

17 May 1998

## **Decree of the President of Georgia No. 326**

### **On Drafting, Adoption, Publication and Operation of Normative Acts of the Executive Power**

#### **Chapter I General Provisions**

##### **Article 1. Scope of Regulation**

1. Based on Article 28(2) of the Law of Georgia "On Normative Acts" of October 29, 1996, this Decree shall define the procedures for drafting, adoption, publication and operation of the decrees, decrees and orders of the President of Georgia, the orders of the State Minister, the ministers of Georgia and the heads of other executive governmental agencies.

2. This Decree shall also define the procedures for legislative drafting to be observed within the executive power.

*(Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75)*

##### **Article 2. Decree of the President of Georgia**

Decree of the President of Georgia shall be a normative act having the same legal force as that of a law and shall be issued only in the state of emergency. The decree of the President of Georgia may not contravene the Constitution and legislative acts of Georgia or an international agreement or a treaty of Georgia.

##### **Article 3. Decree of the President of Georgia**

1. An decree of the President of Georgia shall be a sub-legislative normative act issued by the President on the grounds of the Constitution, organic law and law of Georgia (except for the decrees for appointment or dismissal of the members of the Government of Georgia – the ministers – and of the justices in the common courts of law). The President of Georgia, within the scope of his competence, may issue the decree even if the respective issue is not regulated by the relevant legislative act.

2. In case of armed aggression against Georgia the President of Georgia shall declare martial law, shall issue the respective decree and, not later than within 48 hours, shall submit it to the Parliament for approval.

3. In the cases of war or mass riot, attempt on the territorial integrity of the country, military coup, armed insurrection, ecological disasters or epidemics or in other cases where the state power bodies are deprived of the options to exercise their constitutional authority properly, the President of Georgia shall issue the decree declaring the state of emergency either on the whole territory of the country or in a part thereof and, not later than within 48 hours, shall submit this decision to the Parliament for approval.

*(Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75)*

##### **Article 4. Order of the President of Georgia**

An order of the President of Georgia, as the order of the Supreme Commander-in-Chief of the armed forces of Georgia, is a sub-legislative act issued to regulate performance of the assignments given by the Supreme Commander-in-Chief to the armed forces of Georgia: coordination of military research; prospects of development of the armaments industry; training, placement, drafting to military service and mobilization of military personnel; and other issues related to ensuring the stability of the state defense.

##### **Article 5. Order of the State Minister of Georgia, Minister of Georgia or the Head of other Executive Governmental Agency**

1. Order of the State Minister of Georgia, minister of Georgia or the head of other executive governmental agency (hereinafter referred to as the "order") is a sub-legislative normative act that may be issued only in the cases and within the limits defined by a legislative act of Georgia or by an decree of the President of Georgia.

2. The order is a normative act that:

- a) Affects the rights, freedoms and interests of the citizens of Georgia;
- b) is a joint (inter-agency) act;
- c) In accordance with the rule prescribed by the Georgian legislation – regulates the relations of the executive agencies with the enterprises, organizations and institutions subordinated to them or that regulates the rights and duties of their employees.

*(Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75)*

## **Chapter II**

### **Drafting of an Act of the Executive Power**

#### **Article 6. Right to prepare a Draft Normative Act**

1. Draft of the normative act referred to in this Decree shall be prepared by the subject who has the right to submit the draft or by the body authorized to issue the act, the legal service department of which participates in the resolution of legal issues related to the draft.

2. The subject who has the right to submit the draft normative act or the body authorized to issue the act (or its structural sub-unit) shall have the right to place an order for the draft with a governmental or non-governmental organization or agency (including foreign institutions) or with an individual specialist or a group of specialists (including foreign specialists).

3. If, in accordance with the rule defined in paragraph (1) of this Article, the draft of a normative act is prepared in the Ministry of Justice, then the requirement of obligatory conclusion from the Ministry of Justice prescribed by the legislation shall not apply to this draft.

4. The appropriate documents, necessary to obtain the consent of the Parliament to the decrees (or the decrees having the force of law) of the President of Georgia that declare martial law or state of emergency or to the decisions of the President concerning suspension or dissolution of self-governments or other representational bodies of territorial units, shall be prepared by the Legislative Drafting and Relations with the Parliament Service of the President of Georgia.

#### **Article 7. Preparation of a Draft Decree of the President of Georgia**

1. The apparatus of the National Security Council shall be responsible for preparation of draft decrees of the President of Georgia. The State Chancellery shall be bound to ensure the preparation.

2. The draft decree shall be prepared in 48 hours and shall be handed over to the Ministry of Justice that is to provide the conclusion on the conformity of the draft with the legislative acts of Georgia.

3. The Ministry of Justice shall prepare the conclusion on the draft decree of the President within 24 hours and shall hand it over to the state body responsible for the preparation of the draft.

4. The body responsible for the preparation of the draft shall work out the final text of the draft decree of the President and shall submit it to the President of Georgia.

5. In the emergency situations, the National Security Council shall develop the proposals aimed at avoiding severe political, social, economic, ecological and other consequences, which proposals must be taken into account when preparing the draft decree of the President of Georgia.

6. The draft decree of the President may be reviewed at the session of the National Security Council or other deliberative body of the President. The issue of holding the review shall be resolved by the President of Georgia.

7. The draft decree of the President shall be accompanied:

- a) By the explanatory note that will define the reason and key elements of the decree and, if the decree concerns financial or economic issues – by the respective calculations as well. In the latter case the conclusions of the Ministry of Finance and the Ministry of Economy shall also be required.

The explanatory note shall specify the names of the author(s) and the person submitting the draft. The explanatory note shall be prepared by the same state body that has prepared the draft decree of the President;

b) If the approval of the submitted draft necessitates amendments (additions) to another normative act – by the draft on the amendments (additions) to the respective normative act as well as by the draft on those additions to the respective laws which will define the liability for violating the norms of the decree;

c) By the conclusion of the Ministry of Justice and, if any, by the conclusion of an independent expert.

8. The draft decree shall be submitted to the President of Georgia for signing. The President shall either sign the draft or return it to the apparatus of the National Security Council with the respective comments attached thereto. After that, within 3 days, the apparatus of the Council shall submit the final version of the text to the President for signing.

### **Article 8. Preparation of a Draft Decree of the President of Georgia**

1. The draft decree of the President of Georgia shall be prepared by the State Chancellery, the apparatus of the National Security Council or by an institution of the executive power. The State Chancellery shall be responsible to ensure the preparation of the draft by the institution of the executive power, and the head of the institution shall be responsible for the draft itself. The apparatus of the National Security Council shall be responsible for preparation of the drafts of the decrees referred to in paragraphs (2) and (3) of Article 3 of this Decree and for preparation of those draft normative acts of the President to be issued in wartime which limit the rights and freedoms of individuals defined under Article 46 of the Constitution. The Legislative Drafting and Relations with the Parliament Service of the President of Georgia shall prepare the drafts of the Presidential decrees with respect to calling parliamentary elections and referendums and with respect to revocation of the acts of the executive agencies.

2. The state body that is given the assignment to prepare the draft decree of the President shall be bound to prepare the draft within one month. This period may be altered by the President of Georgia.

3. The draft decree of the President of Georgia shall be submitted, simultaneously, for review and conclusion to all those executive agencies the scope of governance of which encompasses the issues to be regulated by the decree; the draft may also be sent for review and conclusion to those non-state institutions whose interests are affected by the decree.

4. The state body that prepared the draft shall hand it over, along with the conclusions referred to in paragraph (3) of this Article, to the Ministry of Justice which in turn is to provide the conclusion on the conformity of the draft with the legislative acts of Georgia.

5. The Ministry of Justice shall provide its conclusion regarding the draft decree of the President within one month, and other executive agencies shall provide their conclusions within two weeks. If the subject matter is of extraordinary importance for the state, then these periods may be altered by the President of Georgia. If the Ministry of Justice or other executive agency fails to observe the period defined in this Article for issuance of the conclusion, then the draft decree shall be deemed to have been coordinated and agreed with the respective state agency.

6. The draft decree of the President of Georgia shall conform to the requirements of Articles 29 and 30 of the Law of Georgia "On Normative Acts" and paragraphs (2), (4) and (7) of Article 10 of this Decree.

7. The same state body that prepared the draft decree of the President shall prepare the final version of the draft and shall hand it over to the State Chancellery. The draft shall be accompanied by:

a) The explanatory note that will define the reason of issuance (adoption) and key elements of the decree, financial-economic estimates of its effects. The explanatory note shall specify the names of the author(s) and the person submitting the draft;

b) The draft on the amendments (additions) to the effective normative acts caused by the adoption of the decree;

c) The proposals for ensuring the publication of the issued decree in the media of mass information;

d) The conclusions on the draft provided by the Ministry of Justice and other executive agencies;

e) The list of the received comments, the list of the results of their review and/or the coordination check-list of the draft.

7<sup>1</sup>. The final version of the draft decree of the President, after it passes the respective subdivisions of the State Chancellery that endorse the draft, shall be handed over to the Legal Service of the Chancellery. After the Legal Service endorses the draft, it may be reviewed at the session of the Government of Georgia. Before submitting the draft to the session, the Legal Service and other respective subdivisions of the State Chancellery shall be entitled to invite the representatives of the state bodies that prepared the draft and the comments to the draft and to request the additional information with respect to the draft. The Legal Service and other respective subdivisions of the State Chancellery shall review the draft within two weeks. The Legal Service shall return the draft to the state body that submitted it if:

a) There is a justified critical legal comment provided by a state body or non-governmental organization, the opinion of which is shared by the Legal Service, and the state body that submitted the draft has not taken the comment into account;

b) The Legal Service provided a critical legal comment and the state body that submitted the draft has not taken the comment into account.

7<sup>2</sup>. The Legal Service shall draw up a certificate of the draft decree for each draft decree that is endorsed by the Service. The certificate of the draft decree shall include:

a) Full name of the decree;

b) The state body that submitted the draft;

c) Number of pages of the draft and of attached materials;

d) The state bodies with which the draft was coordinated;

e) The content of the comments provided with respect to the draft, the state bodies that submitted them and the results of their review;

f) Conclusion of the Legal Service on the draft;

g) The dates on which the draft was submitted to the State Chancellery, accepted by the Legal Service, provided with the conclusion of the Service, left the Service;

7<sup>3</sup>. The certificate of the draft decree shall be signed by the head of the Legal Service.

8. Taking into account the comments given at the session of the Government, the final version of the draft decree, after it passes editorial and legal expert examinations, shall be submitted to the President of Georgia for signing.

9. The draft decree submitted to the President for signing shall be accompanied by:

a) The certificate of the draft;

b) In the particular cases – by other respective documents, as requested by the state body that submits the draft or the comments to the draft.

The President of Georgia shall either sign the decree or return the draft to the State Chancellery with the concrete comments attached thereto.

10. If the President returns the draft normative act to the State Chancellery with the comments attached thereto, then the respective subdivision of the Chancellery shall ensure revision of the submitted draft taking into account the comments of the President. In such a case the State Chancellery independently decides whether to have the draft revised according to the procedure defined in this Decree or to work out the final version of the draft on its own. The revised and final version of the draft shall be subject to repeated review and endorsement by the Legal Service and other respective subdivisions of the Chancellery, in accordance with the procedure defined in this Decree.

*(Decree of the President of Georgia No. 207 of May 25, 2001, Legislative Herald of Georgia III, 2001, # 55, § 407)*

### **Article 9. Preparation of a Draft Order of the President of Georgia**

1. Preparation of the draft order of the President of Georgia, as the draft order of the Supreme Commander-in-Chief of the armed forces of Georgia, shall be ensured by the National Security Council. The President of Georgia may give the assignment to prepare the draft order to the Ministry of Defense of Georgia or to another state body.

2. The time period for the preparation of the draft order shall be fixed either by the President or directly by the National Security Council.

3. If the assignment to prepare the draft order is given to another state body, the National Security Council shall be entitled to develop recommendations regarding the draft order.

4. The draft order shall be handed over to the Ministry of Justice that is to provide the legal conclusion.

5. The draft order shall conform to the requirements of Articles 29 and 30 of the Law of Georgia "On Normative Acts".

6. The draft order of the President of Georgia, as the draft order of the Supreme Commander-in-Chief of the armed forces of Georgia, shall be submitted to the President for signing.

### **Article 10. Preparation of a Draft Order of the State Minister of Georgia, Minister of Georgia or the Head of other Executive Governmental Agency**

1. Draft order of the State Minister of Georgia, minister of Georgia or the head of other executive governmental agency shall be prepared, respectively, by the State Chancellery, the ministry and by the executive governmental agency.

2. When drafting the order, the following issues must be studied:

a) The normative acts of Georgia in connection with the issue to be regulated by the order, as well as the practical experience of application of these acts;

b) The scientific literature and the materials from the periodicals;

c) If necessary – the materials of sociological and other surveys.

3. Time period for preparation of the order shall be fixed by the person who issues the order.

4. If during the preparation of the draft it was found that a normative act issued earlier now requires essential amendments or that several normative acts regulate the same issue, then a new normative act shall be drafted in order to regulate these issues. The new draft normative act shall include both the new provisions and the normative provisions adopted earlier.

5. The structure of the draft normative act shall ensure its uniform understanding and application.

6. In order to clarify the purpose and basic principles of the order, it may begin with the preamble (which may not include the normative provisions); the order shall refer to the legislative act based on which and for execution of which the order is issued.

7. A legal act of the State Minister of Georgia, minister of Georgia or the head of other executive governmental agency that is normative (ordinance, regulations, directive, instruction, etc.) shall be issued in the form of the order of the respective minister or the head of the agency.

8. Several heads of executive governmental agencies may issue a joint order. In such a case, the institution listed first on assignment shall organize preparation of the draft joint (inter-agency) order. The same institution shall be bound to submit the draft to the Ministry of Justice for its registration in the State Register. Other state bodies referred to in the assignment shall provide the specialists and shall ensure timely submission of the proposals, required documents and other materials. The joint order shall be deemed to have been coordinated and agreed if the heads of the agencies listed in the assignment, as well as the heads of other interested state bodies, endorsed the draft without comments.

9. If the draft order is supplemented by tables, charts, maps, diagrams, document samples or document sheets, then, as a rule, they shall be placed in the appendix, with the appropriate references in the respective paragraphs of the draft.

10. The draft order shall be sent for review and conclusion to the state body the scope of governance of which encompasses the subject matter of this act.

11. The draft order shall be handed over to the Ministry of Justice that, in turn, within two weeks, shall prepare the legal conclusion on the conformity of the draft with the legislative acts of Georgia and with the decrees of the President of Georgia. If the Ministry of Justice produces a properly justified negative conclusion, then the draft shall be revised so as to conform to the effective legislative acts of Georgia and to the decrees of the President of Georgia, after which the draft shall require re-examination by the Ministry of Justice and appropriate new conclusion of the Ministry on the conformity of the draft with the Georgian legislation.

12. The draft order shall be accompanied:

a) By the explanatory note that will define the reasons of issuance and key elements of the order and, if necessary, financial-economic estimates of its effects. The explanatory note shall specify the name of the author of the draft;

b) If the approval of the submitted draft necessitates amendments (additions) to other normative acts – by the draft on the amendments (additions) to the respective normative acts;

c) By the conclusion of the state body, the scope of governance of which encompasses the subject matter of this act, and the conclusion of the Ministry of Justice on the conformity of the draft with the legislative acts of Georgia.

13. The draft order shall be submitted, respectively, to the State Minister of Georgia, minister of Georgia or the head of other executive governmental agency for signing.

*(Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75)*

### **Chapter III Procedure of Issuance of Acts of the Executive Power**

#### **Article 11. Procedure of Issuance of Normative Acts of the President of Georgia**

The day on which the President signs the presidential normative act shall be deemed to be the date of issuance of this act.

#### **Article 12. Procedure of Issuance of Orders of the State Minister of Georgia, Minister of Georgia or the Head of other Executive Governmental Agency**

The day on which the State Minister of Georgia, minister of Georgia or the head of other executive governmental agency signs the order shall be deemed to be the date of issuance of this order.

*(Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75)*

### **Chapter IV Procedures of Publication and Operation of the Acts of the Executive Power**

#### **Article 13. General Procedure of Publication of the Normative Acts**

The normative acts defined in this Decree shall be issued and published in the state language of Georgia.

#### **Article 14. Publication of the Normative Acts of the President of Georgia**

1. First publication of the full text of a normative act of the President of Georgia in the "Legislative Herald of Georgia" shall be deemed to be the official publication of the normative act. Publication of the normative acts of the President in the official print medium of the State Chancellery – "Decrees and Orders of the President of Georgia" – and in the official print medium of the Social Management and Information Center of the Chancellery – "Compiled Acts of the President" – shall be allowed after their official publication.

2. The normative act of the President of Georgia shall be published within 7 days from its signing.

*(Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75)*

**Article 15. Publication of the Orders of the State Minister of Georgia, Minister of Georgia, the Head of other Executive Governmental Agency**

1. First publication of the full text of an order of the State Minister of Georgia, minister of Georgia or of the head of other executive governmental agency in the "Legislative Herald of Georgia" shall be deemed to be the official publication of the normative act. Publication of the order in the official print medium of the respective agency shall be allowed after its official publication.

2. The order of the State Minister shall be published within 7 days from its signing, and the order of the minister or the head of other executive governmental agency shall be published within 7 days from its registration in the State Register of Normative Acts.

*(Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75)*

**Article 16. Particulars of a Normative Act**

Each normative act referred to in this Decree shall bear the following entries:

- a) The type of the normative act;
- b) The title (heading) of the act, which shall correspond to its content;
- c) The date and place of its issuance (and, if the act is amended or supplemented, the dates on which the amendments/additions were made);
- d) The date on which the act takes effect and, if the act is issued to operate for a certain period of time, the duration of its effectiveness;
- e) The registration number assigned by the body that has issued the act and, after the act is entered into the State Register – the state registration code as well.

**Article 17. State Registration of Normative Acts of the Executive Power**

1. According to the rule prescribed by law, a decree or decree of the President of Georgia and an order of the State Minister of Georgia, minister of Georgia or of the head of other executive governmental agency shall be handed over to the Ministry of Justice within 10 days from the day on which it is signed.

2. The Ministry of Justice shall enter the normative act into the State Register and shall assign a state registration code to the act within 2 days from the day on which the act was handed over to the Ministry.

3. The State Minister of Georgia, minister of Georgia, the head of other executive governmental agency shall be personally liable for submission of the issued order to the Ministry of Justice for its registration in the State Register.

*(Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75)*

**Article 18. Procedure of entry into force of Normative Acts of the Executive Power**

1. A normative act defined in this Decree, effectiveness of which depends on its publication, shall take effect after it is officially published in the print periodical referred to in Articles 14 and 15 of this Decree. Certain provisions of such normative acts may be omitted from publication only in the cases defined by the law of Georgia "On State Secrets". Non-publication of the normative acts (or parts of these acts) that limit the rights and freedoms of individuals or that define the legal liability shall not be allowed.

2. A decree of the President of Georgia shall take effect only after its publication in the official print medium, shall be effective from the moment indicated therein, and continue to be effective for a time period indicated therein but not later than the end of the state of emergency, unless it is revoked by a decree of the President of Georgia. The President shall submit the decree to the Parliament of Georgia within 48 hours from its issuance; however, if the decree limits the rights and freedoms of individuals, then the text of the decree shall be broadcasted through radio and television, during at least one day from its signing, once in every two hours.

3. An decree of the President of Georgia, unless otherwise defined by the decree itself, shall take effect immediately after its publication in the official print medium referred to in Article 14 of this Decree.

4. If the presidential decree limits the rights and freedoms of individuals during wartime, then it shall be submitted to the Parliament and shall be broadcasted through radio and television of Georgia in accordance with the procedure defined in paragraph (2) of this Article.

5. An decree of the president of Georgia regarding appointment or dismissal of a minister of Georgia shall take effect from the moment it is signed, unless the decree itself stipulates otherwise.

6. An order of the President of Georgia, as the order of the Supreme Commander-in-Chief of the armed forces of Georgia, shall take effect from the moment it is signed, unless the order itself stipulates otherwise.

7. An order of the State Minister of Georgia shall take effect from the day of its publication in the official print medium, and an order of the minister of Georgia or of the head of other executive governmental agency shall take effect on the 10th day from the day it is entered into the State Register of Normative Acts, unless the order itself stipulates otherwise. The order may stipulate a special date on which a specific chapter or article of the order will take effect.

8. The order of the State Minister of Georgia, minister of Georgia or of the head of other executive governmental agency may not take effect until its official publication.

*(Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75)*

## **Chapter V**

### **Procedures for Legislative Drafting within the Executive Power**

#### **Article 19. Preparation of Drafts**

1. The procedures for legislative drafting to be observed within the executive power shall be defined in accordance with the Law of Georgia "On Normative Acts" and this Decree.

2. (Blank) – repealed.

2<sup>1</sup>. In order to regulate the legislative drafting within the executive power and to ensure timely submission of the legislative amendments, every year a Plan of Preparation of Draft Laws and Legislative Drafting within the Executive Power shall be approved by the order of the President of Georgia.

2<sup>2</sup>. The draft order of the President on ensuring the activities for legislative drafting within the executive power shall be prepared by the Legislative Drafting and Relations with the Parliament Service of the President of Georgia, based on the written applications for inclusion of specific draft laws into the Plan filed by the executive agencies; these applications must be filed with the Service not later than end of November each year.

2<sup>3</sup>. The application filed by the executive agency shall include:

- a) Justification of the necessity of the draft laws;
- b) List of the persons who are directly responsible for preparation of the draft laws;
- c) Information on the preparation of the draft law and, if the text of the draft already exists, the information on whether or not it has been communicated and agreed with the executive agencies the scope of governance of which includes the issues to be regulated by the draft law;
- d) Exact date of the submission of the draft laws (indicating the months).

2<sup>4</sup>. If the draft law included in the Plan is not submitted by the predetermined date, the executive agency shall be bound to submit a well-reasoned written memorandum and to indicate a new submission date of the draft.

2<sup>5</sup>. The Legislative Drafting and Relations with the Parliament Service of the President of Georgia shall exercise control over the performance of the order of the President on ensuring the activities for legislative drafting within the executive power.

3. The respective service of the State Chancellery and the Ministry of Justice shall coordinate and ensure preparation of the draft law of Georgia.

4. The draft law of Georgia shall be prepared by the respective executive agency.

5. The draft law prepared by the executive agency may not be submitted to the Parliament of Georgia or to the bodies of the Parliament in violation of the procedures prescribed by this Decree.

6. Based on Articles 39 and 41 of the Law of Georgia "On the Structure and Operational Procedures of the Executive Power", a commission of the representatives from various governmental and state agency-subordinated institutions may be created in order to prepare the draft law.

*(Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75)*  
*(Decree of the President of Georgia No. 207 of May 25, 2001, Legislative Herald of Georgia III, 2001, # 55, § 407)*

#### **Article 20. Coordination for Agreement and Review of the Draft law**

1. The prepared draft law shall be submitted for review and conclusion to all such executive agencies the scope of governance of which encompasses the issues to be regulated by the draft. It may also be sent for review and conclusion to those non-state institutions whose interests are affected by the draft.

2. The draft law, along with the conclusions from the state (non-state) institutions referred to in paragraph (1) of this Article, shall be handed over to the Ministry of Justice which is to provide the conclusion on the conformity of the draft with the legislative acts of Georgia.

3. The executive agencies shall have two weeks for preparing the conclusions on the draft law. If the agency fails to produce the conclusion within this term, then the draft law shall be deemed to have been coordinated and agreed with this agency. This term may be altered at the motivated request of the State Chancellery or of the Ministry of Justice.

4. After the conclusion of the Ministry of Justice is received, the same state agency that had prepared the draft law shall work out the final text of the draft. Not later than within 10 days from receiving the conclusion of the Ministry, the head of this agency shall call the conciliatory meeting, in order to reach agreement with the interested agencies. The heads of the agencies that provide conclusions on the draft law shall be invited to the conciliatory meeting and their attendance shall be mandatory. The results of the meeting shall be recorded in the minutes of the meeting signed by all persons attending.

5. The final version of the draft law, in order to reach the session of the Government, shall be submitted, in the State Chancellery, to the Legislative Drafting and Relations with the Parliament Service of the President of Georgia. The service shall decide on the necessity of coordinating the draft with the respective services of the Chancellery.

6. The respective service of the Chancellery shall be bound to produce the conclusion on the draft and to submit it to the Legislative Drafting and Relations with the Parliament Service of the President within 5 days (or, if necessary, within the term fixed by the Service of the President) from the day it was submitted to the Chancellery. Subsequently, as a rule, the Legislative Drafting and Relations with the Parliament Service shall hand the draft over to the Proceedings-editorial and Organization Service of the Chancellery, in order to enter it on the agenda of the session of the Government. If the conclusion is not provided within this term, then the draft law shall be deemed to have been coordinated and agreed with the respective service of the Chancellery.

7. The head of the governmental institution that prepared the final version of the draft law shall present the draft for review at the session of the Government. The head of the institution shall have the right to delegate one of his deputies for the presentation, subject to prior consent of the State Chancellery.

8. Review of the draft law at the session of the Government shall be carried out in accordance with the established rule.

9. Taking into account the comments given at the session of the Government, the executive agency responsible for preparation of the draft (or, by the decision of the President, another executive agency) shall work out the final version of the draft law. The President of Georgia or, at his order, the State Minister of Georgia shall determine the final date of submission of the draft law. The final text of the draft shall be submitted to the President of Georgia.

10. The President of Georgia shall either submit the draft law to the Parliament of Georgia, using his right of legislative initiative, or return it to the respective governmental agency with the respective comments attached thereto.

*(Decree of the President of Georgia No. 188 of May 18, 2000, Legislative Herald of Georgia III, 2000, # 44, § 402)*  
*(Decree of the President of Georgia No. 207 of May 25, 2001, Legislative Herald of Georgia III, 2001, # 55, § 407)*

## **Chapter VI** **Transitional and Final Provisions**

### **Article 21. Publication of Normative Acts of the Executive Power before "Legislative Herald of Georgia" is published**

Before the official print medium of Georgia – "Legislative Herald of Georgia" – is published, a publication of the text of the normative act defined in this Decree in the newspaper "Sakartvelos Respublika" shall be deemed to constitute the official publication of the act.

### **Article 22. Effective Date of the Decree**

This Decree shall take effect immediately after its publication.

#### *Incorporated amendments by:*

- 1. Decree of the President of Georgia No. 188 of May 18, 2000, Legislative Herald of Georgia III, 2000, # 44, § 402;*
- 2. Decree of the President of Georgia No. 23 of January 27, 2001, Legislative Herald of Georgia III, 2001, # 9, § 75;*
- 3. Decree of the President of Georgia No. 207 of May 25, 2001, Legislative Herald of Georgia III, 2001, # 55, § 407.*