



Strasbourg, 10 March 1999

<cdl\doc\1999\cdl\7-E>

Opinion N° 086/1999_geo

Restricted
CDL (99) 7
Engl. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

(VENICE COMMISSION)

**Law on the Constitutional Court of Georgia
of 31 January 1996**

*[As amended by the Law of 21 March 1996
on changes and additions in the Law on the Constitutional Court of Georgia]*

Chapter One

General provisions

Article 1

1. The Constitutional Court of Georgia (hereinafter the Constitutional Court) shall be the body of constitutional supervision, which shall guarantee the supremacy of the Constitution of Georgia, constitutional justice, and the protection of the constitutional rights and freedoms of individuals.
2. The jurisdiction of the Constitutional Court shall extend over the entire territory of Georgia.

Article 2

The Constitutional Court shall perform its activities on the basis of the principles of legality, cooperation, openness and equality and on the basis of the adversarial principle within the whole term of its authority on the basis of the independence, immunity and the tenure of members of the Constitutional Court.

Article 3

The organisation of the Constitutional Court, its jurisdiction and procedure are determined by the Constitution and the present Law. Other procedures of organisation and the administration of constitutional justice of the Constitutional Court are determined by law and the regulations of the Constitutional Court.

Article 4

1. Members of the Constitutional Court shall be independent in performing their duties. They shall evaluate actual circumstances and take decisions only in accordance with the Constitution of Georgia. Interference in their activities is impermissible and punishable by law.
2. Expenses connected with the organisation and activities of the Constitutional Court shall be determined by the separate article of the state budget of Georgia. The President of the Constitutional Court shall submit a draft copy of the expenses connected with the activity of the Constitutional Court in accordance with the procedure determined by law.
3. The State shall be obliged to guarantee to the members of the Constitutional Court working and living conditions which are sufficient to ensure their independence.
4. The State shall guarantee the security of members of the Constitutional Court and their families.

Chapter Two

Staff and structure of the Constitutional Court

Article 5

The Constitutional Court shall consist of nine judges – members of the Constitutional Court, who shall elect among themselves the President of the Constitutional Court, two Vice-Presidents and the secretary.

Article 6

1. Three members of the Court shall be appointed by the President, three members shall be elected by the Parliament of Georgia by not less than three-fifths of the total number of deputies and three members shall be appointed by the Supreme Court.
2. For appointment as a member of the Constitutional Court the candidate's prior written agreement is necessary.

Article 7

A member of the Constitutional Court must be a citizen of Georgia who has attained the age of 35 years and has a high level of legal education.

When electing the members of the Constitutional Court of Georgia the President of Georgia, the Parliament and the Supreme Court shall take into consideration the professional experience of a candidate, which should be appropriate to the high status of a member of the Constitutional Court.

[Second paragraph inserted by the Law of Georgia on changes and additions to the Law of Georgia on the Constitutional Court of Georgia, 21 March 1996.]

Article 7¹

The President of Georgia shall appoint three members of the Constitutional Court taking into consideration the requirements of Article 7 above. The President of Georgia shall issue a decree appointing the members of the Constitutional Court.

[Inserted by the Law of Georgia on changes and additions to the Law of Georgia on the Constitutional Court of Georgia, 21 March 1996.]

Article 7²

The Parliament of Georgia shall elect three members of the Constitutional Court taking into consideration the requirements of Article 7. The following shall have the right to nominate a candidate for election as a member of the Constitutional Court:

The Speaker of the Parliament, a Parliamentary faction and a group of not less than ten members of the Parliament which is not affiliated with any faction.

The Speaker of the Parliament shall acquaint all those present with the list of candidates and their written agreements to be elected as a member of the Constitutional Court before voting commences at the sitting of the Parliament. A separate ballot shall be conducted for each candidate. Voting shall be secret.

The same candidate can be nominated for election as a member of the Constitutional Court only twice.

The three candidates who receive the most votes but not less than three fifths of the total number of members of Parliament shall be considered elected on the basis of the vote.

The Speaker of the Parliament, a Parliamentary faction and a group of not less than ten members of the Parliament shall be authorised to nominate the same candidate for confirmation by the Parliament ten days after the first vote if three candidates participated in the elections and one of them did not receive a sufficient number of votes.

If the first ballot is held on the last day of the Parliamentary session or the election of a candidate is impossible within the remaining period of the session a new ballot shall be held at the first sitting of the next session of Parliament.

If more than three candidates participated in the elections and the necessary number of judges was not chosen a new ballot shall be held. In this case only those three candidates who received the most votes in the first round shall be voted on.

[Inserted by the Law of Georgia on changes and additions to the Law of Georgia on the Constitutional Court of Georgia, 21 March 1996.]

Article 7³

The Supreme Court of Georgia shall appoint three members of the Constitutional Court of Georgia taking into consideration the requirements of Article 7 above.

The President of the Supreme Court of Georgia shall nominate candidates for appointment to the Constitutional Court at a sitting of the Full Court of the Supreme Court.

Three candidates who receive two thirds of the votes of the members attending the sitting of the Full Court shall be considered appointed on the basis of the ballot.

[Inserted by the Law of Georgia on changes and additions to the Law of Georgia on the Constitutional Court of Georgia, 21 March 1996.]

Article 8

The term of office of a member of the Constitutional Court shall be 10 years. A person who has held this position before cannot be a member of the Constitutional Court.

Article 9

1. Members of the Constitutional Court, before taking office, shall take the following oath in the presence of the President of Georgia, the Speaker of the Parliament and the President of the Supreme Court: "I solemnly swear to observe faithfully the duties of members of the Constitutional Court and while executing them to be subject to nothing and no one except the Constitution of Georgia".
2. The authority of a member of the Constitutional Court shall commence from the day of his taking the oath.

Article 10

1. After the oath has been taken by every member of the Constitutional Court, or not later than 10 days after the premature termination of the duties of the President of the Constitutional Court, a sitting of the Constitutional Court shall be held to elect the President of the Constitutional Court for a five-year term. Two Vice-Presidents of the Constitutional Court shall be elected by the same procedure and for the same term.
2. The new President or Vice-President of the Constitutional Court shall be elected not earlier than one month and not later than one week before the expiration of the duties of the previous President or Vice-President of the Constitutional Court.
3. The nomination of a candidate to the office of President of the Constitutional Court shall occur by the agreement of the President of Georgia, the Speaker of the Parliament and the President of the Supreme Court.

4. A candidate for the office of Vice-President of the Constitutional Court shall be nominated by the President of the Constitutional Court.
5. The President and the Vice-Presidents of the Constitutional Court shall be considered elected if supported by not less than five members of the Constitutional Court in a secret ballot.
6. A person who has held this position before cannot be the President or the Vice-President of the Constitutional Court.
7. The premature termination of the duties of the President or of the Constitutional Court shall be permitted in the event of the existence of the grounds listed in Article 16 of the present Law.

Article 11

1. The Constitutional Court shall consist of the Full Court and two chambers.
2. The composition of the Full Court shall include all nine members of the Constitutional Court and its sittings shall be presided over by the President of the Constitutional Court.
3. The composition of each chamber shall include four members of the Constitutional Court. Sittings of the chambers shall be presided over by the Vice-Presidents of the Constitutional Court.
4. The composition of the chambers shall be confirmed by the Full Court upon the submission of the President of the Constitutional Court. Members of the Constitutional Court appointed by the President of Georgia, by the Parliament and the Supreme Court should be represented in the chambers as equally as possible.
5. The staff of the chambers should be renewed within 10 days after the election of the new President of the Constitutional Court.

Article 12

1. The President of the Constitutional Court shall:
 - a. submit the regulations of the Constitutional Court to the Full Court for confirmation. Any member of the Constitutional Court has the right to submit requests for changes and additions to the regulations;
 - b. distribute cases in accordance with the procedure established by the regulations of the Constitutional Court;
 - c. submit to the Full Court candidates for the offices of Vice-President and Secretary of Constitutional Court;
 - d. convene the Full Court in accordance with the procedure established by the regulations of the Constitutional Court, preside over its sittings, sign judgments, rulings, conclusions and other decisions of the sittings adopted at the Full Court;
 - e. manage the activities of the staff of the Constitutional Court, and have the right to appoint and dismiss the employees according to legislation;
 - f. manage the budget allocation of the Constitutional Court;

- g. exercise other powers envisaged by legislation and regulations.
2. Once a year the President of the Constitutional Court shall inform the President of Georgia, the Parliament and the Supreme Court of the position of constitutional justice in Georgia.

Article 13

1. A Vice-President of the Constitutional Court shall preside at the sessions of a chamber and perform certain functions of the President of the Constitutional Court at the President's request. If the President is absent or unable to perform the duties of the office, these duties by his order, shall be performed by one of the Vice-Presidents; in the absence of such an order these duties shall be performed by the eldest Vice-President.
2. If the Vice-President of the Constitutional Court temporarily performing duties of the President is unable to perform his own functions then these shall be performed by the eldest member of the appropriate chamber.

Article 14

1. The Secretary of the Constitutional Court shall be elected by the Full Court from the members of the Constitutional Court for a five-year term.
2. Besides the powers held as a member of the Constitutional Court the Secretary of the Constitutional Court shall:
 - a. prepare the sittings of the Full Court and chambers;
 - b. organise the execution and procedure for the recording of the sittings of the Full Court and the chambers;
 - c. sign the records of the Constitutional Court in accordance with the procedure set down in the regulations of the Constitutional Court;
 - d. take measures to ensure the execution of decisions of the Constitutional Court;
 - e. foster the development of a system for the processing of necessary information by computer;
 - f. organise the sending of official documentation of the Constitutional Court.

Article 15

1. A member of the Constitutional Court shall have personal immunity. A member of the Constitutional Court shall not be brought before a criminal court, detained or arrested, nor shall his place of residence, car, place of work or his person be subject to search, without the consent of the Constitutional Court, except where he is caught in the act of committing a 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 immediately.
2. When the Constitutional Court gives its consent for bringing a member of the Constitutional Court before the criminal court or for his detention or arrest, the power of that member of the Constitutional Court shall be suspended until a final decision is adopted by the court; if a verdict of "not guilty" is reached or the case against the member

is stopped on the basis of rehabilitation the powers of the member of the Constitutional Court shall be restored from the day on which the final decision is reached.

3. The decision provided for in the first paragraph of this article shall be considered adopted if supported by more than half of the participants in the sitting of the Full Court.

Article 16

1. The term of office of a member of the Constitutional Court can be terminated prematurely by a decision of the Constitutional Court if:
 - a. he is unable to perform his duties for 6 months in succession;
 - b. a final verdict of guilty is reached 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 recognises him as incapacitated;
 - g. he dies;
 - h. he resigns.
2. The decision shall be considered to be adopted if it is supported by more than half of the participants in a sitting of the Full Court of the Constitutional Court.
3. The decision shall be communicated to the President, the Parliament and the Supreme Court of Georgia.
4. A new member of the Constitutional Court shall be appointed not earlier than one month and not later than one week before the expiration of the term of office of the member of the Constitutional Court in question.

Article 17

1. The office of a member of the Constitutional Court shall be incompatible with any other occupation or activities undertaken for remuneration, except scientific and pedagogical activities. A member of the Constitutional Court cannot be a member of a political party, or participate in political activities.
2. A member of the Constitutional Court must resign from other occupations and cease activities forbidden by this article from the day on which he takes the oath.

Article 18

If the term of office of a member of the Constitutional Court expires while he is participating in the examination of a case, his term of office shall be prolonged until a final decision on the case has been reached.

Chapter Three Authority of the Constitutional Court

Article 19

The Constitutional Court shall be competent to discuss and decide, on the basis of a petition or application:

- a. the question of the conformity of the laws and regulations of the Georgian Parliament and normative acts of the President of Georgia and of the Abkhazian and Adjarian supreme state bodies with the Constitution of Georgia;
- b. conflicts of powers between state bodies;
- c. questions on the formation of political associations of citizens and on the constitutionality of their activities;
- d. disputes concerning referenda and the constitutionality of elections;
- e. questions on the constitutionality of normative acts adopted in connection with the issues dealt with in Chapter II of the Constitution of Georgia*;
- f. questions on the constitutionality of international treaties and agreements;
- g. questions on the recognition of the powers of a member of the Parliament of Georgia, or on the premature termination of these powers;
- h. questions on the violation of the Constitution of Georgia by the President of Georgia, the President of the Supreme Court of Georgia, officials, the Procurator General, the President of the Chamber of Control and members of the Council of the National Bank.

[* *Citizenship of Georgia – Rights and Freedoms of the Individual. – Ed.*]

Article 20

1. If, while considering a specific case, an ordinary court concludes that there are sufficient grounds for considering the law or other normative acts applied by the court in its decision on the case, to be fully or partly inconsistent with the Constitution, it shall suspend its examination of the case and apply to the Constitutional Court. The examination of the case shall be resumed after a judgment on this issue has been reached by the Constitutional Court.
2. The recognition of a law or other normative act as unconstitutional shall not lead to the invalidation of rulings and judgments of the Court adopted earlier on the basis of the act in question, it shall only cause the suspension of their execution in accordance with the procedure established by procedural legislation.

Article 21

1. The questions listed in Article 19 points a, d, f and h and Article 20 of the present Law shall be examined by the Full Court of the Constitutional Court.
2. The questions listed in Article 19 points b, c, e and g of the present Law shall be examined by a chamber of the Constitutional Court.
3. If, when deciding the case, the votes of the members of the Full Court or the chamber are equally divided, the petition or application shall be considered undecided.

4. A member of the Constitutional Court participating in the examination of a case shall have no right to abstain from voting.
5. While examining the case and reaching its judgment the chamber shall act as the Constitutional Court.

Article 22

The time allowed for the examination of the petition or application should not exceed 30 days from the day on which the Constitutional Court begins its examination of the case. In a particular case the time allowed for the examination may be extended by not more than 30 days, by the Full Court of the Constitutional Court.

Article 23

1. If a petition or application concerning the issues envisaged in Article 19 points a and e and Article 20 of the present Law is allowed this shall cause the normative act or part of it to be abrogated as unconstitutional from the moment the corresponding judgment of the Constitutional Court is published.
2. If a petition on the issue specified in Article 19 point b of the present Law is allowed this shall cause the normative act violating the competence to be abrogated from the moment of its enforcement.
3. If a petition on the issue specified in Article 19 point c of the present Law is allowed this shall render invalid the act of registration of the citizens' political association.
4. If a petition on the issue specified in Article 19 point d of the present Law is allowed this shall cause the holding of elections or of a referendum on the issue submitted for referendum to be disallowed and shall invalidate the results of any such election or referendum.
5. If a petition on the issue specified in Article 19 point f of the present Law is allowed this shall cause the international treaty or agreement in question or its separate provisions for Georgia to be recognised as invalid.
6. If a petition on the issue specified in Article 19 point g of the present Law is allowed this shall cause the relevant decision of the Parliament of Georgia to be reversed and from the day on which the judgment of the Constitutional Court is published shall restore the powers of a member of the Parliament, if they were suspended, and shall cause the premature termination of his powers, if his powers were not suspended by the Parliament of Georgia.
7. On the issue specified in Article 19 point h of the present Law the Constitutional Court shall determine the constitutionality of a person's actions as provided for by Articles 63 and 64 of the Constitution.

Article 24

1. Every state body, legal person and individual, political and public association of citizens and local self-government body shall be obliged to comply with the requirements connected with the decision on a case by the Constitutional Court and its members in connection with their powers.
2. The Constitutional Court and its members shall be competent to collect information connected with the decision on the case from every state body, legal person and

individual, scientific institution and information centre and to summon specialists in accordance with the regulations for carrying out expert and consultative work.

3. Failure to comply with such requirements or preventing them from being fulfilled shall be punishable by law on the basis of the authority of the Constitutional Court and its members.

Article 25

1. The decision of the Constitutional Court shall be final and failure to execute it shall be punishable by law.
2. A normative act or the part of one recognised as unconstitutional shall cease to have legal effect from the day on which the appropriate decision of the Constitutional Court is published.
3. If the Constitutional Court considers that the effects of the normative act are causing irreparable harm to one party it shall suspend the action of the disputed act before taking a final decision.

Article 26

The Constitutional Court shall have no right to decide on the conformity of the whole law or other normative act with the Constitution if the petitioner or applicant requests the recognition of only a certain provision or provisions of the law or other normative act as unconstitutional.

Chapter Four

General rules for the consideration and deciding of cases before the Constitutional Court

Article 27

1. Cases shall be considered at open sittings of the Constitutional Court.
2. A sitting of the Constitutional Court or a part of it may be closed to the public on the initiative of the Court or by agreement of the parties for the protection of personal information or of professional, commercial or state secrets. Witnesses, experts and interpreters may be present at a closed sitting in the case of necessity. The Constitutional Court may also grant the right to be present at a closed sitting to other persons if the parties so agree.
3. A decision regarding the hearing of a case at a closed sitting shall be adopted by the Constitutional Court in the judges' conference room.
4. Persons under the age of 16 years shall not be admitted to a Court sitting unless they are witnesses; nor shall armed persons other than those protecting the security of the Court be admitted, and the latter shall be admitted only with the permission of the President of the Constitutional Court.
5. The decision of the Constitutional Court shall be announced publicly.

Article 28

Proceedings before the Constitutional Court shall be conducted in Georgian. The Court shall be obliged to guarantee an interpreter to a participant in a case who has no possession of the official language.

Article 29

The parties shall have the right to familiarise themselves with the case, make transcripts and copies, provide evidence, participate in the investigation of evidence, put questions to witnesses, experts and specialists, bring solicitations before the Court, give oral or written explanations, file their own submissions, express their opinions concerning every issue raised during the examination of the case and submit arguments against the interventions, appeals and submissions of the other party.

Article 30

1. The parties shall have the right to entrust the protection of their interests to a lawyer or other person having a high level of legal education at every stage of the proceedings.
2. The parties shall have the right to entrust the exercise of their powers to their agent or representative at every stage of the proceedings.

Article 31

The basis for invoking the jurisdiction of the Constitutional Court shall be the filing of a written petition or application with the Constitutional Court.

A petition or application should be well supported with appropriate arguments. The petition or application must include the evidence which confirms the grounds on which the opinion of the petitioner or applicant is based.

Article 32

The administration of a warning to witnesses to be honest at the Constitutional Court, the taking of measures against those who violate an order at the Court sitting and the examination of evidence shall occur in accordance with the procedure established by law.

Article 33

1. The President of Georgia, and not less than one fifth of the members of the Georgian Parliament shall have the right to introduce a petition before the Constitutional Court on the conformity with the Constitution 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 before the Constitution of Georgia entered into force.
2. The body against whose normative act the petition is submitted shall be the respondent in matters listed in paragraph 1 above and in cases where the petition deals with a normative act adopted before the entry into force of the Constitution, the appropriate successor body adopting this act shall be the respondent and in cases where no such body exists the President of Georgia or the Parliament by the decision of the Constitutional Court shall be the respondent.

Article 34

1. The President of Georgia shall have the right to submit a petition to the Constitutional Court concerning the distribution of powers among the state bodies, if he considers that his sphere of competence is being infringed or the constitutional powers of state bodies are being infringed; not less than one fifth of the members of the Parliament of Georgia shall have the right to submit a petition to the Constitutional Court, if they consider that the constitutional powers of the Parliament of Georgia or another state body are being

infringed; state bodies listed in Article 89 of the Constitution of Georgia shall also have such a right if they consider that their constitutional powers are being infringed.

2. In the cases listed in paragraph 1 of this article, the state body whose normative act in the petitioner's opinion caused the infringement of the petitioner's constitutional powers shall be the respondent.
3. As soon as the petition or application on competence is received, the Constitutional Court shall send a copy of the petition or application to the President of Georgia, the Parliament and the Supreme Representative Bodies of Abkhazia and Adjara. If within 15 days of delivery of the copy, one of these bodies declares that allowing the petition or application would cause an infringement of its powers the Constitutional Court shall be obliged to include the body as a party to the case.

Article 35

1. The President of Georgia, not less than one fifth of the members of the Georgian Parliament and the supreme state bodies of Abkhazia and Adjara shall have the right to introduce a petition at the Constitutional Court on the formation of political associations of citizens and on the constitutionality of their activities.
2. In the cases provided for in paragraph 1 above the political associations of citizens and the body which registered them shall be the respondents.

Article 36

1. The following shall have the right to submit a petition to the Constitutional Court on the constitutionality of holding a referendum:
 - a. not less than one fifth of the members of the Parliament of Georgia if the President of Georgia on his own initiative or at the request of electors has called or in spite of the request of Georgian Parliament has not called a referendum;
 - b. the public defender of Georgia, if despite the electors' request a referendum is not called;
 - c. not less than one fifth of the members of the Georgian Parliament and the Public Defender (Ombudsman) of Georgia, if they consider that the holding of a referendum contradicts the requirements of Article 74.2 of the Constitution of Georgia.
2. In the case specified in paragraph 1 of this article the President of Georgia shall be the respondent.

Article 37

1. The following shall have the right to introduce a petition before the Constitutional Court concerning elections:
 - a. not less than one fifth of the members of the Parliament of Georgia if they consider the election of the President of Georgia to be being held in violation of the requirements of Article 70 of the Constitution of Georgia;
 - b. the President of Georgia or not less than one fifth of the members of the Georgian Parliament if they consider that the elections of the Georgian Parliament have

been called or are being held in violation of Article 49 paragraphs 1 and 2 and Article 50 paragraphs 1 to 4 of the Constitution of Georgia.

2. In the cases provided for by the paragraph 1 point a above the central electoral commission of Georgia shall be the respondent and in the cases listed in point b above the President of Georgia or the central electoral commission of Georgia shall be the respondent.

Article 38

1. The President of Georgia and not less than one fifth of the members of the Georgian Parliament shall have the right to introduce a petition on the constitutionality of international treaties and agreements or their individual provisions.
2. The introduction of a petition concerning the conformity with the Constitution of an international treaty or agreement which is subject to ratification, or of particular provisions thereof, shall be possible before their ratification.
3. The introduction of a petition concerning the conformity with the Constitution of an international treaty or agreement which was ratified before the recognition of the powers of the first Constitutional Court, or of particular provisions thereof, shall also be possible after their ratification.
4. In the case specified in paragraph 3 above the introduction of the petition shall be possible within 3 months after the recognition of the authority of the first Constitutional Court. The submission for discussion by the Parliament of Georgia of the issue of the denunciation of a treaty provided for in paragraph 3 above shall suspend the running of the time-limit.
5. The introduction of a petition on the conformity with the Constitution of international treaties or agreements which have entered into force, or of particular provisions thereof, shall be possible after the Parliament refuses to denounce or abrogate them and also 30 days after the question of their denunciation or abrogation has been raised before the Parliament, if within this period the Parliament of Georgia has not decided this issue.
6. In the case specified in paragraph 2 above the body or the official concluding the treaty or the agreement shall be the respondent and in the cases listed in paragraphs 3 and 5 the Parliament of Georgia shall be the respondent.

Article 39

1. The Public Defender of Georgia and individuals of Georgia and other states shall have the right to submit a petition to the Constitutional Court on the constitutionality of normative acts or their provisions, if they consider that rights and freedoms recognised in Chapter II of the Georgian Constitution have been or are being violated.
2. In the cases provided for in paragraph 1 above, the body whose act, in the petitioner's opinion, violated rights and freedoms recognised in Chapter II of the Georgian Constitution shall be the respondent.

Article 40

1. The President of Georgia, not less than one fifth of the members of the Georgian Parliament and a citizen whose powers as of a member of the Parliament have not been recognised or have been prematurely terminated by the Parliament of Georgia shall have the right to submit a petition on the constitutionality of the decision of the Parliament on the

recognition of his powers as a member of the Parliament or on the premature termination of his office.

2. In the cases listed in paragraph 1 above the Parliament of Georgia shall be the respondent.
3. The time-limit for the submission of a petition should not exceed two weeks from the entry into force of the relevant decision of the Parliament of Georgia.

Article 41

1. Not less than one third of the total number of members of the Parliament of Georgia shall have the right to introduce an application to the Constitutional Court for the adoption of a conclusion on the violation of the Constitution by the President of Georgia, the President of the Supreme Court of Georgia, officials, the Procurator General, the President of the Chamber of Control and members of the Council of the National Bank.
2. The Constitutional Court shall be authorised to summon appropriate officials while preparing its conclusion on this issue.
3. The time-limit for an application concerning the violation of the Constitution of Georgia should not exceed one month from the day when the violation of the Constitution by the above-mentioned officials became known to the Parliament of Georgia.

Article 42

In the cases provided for under Article 20 of the present Law, a Court considering such a case shall have the right to introduce an application to the Constitutional Court. In such a case the Constitutional Court shall examine the case in the absence of the applicant and the body that issued the Act that became the subject of the dispute.

Article 43

1. The decisions issued by the Constitutional Court shall be judgments, rulings and conclusions.
2. Every member of the Constitutional Court participating in the examination of a case shall sign the judgment, ruling or conclusion of the Constitutional Court.
3. Documents of the Constitutional Court not connected with the examination of the case shall be signed by the President and the Secretary of the Constitutional Court.
4. In general, judgments on a case by the Constitutional Court shall be delivered in written form.
5. The question of the admissibility of a petition or application shall be decided by a written ruling of the Constitutional Court.
6. The question of the violation of the Constitution by the President of Georgia, the President of the Supreme Court, officials, the Procurator General, the President of the Chamber of Control and members of the Council of the National Bank shall be decided by a written conclusion by the Constitutional Court.
7. The judgments, rulings and conclusions of the Constitutional Court shall include adequate reasons.

8. The judgments, rulings and conclusions of the Constitutional Court are final and shall not be subject to appeal or revision.
9. A ruling by the Constitutional Court that a petition or application is inadmissible shall exclude the admissibility of another petition or application with the same subject and the same motives and of another petition or application connected with the same subject and motives.

Article 44

1. The Full Court of the Constitutional Court shall be authorised to adopt a decision if its sitting is attended by not less than six members.
2. A petition or application shall be considered to have been allowed if it is supported by more than half of the participants in the sitting of the Full Court. The President of the Full Court shall have the right to one vote.

Article 45

1. A chamber of the Constitutional Court shall be authorised to examine the petition or application and take a decision if its sitting is attended by not less than three members.
2. The petition or application shall be considered to have been allowed if it is supported by more than half of the participants in the sitting of the chamber.

Article 46

1. A party shall be authorised to raise a question before the Constitutional Court challenging a member of the Constitutional Court participating in the examination of the case, if:
 - a. a member of the Constitutional Court is a close relative of a party or of its representative;
 - b. a member of the Constitutional Court has a direct or indirect interest in the result of the case or there are other circumstances which raise doubts as to the impartiality of a member of the Constitutional Court.
2. Where the grounds provided for by this article exist a member of the Constitutional Court shall be authorised to withdraw from participation in the examination of the case.
3. The statement on the exclusion of a member of the Constitutional Court shall be considered approved if it is supported by more than half of the members participating in the sitting of the Constitutional Court.

Article 47

1. A member of the Constitutional Court participating in the examination of a case shall have the right to form a dissenting opinion while reaching a decision, which should be expressed in written form.
2. The dissenting opinion of a member of the Constitutional Court shall be included in the record of the sitting of the Constitutional Court and upon the request of its author shall be published in the press together with the decision of the Constitutional Court.
3. The decision of the Constitutional Court together with the dissenting opinion shall be published in full in the official publication of the Constitutional Court.

Article 48

A member of the Constitutional Court shall not be authorised to reveal the details of the meeting of the Constitutional Court during the adoption of a decision nor the positions held by the members of the Constitutional Court during voting.

Article 49

The compensation of the expenses outlaid during legal proceedings before the Constitutional Court shall be made from the state budget.

Article 50

1. State taxes shall be imposed on:
 - a. constitutional petitions and applications;
 - b. the repeated delivery of rulings and judgments of the Constitutional Court.
2. The payment of state taxes shall be made in accordance with the law.
3. The Constitutional Court shall have no right to release any person from paying the state taxes or to increase or lower their amount.

Article 51

The Secretary of the Constitutional Court shall supervise the execution of the decisions of the Constitutional Court and shall report once a month to the Full Court of the Constitutional Court on the situation connected with their execution.

Article 52

A member of the Constitutional Court while examining a case in the Constitutional Court shall be dressed in particular attire; the style of this attire shall be established by the regulations of the Constitutional Court.

Article 53

1. The Constitutional Court shall possess a great seal which shall include the coat of arms and the name of the Court.
2. The seat of the Constitutional Court shall be in the town of Mtskheta.