

The Law of Georgia on the Structure, Authority and Rules of Operation of the Government of Georgia

Chapter I General Provisions

Article 1

The Government of Georgia (hereinafter referred to as “the Government”) shall provide for implementation of the executive power, the internal and foreign policy in accordance with the Georgian legislation. The Government shall be accountable to the President and the Parliament of Georgia for its activities.

Article 2

The Government shall consist of the Prime Minister and Ministers including State Ministers.

Article 3

1. The authorities of the Government in the sphere of the executive power shall be established by the Constitution of Georgia, the present Law, other legislative acts and normative acts of the President of Georgia.
2. The exercise of the authority the Government shall be based on the governmental program approved by the Parliament of Georgia.

Article 4

1. The Government shall ensure the implementation of the executive power through Ministries and state sub-agencies subordinate to them.
2. Establishment or existence of another structure/body within the Government except those provided for in this Law shall be inadmissible.

Chapter II Competence of the Government

Article 5

Within the limits of its competence the Government shall:

- a) carry out coordination and control over the activities of the Ministries and state sub-agencies;
- b) approve regulations of the staff of the Ministries and that of the State Minister;
- c) be authorized to annul legal acts of the Ministers and state sub-agencies;

- d) approve governmental commissions established for examination of various issues;
- e) approve state special programs in the social, economic, cultural and other fields and ensure their implementation;
- f) originate legislative initiatives and elaborate a governmental program;
- g) participate in elaboration and implementation of the economic policy in accordance with the Constitution of Georgia, other legislative acts and Decrees of the President of Georgia;
- h) ensure the unity of the economic area of the country, freedom of economic activities, formation of a competitive and stable investment environment;
- i) carry out management of state property;
- j) regulate financial-budgetary relations and present upon the approval of President of Georgia the draft of the state budget of Georgia to the Parliament of Georgia, ensure after the adoption of the state budget its implementation, present a report on the implementation of the state budget to the Parliament of Georgia;
- k) ensure management of the state internal and external debts;
- l) ensure social protection of citizens;
- m) elaborate state programs on reduction and liquidation of the unemployment and ensure their implementation;
- n) ensure conducting a common state emigration and immigration policy;
- o) ensure carrying out of a common state policy in the fields of education and science, perfection of general, professional and higher education;
- p) ensure carrying out of a common state policy in the fields of protection of the environment and natural resources, ecological safety of the population;
- q) organize protection and efficient use of natural resources;
- r) conclude international treaties within the limits of the competence granted by the President of Georgia, ensure implementation of the commitments undertaken under the international treaties;
- s) take measures required for ensuring state defense and security;
- t) provide the Georgian armed forces with financial means, military equipment and other material and technical means;
- u) take measures for ensuring legality, protection of the human rights and freedoms, property and public order, ensure fight against crime;
- v) ensure implementation of measures for social security of the military men;
- w) ensure implementation of the measures for the protection of the state borders;
- x) exercise the authorities granted by the Constitution of Georgia, the present Law, other legislative acts and normative acts of the President of Georgia.

Article 6

1. The Government shall make resolutions and orders on the basis and for the implementation of the Constitution of Georgia, the laws of Georgia and normative acts of the President of Georgia.
2. Legal acts of the Government shall be signed by the Prime Minister.
3. A resolution of the Government is a normative act, which is elaborated, adopted and promulgated under the procedure provided for in the Law of Georgia on “Normative Acts”.

4. Observance of the requirements of the legal acts adopted by the Government shall be binding on the whole territory of Georgia.

Chapter III

Relations of the Government with the President of Georgia

Article 7

1. The Government and members of the Government shall resign before the President of Georgia.

2. After the President takes the oath the Government shall resign. The President shall approve the resignation of the Government and may charge the latter with performance of its duties before the formation of the new composition of the Government.

3. The President of Georgia is authorized to convene a meeting of the Government in relation to specifically important state issues and preside at the meeting. In this case, the agenda of the Government meeting shall be determined by the President of Georgia, and a decision made at the meeting shall be drawn up in the form of the President's act.

4. The President of Georgia is authorized to suspend or annul acts of the Government and executive authorities if they contradict the Constitution, international agreements and treaties, laws and President's normative acts.

5. The President of Georgia shall:

a) appoint the Prime Minister, give his approval to the Prime Minister to appoint Ministers;

b) be authorized to dismiss on his own initiative or in other cases provided for in the Constitution, the Minister of Internal Affairs, Minister of State Security and Minister of Defense;

c) approve the resignation of the Government, its members, charge a Government member with performance of the official duties until the formation of the new composition of the Government or until the appointment of a new member of the Government.

d) appoint and dismiss the commanders in chief of internal forces of the Ministry of Internal Affairs of Georgia, land, air and naval forces of Georgia;

e) approve the structure and regulations of the Georgian armed forces, present to the Parliament of Georgia for approval the military doctrine and projects on the concept of the development of the armed forces;

f) approve development, use and mobilization plans for the Georgian armed forces as well as mobilization plans for the Georgian economy;

g) approve military-operational and civil defense plans of the country.

6. In case of existence of the circumstances specified in sub-paragraphs "a"- "d" of Article 51¹ of the Constitution of Georgia, if the Parliament fails to express its vote of confidence in the Government within the terms established by the Constitution, the President of Georgia shall be authorized to appoint the Prime Minister and give his approval to the appointment of Ministers.

Chapter IV

Government Administration and Organization of its Activities

Article 8

1. The Government shall be directed by the Prime Minister who shall be appointed to and dismissed from the office by the President of Georgia.
2. The Prime Minister shall:
 - a) direct the Government, establish the directions of the Government's activities and organize them on the basis of the Constitution of Georgia, this Law, Decrees of the President of Georgia and other normative acts;
 - b) coordinate and control the activities of the Government members;
 - c) be accountable to the President of Georgia and the Parliament of Georgia for the activities of the Government;
 - d) present to the Parliament of Georgia upon the request of the latter a report on the state of implementation of the governmental program;
 - e) convene and direct meetings of the Government, signs resolutions and orders of the Government in cases provided for in the Constitution of Georgia;
 - f) coordinate carrying out regional policy and the relations of the Government with local government and self-government bodies;
 - g) appoint and dismiss upon the approval of the President of Georgia other members of the Government, be authorized to dismiss the members of the Government;
 - h) make, within the limits of his competence, a legal act – an order, carry out comprehensive administrative functions in the Government building;
 - i) appoint and dismiss other officials in cases provided for in law;
 - j) represent the Government in relations with other state agencies and international organizations;
 - k) make decisions within the limits of his competence on the encouragement of and imposition of disciplinary punishments to the employees of the Government Chancellery;
 - l) carry out assignments of the President of Georgia in cases provided for in the Constitution of Georgia
 - m) exercise other authorities specified in this Law, other legal acts and decrees of the President of Georgia.

Article 9

1. The authority of the Prime Minister shall cease:
 - a) in case he has resigned;
 - b) in case he has deceased;
 - c) a sentence of guilty against him has entered into force;
 - d) the Government has resigned;
 - e) in cases specified in Article 64 of the Constitution of Georgia by the established procedure;
 - f) in case of taking a post incompatible with the position of a member of the Government;
 - g) on the basis of a personal application.

2. In cases specified in the first paragraph of this Article, the Prime Minister shall be dismissed from his position by the President of Georgia.

3. The resignation of the Prime Minister or termination of his authority based on another ground shall result in termination of the authority of the other members of the Government. In case of resignation or dismissal of another member of the Government, the Prime Minister shall appoint upon the consent of the President of Georgia a new member of the Government within two weeks.

Article 10

1. One of the members of the Government shall be the Vice-Premier.

2. The Vice-Premier shall act as the Prime Minister in case of the absence of the latter, he shall also perform his specific assignments.

Article 11

1. A state minister (ministers) may be included in the composition of the Government as well.

2. The President of Georgia shall make a decision on introduction of the post of a state minister for the performance of state goals of a particular importance as well as a decision on the annulment of this position by the procedure prescribed by the Constitution of Georgia upon the submission of the Prime Minister (candidate for the Prime Minister).

3. A state minister shall be appointed by the Prime Minister upon the approval of the President of Georgia.

4. The authority and competence of a state minister shall be defined by this Law and a decree of the President of Georgia.

5. A state minister shall:

a) exercise the executive authority within the limits of his competence;

b) exercise other authorities granted to the ministers under this Law and other legislative acts;

c) perform specific assignments of the Government and the Prime Minister;

d) make orders within the limits of his competence.

6. The activities of a state minister shall be provided for by the staff of the state minister.

7. The structure and list of members of staff of a state minister shall be determined by the Government.

8. Termination of the authority of a state minister shall be carried out in accordance with Article 22, paragraph 1 of this Law.

Article 12

1. A meeting of the Government shall be held at least once a month.

2. The Prime Minister shall convene a meeting of the Government and determine its agenda except for the case specified in Article 7, paragraph 3 of this Law.

3. The Prime Minister shall chair a meeting of the Government except for the case specified in Article 7, paragraph 3 of this Law.
4. The Prime Minister and Ministers shall participate in the meeting of the Government in person. If presence of a Minister at a Government meeting is impossible, he shall inform the Prime Minister about it beforehand. Other persons with a consultative vote may be also invited to the Government meeting by a decision of the chairman of the meeting.
5. As a rule, a Government meeting shall be closed. A Government meeting may be made public in cases provided for in law and by a decision of the Government.
6. The rules and procedures for the work of the Government, preparation and holding of the Government meetings as well as the rules for consideration of issues at the meeting shall be defined by the Regulations of the Government that are approved by the latter upon the submission of the Prime Minister.
7. A Government meeting shall be authorized if it is attended by more than a half of the full composition of the Government. The Government shall make decisions by the majority of votes of the members present at the meeting but not less than one third of the full composition of the Government. In case of equal distribution of the votes, the vote of the chairman of the meeting shall be the deciding vote.
8. A decision of the Government meeting shall be drawn up in the form of a resolution or an order that shall be signed by the Prime Minister except for the case specified in Article 7, paragraph 3 of this Law.

Chapter V

Chancellery of the Government

Article 13

1. For the promotion of the organizational provision of the Government's activities, preparation of analytical, informational and other materials as well as control of the performance of the decisions of the Government the Chancellery of the Government shall be set up.
2. The Chancellery of the Government shall be directed by the Head of the Chancellery who shall be appointed to and dismissed from the office by the Prime Minister.
3. The structure, authority and procedures for the organization of the activities shall be defined by the Regulations of the Chancellery that shall be approved by the Government.

Chapter VI

Ministry

Article 14

1. A Ministry shall be set up on the basis of law, in specific fields of state and public life for the provision of the state government.
2. The Ministries of Georgia shall be as follows:
 - a) Ministry of Education and Science;
 - b) Ministry of Environment Protection and Natural Resources;
 - c) Ministry of Economy;
 - d) Ministry of Energy;
 - e) Ministry of Defense;
 - f) Ministry of Infrastructure and Development;
 - g) Ministry of Justice;
 - h) Ministry of Culture, Protection of Monuments and Sport;
 - i) Ministry of Refugees and Resettlement;
 - j) Ministry of Foreign Affairs;
 - k) Ministry of State Security;
 - l) Ministry of Agriculture;
 - m) Ministry of Finance;
 - n) Ministry of Internal Affairs;
 - o) Ministry of Labour, Health and Social Protection.

Article 15

1. A Ministry shall be accountable to the Government and perform tasks provided for in the law and imposed by the Government and the Prime Minister based on law.
2. A Ministry shall have Regulations, a complete balance and an account at the Treasury, accounting and a seal with the image of the State Emblem.
3. A Ministry shall be financed from the state budget. It shall be accountable for the expedient use of budgetary funds by the rule prescribed by the Georgian legislation.
4. A Ministry shall be based on the principle of personal leadership unless otherwise provided for in law.
5. The competence of a Ministry shall be established by law or/and by a decree of the President of Georgia and a resolution of the Government made based on law. A Ministry shall not be authorized to assign the rights and obligations that fall within its competence to other governmental or non-governmental institutions unless otherwise prescribed by the Georgian legislation.
6. A Ministry shall act within the limits of its competence on the basis and for the implementation of the Constitution of Georgia, other laws, Decrees and Ordinances of the President of Georgia, acts of the Government and the Prime Minister

Article 16

1. The fields of administration of a Ministry shall be defined by its Regulations.
2. If an issue that is within the jurisdiction of the executive power does not fall within the competence of any Ministry, the relevant decision shall be made by the Government.

3. If an issue that is within the jurisdiction of several Ministries, and the Ministry authorized to make a decision is not defined, the relevant decision shall be made by the Government.

Article 17

1. The Regulations of a Ministry shall be approved by the Government upon the submission of the Minister, except for the Regulations of the Ministry of Internal Affairs, the Ministry of State Security and the Ministry of Defense.

2. The Regulations of the Ministry of Internal Affairs, the Ministry of State Security and the Ministry of Defense shall be approved by a decree of the President of Georgia upon the submission of the Government.

3. The Regulations of a Ministry shall comprise:

a) the full name and legal address of the Ministry;

b) the fields of activities and tasks of the Ministry;

c) organization of the administration of a Ministry, rights and obligations of the heads;

d) the system and structure of the Ministry, principle goals and competence of the structural divisions;

e) other important issues related to the organization of work of the Ministry.

Article 18

1. A Ministry shall be divided into structural divisions based on the Regulations of the Ministry.

2. The competence of the structural divisions of the Ministry shall be determined by the Regulations of the Ministry, which shall be approved by the Minister.

3. The competence of the departments, inspection, main directorate, directorates, other structural divisions existing within the system of the Ministry that carry out administrative functions, state control and state coercion in cases prescribed by law shall be determined by the Regulations of the Ministry.

4. State control of a legal entity of public law shall be exercised by the Ministry only, except for the independent regulatory bodies as well as legal entities of public law that do not have a controlling body according to law.

Article 19

1. A territorial body of a Ministry shall be set up, transformed and terminate activities by a resolution of the Government unless otherwise prescribed by law.

2. A territorial body of a Ministry shall represent the Ministry within the limits of its competence.

3. The head and deputy head of a territorial body of a Ministry shall be appointed and dismissed by the Minister.

4. The administration area, rights and obligations as well as main directions of the activities of a territorial body of a Ministry shall be defined by the Regulations of the territorial body that are approved by the Minister.

Article 20

1. A Ministry shall be directed by the Minister who makes decisions on the issues within the limits of his competence in accordance with the legislation of Georgia.

2. A Minister shall:

a) direct the Ministry, conduct its activities and decide issues within the jurisdiction of the Ministry;

b) be responsible for the observance of the Constitution of Georgia, laws, decrees and ordinances of the President of Georgia, resolutions and orders of the Government;

c) control performance of the obligations by the structural divisions of the Ministry and state sub-agencies being within the jurisdiction of the Ministry, legal entities of public law and territorial bodies and carry out official supervision over the decisions and activities of public employees of the Ministry;

d) appoint and dismiss under the rule prescribed by law, within the limits of his competence, public employees envisaged by list of staff of the Ministry, employees of the territorial bodies and state sub-agencies being within the jurisdiction of the Ministry, heads of the legal entities of public law, except for the cases provided for in this Law;

e) submit to the Prime Minister for approval proposals on the issues related to the revenues and expenditures of the annual budget of the Ministry and, if necessary, on the additional draft budget, make decisions on expedient use of the budgetary funds and be responsible for accurate and reasonable implementation of the budget;

f) approve in accordance with the state budget the accounting of the state sub-agencies being within the jurisdiction of the Ministry, carry out control over its implementation and, if necessary, give instructions on the use of the budgetary funds;

g) establish the structure and activity procedures for the state sub-agencies being within the jurisdiction of the Ministry, except for the cases when they are defined by superior legal acts than a Minister's order;

h) submit to the Prime Minister a report on the activities of the Ministry. The Ministers of Internal affairs, State Security and Defense shall submit reports to the President of Georgia as well.

i) participate in the Government meetings;

j) exercise other authorities specified in this Law, other legal acts and decrees of the President of Georgia.

3. If an issue that should be decided by a Ministry is related to another Ministry as well, the Minister agrees the decision with the corresponding Minister. In case of failure to come to an agreement, the issue shall be considered at the Government meeting.

4. A Minister shall be responsible for protection and use of the state property and organize the relevant activities by the rule prescribed by law.

5. A Minister shall be authorized to set up within his jurisdiction commissions and councils with consultative votes and define their obligations and activity procedures.

Article 21

1. A Minister shall make orders based on and for the implementation of law in accordance with Article 82² of the Constitution of Georgia.
2. A Minister signing an order shall be responsible for its legality and expediency.

Article 22.

1. The authority of a Minister shall be terminated:
 - a) in case he has resigned;
 - b) in case he has deceased;
 - c) in case of his dismissal by an act of the Prime Minister;
 - c) a sentence of guilty against him has entered into force;
 - d) in case of resignation of the Government;
 - e) in cases specified in Article 64 of the Constitution of Georgia by the established procedure.
2. A Minister shall apply with a resignation application to the President of Georgia. A Minister can resign if he has a fundamental disagreement with the decision of the President or the Parliament of Georgia, it is inexpedient to remain in the office due to his belief, he is forced to implement an illegal decision that can result in substantial material or moral damage, he can also resign when the state of his health prevents him from performing the official authority.
3. The President of Georgia shall make a decision on resignation or a substantiated rejection of resignation. A decision on approval or rejection of the resignation shall be made within one month. In case of a substantiated rejection of resignation, the Minister shall continue performing his official duties. Furthermore, he shall retain the right to be dismissed from the position based on a personal application under the rule prescribed by law.
4. Resignation of a Minister shall result in consequences provided for in this Law and the Law of Georgia on “Public Service”.

Article 23.

1. A Minister shall have the first deputy and deputies. The number of deputies shall be established by the Regulations of the Ministry and their authority – by an order of the Minister unless otherwise prescribed by law or normative acts of the Government.
2. Resignation of the Government or termination of a Minister’s authority based on another ground shall result in termination of the authority of the first deputy and deputies.
3. The first deputy and deputies shall have no right to be members of the administrative, controlling or revision bodies of a commercial company or carry out entrepreneurial activities.
4. The first deputy of a Minister shall direct the activities of a structural division that is subordinate to him under the order of the Minister.
5. The first deputy of a Minister shall direct the Ministry and coordinate activities of the state sub-agencies, territorial bodies and structural divisions within the jurisdiction of the Ministry in the absence of the Minister.

Article 24.

1. The first deputy and deputies shall be appointed to and dismissed from the office by the Prime Minister with approval of the President of Georgia upon the submission of the relevant Minister.
2. One of the deputies of a Minister shall perform the functions of the parliamentary secretary.

Chapter VII State Sub-agencies

Article 25.

1. A state sub-agency is an agency of the executive power being under the jurisdiction of a Ministry.
2. A state sub-agency shall be established, transformed and terminate activities by law or a resolution of the Government.
3. A state sub-agency shall be established for the implementation of the social, economic, cultural or other state goals and public functions.
4. A state sub-agency shall be financed from the state budget.
5. The Regulations of a state sub-agency shall be approved by the Minister. The requirements provided for in Article 17, paragraph 3 shall be applied to a state sub-agency.
6. The head of a state sub-agency shall be appointed to and dismissed from the office by the Prime Minister upon the submission of the relevant Minister.
7. The heads of state sub-agencies being within the jurisdiction of Ministry of Internal Affairs, the Ministry of State Security and the Ministry of Defense shall be appointed by the Prime Minister with approval of the President of Georgia upon the submission of the relevant Minister and dismissed by the President of Georgia on his own initiative or upon the submission of the Prime Minister.
8. The Government shall perform registration of the agencies specified in this Article in a special register.

Article 26.

1. A decision on establishment, transformation and termination of the activities of a territorial body of state sub-agency shall be made by the Minister unless otherwise prescribed by law.
2. A territorial body of a state sub-agency shall be established in the relevant administrative-territorial entities of this body.
3. The head and deputy head of a territorial body of a state sub-agency shall be appointed to and dismissed from the office by the Minister upon the submission of the head of the sub-agency.
4. The administration area, rights and obligations as well as main directions of the activities of a territorial body of a state sub-agency shall be defined by the Regulations of the territorial body that are approved by the Minister.

Chapter VIII

State Representation

Article 27

1. A Ministry or a state sub-agency shall be authorized to represent the State while performing the obligations imposed upon it by the Georgian legislation.
2. If it is not established by the Georgian legislation, which agency of the executive power is the representative of the State, the Government shall appoint a state representative in each particular legal relation.
3. A representative of a state agency is the head of the agency or a person authorized by the head in accordance with the Regulations of the agency unless otherwise prescribed by law.

Chapter IX Agencies of the Executive Power of the Abkhazian and Ajarian Autonomous Republics

Article 28

1. Agencies of the Executive Power of the Abkhazian and Ajarian Autonomous Republics are part of the system of the executive power of Georgia.
2. Agencies of the Executive Power of the Abkhazian and Ajarian Autonomous Republics shall act on the basis of the Constitution of Georgia, the Constitutions of the Abkhazian and Ajarian Autonomous Republics, legal acts of Georgia, legal acts of the Abkhazian and Ajarian Autonomous Republics.
3. Agencies of the Executive Power of the Abkhazian and Ajarian Autonomous Republics shall be established, transformed and terminate activities under the procedure provided for in the Constitution of Georgia, the Constitutions of the Abkhazian and Ajarian Autonomous Republics, legal acts of Georgia, legal acts of the Abkhazian and Ajarian Autonomous Republics.

Chapter X Consultative Bodies

Article 29

1. The Prime Minister, Government, a member of the Government may set up consultative bodies – commissions and councils for examination of certain issues.
2. A consultative body shall be set up for the preparation of various issues within the competence of the executive power. The goals of a consultative body as well as the rules for preparation of its conclusions and proposals shall be determined at the moment of establishment of the body by the Prime Minister, the Government, a member of the Government respectively.

3. A consultative body shall be authorized to receive from the state agencies documents, information and other data required for its work.
4. Conclusions and proposals prepared by a consultative body shall be presented to the Prime Minister, the Government, a member of the Government respectively.
5. A public employee or a person who is not a public employee may be appointed a member of a consultative body only upon his consent.

Chapter XI

Official Supervision

Article 30

1. The aim of official supervision is ensuring of legality of activities of the Ministries and state sub-agencies within the jurisdiction of the Ministries.
2. A person carrying out official supervision shall be authorized to:
 - a) make written instructions on the elimination of faults in the adopted acts or performed actions;
 - b) suspend the execution of an act or performance of an action;
 - c) invalidate an act.
3. While performing official supervision the President of Georgia, the Prime Minister, the heads of the executive agencies shall make individual legal acts.
4. The official supervision shall be carried out by the rule of subordination.
5. A person carrying out official supervision shall be authorized to request legal acts and other documents from the Ministry and a state sub-agency, receive explanations and conclusions from the officials. A Ministry shall present documents, explanations and conclusions not later than within two working days unless another term is established by the person carrying out the official supervision.

Article 31

1. The Prime Minister shall be authorized to annul individual acts of Ministers due to their illegality or inexpediency.
2. The Government shall be authorized to annul act of a Minister due to their illegality or inexpediency.

Article 32

1. A Minister shall supervise legality and expediency of the activities of the structural divisions of the Ministry, state sub-agencies and territorial bodies being within the jurisdiction of the Ministry.
2. A Minister shall annul acts and activities of the first deputy, deputies, officials of the structural divisions and other officials of the Ministry, heads of the relevant Ministries of the Abkhazian and Ajarian Autonomous Republics, which are not in compliance with the

Constitution of Georgia, other laws, decrees and ordinances of the President of Georgia, orders of the Minister.

3. A Minister shall be authorized to annul acts and activities of the officials and heads of the sub-agencies within the jurisdiction of the Ministry specified in the second paragraph of this Article due to their inexpediency.

4. A Minister shall be authorized to charge the first deputy with the obligation of official supervision over the officials of the Ministry.

5. A person carrying out official supervision shall be authorized to make binding instructions requiring alteration of an act, elimination of flaws in the actions or performance of a new action.

Article 33

1. An act or action of an official may be annulled due to illegality or inexpediency if the act or action evidently contradicts the governmental program or the state policy that is based on the requirement of law and is carried out by the President of Georgia, the Government or a Minister, or results in irrational use of state property and budgetary funds or causes damage to the state interest in any other way.

2. It shall be inadmissible to annul due to inexpediency individual legal acts or actions that are made in the process of organization of a public agency or an act or an action the promulgation and implementation terms of which are based on a law or other legal acts.

3. Annulment of an act or action due to inexpediency shall be substantiated.

Article 34

1. A legal dispute between a Ministry and other state agencies shall be decided based on the subordination principle unless otherwise prescribed by law.

2. A legal dispute between the structural divisions of a Ministry as well as a dispute between state sub-agencies within the jurisdiction of the Ministry shall be resolved by the Minister.

3. A legal dispute between the state agencies that are within different jurisdictions shall be resolved by the involved Ministers. In case of disagreement, the relevant decision shall be made by the Government.

Chapter XII Transitional and Conclusive Provisions

Article 35

1. The President of Georgia and the Government shall ensure within 3 months from the enactment of this Law:

a) liquidation of the State Chancellery and reorganization of state departments under the rule established by this Article and the legislation of Georgia;

b) establishment of a relevant liquidation commission for organizational provision of the measures provided for in this Law.

2. The State Provision Service of Georgia shall be liquidated. The liquidation commission of the Service shall be set up by a legal act of the President of Georgia within 2 weeks. Distribution of the state property remained as a result of the liquidation of the State Provision Service shall be carried out by the rule prescribed by law in accordance with a decree of the President of Georgia.

3. State departments shall be reorganized to state sub-agencies in accordance with procedure established by this paragraph and they shall be assigned to the relevant Ministries:

a) The Ministry of Infrastructure and Development shall be set up, the Ministries of Transport and Communication, Urbanization and Construction shall be unified within the jurisdiction of the said Ministry, furthermore, the State Departments of Geodesy, Cartography, Motorways and Informatization shall be assigned to the Ministry;

b) The Ministry of Environment Protection and Natural Resources and the State Departments of Forestry, Protected Territories, National Reserves, Hunting Preserves, Geology and Hydrometeorology shall be assigned to the Ministry;

c) The State Intelligence Department shall be assigned to the jurisdiction of the Ministry of State Security;

d) Departments of Material Reserves and Protection of the State Borders shall be assigned to the jurisdiction of the Ministry of Internal Affairs;

e) The Ministry of Economy shall be set up and Departments of Statistics, Tourism and Resorts shall be assigned to the jurisdiction of the Ministry;

f) The State Departments of Archives and Land Management shall be assigned to the jurisdiction of the Ministry of Justice; the authorities of the State Department of Land Management provided for in law, which are related to implementation of the measures for efficient use and protection of land, measures against soil erosion, restoration and retaining of fertility, implementation of state control in accordance with the requirements provided for in the legislation for the expedient use and protection of land, creation of a united database on the state of the land resources, shall be assigned to the Ministry of Environment Protection and Natural Resources;

g) The Ministry of Culture, Monuments Protection and Sport shall be set up and the State Departments of Sport and Youths shall be assigned to the jurisdiction of the Ministry;

h) The State Departments of Veterans Affairs shall be assigned to the jurisdiction of the Ministry of Labour, Health and Social Protection;

i) The Ministry of Education and Science shall be set up and the Department of the State Language Chamber as well the Department Science and Technology of the Ministry of Economy, Industry and Trade shall be assigned to the jurisdiction of the Ministry.

4. Legal entities of public law shall be set up on the basis of the State Inspection of Technical Supervision and the State Department of Standardization, Metrology and Certification. Within one month from the enactment of this Law the Government of Georgia shall present proposals on the determination of their organizational-legal form and further subordination. The heads of the above mentioned legal entities of private law shall be appointed and dismissed by the President of Georgia.

5. The State Inspection for the protection of state secrets shall be liquidated and its functions shall be assigned to the State Security Council.

6. The Government shall present within one month from the enactment of this Law proposals on the determination of the organizational-legal form of the Council of Learned Experts and its further subordination.

7. Within 3 months after the enactment of this Law, the Government shall present to the Parliament drafts of the legal acts provided for in this Law required for the implementation of the reorganization of the executive power and distribution of the functions. Until the enforcement of the amendments the above-mentioned agencies shall continue performing their duties.

8. The Ministries set up base on this Article shall be considered legal successors of the liquidated agencies.

9. The acts of the heads of the agencies subject to liquidation specified in this Article shall retain legal force. The relevant Ministries-legal successors of the agencies shall be authorized to make changes and amendments to or annul these acts.

Article 36

From the moment of enactment of this Law the Law of Georgia on "Structure and Activity Procedures of the Executive Power" of April 15, 1997 shall be annulled (Official gazette - "Parlamentis Utskebani" 17-18, May 9, 1997, p. 32). The agencies of the executive power and their heads shall perform their authorities until the commencement of the authority of the composition of the Government in accordance with the Constitution of Georgia and this Law.

Article 37

This Law shall enter into force from the moment of its promulgation.

President of Georgia

Mikhail Saakashvili

Tbilisi
February 11, 2004
3277-II