluation and comparison of all substantially significant circumstances of the case, based on appropriate evidence.

4¹) Within the framework of a project of extreme state and public importance, owners of adjacent plots of land/ persons entitled to request the registration of title thereto refuse to confirm the actual location of the plot of land, or if the whereabouts of an owner of an adjacent plot of land/a person entitled to request the registration of title is unknown, the actual location of the plot of land shall be established by an entity implementing the project of extreme state and public importance based on the information prepared by a person authorised to carry out cadastral survey/planning works.

5. An individual administrative-legal act of a municipality representative/an entity implementing the project of extreme state and public importance shall make it possible to jointly define the actual location of separate plots of land as well as of plots of land or parts thereof covered by a registration block.

6. The actual location of plots of land covered by a registration block shall be jointly defined on the basis of signatures affixed to the plan of the registration block by the owners/persons entitled to request the registration of title. If any of the owners of the adjacent plot of land/persons entitled to request the registration of title refuses to jointly define the actual location of the plots of land or if the whereabouts of the owner(s) of the adjacent plot of land/person(s) entitled to request the registration of title is unknown, the actual location of the plot of land shall be established by a municipality representative in accordance with paragraph 4 of this article, and within the framework of the Pilot Project, and within the framework of a project of extreme state and public importance – by an entity implementing the project of extreme state and public importance in accordance with paragraph 4¹ of this article.

7. The procedure for defining the actual location of a plot of land referred to in this article shall not apply if the actual location of the plot of land is credibly established on the basis of the registration documents.

Law of Georgia No 192 of 22 December 2016 – website, 30.12.2016

Article 15 - Presenting the results of a cadastral survey for public review

1. A cadastral map drawn up as a result of a cadastral survey, with the indication of the owners/persons entitled to request the registration of title, shall be published once a month on the official website of the Agency (www.napr.gov.ge), within the framework of a project of extreme state and public importance – on the official website of an entity implementing the project of extreme state and public importance, as well as on the official website (if any) of the municipality, and in a conspicuous location at the municipality, which will enable persons living in the relevant locality to review the map.

2. Interested persons may, within 10 calendar days after the publication of a cadastral map provided for in paragraph 1 of this article, apply to the Agency with a request to verify the specific results of the cadastral survey.

3. The procedure for presenting the results of a cadastral survey of plots of land for public review, and for their verification, and for introducing appropriate changes, shall be established by an order of the Minister of Justice of Georgia.

Law of Georgia No 192 of 22 December 2016 – website, 30.12.2016

Chapter IV - Municipality Representatives

Article 16 - Powers of municipality representatives

1. During the implementation of the State Project, a municipality representative shall:

a) where necessary, establish, by an individual administrative-legal act, the identity of a plot of land covered by a title document, and/or of a plot of land registered in the Public Registry with unspecified cadastral data, and/or of a plot of land depicted in cadastral survey/planning drawings, except when the actual location of the plot of land is credibly established on the basis of the registration documents;



b) submit to the Agency an application on the registration of title of an interested person to a plot of land if the title document has been issued with the participation of an administrative body/an official or a local self-government (municipality) and/or government body;

c) exercise other powers provided for by this Law and other legislative and subordinate normative acts of Georgia.

2. In exercising the powers provided for by this Law, a municipality representative shall use the forms of documents approved for administrative proceedings by an order of the Minister of Justice of Georgia.

3. The powers of a municipality representative granted under this Law shall be the powers delegated to the relevant municipality by the State, and sectoral supervision over the exercise of such powers shall be provided by the Ministry of Justice of Georgia, in accordance with the procedures established by the Organic Law of Georgia on the Local Self-Government Code.

Chapter V - Legalisation of Registration Documents of Agricultural Plots of Land within the Framework of the State Project

Article 17 - Bases for legalising registration documents of agricultural plots of land within the framework of the State Project

1. On the basis of this Law, rights to agricultural plots of land shall be registered on the basis of registration documents drafted in accordance with the legislation of Georgia.

2. The following documents issued for agricultural plots of land shall be considered as drafted in accordance with the legislation of Georgia:

a) an acceptance and delivery certificate issued by the Commission for Land Reform, if it contains the date of issuance of the certificate and the area of the plot of land, and the signatures of at least two members of the Commission for Land Reform, and a seal;

b) an acceptance and delivery certificate that does not conform to the form approved by Resolution No 503 of the Cabinet of Ministers of the Republic of Georgia of 28 June 1993 on Regulating the Preparation of Documents on Plots of Land Transferred for Use to the Citizens of the Republic of Georgia, but meets the requirements defined by paragraph 2(a) of this article;

c) a gardener's book issued by a gardeners' partnership, containing the date of issuance of the book, the name of the gardening partnership and the area of the plot of land and the seal of the gardeners' partnership;

d) decisions made by a general meeting of workers of a cooperative agricultural enterprise and by a session of a cooperative agricultural enterprise in the territory of the Autonomous Republic of Ajara, which are confirmed by the authorised local self-government body;

e) a land allocation list, with or without a land allocation plan, compiled by the Commission for Land Reform established by a decision of the local self-government body of a village (or urban-type settlement) in accordance with Resolution No 48 of the Cabinet of Ministers of the Republic of Georgia of 18 January 1992 on Agricultural Land Reform in the Republic of Georgia, and approved at a convention (general meeting) of the relevant village (or urban-type settlement), if the fact of the approval of the land allocation list at the convention (general meeting) of the village (or urban-type settlement) cannot be established.

Chapter VI - Alternative Means of Dispute Resolution within the framework of the State Project (Mediation)

Article 18 - General procedure for mediation

1. In the case of a dispute between the parties during the implementation of the State Project, except for a project of extreme state and public importance, the Agency shall, in order to resolve the dispute, resort to notarial mediation or involve a mediator (mediators) in the matter, who shall notify the parties of the conditions of mediation and, with their consent, set a date and place of meeting.

2. Mediation shall be completed no later than three weeks after an application is filed for notarial mediation/the involvement of a mediator (mediators) in the case. If the parties fail to achieve an agreement, the right to the plot of land shall be registered in accordance with the procedures established by this Law.

3. The registration of title to a plot of land with the Public Registry shall not restrict the right of the parties to resort to mediation to resolve a dispute.

4. There may be one or more mediators, taking into account the specificity and complexity of the dispute.

Law of Georgia No 192 of 22 December 2016 – website, 30.12.2016

Article 19 - Procedure for selecting a mediator/notary mediator

1. The mediation process shall be directed by a mediator (mediators), who shall be a persons(s) with special knowledge.

2. The notarial mediation process shall be directed by a notary mediator (notary mediators).

3. Disputing parties shall select a mediator/notary mediator on the basis of mutual agreement from a list of mediators/ notary mediators preliminarily determined by the Agency. Where the parties cannot agree, a mediator/notary mediator shall be selected by the Agency.



4. A person to be selected as a mediator/notary mediator shall be neutral and impartial and shall declare in advance if there is any conflict of interests.

Article 20 - Mediation process

1. A mediation sitting shall be held in a preliminarily determined place agreed by the parties.
2. The mediation process shall be confidential. It shall be inadmissible to obtain information from a mediator about the circumstances disclosed to him/her by the parties during the mediation process, except when the parties give consent to disclose appropriate information.
3. For the purpose of facilitating negotiations between the parties and identifying common interests, the mediator shall hold both individual and joint meetings with the parties.
4. If an agreement is achieved, a mediation contract shall be concluded between the parties and it shall be signed by the parties and the mediator, and the authenticity of the signatures shall be certified by a notary public.
5. If the parties fail to reach an agreement, the mediator shall draw up a report, which shall be signed by the parties and/or the mediator, and the authenticity of the signatures shall be certified by a notary public.
6. A mediation contract concluded in accordance with paragraph 4 of this article shall serve as the basis for registering the right to a plot of land.
7. A resolution agreement signed as a result of a notarial mediation shall be the basis for registering the right on a plot of land.

Chapter VII - Procedure for the Adoption of Decisions by a Registering Authority and for Appealing such Decisions within the Framework of the State Project

Article 21 - Procedure for involving interested persons in administrative proceedings

1. The Agency shall ensure the involvement of interested persons in administrative proceedings by sending them a notification and implementing all reasonable measures to involve them in administrative proceedings.
2. A public notification of administrative proceedings shall also be published on the official website of the Agency (www.napr.gov.ge), on the website (if any) of the relevant municipality, and in a conspicuous place, in order to enable persons living in the relevant locality to review the notification.
3. A notification shall include information on the interested persons established as a result of processing the title documents and the data registered with the Public Registry, and information on the location of the plot/plots of land, and on the dates of commencing and completing planning works.
4. During the implementation of the Pilot Project, a notification on cadastral survey/planning works shall also be published not later than 15 calendar days before the commencement of the cadastral survey/planning works.

Article 22 - Procedure for appealing decisions of the Agency

A decision of the Agency shall be adopted and may be appealed in accordance with the procedures established by the Law of Georgia on the Public Registry.

Chapter VIII - Transitional and Final Provisions

Article 23 - Transitional provisions related to the entry into force of this Law

1. A plot of land, with respect to which the right of ownership of the owner/person entitled to request the registration of title cannot be established as a result of the works performed in 12 localities of Georgia under the Pilot Project, shall provisionally be registered, for one year, as state property in accordance with this Law and other legislative and subordinate normative acts of Georgia. Within the said period, the right of the owner/person entitled to request the registration of title to this plot of land shall be registered on the basis of an application of an interested person and registration documents, without the consent of a body authorised to administer state property, and after this period expires, the right of state ownership shall be registered on this plot of land.
2. For the purposes of this Law, the cadastral data collected and kept in the Public Registry, on the basis of Decree No 327 of the President of Georgia of 16 May 1999 on Emergency Measures for Primary Registration of Titles to Agricultural Land and the Issuance of Registration Certificates to the Citizens of Georgia, and Ordinance No 231 of the Government of Georgia of 28 June 2012 on the Regulation of Certain Issues Related to the Registration of Titles to Agricultural Plots of Land and to the Improvement of Cadastral Data, may be used as additional information about the location of a plot of land that is subject to specification, change or cancellation.
3. Within the framework of the State Project and for the purposes of this Law, a registering authority may, on the basis of cadastral data, documents and/or information submitted for registration, update, change, declare invalid or void the incorrect or inconsistent data registered under Decree No 327 of the President of Georgia of 16 May 1999 on Emergency Measures for Primary Registration of Titles to Agricultural Land and the Issuance of



4. Within the framework of the State Project, the relevant works (retrieval and systematisation of documents, authentication of signatures of the parties to a transaction by a notary public, mediation, notarial mediation, recognition of title to a plot of land, statement of facts) shall be performed free of charge (without consideration) and the title to a plot of land and the introduction of changes to it shall be registered without paying the service fee which is normally payable to the Agency.

5. Cadastral survey/planning works performed within the framework of the State Project (including the Pilot Project) may be reimbursed in accordance with the procedure established by a legal act of the Minister of Economy and Sustainable Development of Georgia, and cadastral survey/planning works performed within the framework of a project of extreme state and public importance shall be reimbursed by an entity implementing the project of extreme state and public importance.

6. An entity implementing the project of extreme state and public importance may submit an application for registration of title of an interested person to a plot of land if a document of title is issued with the participation of an administrative body/official, local self-government body, municipality and/or a local government body.

Law of Georgia No 192 of 22 December 2016 – website, 30.12.2016

Article 24 - Subordinate normative acts to be adopted/issued in relation to the entry into force of the Law

1. The Government of Georgia shall, not later than the 30th day after the promulgation of this Law, determine the localities in Georgia where the Pilot Project is to be implemented.

2. The Minister of Justice of Georgia shall, not later than the 45th day after the promulgation of this Law, approve:

a) the procedure for the systematic and sporadic registration of rights within the framework of the State Project, and for presenting the results of cadastral surveys for public review, and for their verification and the introduction of relevant changes to them, and for selecting a mediator;

b) the forms of documents necessary for administrative proceedings conducted by a municipality representative within the framework of the State Project.

3. The Minister of Economy and Sustainable Development of Georgia shall, not later than the 45th day after the promulgation of this Law, approve the procedure for reimbursing cadastral measurement works performed within the framework of the State Project.

4. The Gamgebelis of relevant municipalities/mayors shall, not later than the 45th day after the promulgation of this Law, determine the officials and officers of the Gamgeobas (local administration)/city halls who are to be granted the powers delegated under this Law to a municipality representative.

Article 25 - Entry into force of this Law

1. This Law, except for Articles 1-23, shall enter into force upon its promulgation.

2. Articles 1-23 of this Law shall enter into force on the 45th day after its promulgation.

3. This Law shall be in force until 1 July 2018.

President of Georgia

Giorgi Margvelashvili

Kutaisi

3 June 2016

N5153-6b

