

**Constitutional Law of Georgia**  
**on the Autonomous Republic of Adjara**

**Article 1**

1. Autonomous Republic of Adjara is an integral territorial part of Georgia.
2. Autonomous Republic of Adjara shall include the territory within the administrative borders existing at the time of adoption of this Law. The administrative borders of the Autonomous Republic of Adjara may be changed at the initiative of the two thirds of the total members of the Supreme Council of the Autonomous Republic of Adjara under the organic law of Georgia.
3. Authority in the Autonomous Republic of Adjara shall be exercised in accordance with the Constitution and legislation of Georgia. Only those state bodies that are envisaged by the legislative acts of Georgia may be created in the Autonomous Republic of Adjara.
4. The Constitution of the Autonomous Republic of Adjara shall be adopted by two thirds of the total members of the Supreme Council of the Autonomous Republic of Adjara and shall enter into force upon the enactment of the Organic Law of Georgia on Approval of the Constitution of the Autonomous Republic of Adjara.
5. Autonomous Republic of Adjara has a flag and coat of arms, which are determined by the Constitution of the Autonomous Republic of Adjara. The flag and coat of arms the Autonomous Republic of Adjara shall include the elements of the state flag and coat of arms of Georgia. The rule of use of flag and coat of the Autonomous Republic of Adjara shall be determined by the legislation of Georgia and the Autonomous Republic of Adjara.
6. The city of Batumi is the administrative center of the Autonomous Republic of Adjara.

**Article 2**

1. The powers of the Autonomous Republic of Adjara shall be determined by the Constitution of Georgia, this Law, the Constitution of the Autonomous Republic of Adjara, other legislative acts of Georgia and the Autonomous Republic of Adjara.
2. Authorities of the Autonomous Republic of Adjara shall independently exercise the exclusive powers of the Autonomous Republic of Adjara. Exclusive powers of the Autonomous Republic of Adjara are:
  - a) adoption of laws and other normative acts of the Autonomous Republic of Ajara;
  - b) determination of the structure, powers and rules of activity of the Government of the Autonomous Republic of Ajara;
  - c) development and exercise of the budgetary policy of the Autonomous Republic of Adjara in accordance with the legislation of Georgia and the Autonomous Republic of Adjara, adoption of the budget of the Autonomous Republic of Adjara and control of its implementation;
  - d) management and administration of the property of the Autonomous Republic of Adjara in accordance with the legislation of Georgia and the Autonomous Republic of Adjara;
  - e) management and administration of the land, forest and water resources owned by the Autonomous Republic of Adjara in accordance with the legislation of Georgia and the Autonomous Republic of

Adjara;

f) urban and territorial planning and development of the Autonomous Republic of Adjara in accordance with the legislation of Georgia and the Autonomous Republic of Adjara;

g) management of roads and other infrastructure having the importance for the Autonomous Republic;

h) establishment, management and support of educational, scientific, creative and sports institutions having the importance for the Autonomous Republic;

i) defining and awarding the prizes and honorary titles of the Autonomous Republic of Adjara;

j) management of the Archives Administration of the Autonomous Republic of Adjara.

3. Autonomous Republic of Adjara may exercise any authority in the field of economy, agriculture, tourism, health and social security, education, culture, sport and youth policy, environmental protection, which does not belong to the exclusive powers of the state authority or own exclusive powers of local self-governance and exercise of which is not excluded from the powers of the Autonomous Republic of Adjara based on the legislation of Georgia.

4. Delegation of powers to the Autonomous Republic of Adjara by the State shall be permissible under law, by providing relevant material and financial resources.

5. The Autonomous Republic of Adjara shall enjoy financial autonomy within the scope established by legislation of Georgia. With the purpose of ensuring the exercise of powers of the Autonomous Republic of Adjara, part of state tax and non-tax revenues as well as special funding from the state budget may be transferred to the Autonomous Republic of Adjara based on legislation of Georgia. The Autonomous Republic of Adjara shall have a property and its rule of formation shall be determined by legislation of Georgia.

### **Article 3**

1. The Supreme Council of the Autonomous Republic of Adjara is the supreme representative body of the Autonomous Republic of Adjara, which, within the scope of powers of the Autonomous Republic of Adjara, performs law-making activities and monitors the activity of the Government of the Autonomous Republic of Adjara.

2. The Supreme Council shall be composed of not more than 21 deputies elected for a term of four years. The Supreme Council shall be elected by citizens of Georgia registered on the territory of the Autonomous Republic of Adjara on the basis of universal, equal and direct suffrage, by secret ballot. The regular elections of the Supreme Council shall be conducted on the first Sunday of October of the calendar year in which the term of powers of the Supreme Council expires. Elections shall be convened by the President of Georgia not later than 60<sup>th</sup> day before elections, in accordance with procedure established by Organic Law. The number of deputies of the Supreme Council shall be determined by the Constitution of the Autonomous Republic of Adjara while the rules for their election - by legislation of Georgia as well as the Constitution and legislation of the Autonomous Republic of Adjara. The summary report of the Supreme Council elections shall be determined by the Supreme Election Commission of the Autonomous Republic of Adjara in accordance with procedure established by legislation of Georgia and the Autonomous Republic of Adjara.

3. The first sitting of the Supreme Council shall be held not later than one month after the elections and it shall be appointed by the President of Georgia. The Supreme Council shall begin work if

powers of at least two thirds of the members of the Supreme Council have been confirmed.

4. A member of the Supreme Council shall not be a member of another representative body or the Government of the Autonomous Republic of Adjara at the same time. Other cases of conflicts of interest shall be determined by the legislation of Georgia, the Constitution of the Autonomous Republic of Adjara and the Rules of Procedure of the Supreme Council.

5. Supreme Council shall:

a) adopt the Constitution of the Autonomous Republic of Adjara and laws of the Autonomous Republic of Adjara;

b) approve the Government of the Autonomous Republic of Adjara;

c) be entitled to hold a vote of no confidence in the Government of the Autonomous Republic of Adjara by a majority of its total members;

d) adopt the budget of the Autonomous Republic of Adjara by a majority of its total members;

e) determine the awards and honorary titles of the Autonomous Republic of Adjara;

e) carry out other powers defined by the legislation of Georgia, the Constitution of the Autonomous Republic of Adjara and the legislation of the Autonomous Republic of Adjara.

6. A law of the Autonomous Republic of Adjara, other than the Constitution, shall be signed and promulgated by a Chairperson of the Government of the Autonomous Republic of Adjara who is authorized to return the draft law with remarks to the Supreme Council. The Supreme Council shall put the remarks of the Chairperson of the Government to a vote. For adopting remarks, the same number of votes shall be needed as it is required for adopting a draft law. For adoption of the initial version of the draft law, it should be supported by a majority of total members of the Supreme Council. If the Chairperson of the Government does not sign the law, a Chairperson of the Supreme Council shall sign and promulgate it.

7. The authority of the Supreme Council of the Autonomous Republic of Adjara shall be terminated immediately upon recognition of powers of the newly elected Supreme Council or upon the entry into force of the decree of the President of Georgia on dissolution of the Supreme Council.

8. With the consent of the Parliament of Georgia, the President of Georgia shall be authorized to dissolve the Supreme Council if it's activities jeopardized the sovereignty and territorial integrity of the country and exercise of constitutional powers of the state authorities, it fails to carry out powers granted by this Law and the Constitution of the Autonomous Republic of Adjara or did not approve the Government of the Autonomous Republic of Adjara consecutively twice. The dissolution of the Supreme Council shall cause termination of powers of the Government of the Autonomous Republic of Adjara. In case of dissolution of the Supreme Council, the Provisional State Council shall exercise its powers as well as those of the Government of the Autonomous Republic of Adjara. The Provisional State Council shall be appointed by the President of Georgia. The powers of the Provisional State Council shall be terminated upon recognition of powers of the newly elected Supreme Council. The law adopted by the Provisional State Council shall be subject to approval by the Supreme Council within one month after recognition of its powers. If the Supreme Council does not approve the law adopted by the Provisional State Council within the established timeframe, it shall be deemed invalid. In case of dissolution of the Supreme Council, extraordinary elections shall be held not earlier than 60 and not later than 90 days after its dissolution. In case of declaration of martial law on the whole territory of Georgia or a state of emergency on the territory of the Autonomous Republic of Adjara, extraordinary elections of the Supreme Council shall be held within 60 days after

the abolition of the state of emergency or martial law. The President of Georgia shall appoint extraordinary elections of the Supreme Council.

9. Internal organization and rules of activity of the Supreme Council shall be defined by the Constitution of the Autonomous Republic of Adjara and the Rules of Procedure of the Supreme Council.

#### **Article 4**

1. The Government of the Autonomous Republic of Adjara is an executive body of the Autonomous Republic of Adjara.

2. The Government of the Autonomous Republic of Adjara shall consist of a Chairperson of the Autonomous Republic of Adjara and ministers of the Autonomous Republic of Adjara.

3. Within 10 days after recognising powers of the newly elected Supreme Council of the Autonomous Republic of Adjara, or otherwise terminating powers of the Government of the Autonomous Republic of Adjara, the President of Georgia after consultations held with the political entities represented in the Supreme Council shall submit a candidate for the Chairperson of Government of the Autonomous Republic of Adjara and candidates for ministers proposed by him/her to the Supreme Council for approval. The whole Government of the Autonomous Republic of Adjara shall be put to vote for approval. The Government of the Autonomous Republic of Adjara shall be considered approved if it is supported by the majority of the total members of the Supreme Council. If the Council does not approve the Government, the President of Georgia shall be entitled to submit the same or different composition of the Government to the Supreme Council within 10 days.

4. The Chairperson of the Government of the Autonomous Republic of Adjara is the highest official of the Autonomous Republic of Adjara and shall represent the Autonomous Republic of Adjara. The Government of the Autonomous Republic shall be headed by the Chairperson of the Government of the Autonomous Republic who is entitled to appoint and dismiss ministers of the Autonomous Republic of Adjara in accordance with law, to manage property of the Autonomous Republic of Adjara in a manner prescribed by legislation of Georgia and the Autonomous Republic of Adjara, submit the budget of the Autonomous Republic of Adjara to the Supreme Council for approval and exercise other powers as envisaged by legislation of Georgia and the Autonomous Republic of Adjara.

5. Ministries of the Autonomous Republic of Adjara may only be created in the areas prescribed by the Constitution of the Autonomous Republic of Adjara.

6. The Government of the Autonomous Republic of Adjara shall be accountable to the President of Georgia, the Government of Georgia and the Supreme Council of Autonomous Republic of Adjara.

7. The Government of Georgia shall be authorized to suspend or cancel acts of the Government, a Chairperson of the Government or a member of the Government of the Autonomous Republic of Adjara if they are contrary to the Constitution of Georgia, this Law, international treaties and agreements of Georgia, laws of Georgia and legal acts of the President and the Government of Georgia.

8. Powers of the Government of the Autonomous Republic of Adjara shall be terminated:

a) upon recognising powers of the newly elected Supreme Council of the Autonomous Republic of Adjara;

b) upon voting a no confidence in the Supreme Council of the Autonomous Republic of Adjara;

c) upon resigning the Chairperson of the Government of the Autonomous Republic or otherwise terminating his/her powers;

d) upon dissolving the Supreme Council of the Autonomous Republic.

9. In cases envisaged by Paragraph 8 (a), (b) and (c) of this Article, the Government of the Autonomous Republic of Adjara shall exercise its powers before the approval of a new Government.

10. The structure, powers and rules of activity of the Government of the Autonomous Republic of Adjara shall be defined by the Constitution of the Autonomous Republic of Adjara and the law of the Autonomous Republic of Adjara. The draft of this law shall be submitted to the Supreme Council of the Autonomous Republic of Adjara by the Chairperson of the Government of the Autonomous Republic of Adjara.

## **Article 5**

1. This Law shall enter into force upon its promulgation.

2. Upon enactment of this Law, the Constitutional Law of Georgia on the Status of the Autonomous Republic of Adjara shall be declared invalid.