

Georgia.

2. The decision of the Constitutional Court shall be final. Normative acts or their parts declared unconstitutional shall lose legal effect from the moment of promulgation of the appropriate decision by the Constitutional Court.

Article 90

1. The Supreme Court of Georgia shall supervise the implementation of justice by the common courts of Georgia, review particular cases as the court of the first instance by the determined procedure.
2. The chairman and judges of the Supreme Court of Georgia shall be elected by the Parliament for at least ten years term upon the submission of the President.
3. The competence, organization of the Supreme Court of Georgia, also rules of pre-term suspension of activities and authority of the Supreme Court members shall be defined by law.
4. The chairman and members of the Supreme Court shall enjoy personal immunity. Prosecution of the chairman and members of the Supreme Court, their detention or arrest, search of their place of residence, automobile or office, or search of their person shall be impermissible without the consent of the Parliament. Should a judge be arrested in the process of committing a crime that constitutes an exception from the general rule, the fact shall be immediately notified to the Parliament. Should not the Parliament give its approval, the detained or arrested person shall be immediately released.

Article 91

1. The Procurator's Office of Georgia shall be the institution of the Judiciary which implements prosecution, supervises investigation and execution of penalties, support the state prosecution.
2. The Procurator's Office of Georgia shall be the integral centralized system. The Parliament shall elect the Procurator General by majority of the total number of deputies for a five-year term. Subordinate procurators shall be appointed by the Procurator General.
3. The competence, organization and rules of activity of the Procurator's Office shall be determined by organic law.

The Constitutional Court Law of Georgia

Chapter One

General Provisions

Article 1

1. The Constitutional Court of Georgia (hereafter the Constitutional Court) is the judicial body of the constitutional control, which ensures supremacy of the Constitution of Georgia, constitutional legality and protection of Constitutional rights and freedoms.
2. Jurisdiction of the Constitutional Court of Georgia extends over the whole territory of Georgia.

Article 2

The Constitutional Court carries out its activities on the basis of legality, cooperation, equality and competition of parties within the whole term of its authority on the basis of independence, immunity and tenure of the Constitutional Court members.

Article 3

The organization, competence and rules of activities of the Constitutional Court are

determined by the Constitution and this Law. Other rules of organization and constitutional proceedings of the Constitutional Court are determined by law and regulations of the Constitutional Court.

Article 4

1. A member of the Constitutional Court shall be independent in performing his duties. He shall evaluate actual circumstances and take decisions only in accordance with the Constitution of Georgia. Interference in his activities shall be impermissible and punishable by law.
2. Expenses related with the organization and activities of the Constitutional court shall be envisaged by the separate article of the state budget of Georgia. The Chairman of the Constitutional Court shall submit draft of expenses related with the activity of the Constitutional Court by the procedure determined by law.
3. The state shall be obliged to provide a member of the Constitutional court with the appropriate working and living conditions for the purposes of ensuring his independence.
4. The state shall ensure the security of a Constitutional Court member and his family.

Chapter Two

The Composition and Structure of the Constitutional Court

Article 5

The Constitutional Court consists of nine judges - members of the Constitutional Court; the chairman of the Constitutional Court, two vice-chairmen and secretary shall be elected among the judges.

Article 6

1. Three members of Constitutional Court shall be appointed by the President, three members shall be elected by the Parliament by at least three fifth of the total number of deputies and three members shall be designated by the Supreme Court of Georgia.
2. The written consent of a Constitutional Court member shall be mandatory prior his designation to the position.

Article 7

A citizen with the high legal education, who has attained the age of 35 may be a Constitutional Court member.

Article 8

The authority term of the Constitutional Court member is 10 years. A member of the Constitutional Court may not be a person who has held this office before.

Article 9

1. A Constitutional Court member shall take the following oath in the presence of the President, Chairman of the Parliament and Chairman of the Supreme Court of Georgia, before occupying the office: "I swear to observe faithfully the duties of a member of the Constitutional Court and while executing them be subject to nothing and no one else except for the Constitution of Georgia".
2. The authority term of a Constitutional Court member shall start from the day of his oath taking.

Article 10

1. After the oath is taken by each Constitutional Court member, or not later than 10 days after pre-term termination of the duties of the Constitutional Court chairman, the

- Constitutional Court sitting shall be held, which elects the chairman of the Constitutional Court for a 5 years term. Two deputy chairmen of the Constitutional Court shall be elected by the same procedure and for the same authority term.
2. The new chairman of the Constitutional Court or deputy chairman shall be elected not earlier than one month and not later than one week before expiration of the authority term of the Constitutional Court chairman or deputy chairman.
 3. Nomination of a candidate for the Constitutional Court chairman shall occur by the agreement of the President, the chairman of the Parliament and the chairman of the Supreme Court of Georgia.
 4. The Constitutional Court chairman shall nominate candidates for the deputy chairmen of the Constitutional Court.
 5. The Constitutional Court chairman and deputy chairmen shall be deemed elected if they are supported by at least five members of the Constitutional Court in secret ballot.
 6. The Constitutional Court chairman and deputy chairmen may not be persons who has held this position before.
 7. Authority of the Constitutional Court chairman and deputy chairmen shall be terminated in case of existence of the grounds listed in the Article 17 of this law.

Article 11

1. The Constitutional Court shall consist of the Plenum and two boards.
2. All nine members of the Constitutional Court shall be in the composition of a Plenum; the Plenum sittings shall be led by the Constitutional Court chairman.
3. Four members of the Constitutional Court shall be in the composition of a board. The Constitutional Court deputy chairman leads the board sittings.
4. The Constitutional Court Plenum shall approve the composition of the a board upon the submission of the chairman. The Constitutional Court members appointed by the President, Parliament and Supreme Court of Georgia shall be represented in the boards as equally as possible.
5. The composition of the boards shall be renewed within 10 days after the election of the new chairman of the Constitutional Court.

Article 12

1. The Chairman of the Constitutional Court shall:
 - a) submit regulations of the Constitutional Court to the Constitutional Court Plenum for approval. Any member of the Constitutional Court has the right to submit request for changes and additions to the regulations.
 - b) distributes cases by the procedure established by the regulations of the Constitutional Court;
 - c) submits to the Plenum of the Constitutional Court candidates for the vice-chairs and the secretary of Constitutional Court.
 - d) convenes Plenum by the procedure established by the regulations of the Constitutional Court, presides over its sitting, signs decisions, judgments, conclusions and acts of the sittings adopted at the Plenum;
 - e) directs activities of the staff at the Constitutional Court, has the right to appoint and dismiss the employees according to legislation;
 - f) directs the budget appropriation of the Constitutional Court;
 - g) exercises other authorities envisaged by legislation and regulations;
2. Once a year the chairman of the Constitutional Court informs the President of Georgia, the Parliament and the Supreme Court of the conditions of Constitutional Justice in Georgia.

Article 13.

1. The vice-chair of the Constitutional Court leads the sitting of a board. Performs separate functions of the chairman at the direction of the chairman of the Constitutional Court. In case of the absence of the chairman or the chairman's

disability to perform his office duties, duties of the chairman, by his order, are performed by one of his vice-chairs and in the case of absence of such order - by the eldest vice-chair.

2. If the vice-chair of the Constitutional Court temporarily performing duties of the chairman is unable to perform his own functions then his duties are performed by the eldest member of the appropriate board.

Article 14.

1. The secretary of the Constitutional Court is elected at the Plenum from members of the Constitutional Court for five-year term.
2. Besides his authorities as a member of the Constitutional Court the secretary of the Constitutional Court:
 - a) prepares for sittings of the Plenum and boards;
 - b) organizes the execution and procedure for the registration of the acts of the sittings of the Plenum and the boards;
 - c) signs the acts of the Constitutional Court by the procedure envisaged by the regulation of the Constitutional Court;
 - d) takes measures for fulfillment of decisions of the Constitutional Court;
 - e) fosters the formation of a system for elaboration of necessary information by Computers;
 - f) organizes the sending of official documentation of the Constitutional Court;

Article 15.

1. A member of the Constitutional Court has personal immunity. Bringing a member of the Constitutional Court before a criminal court, his detention or arrest, the search of his place of residence, car, his work place or his personal search without consent of the Constitutional Court is impermissible. An exception is where he is caught committing the crime, in which case the Constitutional Court should be immediately notified. If the Constitutional Court does not give its consent, for the detention or arrest, a detained or arrested member must be released forthwith.
2. When the Constitutional Court gives its consent for bringing a member of the Constitutional Court before the Criminal Court, his detention or arrest, the authority of that member of the Constitutional Court ceases until a final decision is adopted by the Court; if the verdict "not guilty" is adopted or the case against him is stopped on the basis of rehabilitation the authority of a member of the Constitutional Court is restored from the day the final decision is adopted.
3. The decision envisaged in the first point of this article is considered adopted if supported by more than half of the Plenum's sitting of the Constitutional Court.

Article 16.

1. The authority of a member of the Constitutional Court can be terminated earlier by a decision of the Constitutional Court if:
 - a) he is unable to perform his duties for 6 months in succession;
 - b) there is the verdict of "guilty" enforced against him;
 - c) he reveals professional secrets;
 - d) he holds an occupation incompatible with the statute of a member of the Constitutional Court or performs activities forbidden by law;
 - e) he loses citizenship of Georgia;
 - f) the Court recognizes him as disabled;
 - g) he dies;
 - h) he resigns;
2. The decision is considered adopted if supported by more than half of the participants of the Plenum's sitting of the Constitutional Court.
3. The decision is sent to the President, the Parliament and the Supreme Court of Georgia.

4. A new member of the Constitutional Court is appointed not earlier than one month and not later than one week before the expiration of the term of the authority of that member of the Constitutional Court.

Article 17.

1. The occupation of a member of the Constitutional Court is incompatible with any other occupation or remunerative activities, except scientific and pedagogical activities. He cannot be a member of a political party, or participate in the political activities.
2. A member of the Constitutional Court must resign from other occupations and cease activities forbidden by this article from the day of taking the oath.

Article 18.

If the term of a member of the Constitutional Court expires by the time he participates in the discussion of the case, his term of the authority is prolonged until the final decision of the case.

Chapter Three
Authority of the Constitutional Court

Article 19.

The Constitutional Court is authorized to discuss and decide on the basis of a Constitutional Claim or Submission:

- a) the issue of the correspondence of the laws, regulations of the Georgian Parliament, normative acts of the President of Georgia, Abkhazian and Adjarian supreme state bodies with the Constitution of Georgia;
- b) disputes on competence among state bodies;
- c) issues on formation of political amalgamations of citizens and on constitutionality of activities;
- d) disputes on referendum and the Constitutionality of elections;
- e) issues on the Constitutionality of normative acts adopted in connection with the issues of the second chapter of the Constitution of Georgia;
- f) issues on the Constitutionality of international treaties and agreements;
- g) issues on the recognition of the authority of a member of the Parliament of Georgia, or on pre-term termination of the authority;
- h) issues on the violation of the Constitution of Georgia by the President of Georgia, the Chairman of the Supreme Court of Georgia, officials, the Procurator General, the Chairman of the Chamber of Control and members of the Council of the National Bank.

Article 20.

1. If while considering a definite case at the general court, the Court concludes that there are sufficient basis for considering the law or other normative acts, used by the court for decision of this case, to be fully or partially incompatible with the Constitution, it ceases consideration of the case and applies to the Constitutional Court. The case will be renewed after a decision on this issue by the Constitutional Court.
2. Recognition of the law or other normative act as unconstitutional does not mean abrogation of judgments and decisions of the Court adopted earlier on the basis of this act; it only causes suspension of their fulfillment by the procedure determined by procedural legislation.

Article 21.

1. Issues envisaged in Article 19 points a), d), f), h) and Article 20 of this law are discussed by the Plenum of the Constitutional Court.

2. Issues envisaged in Article 19 points b), c), e), g) of this law are discussed by the board of the Constitutional Court.
3. If while deciding the case, votes of the Members of the Plenum of the board were equally divided, the Constitutional Claim or Submission is considered not decided.
4. A member of the Constitutional Court participating in the discussion of a case has no right to avoid voting.
5. While discussing the case and taking its decision the board acts as the Constitutional Court.

Article 22.

The term for discussion of the Constitutional Claim or Submission should not exceed 30 days from the day the discussion of the case starts at the Constitutional Court. In a particular case the term of the discussion, can be prolonged not more than 30 days, by the Plenum of the Constitutional Court.

Article 23.

1. Approval of a Constitutional Submission on the issue envisaged in Article 19 points a), e) and Article 20 of this law causes abrogation of the normative act or part of it as unconstitutional from the moment the corresponding decision of the Constitutional Court is published.
2. Approval of the Constitutional Submission on the issue envisaged in Article 19 point b) of this law causes abrogation of the normative act violating the competence from the moment of its enforcement.
3. Approval of the Constitutional Claim on the issue envisaged in Article 19 point c) of this law causes abrogation of act of the registration of the citizens' political amalgamation.
4. Approval of the Constitutional Claim on the issue envisaged in Article 19 point d) of this law causes the non-permissibility of holding the elections or the referendum on the issue submitted for referendum and recognition of the results of any such election or referendum as nullified.
5. Approval of the Constitutional Submission on the issue envisaged in Article 19 point f) of this law causes recognition of international treaty or agreement or their separate provisions for Georgia as nullified.
6. Approval of the Constitutional Claim on the issue envisaged in Article 19 point g) of this law causes abrogation of the appropriate decision of the Parliament of Georgia and from the day the decision of the Constitutional Court is published restores the authority of a member of the Parliament, if it was suspended and causes pre-term termination of his authorities, if his authorities were not suspended by the Parliament of Georgia.
7. On the issue envisaged in Article 19 point h) of this law the Constitutional Court determines the constitutionality of persons' action envisaged by Articles 63 and 64 of the Constitution.

Article 24.

1. Every state body, legal person and individual, political and public amalgamations of citizens and local self-government bodies are obliged to fulfill demands connected with the decision of a case by the Constitutional Court and its members in connection with their authority.
2. The Constitutional Court and its members are authorized to accept information connected with the decision of the case from every state body, legal person and individual, scientific institutions and information centers and summon specialists according to the regulations for carrying out expert and consultative work.
3. Non-fulfillment of the demands or prevention of fulfillment is punishable by law in connection with the authority of the Constitutional Court and its members.

Article 25.

1. The decision of the Constitutional Court is final and its non-fulfillment is punishable by law.
2. The normative act or the part of it recognized as unconstitutional loses legal power from the day the appropriate decision of the Constitutional Court is published.
3. If the Constitutional Court considers that the action of the normative act causes irreparable harm to one party it halts enforcement of the disputed act before taking a final decision.

Article 26.

The Constitutional Court has no right to judge on the correspondence of the whole law or other normative act with the Constitution if applicant or author of the Submission requests recognition of only a certain part of the law or other normative act as unconstitutional.

Chapter Four

General Rights of Consideration and Decision of Cases at the Constitutional Court.

Article 27.

1. A case is considered at the open sitting at the Constitutional Court.
2. A sitting of the Constitutional Court or a part of it can be closed by the initiative of the Court or by agreement of the parties for preservation of person's private, professional, commercial or state secret. Witnesses, experts and interpreters can be present at the closed sitting in the case of necessity. The Constitutional Court can give the right to be present at closed sitting to other persons as well by agreement of parties.
3. A decision upon consideration of a case at a closed sitting is adopted by the Constitutional Court in the consultative room.
4. A person who has not attained 16 years of age, unless he/she is a witness and an armed person are not admitted to a Court sitting, except persons who defend the Constitutional Court and they are admitted only by permission of the Chairman of the Constitutional Court.
5. The decision of the Constitutional Court is announced publicly.

Article 28.

Jurisdiction is exercised in Georgian at the Constitutional Court. The Court is obliged to guarantee an interpreter to a participant of the case who has no possession of the legal language.

Article 29.

The parties have the right to familiarize themselves with the case, make transcripts and copies, deliver proofs, participate in the investigation of proofs, put questions to witnesses, experts, specialists, mediate in the Court, give oral or written explanations, submit their own conclusions, express their opinions concerning every issue raised during discussion of the case, deny mediations, appeals and considerations of the other party.

Article 30.

1. The parties have the right to entrust protection of their interests to an advocate or other person having high legal education on every stage of considering the case.
2. The parties have the right to entrust execution of their authorities to their agent-representative on every stage of considering the case.

Article 31.

The basis for starting Constitutional jurisdiction at the Constitutional Court is filing a

Constitutional Claim or Submission in written form at the Constitutional Court.
A Constitutional Claim or Submission should be well explained. The Constitutional Claim and Submission should necessarily contain those proofs, which confirm basis of Claim or Submission by applicant's or author of Submission's opinion.

Article 32.

The warning of witnesses to be honest at the Constitutional Court, taking of measures against those who violate an order at the Court sitting and investigation of proofs occurs by the procedure determined by law.

Article 33.

1. The President of Georgia, and not less than one fifth of members of the Georgian Parliament have the right to introduce a Constitutional Claim at the Constitutional Court on correspondence of Georgian Laws, the regulations of the Georgian Parliament, normative acts of the President of Georgia, Supreme State Bodies of Abkhazia and Adjara and normative acts adopted by appropriate bodies with the Constitution of Georgia before enforcement of the Constitution of Georgia.
2. The body against whose normative act the Constitutional Claim is submitted is answerable on matters envisaged by the first point of this article and in the case when the Claim deals with a normative act adopted before enforcement of the Constitution, the appropriate successor body adopting this act is answerable and in case of the non existence of such a body the President of Georgia or the Parliament by the decision of the Constitutional Court is answerable.

Article 34.

1. The President of Georgia has the right to submit a Constitutional Claim to the Constitutional Court on the areas of incompetence among the state bodies, if he considers that his competence is violated or the areas of Constitutional authority of state bodies are being violated; not less than one fifth of members of the Parliament of Georgia have the right to submit a Constitutional Claim to the Constitutional Court, if they consider that the areas of Constitutional authority of the Parliament of Georgia or other state body are being violated, state bodies listed in Article 89 of the Constitution of Georgia also have such right if they consider their areas of Constitutional authority are being violated.
2. In a case envisaged in the first point of this article, the state body whose normative act by the applicant's opinion caused violation of his/her Constitutional authority is answerable.
3. As soon as the Constitutional Claim or Submission on incompetence is received, the Constitutional Court sends a copy of a Claim or Submission to the President of Georgia, the Parliament and Supreme Representative Bodies of Abkhazia and Adjara. If within 15 days after handing over the copy, one of them declares that approval of the Constitutional Claim or Submission would cause a violation of its authorities the Constitutional Court is obliged to involve the applicant in the case as a party.

Article 35.

1. The President of Georgia, not less than one fifth of members of the Georgian Parliament and the supreme state bodies of Abkhazia and Adjara have the right to introduce a Claim at the Constitutional Court on formation of political amalgamations of citizens and on Constitutionality of activities.
2. In a case envisaged in the first point political amalgamations of citizens and the body who has registered it are answerable.

Article 36.

1. The following have the right to submit a Constitutional Claim to the Constitutional Court on Constitutionality of holding referendum:

- a) not less than one fifth of members of the Parliament of Georgia if the President of Georgia on his own initiative or by the demand of electors has fixed, or in spite of the request of Georgian Parliament, has not fixed a referendum;
 - b) the public defender of Georgia, if despite the electors' demand referendum is not fixed;
 - c) not less than one fifth of members of the Georgian Parliament, the Public Defender of Georgia, if they consider that holding of a referendum contradicts the demands of the second part of Article 74 of the Constitution of Georgia.
2. In the case envisaged by the first part of this article the President of Georgia is answerable.

Article 37.

1. The following have the right to introduce a Constitutional Claim on elections at the Constitutional Court:
 - a) not less than one fifth of members of the Parliament of Georgia if they consider elections of the President of Georgia held in violation of the demands of Article 70 of the Constitution of Georgia;
 - b) the President of Georgia or not less than one fifth of members of the Georgian Parliament if they consider that elections of Georgian Parliament are fixed or being held in violation of the first and second parts of Article 49 and first - fourth parts of Article 50 of the Constitution of Georgia.
2. In the cases envisaged by the first part, point (a) of this article, the central electoral commission of Georgia is answerable and in the cases envisaged by point (b) - the President of Georgia or central electoral commission of Georgia is answerable.

Article 38.

1. The President of Georgia and not less than one fifth of members of the Georgian Parliament have the right to introduce a Constitutional Claim on the Constitutionality of international treaties and agreements or their separate provisions.
2. Introduction of a Constitutional Claim on the correspondence of such international treaty, agreement or their separate provisions with the Constitution, which are subject to ratification is possible before their ratification.
3. Introduction of a Constitutional Claim on the correspondence of such international treaty, agreement or their separate provisions with the Constitution, which were ratified before recognition of the authority of the first Constitutional Court is possible after their ratification as well.
4. In the case envisaged by third point of this article introduction of the Constitutional Claim is possible within 3 months after recognition of the authority of the first Constitutional Court. Discussion of the issue at the Parliament of Georgia on denunciation of the treaty envisaged by the third part of this article halts this term.
5. Introduction of a Constitutional Claim on the correspondence of acting international treaties, agreements or their separate provisions with the Constitution is possible after the Parliament refuses to denounce or abrogate them and also 30 days after raising the question on the denunciation or abrogation before the Parliament, if within this period the Parliament of Georgia has not decided this issue.
6. In the case envisaged in point 2 of this article the body or the official concluding the treaty or the agreement is answerable and in the case envisaged by third and fifth parts - the Parliament of Georgia.

Article 39.

1. The Public Defender of Georgia, individuals of Georgia and other states have the right to submit a Constitutional Claim on Constitutionality of normative acts or their separate parts to the Constitutional Court, if they consider that rights and freedoms recognized in the second chapter of Georgian Constitution are violated.
2. In disputes envisaged in the first part of this article, the body whose act, in the

applicant's opinion, violated rights and freedoms recognized in the second chapter of Georgian Constitution is answerable.

Article 40.

1. The President of Georgia, not less than one fifth of members of Georgian Parliament, also citizen whose authorities as of member of the Parliament is not recognized or is terminated earlier by the Parliament of Georgia have the right to submit the Constitutional Claim on constitutionality of decision of the Parliament, on recognition of authorities of a member of the Parliament or on pre-term termination of his duties.
2. In a case envisaged in the first point of this article the Parliament of Georgia is answerable.
3. The deadline for Submission of a Constitutional Claim should not exceed two weeks from enforcement of the appropriate decision of the Parliament of Georgia.

Article 41.

1. Not less than one third of total number of the Parliament of Georgia have the right to introduce a Constitutional Submission to the Constitutional Court for adoption of a decision on the violation of the Constitution by the President of Georgia, the Chairman of the Supreme Court of Georgia, officials, Procurator General, Chairman of the Chamber of Control and members of the Council of the National Bank.
2. The Constitutional Court is authorized to call appropriate officials while preparing conclusion on this issue.
3. The deadline for a Constitutional Submission on the violation of the Constitution of Georgia should not exceed one month from the day when violation of the Constitution by above mentioned officials became known to the Parliament of Georgia.

Article 42.

A Court considering such a case has the right to introduce a Constitutional Submission to the Constitutional Court in cases envisaged by article 20 of this law. In such a case the Constitutional Court discusses the case without the presence of the author of the Submission and the body, the act of which, became the matter of dispute.

Article 43.

1. The acts of the Constitutional Court are: decision, judgment and conclusion.
2. Every member of the Constitutional Court participating in the discussion of a case signs the act of the Constitutional Court.
3. The act of the Constitutional Court which is not connected with the discussion of the case is signed by the Chairman and the Secretary of the Constitutional Court.
4. In general, the decision of the case by the Constitutional Court occurs in written form.
5. A question of acceptance of a Constitutional Claim or Submission for discussion is decided by a written judgment by the Constitutional Court.
6. The question of a violation of the Constitution by the President of Georgia, the Chairman of the Supreme Court, officials, Procurator General, Chairman of the Chamber of Control and members of the Council of the National Bank is decided by a written conclusion by the Constitutional Court.
7. The decision, judgment and conclusion of the Constitutional Court should be well explained.
8. The decision, judgment and conclusion of the Constitutional Court should be well not subject to appeal or revision.
9. Non-acceptance of a Constitutional Claim or Submission for discussion by the Constitutional Court excludes the acceptance for discussion of a Constitutional Claim or Submission with the same subject and the same motives again or acceptance for discussion of another Constitutional Claim or Submission connected with the same subject and motives.

Article 44.

1. The Plenum of the Constitutional Court is authorized to adopt a decision if its sitting is attended by not less than six members.
2. A Constitutional Claim or Submission is considered satisfied if supported by more than half of the participants of the Plenum's sitting. The chairman of the Plenum has the right to one vote.

Article 45.

1. The board of the Constitutional Court is authorized to discuss the Constitutional Claim or Submission and take a decision if its sitting is attended by not less than three members.
2. The Constitutional Claim or Submission is considered satisfied if supported by more than half of the participants of the board's sitting.

Article 46.

1. A party is authorized to raise a question before the Constitutional Court discussing the case on the removal of a member of the Constitutional Court participating in discussion of the case, if:
 - a) a member of the Constitutional Court is a close relative of a party or its representative;
 - b) a member of the Constitutional Court is directly or indirectly interested in the results of the case or there are other circumstances making the impartiality of a member of the Constitutional Court suspect.
2. In the case of existence of the basis envisaged by this article a member of the Constitutional Court is authorized to refrain from participation in the consideration of the case.
3. The statement on refusal of a member of the Constitutional Court is considered approved if supported by more than half of the participants of the sitting of the Constitutional Court.

Article 47.

1. A member of the Constitutional Court participating in discussion of a case has the right to retain a particular opinion while taking a decision, which should be expressed in written form.
2. The particular opinion of a member of the Constitutional Court is added to the act of the sitting of the Constitutional Court upon the request of its author if published in the press together with the decision of the Constitutional Court.
3. Decision of the Constitutional Court together with the particular opinion is published in the full form in the official printing body of the Constitutional Court.

Article 48.

A member of the Constitutional Court has no right to announce the contents of the meeting of the Constitutional Court during the adoption of a decision, nor the position of members of the Constitutional Court held during balloting.

Article 49.

Compensation of the expenses spent during the legal proceeding at the Constitutional Court is made from the state budget.

Article 50.

1. State taxes shall be imposed on:
 - a) Constitutional Claims and Submissions;
 - b) on repeated delivery of judgment and decision of the Constitutional Court.
2. Payment of the state taxes shall be made in accordance with law.

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3. The Constitutional Court has no right to release someone from paying the state taxes or to increase or lower its value.

Article 51.

The secretary of the Constitutional Court supervises the execution of the decision of the Constitutional Court and once a month reports to the Plenum of the Constitutional Court on the situation connected with the execution.

Article 52.

A member of the Constitutional Court while discussing a case in the Constitutional Court is dressed in particular attire; the style of attire is determined by the regulations of the Constitutional Court.

Article 53.

1. The Constitutional Court has a Great Seal with arms and a name.
2. The place of location of the Constitutional Court is in the town Mtskheta.

The President of Georgia

E. Shevardnadze.

Tbilisi, January 31, 1996