

## ORGANIC LAW OF GEORGIA

### ON THE PROCEDURE FOR EXPROPRIATION OF PROPERTY UPON THE URGENT NECESSITY OF ENSURING PUBLIC NEEDS

#### Article 1

This Law determines the procedure for the expropriation of property on the basis of full and fair compensation in advance upon the urgent necessity of ensuring public needs.

*Organic Law of Georgia No 1264 of 20 September 2013 – website, 1.10.2013*

#### Article 2

The circumstances, under which human life or health, and the security of the State or the safety of public is endangered due to a state of emergency or martial law, ecological disasters, natural disasters, outbreak of epidemics or epizootic hazards shall be deemed urgent necessity.

*Organic Law of Georgia No 209 of 18 January 2013 – website, 28.1.2013*

#### Article 3

A decision with regard to the expropriation of property shall be made by the ministries of Georgia, the ministries of the Autonomous Republics, or the representative bodies of the municipalities within the jurisdiction of which the item of property is located.

*Organic Law of Georgia No 1264 of 20 September 2013 – website, 1.10.2013*

*Law of Georgia No 6860-6b - of 15 July 2020 – website, 28.7.2020*

#### Article 4

The value of items of property shall be defined by an authorised state body on the basis of the principles of full and fair compensation in advance. The owner shall receive the value of an item of property before the expropriation of such property. Such compensation shall be exempted from any taxes and fees.

*Organic Law of Georgia No 209 of 18 January 2013 – website, 28.1.2013*

*Organic Law of Georgia No 1264 of 20 September 2013 – website, 1.10.2013*

#### Article 5

In the case of declaring a state of emergency or martial law, a decision with regard to the expropriation of property on the basis of full and fair compensation in advance for ensuring public needs, shall be made in accordance with the procedures determined by the legislation of Georgia on the state of emergency or martial law.

*Organic Law of Georgia No 1264 of 20 September 2013 – website, 1.10.2013*



## **Article 6**

A decision with regard to the expropriation of property on the basis of full and fair compensation in advance and with regard to the compensation of damage incurred, may be appealed in court after the termination of the circumstances specified in Article 2 of this Law, as provided for by the legislation of Georgia.

*Organic Law of Georgia No 1264 of 20 September 2013 – website, 1.10.2013*

**President of Georgia**

**Eduard Shevardnadze**

**Tbilisi**

**11 November 1997**

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