

The Constitution of the Autonomous Republic of Ajara

The Autonomous Republic of Ajara, guided by the Constitution of Georgia, its fundamental principles and general values, proclaims the Constitution of the Autonomous Republic of Ajara

CHAPTER I

General Provisions

Article 1. Status of the Autonomous Republic of Ajara

1. The Autonomous Republic of Ajara is an inseparable, territorial unit of Georgia.
2. The Autonomous Republic of Ajara comprises of the territory within the administrative borders existing at the time of adoption of the Constitutional Law of Georgia “On the Autonomous Republic of Ajara”.
3. The administrative borders of the Autonomous Republic of Ajara may be changed at the initiative of the Supreme Council of the Autonomous Republic of Ajara under the Organic Law of Georgia. A decision on said issue is made by a majority of not less than two thirds of the full composition of the Supreme Council.
4. State and local self-governmental bodies established by the legislation of Georgia operate on the territory of the Autonomous Republic of Ajara.
5. The Constitution of the Autonomous Republic of Ajara is a basic law of the Autonomous Republic of Ajara. All other legal acts of the Autonomous Republic of Ajara shall comply with the Constitution of the Autonomous Republic of Ajara.

Article 2. Governmental Bodies of the Autonomous Republic of Ajara

1. The Governmental bodies of the Autonomous Republic of Ajara are:

- a) The Supreme Council of the Autonomous Republic of Ajara;
- b) The Government of the Autonomous Republic of Ajara;
- c) The Ministry of the Autonomous Republic of Ajara;
- d) The Supreme Election Commission of the Autonomous Republic of Ajara;
- e) The Sub-Agency of the Ministry of the Autonomous Republic of Ajara.

2. The Autonomous Republic of Ajara has a right to establish legal entities under the public and private law in accordance with the legislation of Georgia.

Article 3. Administrative Center of the Autonomous Republic of Ajara

The city of Batumi is an administrative center of the Autonomous Republic of Ajara.

Article 4. Symbols of the Autonomous Republic of Ajara

1. The flag of the Autonomous Republic of Ajara is a rectangular piece of fabric with a 2/3 ratio. It displays seven horizontal stripes: stripes 1-3-5-7 are azure and stripes 2-4-6 are white. The flag bears the flag of the State of Georgia in the upper right angle. The image of the flag of the Autonomous Republic of Ajara is attached to this Constitution.

2. The coat of arms of the Autonomous Republic of Ajara is a wavy partitioned per fess heraldic shield with a small heraldic shield in center. On the small shield, there is the argent rider with or halo – St. George, riding the argent horse and slaying the argent dragon with the argent lance with the or tip depicted on the gules field. There is the or castle depicted on the vert field in the first section of the shield. There are three or roundels: two on one, on the azure field in the second section. The image of the coat of arms of the Autonomous Republic of Ajara is attached to this Constitution.

3. The rule for using the flag and the coat of arms of the Autonomous Republic of Ajara is defined by the legislation of Georgia and the Autonomous Republic of Ajara.

CHAPTER II

Powers, Finances and Property of the Autonomous Republic of Ajara

Article 5. Powers of the Autonomous Republic of Ajara

1. Powers of the Autonomous Republic of Ajara shall be determined by the Constitution of Georgia, Constitutional Law of Georgia “On the Autonomous Republic of Ajara”, the Constitution of the Autonomous Republic of Ajara and other legislative acts of Georgia and the Autonomous Republic of Ajara.

2. Powers falling under the special jurisdiction of the Autonomous Republic of Ajara are:

- a) Adoption of laws and the other normative acts of the Autonomous Republic of Ajara;
- b) Determination of the structure, powers and rules of operation of the Government of the Autonomous Republic of Ajara;
- c) Determination and implementation of a budgetary policy of the Autonomous Republic of Ajara in accordance with the established rule of the legislation of Georgia and the legislation of the Autonomous Republic of Ajara, adoption of a budgetary law of the Autonomous Republic of Ajara and control over its execution;
- d) Management and administration of the property of the Autonomous Republic of Ajara in accordance with the established rule of the legislation of Georgia and the legislation of the Autonomous Republic of Ajara;
- e) Management and administration of the land, forest and water resources owned by the Autonomous Republic of Ajara according to the rule established by the legislation of Georgia and the legislation of the Autonomous Republic of Ajara;
- f) Spatial-territorial planning and development of the Autonomous Republic of Ajara according to the rule established by the legislation of Georgia and the legislation of the Autonomous Republic of Ajara;
- g) Management of roads and other infrastructure of the Autonomous Republic significance;

h) Establishment, management and support of educational, scientific, creative and sport institutions of the Autonomous Republic significance;

i) Establishment and granting awards, titles of honors of the Autonomous Republic of Ajara according to the rule established by the legislation of Georgia and the legislation of the Autonomous Republic of Ajara;

j) Management of archive service of the Autonomous Republic of Ajara.

3. The Autonomous Republic of Ajara may exercise other authorities in the field of economy, agriculture, tourism, health and social security, education, culture, sport and youth policy, environmental protection, which pursuant to the legislation of Georgia does not belong to the exclusive powers of the state authority or own exclusive powers of the local self-government and exercise of which is not excluded from the powers of the Autonomous Republic of Ajara in accordance with the legislation of Georgia.

4. The Autonomous Republic of Ajara shall exercise powers delegated by the state by the law.

Article 6. Financial Autonomy and Property of the Autonomous Republic of Ajara

1. The Autonomous Republic of Ajara shall enjoy the financial autonomy within the scope established by the law of Georgia.

2. The Autonomous Republic of Ajara has property and its rule of formation shall be determined by the legislation of Georgia.

Article 7. Budget of the Autonomous Republic of Ajara

1. The Supreme Council shall adopt a law on the budget of the Autonomous Republic of Ajara annually, by a majority of its total number of members.

2. Only the Chairperson of the Government shall be entitled to submit a draft budget of the Autonomous Republic of Ajara to the Supreme Council. The Chairperson of the Government shall submit a draft budget for the next budget year to the Supreme Council no later than 2 months before the end of the budget year. Along with the draft budget law, the

Government shall submit a report of the progress of the execution of the budget for the current year to the Supreme Council. The Government shall submit the annual progress report on the execution of the budget to the Supreme Council no later than three months from the end of the budget year.

3. Without the consent of the Chairperson of the Government, it is impermissible to make amendments to the draft budget law. The Chairperson of the Government may request the Supreme Council to incur additional expenditure in cases s/he indicates the source of its expenditures.

4. The draft law resulting in growth of expenditures for the current budget year, reduction of income or adoption of the new financial obligations by the Autonomous Republic of Ajara may be adopted by the Supreme Council only upon receiving the consent of the Chairperson, whereas, the draft law related to the next budget year – by the consent of the Chairperson of the Government or within the scope of basic data and directions document submitted by the Chairperson of the Government to the Supreme Council.

5. If the budget is not adopted by the Supreme Council before the start of the new budget year, the expenditures shall be covered by the rule established under the law according to the previous year budget.

6. Reduction of current resources allocated for the Supreme Council compared with the amount of budgetary resources of the previous year may occur only with the prior consent of the Supreme Council.

7. The law on the budget shall be signed and promulgated by the Chairperson of the Government of the Autonomous Republic of Ajara under the established rule of Article 19 of the Constitution of the Autonomous Republic of Ajara.

8. The procedure for drafting and discussing the budget of the Autonomous Republic of Ajara shall be determined by the legislation of Georgia and the legislation of the Autonomous Republic of Ajara.

Chapter III

The Supreme Council of the Autonomous Republic of Ajara

Article 8. Status of the Supreme Council

1. The Supreme Council of the Autonomous Republic of Ajara is a supreme representative body of the Autonomous Republic of Ajara, which within the scope of its powers shall exercise legislative activities, control the Government of the Autonomous Republic of Ajara and discharge other powers determined by the legislation of Georgia and the legislation of the Autonomous Republic of Ajara.

2. Internal organization and rules of operation of the Supreme Council shall be determined by the Constitution of the Autonomous Republic of Ajara and the Rules of Procedure of the Supreme Council. The Rules of Procedure of the Supreme Council shall be adopted by a majority of total number members of the Supreme Council on the basis of the initiative of a member, committee or faction of the Supreme Council. The Rules of Procedure has the power of the law of the Autonomous Republic of Ajara and it shall be signed and promulgated by the Chairperson of the Supreme Council.

Article 9. Elections of the Supreme Council

1. The Supreme Council shall be composed of 15 deputies elected through a proportional electoral system and 6 deputies elected through a majoritarian electoral system, they shall be elected by citizens of Georgia registered on the territory of the Autonomous Republic of Ajara on the basis of universal, equal and direct suffrage, by secret ballot for a term of four years.

2. The Regular elections of the Supreme Council shall be conducted on the last Saturday of October of the calendar year in which the term of powers of the Supreme Council expires. If a martial law or a state of emergency is declared through the whole territory of Georgia or on the territory of the Autonomous Republic of Ajara, the Supreme Council elections shall be held within 60 days after the abolition of the state of emergency or the martial law. The elections shall be scheduled by the President of Georgia according to the

rule established by the Organic Law of Georgia not later than the 60th day before the elections.

3. A citizen of Georgia with suffrage, who has attained the age of 25 and has lived in Georgia at least for five years, may be elected as a member of the Supreme Council. A person, whose liberty is deprived by a court decision, may not be elected as a member of the Supreme Council.

4. Mandates of the members of the Supreme Council shall be distributed to those political parties which receive at least 5 percent of votes cast in the election held under the proportional system.

5. The rule of election of the Supreme Council shall be determined by the legislation of Georgia and the legislation of the Autonomous Republic of Ajara.

6. The summary protocol on the Supreme Council election shall be drafted by the Supreme Election Commission of the Autonomous Republic of Ajara according to the rule established by the legislation of Georgia and the legislation of the Autonomous Republic of Ajara.

Article 10. The First Sitting of the Supreme Council

1. 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.

2. The first sitting of the Supreme Council shall be opened if it is attended by a majority of the total membership of the Supreme Council. From this moment, the authority of the previous convocation shall be terminated. The Supreme Council shall take full authority upon the recognition of the powers of not less than two thirds of the members of the Supreme Council.

Article 11. A Member of the Supreme Council of the Autonomous Republic of Ajara

1. A member of the Supreme Council of the Autonomous Republic of Ajara enjoys a free mandate and cannot be recalled.

2. A member of the Supreme Council has a right not to testify about the fact that was disclosed to him/her as to a member of the Supreme Council.

3. The conditions of unhindered exercise of the authority of a Member of the Supreme Council are guaranteed.

4. A member of the Supreme Council is not entitled to hold any position in public office or engage in entrepreneurial activity. A member of the Supreme Council may be involved in public activity. A member of the Supreme Council may engage in scientific, pedagogic and artistic activity if this activity does not envisage performing of administrative functions.

5. The issue of recognition or early termination of powers of a member of the Supreme Council shall be decided by the Supreme Council. This decision of the Supreme Council may be appealed to the court according to the rule established by the legislation of Georgia.

6. The office of a member of the Supreme Council shall be terminated early if:

- a) s/he submits a personal application on termination of office to the Supreme Council;
- b) s/he holds a position incompatible to the status or engages in incompatible activity;
- c) s/he does not attend more than half of regular sittings of regular sessions for unjustifiable reasons;
- d) has been convicted by a court judgment that has entered into legal force;
- e) has been recognized as a beneficiary of support by a court decision and admitted to a respective inpatient care facility, or has been recognised as missing or declared dead by a court;
- f) s/he passes away;
- g) s/he loses citizenship of Georgia;

h) is the subject to termination of his/her powers by decision of the Constitutional Court of Georgia.

7. The rule for early termination of powers of a member of the Supreme Council of the Autonomous Republic of Ajara shall be determined by the Rules of Procedure of the Supreme Council.

8. A member of the Supreme Council of the Autonomous Republic of Ajara receives a salary determined by the legislation.

Article 12. The Chairperson of the Supreme Council and the Deputy Chairperson

1. The Supreme Council shall elect the Chairperson and the Deputy Chairperson of the Supreme Council of the Autonomous Republic of Ajara for the term of its authority by a majority of the total number of its members, by secret ballot, under the rule established by the Rules of Procedure.

2. The Chairperson of the Supreme Council shall lead the work of the Supreme Council, ensure free expression of opinion, sign legal acts adopted by the Supreme Council, exercise other powers provided for by the Rules of Procedure. The Chairperson of the Supreme Council performs full administrative functions in the building of the Supreme Council in accordance with the rule established by the Rules of Procedure.

3. The Deputy Chairperson of the Supreme Council shall perform the duties of the Chairperson in the case if the Chairperson is absent or in other cases envisaged by the legislation, as well as other certain issues assigned by the Chairperson.

Article 13. The Bureau, Committees and Factions of the Supreme Council

1. To organize the work of the Supreme Council, the Bureau of the Supreme Council shall be established which consists of the Chairperson, Deputy Chairperson of the Council and the Chairpersons of committees and factions of the Supreme Council.

2. Committees shall be set up in the Supreme council to preliminary prepare legislative issues, facilitate implementation of decisions and exercise control over activities of the bodies accountable to the Supreme Council.

3. Members of the Supreme Council may join a faction of the Supreme Council according to the rule established by the Rules of Procedure. Members of the faction may not be less than three. Members of the Supreme Council elected by nomination of one political party may not establish more than one faction. The rule of establishment and activity of the faction and its rights shall be determined by the Rule of Procedure of the Supreme Council.

Article 14. The Temporary Commission of the Supreme Council

1. A Temporary commission shall be created in the Supreme Council in the cases envisaged by the Rules of Procedure of the Supreme Council.

2. Factions of the Supreme Council shall be presented in the temporary commission by at least one member. Representation of opposition in the temporary commission shall not be less than half of the total number of the commission members.

3. At the request of a temporary commission, it is mandatory for the representatives of the bodies of the Autonomous Republic of Ajara to attend its sitting, submit necessary documents and information for the examination of the issue.

Article 15. Question and Interpellation of a Member of the Supreme Council

1. A member of the Supreme Council is entitled to pose a question to the Government of the Autonomous Republic of Ajara, a member of the Government or other body accountable to the Supreme Council, the state and local self-governmental body existing on the territory of the Autonomous Republic of Ajara. Providing timely and full response to the question of the member of the Supreme Council is mandatory.

2. A faction of the Supreme Council, a group comprising of at least three members of the Supreme Council is entitled to pose a question through the rule of interpellation to the Government of the Autonomous Republic of Ajara, other body accountable to the Supreme Council, a member of the Government who are obliged to answer the question at the sitting of the Supreme Council. The answer may become a subject of discussion by the Supreme Council.

Article 16. A Session and a Sitting of the Supreme Council

1. The Supreme Council of the Autonomous Republic of Ajara shall meet in its official capacity for a regular session twice a year. The spring session shall open on the first Tuesday of March and close on the third Thursday of June; the autumn session shall open on the first Tuesday of September and close on the third Thursday of December.

2. The Chairperson of the Supreme Council at a written request of: the Chairperson of the Government of the Autonomous Republic of Ajara, not less than one third of members of the Supreme Council, or on his/her own initiative during the period between regular sessions shall convene an extraordinary session of the Supreme Council and in the duration of a current regular session - a special sitting. If a convening act is not issued within 48 hours after the submission of a written request, the Supreme Council shall convene in accordance with its Rules of Procedure within the next 48 hours. In such case the sitting shall be chaired by the Deputy Chairperson.

3. A written request on convention of a special session or a sitting shall be enclosed with a list of discussion issues.

4. A special session or a sitting of the Supreme Council shall be held only under an agenda claimed by the initiator and it shall be closed upon exhausting the items on the agenda.

5. Sittings of the Supreme Council are public. Under the decision of the majority of the Supreme Council present but not less than at least one third of the total number of its members, the Supreme Council shall make a decision on declaring a sitting or a part thereof closed while discussing particular issues. The decision to close a sitting or its part shall be adopted by secret vote. A protocol of an open sitting of the Supreme Council is public.

6. Voting at a sitting of the Supreme Council shall be open or secret. Voting is open except for the cases envisaged by the Constitution of the Autonomous Republic of Ajara and legislative acts.

7. An official appointed by the Supreme Council or by its participation, shall be entitled and in the case of request to attend sittings of the Supreme Council, its committee and commissions, to provide an answer to the questions raised during the sittings and submit a report of performed activities. The Supreme Council, a committee or a commission shall hear such an official immediately upon request.

Article 17. Powers of the Supreme Council

The Supreme Council of the Autonomous Republic of Ajara shall:

a) adopt the Constitution of the Autonomous Republic of Ajara and other laws of the Autonomous Republic of Ajara;

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

c) be entitled to give a vote of no confidence to the Government of the Autonomous Republic of Ajara by a majority of total number of its members;

d) determine awards and titles of honors of the Autonomous Republic of Ajara;

e) exercise other powers determined by the Constitution of Georgia, the Constitutional law of Georgia “On the Autonomous Republic of Ajara”, the legislation of Georgia, the Constitution of the Autonomous Republic of Ajara, the legislation of Georgia and the legislation of Autonomous Republic of Ajara.

Article 18. Lawmaking and a Rule of Decision Making

1. A Chairperson of the Government of the Autonomous Republic of Ajara, a member of the Supreme Council, a committee of the Supreme Council, a faction of the Supreme Council, not less than 2 000 voters registered on the territory of the Autonomous Republic of

Ajara have a right of the legislative initiative in the Supreme Council of the Autonomous Republic of Ajara.

2. A law of the Autonomous Republic of Ajara shall be deemed adopted if it is supported by a majority of the members present but not less than one third of the total number of members of the Supreme Council unless otherwise prescribed by this Constitution for adopting a law.

3. Other decision by the Supreme Council shall be deemed adopted if it is supported by a majority of the members present but not less than one third of the total number of members of the Supreme Council unless otherwise prescribed by the legislation for decision making.

Article 19. Signature and Promulgation of a law

1. A law adopted by the Supreme Council shall be submitted to the Chairperson of the Government of the Autonomous Republic of Ajara within 5 days to be signed and promulgated.

2. Except for the Constitution of the Autonomous Republic of Ajara, the Chairperson of the Government of the Autonomous Republic of Ajara shall sign and promulgate the law of the Autonomous Republic of Ajara within 10 days or return it with remarks to the Supreme Council.

3. If the Chairperson of the Government of the Autonomous Republic of Ajara returns the law with remarks, the Supreme Council shall put the remarks of the Chairperson of the Government of the Autonomous Republic of Ajara to a vote. For adopting the remarks, the same number of votes is sufficient as it is required for initially adopting a law. If the remarks are adopted, the final version of the law shall be submitted to the Chairperson of the Government of the Autonomous Republic of Ajara within 5 days who shall sign and promulgate it within 5 days.

4. If the Supreme Council does not adopt the remarks made by the Chairperson of the Government of the Autonomous Republic of Ajara, an initial version of the law shall be put to a vote. In order to adopt the initial version of the law, it shall be supported by a majority

of the total number of members of the Supreme Council. The final version of the law, adopted by the Supreme Council shall be submitted to the Chairperson of the Government of the Autonomous Republic of Ajara within 5 days, who shall sign and promulgate it within 5 days.

5. If the Chairperson of the Government of the Autonomous Republic of Ajara does not sign the law within the timeframe defined in Paragraph 2 of this Article, nor return it to the Supreme Council with justified remarks or does not sign and promulgate the law within the timeframe defined in Paragraph 3 or 4 of this Article, the Chairperson of the Supreme council shall sign and promulgate it within 5 days after this term expires.

6. A law shall enter into force on the 10th day from its promulgation in an official body, unless another date is defined by the same law.

Article 20. Termination of Powers of the Supreme Council

1. The powers of the Supreme Council of the Autonomous Republic of Ajara shall be terminated upon the recognition of powers of the newly elected Supreme Council or upon the entry into force of the decree of the President of Georgia on dismissal of the Supreme Council.

2. In the case of dismissal of the Supreme Council, its powers and the powers of the Government of the Autonomous Republic of Ajara shall be exercised by the Provisional State Council appointed by the President of Georgia. Powers of the Provisional State Council shall be terminated upon the recognition of the authority of the newly elected Supreme Council.

3. The law adopted by the Provisional State Council shall be subject to approval by the Supreme Council within one month after its authority is recognized. If the Supreme Council does not approve the law within the timeframe, it shall be deemed invalid.

4. In the case of dismissal of the Supreme Council, extraordinary elections shall be held not earlier than the 60th day and not later than the 90th day from the dismissal. The extraordinary elections of the Supreme Council shall be appointed by the President of Georgia not later than the 60th day before the elections.

Chapter IV

The Government of the Autonomous Republic of Ajara

Article 21. The Government of the Autonomous Republic of Ajara

1. The Government of the Autonomous Republic of Ajara is the supreme executive body of the Autonomous Republic of Ajara.

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

3. The Government comprises of the Chairperson and the ministers.

4. A member of the Government shall not be entitled to hold any other position except for a party position, engage in entrepreneurial activity and receive remuneration for any other activity except for scientific, pedagogic and artistic activities.

5. The structure, powers and rules of operation of the Government are determined by the Constitution of the Autonomous Republic of Ajara and by the law of the Autonomous Republic of Ajara, the draft of which shall be submitted by the Chairperson of the Government of the Autonomous Republic of Ajara to the Supreme Council.

Article 22. The Chairperson of the Government of the Autonomous Republic of Ajara

1. The Chairperson of the Government of the Autonomous Republic of Ajara is the highest official of the Autonomous Republic of Ajara and represents the Autonomous Republic of Ajara.

2. The Chairperson of the Government of the Autonomous Republic of Ajara shall:

a) lead the Government of the Autonomous Republic of Ajara:

b) appoint and dismiss the ministers of the Autonomous Republic of Ajara according to rule established by the legislation;

c) administer property of the Autonomous Republic of Ajara according to the rule established by the legislation of Georgia and the legislation of the Autonomous Republic of Ajara

d) submit a draft budget of the Autonomous Republic of Ajara to the Supreme Council of the Autonomous Republic of Ajara;

e) carry out coordination and control over ministers' activities;

f) sign legal acts of the Government;

g) issue an individual legal act in the scope of his/her authority – decree, execute full administrative functions in the Government building;

h) exercise other powers established by the Constitutional Law of Georgia “On the Autonomous Republic of Ajara”, the Constitution of the Autonomous Republic of Ajara, the legislation of Georgia and the legislation of the Autonomous Republic of Ajara;

3. The Chairperson of the Government of the Autonomous Republic of Ajara is accountable to the President of Georgia, the Government of Georgia and the Supreme Council of the Autonomous Republic of Ajara for the activities of the Government. S/he shall submit an annual report on activities of the Government to the Supreme Council.

Article 23. Government Approval

1. Upon recognition of the power of a newly elected Supreme Council or upon termination of the power of the Government of the Autonomous Republic of Ajara within 2 weeks, the President of Georgia after consultations held with the political entities represented in the Supreme Council shall submit a candidate for the Chairperson of the Government of the Autonomous Republic of Ajara to the Supreme Council for approval and candidates for ministers proposed by the candidate for a Chairperson. The whole Government of the Autonomous Republic of Ajara shall be put to a vote for approval. The Government of the Autonomous Republic of Ajara shall be considered approved if it is supported by the majority of the total number of members of the Supreme Council.

2. If the Supreme Council does not approve the Government within 2 weeks, the President of Georgia shall submit the same or other composition of the Government for approval to the Supreme Council within 2 weeks, the approval shall be put to a vote within 2 weeks.

3. If the Supreme Council does not approve the Government twice in a row, the President of Georgia shall dismiss the Supreme Council with the consent of the Parliament and appoint the extraordinary elections of the Supreme Council.

Article 24. A Vote of no Confidence

1. The Supreme Council is entitled to hold a vote of no confidence to the Government.

2. A vote of no confidence may be raised by not less than one third of a total membership of the Supreme Council.

3. Up to raising the issue of a vote of no confidence in the Government by the Supreme Council, no earlier than 7 and no later than 21 days, the Supreme Council passes a vote of no confidence in the Government by a majority of the total number of its members.

4. If the Supreme Council after having initiated an issue of a vote of no confidence in the Government, does not pass a vote of no confidence, it is inadmissible to raise the issue of a vote of no confidence for the following 6 months by the same members of the Supreme Council.

Article 25. Termination of Powers of the Government

1. Powers of the Government shall be terminated:

a) upon recognition of the authority of a newly elected Supreme Council;

b) upon voting of no confidence by the Supreme Council;

c) upon the resignation of the Chairperson of the Government or otherwise termination of his/her power;

d) upon dissolving the Supreme Council.

2. In cases envisaged by Subparagraph “a”, “b” and “c” of Paragraph 1 of this Article, the Government shall exercise its powers before the approval of a new composition of the Government.

3. In the case envisaged by Subparagraph “d” of Paragraph 1 of this Article, Government powers are exercised by the Provisional State Council appointed by the President of Georgia.

Article 26. Termination of the Authority of the Chairperson of the Government

The authority of the Chairperson of the Government shall be terminated:

a) at the time of resignation;

b) if s/he passes away;

d) if the court decision recognizing him/her guilty comes into legal force;

e) if the authority of the Government of the Autonomous Republic of Ajara is terminated;

f) in the case envisaged by Paragraph 4 of the article 21 of the Constitution of the Autonomous Republic of Ajara;

g) in the case of lost suffrage.

Article 27. Ministries of the Autonomous Republic of Ajara

1. A ministry of the Autonomous Republic of Ajara shall be established to ensure the implementation of governance in the areas determined by the Constitution of the Autonomous Republic of Ajara and it is headed by a minister.

2. Ministries of the Autonomous Republic of Ajara may be established in the following areas: education, culture, sport, tourism, agriculture, environmental protection, finances, economy, infrastructure, health and social care.

3. A ministry is accountable to the Government.

Chapter V

Adoption and Revision of the Constitution of the Autonomous Republic of Ajara

Article 28. The Rule for Adoption and Revision of the Constitution of the Autonomous Republic of Ajara

1. The Constitution of the Autonomous Republic of Ajara shall be adopted and revised by the support of a majority of two thirds of the total number of members of the Supreme Council of the Autonomous Republic of Ajara and shall enter into force upon the enactment of the Organic Law of Georgia on its approval.

2. The Chairperson of the Government, more than the half of a total number of the members of the Supreme Council and not less than 20 000 voters registered on the territory of the Autonomous Republic of Ajara shall have a right to submit a draft constitutional law.

3. A draft constitutional law shall be submitted to the Supreme Council, which shall promulgate it for a public review. The Supreme council shall commence the review of a draft constitutional law after three weeks from its promulgation.

4. The Constitutional law with the draft Organic Law of Georgia shall be submitted to the Parliament for approval.

Batumi

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