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THE LAW ON THE CAPITAL OF GEORGIA - TBILISI

This law determines the status of Tbilisi – the capital of Georgia, the powers, authority, rules of activity and financial-economical basis of the Tbilisi representative and executive bodies.

Chapter I. General Provisions

Article 1. The capital of Georgia and its status

1. According to Article 10 of the Georgian constitution, Tbilisi is the capital of Georgia.
2. The status of capital implies the special legislative position of Tbilisi, which in the purpose of protection of the general state and local interests, provides for governing of Tbilisi by means of the self-government and the state executive bodies.
3. The capital of Georgia is the residence (location) of the Georgian parliament, Georgian president, Georgian government, other executive bodies, the supreme court of Georgia, the control chamber, public defender, the national bank of Georgia, diplomatic representatives of the foreign countries and the representatives of international organizations.

Article 2. The Administrative Borders of the Capital

1. Georgian legislation defines the borders of the capital and the rules for setting and replacing them.
2. The territory of the capital is divided into Rayons and the town of Tskneti.

Article 3. The Population of the Capital

The citizens of Georgia, foreigners and the persons without citizenship, which are residing in the capital in compliance with the regulated rules construe the population of the capital.

Article 4. The legislative basis for implementation of local self-governance and governance in Tbilisi

1. The constitution of Georgia, this law and other normative acts are the legislative basis for implementation of local self-governance and governance in Tbilisi
2. The local self-governance in Tbilisi will be implemented by means of the representative body – the council (Sakrebulo) of Tbilisi.

3. The Tbilisi municipality will implement local self-governance in Tbilisi. The body of local government – the Tbilisi Mayors' Office within the powers provided for in this law and municipality ordinances, at the same time executes the functions of the local self-government representative body – the executive body, Sakrebulo.

4. The municipality (Tbilisi government, Rayon Gangeobas, Tskneti Gangeoba and the rayon administrative bodies will construe the system of the state government bodies, that will implement the executive-issuing activity of the Tbilisi self-governance.

Article 5. The principles of implementation of the self-governance and governance in Tbilisi

1. The main principles of implementation of self-governance and governance in Tbilisi are:
 - a. The Tbilisi population's right to elect, within the rules provided for in the law, the Tbilisi representative body – Tbilisi council (Sakrebulo) and participate in execution of local self-governance;
 - b. The independence of the local self-governing body in making decisions on the issues of local importance provided for in the law.
 - c. The statutory rights of Georgian citizens and their security of freedom;
 - d. Protection of the legislation and publicity of the activity of the Tbilisi representative body;
 - e. The independent responsibility of the local self-governing body on execution of the functions invested in it by the law;
 - f. Integrity of the national and local interests.
2. The Tbilisi local self-governing and governing bodies operate based on demarcation of the powers (financial, of a customer and industrial).

Article 6. The powers of the local self-governing and governing bodies of Tbilisi in executing the functions of the capital by Tbilisi

1. Proceeding from the execution of the functions of the capital of Georgia by Tbilisi, the Tbilisi self-governing and governing bodies:
 - a. will appropriate buildings and land sites, within the rules provided for in Georgian legislation, to the supreme state governmental bodies, ministries and departments, foreign embassies and their representatives, needed for their functioning;
 - b. will provide all needed conditions for implementation of the state and international programs;
 - c. will participate in drafting the plan for perspective development of the capital and other target state programs and will provide their implementation.
2. The state institutions and other bodies of the state executive branch of Georgia, will administer aid to Tbilisi self-governing and governing bodies in implementation of the functions of the capital of Georgia. For this purpose they participate in :
 - a. drafting and implementation of the chief plan of Tbilisi perspective development and other state programs;
 - b. building activities, reconstruction and care of the sites, needed for implementation of the functions of the capital;

- c. rebuilding and development of the communication, transportation systems and utility industry.

3. The state governmental institutions and other bodies of the state executive branch will agree with the Tbilisi self-governing and governing bodies on those parts of the programs subjected to their jurisdiction, that regards to implementation of the functions of the capital of Georgia.

Article 7. Compensation of expenditures executed for implementation by Tbilisi of its functions as a capital

1. The financing of the state programs, crucial for implementation of the capital's functions, will be implemented on the expense of targeted transfers from the central budget.
2. The state government will devolve certain functions of its jurisdiction to the Tbilisi local self-governing and governing bodies only along with respective logistical supplies based on the preliminary agreement with them.

Article 8. Distribution of the jurisdictions between the state and the capital

1. The powers of Tbilisi provided for in the constitutional law of Georgian on "Territorial State Organization of Georgia", the organic law on "the Basis of the Local Self-governance", this law and other Tbilisi legislative acts.
2. This law defines the issues that pertain to jurisdiction, common both to the state and Tbilisi.

Article 9. The common jurisdiction of the state and Tbilisi

1. The jurisdiction, common both to the state and Tbilisi includes:
 - a. coordination of law and order;
 - b. natural resources, environment protection and securing the ecological security;
 - c. Implementation of the programs related to protected territories and protection of historical and cultural monuments;
 - d. development and revision of strategic programs for urban, building and utility industries;
 - e. coordination of issues in regards to education, science, culture, health care, sport and tourism;
 - f. coordination of the population's social security and employment;
 - g. liquidation of the effects of catastrophes, natural disasters and epidemics;
 - h. financing city development of extraordinary importance;
 - i. Other issues provided for in the Georgian Legislation.
2. The issues provided for in this Article may be distributed between the state supreme governmental bodies and Tbilisi self-governance.
3. Those relations, that will emerge during implementation of the functions of the capital by Tbilisi, and not regulated by this law, will be regulated by the parliamentary legislative acts and the president's decree, respectively.

Article 10. The symbols of Tbilisi

1. In accordance with the rules about the usage of the national symbols of Georgia, Tbilisi will have its emblem, flag, hymn and other symbols.
2. The Tbilisi council (Sakrebulo) will establish the emblem, flag, hymn and other symbols of Tbilisi and according to Georgian legislation and will be subjected to national registration.

Chapter II. The representative body of Tbilisi

Article 11. Tbilisi Sakrebulo (council)

1. Sakrebulo is the self-governing representative body that will be elected by the population of Tbilisi with the election rights on proportional basis by direct, free, equal suffrage and secret ballot.
2. The Tbilisi election rules will be provided for in the law on “election of the local self-governing and governing body – Sakrebulo (council)”.

Article 12. Jurisdiction of Sakrebulo

1. The jurisdiction of the Sakrebulo will cover:
 - a. adoption of the Council and its bodies’ regulations, making amendments to them and control on their implementation.
 - b. owning, using and directing the local property within the rules provided for in the Georgian law;
 - c. discussion and adoption of the Tbilisi (city, rayon and Tskhneti) budget, making amendments and additions to it, approving the report on and control budget implementation within the rules and deadline provided for in the law of Georgia;
 - d. setting and abolishment of local taxes and payments within the Georgian legislation;
 - e. discussion of the chief plan for the capital’s perspective development and other targeted state programs; adoption of the city complex social-economical development programs and proceeding from this program, adoption of the rayons’ and town of Tskneti social-economical development program and control over their implementation;
 - f. election and reelection of the chair, secretary of the council, chair of the standing and temporary commissions; setting of monthly salaries to the chair and secretary of the council, chair of commission and faction leader within the ceiling lines provided for in the Georgian legislation;
 - g. defining the structure of the council; establishing council commissions; election and reelection of the chairs of the commissions; approving personnel of the commissions and making replacements in them;
 - h. making decisions on acknowledgment of the powers of the council members and on suspension of their powers before the expiration date;
 - i. oversight over the activity of the Mayor, Premier, other authorities and the government; conducting hearing and evaluation of their annual reports;
 - j. agreement on candidacy for Premier’s office, approving the government; on Premier’s submission, approving the candidates for deputy premiers,

- parliamentary secretary and heads of the city services within the Tbilisi government;
- k. abolishment of the regulations issued by the Tbilisi government and premier's decrees;
 - l. approving the right of the Tbilisi government to use bank credits, to gain and distribute the rights for credits, within the Georgian legislation;
 - m. hearing reports of the heads and authorities of the bodies, established by the council;
 - n. review the issues regarding human rights, law and order, hearing and approving the reports and information of the respective agencies and authorities;
 - o. control the implementation of the rules for usage of natural resources, provided for in the Georgian legislation; division of Tbilisi into zones and on the basis of which, setting rules regulating the usage of the land: approving programs securing sanitation, epidemic, environment protection and ecological security;
 - p. on Mayor's presentation, granting a special status to City Rayon or district; creating historical-cultural, irrigation, industrial, trade and other special zones; establishing and abolishing intra-administrative units, naming them, setting and replacing the borders;
 - q. establishing and liquidation of local services and respective enterprises; setting fees for utility and other types of services conducted by the local services, within the rules provided for in the law;
 - r. creating local residential and nonresidential foundations; setting rules for its direction;
 - s. creation of the city archive; establishing a city info service;
 - t. solving issues regarding education, health care, culture and sport of city importance; approving school districts in the city; establishing libraries, theaters, cultural and sportive institutions; approving programs directed to protect cultural heritage;
 - u. approving programs and plans for city structure and irrigation;
 - v. revision, adoption of Rayons' social-economical development programs and control over their implementation;
 - w. adoption of the programs for organization and development of the energy, gas and water supply systems;
 - x. approving plans for repair, reconstruction and building of internal-highways of the city; setting rules for organizing transportation services;
 - y. defining rules for building of residential, social-cultural and administrative institutions;
 - z. defining the set of activities for implementation of the state programs;
 - aa. ratification of the social security and employment programs and projects; defining rules for organizing social security;
 - bb. ratification of activities for liquidation of the effects of catastrophes, natural disasters and epidemics;
 - cc. In cases, envisaged by Georgian law, making decisions in regards to conducting mobilizing activities of the population and transportation;
 - dd. ratification of the agreements and treaties signed on behalf of the city;
 - ee. defining the emblem, flag, hymn and other symbols of Tbilisi and setting rules for their usage;
 - ff. setting Tbilisi honor titles and awards;

gg. other issues provided for in this law, Georgian legislation and council regulations.

2. The special power of the council will be, by more than half of the members, of the list, in cases provided for in the law, set before the president proposal about dismissal of a Mayor, Premier or Gamgebeli. 1/3 of the council members will have right to declare distrust.

3. To declare distrust to premier, deputy premier or the head of the city service, by 2/3 of the list members, is the special power of the council. 1/3 of the council list members will have right to set proposal for distrust before the council. After declaring distrust, the premier, deputy premier or the head of the city service will be considered dismissed and will discharge their duties before appointment of a new premier, deputy premier or the head of the city service.

Article 13. The authorities of the council and their powers

1. The authorities of the council will be:

- a. the chair of the council;
- b. the secretary of the council;
- c. the chairs and deputy chairs of the standing and temporary commissions;
- d. faction leaders.

2. The council members will elect the chair of the council for the period of authority of the council; the chair will be elected, provided more than half of the list council members vote for it.

3. The chair of the council:

- a. directs the council activities, summons and leads the sessions; organizes preparation works for the sessions; presides on the council sessions; guarantees freedom of expression on the sessions;
- b. represents the council within the jurisdiction provided for in the law and council regulation;
- c. coordinates activity of the council standing and temporary commissions;
- d. summons extraordinary council sessions;
- e. signs the council regulations, announcements, addresses and other documents;
- f. executes other duties in pursuance with the existing legislation and council regulation.

4. The council from its members, at the presentation of the council chair, will elect a deputy chair, for the council authority term; The deputy chair will be elected, provided more than half of the council list members votes for it.

5. The council regulations define the rules for election of other council authorities.

6. Commissioned by the chair, the deputy chair will take the powers of the chair, provided the chair is unable to discharge his/her duties, or in case of the chair's dismissal. Commissioned by the chair or the council, the deputy chair discharges his/her duties in accordance with and within the rules provided for in the council regulation.

7. The chair of the council, faction leader, chair of the standing commission and the secretary, will be on a payroll and will be forbidden to hold other offices or administer enterprising activities.

8. Other authorities and members of the council will execute their powers incessantly from their office activities and for free.

Article 14. Organizing Activity of the Council Session

1. The chair of the Tbilisi election commission, within 2 weeks after official publication of the election results, convenes the first session of the council. Before election of the chair of the council, the elder member of the council leads the session.

2. The chair of the council, at least once in a month, convenes all other consequent sessions. In cases provided for in Article 13-6, the secretary of the council will do it.

3. An extraordinary session will be convened:

- a. on Mayor's or Premier' proposal;
- b. on demand of at least 1/3 of the council members;
- c. on demand of not less than 10 000 voters.

4. The chairman of the council within a week after the demand has been submitted, will convene an extraordinary session.

Article 15. The rules for discussion of issues in the Council

1. The council will be authorized to make decisions provided that at least half of the council members are present, if the law doesn't provide for any other rules.

2. The council sessions will be open and public.

3. Council session will be announced closed:

- a. if council makes such a decision;
- b. if publicity of the issues to be discussed on the session is forbidden or restricted by the law.

Article 16. The rules of voting

1. The issues that fall under the council's authority will be solved, as a rule, by open ballot. The voting will be by secret ballot only when it deals with personal issues and announcing distrust.

2. The right to initiate legislative acts in the council will be invested to the members, commissions and factions of the council, the Mayor of Tbilisi, premier, as well as, 5 000 citizens with the voting rights by submitting the signed respective petition.

3. The initiation right will be executed by submitting a special draft. After discussion of the issue, set forth in accordance with the initiation rules, the council will make decision on the nearest session.

4. The council will make decisions by a majority of the votes, present, if the law doesn't provide for any other rules.

5. If the Mayor resubmits the issue to the council for review, the council will vote for the Mayor's remarks within two weeks. If the remarks are not passed, the council will set on the floor the original version submitted to the Mayor by the council. The decision will be passed, provided more than half of the council members on the list votes for it.

Article 17. The council session report

1. The council session report will contain the time and place of the session, the names of participants, the issues discussed and to be discussed, the decisions taken, as well as the special ideas of the participants.

2. The chair and the secretary of the council will sign the council report.

3. The council report will be in accordance with the demands provided for administrative documentation.

Article 18. The council commissions

1. The council establishes the standing commissions, the number of which will not exceed 5.

2. The council will be authorized to establish temporary commissions, if such a need arises.

3. The chairs of the commissions will be elected from the members of the commissions. The council upon the nomination of the chair of the respective commission will approve the members of the commissions.

4. The rules for commissions' activity will be provided for in the council regulation in accordance with existing legislation.

Article 19. The Auditing commission of the council

1. The council for the term of authority, from its own members will establish an auditing commission to control the financial activities of the Tbilisi executive bodies.

2. The auditing commission will control timely expropriation of taxes and their registration; legality of expenditures and its relevance with the local budget.

3. The auditing commission once every three months will submit to the council the account of the activities implemented. The auditing commission will submit to the council the annual account of checking for approving the report on local budget.

Article 20. Status of council member and elective authority

1. The authority of the council member will start from the notification day and will end upon the first meeting of the new council or upon termination authority of the council member before the authority term.

2. The member of the council will have access to all information, necessary for implementation of their powers, within the rules provided for in Georgian legislation; will have

the right to attend the sessions of the Tbilisi government and Gamgeobas with the consultative right, field questions to the bodies accountable to the council, Mayor, Premier, governor and other members of the Tbilisi government; will receive the respective answer. The respective body and authority will answer the council member within a week. The powers of the authority, activity rules and guarantees will be provided for in the Georgian legislation and other normative acts.

3. A council member (except the president of the council, the secretary, chairs of the standing and temporary commissions), will implement their authority incessant from their enterprising or office duties and for free.

4. A council member's authority will be terminated before the expiration of his/her authority:

- a. based on personal application;
- b. provided an authority is elected or appointed to the executive body;
- c. provided the court verdict proves him/her guilty;
- d. provided the court acknowledges him/her unable to discharge duties, missing in action or dead.
- e. provided an authority is deprived of citizenship;
- f. provided an authority didn't participate in the council activities during four sessions without reasonable excuse;
- g. if authority dies.

5. The council will make decisions on termination of council member's authority before expiration date.

Article 21. Termination of the council's authority before expiration date and extraordinary elections

1. Mayor represents the supreme authority of Tbilisi. The president of Georgia will appoint and dismiss the Mayor.

2. Any citizen of Georgia, residing in Tbilisi and having the election right may be appointed to the Mayor's office.

3. The Mayor of Tbilisi:

- a. will commit to the council for approval the government of Tbilisi; adopts resignation of a premier and the government, as well as the members of the government; will be authorized to commission the members of the government to discharge duties before approval of a new member of the government or before the new government is created;
- b. will submit to the President the candidates for the Tbilisi Mayor's and Rayon governors' offices;
- c. in agreement with the council, will appoint and dismiss the deputy premier, the head of the staff and the heads of the Tbilisi government member-city services; The Mayor will appoint or dismiss the heads of other city services without preliminary agreement with the council;
- d. will be authorized within a week to recommit the issues to the council with the respective remarks attached. The council will be obliged within two weeks to discuss the Mayor's remarks. If the remarks are not passed, the council will

- discuss the original version committed by the council to the Mayor. The normative acts will be passed and will be published with the president's signature, provided more than half of the list members of the council votes for it;
- e. in cases provided for in the Constitution of Georgia, Article 73-f, as well as in this law, will have right to address the president to suspend or dismiss the council;
 - f. will have right to appoint the deputy premier, the head of staff or the member of the Tbilisi government the acting head of the city service, provided the council for the two consecutive times failed to approve a candidate nominated by the Mayor and within two weeks failed to elect the respective authority by more than half of the members of council on list;
 - g. will have right to suspend the Tbilisi government's regulation or field the council for its abolishment;
 - h. will have right to suspend or abolish Premier's or Governor's acts;
 - i. within the rules provided for in the Georgian legislation, will approve the appointment or dismissal of the heads of the governmental institutions of the respective territorial bodies;
 - j. will sign the agreements and treaties adopted on behalf of the city; will represent and operate on behalf of the city during official relationships; will implement other executive functions;
 - k. will have right to address the population of the city;
 - l. will award the honors and prizes;
 - m. will issue orders and regulations within his/her authority;
 - n. will implement other powers provided for in this law and Tbilisi Mayor's regulation.
4. The mayor at least once a year will submit to the council a report on the council's activity.
5. The Mayor of Tbilisi will have the right to resign. He/she will dismiss the authority before the President. The Mayor will be accountable before the population of Tbilisi and will be responsible before the President of Georgia.

Article 23. The government of Tbilisi

1. The city government will consist of the premier, deputy premiers and the heads of the special Tbilisi services. The governors (Gamblebis) of Tbilisi Rayons and town of Tskneti will be the part of the Tbilisi government.
2. The government guarantees implementation of the decisions taken by the Tbilisi city council and the Mayor; will work out the projects of the city budget and programs for social and economical development; guarantees implementation of the budget and the programs for social and economical development approved by the council.
3. The council upon the Mayor's nomination will approve the membership of the Government. The structure of the government, the powers and activity organization will be provided for in this law and the Tbilisi Mayor's regulation that will be approved by the President.

Article 24. The Premier

1. The Premier will be the head of the Tbilisi City government. The President of Georgia will appoint and dismiss the Premier. The Mayor of Tbilisi upon council's agreement will submit to the President a candidate for the Premier's office. The agreement of the council will be received provided more than half of the council members, present votes for it. The Mayor may nominate one and the same person not more than twice.
2. The premier will be responsible for the government's activity. He/she will be accountable before the President of Georgia, the council and the Mayor.
3. The premier:
 - a. will lead the activity of the Tbilisi government and distributes the functions among the deputy Premiers;
 - b. will preside on the governmental sessions;
 - c. in agreement with the city Mayor will commit to the council the city budget project;
 - d. in agreement with the Mayor will submit to the council the programs for economical and social development;
 - e. proceeding from the government's activity will work out and submit to the council the normative and other legislative draft-acts of Tbilisi;
 - f. will have right to resign from the office based on appropriate application to the President of Georgia;
 - g. will sign the Tbilisi government's regulations;
 - h. will issue orders within his/her authority;
 - i. in absence of the Mayor, will discharge the duties of the Mayor;
 - j. will implement other powers provided for in this law and Tbilisi Mayor's regulations.

Article 25. Deputy premiers

1. The ceiling for the number of deputy premiers will be 3.
2. The deputy premiers in accordance with the distribution of their functions, will regulate the areas pertaining to the authority of the executive bodies; will develop and submit to the Premier about activities needed to be implemented in the particular areas within their authority; will organize and control implementation of the decisions taken by the council, Mayor, Premier and the Tbilisi city government.

Article 26. City Services

1. The city services will be established within the rules provided for in this law and the Georgian legislation to regulate the social and economical areas within their authority.
2. The powers of city services will be provided for in the respective regulation.
3. The head of the city service will organize the activity of the service, will make decisions on the issues within his/her authority; will issue orders based on decisions of the Mayor, premier and the Tbilisi government and for their implementation.

4. The head of the service will be accountable and responsible before the Mayor, premier and the council.

Article 27. Staff

1. The staff will provide the council and Tbilisi government with organizational issues. The head of the staff, which will be appointed or dismissed by the Mayor in agreement with the council, will lead the activity of the staff.

2. The council upon submission of the head of staff will determine and approve the structure of the staff.

3. The premier upon nomination of the head of staff will appoint the members of the staff – advisors and technical personnel.

Article 28. Legislative acts of the local self-governing and governing bodies and authorities

1. The bodies and authorities of local self-government and government within the authority provided for in the law will issue legislative acts.

2. The rules for adoption, publication, enforcement, registration and systematization of the legislative acts of the bodies and authority of local self-government and government: council decisions and governor's orders, will be provided for this law, the law on "Normative acts", regulations of the council and Tbilisi Municipality and other acts.

3. The rules for preparation, adoption, publication, enforcement, registration and systematization of the personal legislative acts of local self-governing and governing bodies and authorities: council regulation, Mayor's, premier's and governor's ordinances, will be provided for in this law, regulations of the council and Tbilisi municipality and other acts.

4. Mayor (Gamagebeli) will issue a normative acts after consultations with the members of the government (Gamageoba).

5. The normative act of the council, Mayor and Gamagebeli will be enforced upon its promulgation.

Article 29. Tbilisi Rayon (town of Tskneti) Gamageoba

1. The Tbilisi rayon (Tskneti town) Gamageoba will consist of Gamagebeli, deputy Gamagebelis and heads of particular services.

2. The powers and organization of activity will be provided for in the president's decree on "regulation and structure of Tbilisi municipality".

Article 30. Gamagebeli of Rayon (Tskneti town)

1. Gemgebeli of the Tbilisi rayon (Tskneti town) will regulate activity of the Gamageoba, will provide governing of the rayon and its social-economical development; will coordinate implementation of the council's, mayor's and the Tbilisi government's decisions.

2. The president of Georgia upon Mayor's nomination will appoint and dismiss the Gamgebeli of the rayon. The mayor of Tbilisi will appoint and dismiss the Gamgebeli of Tskneti town.
3. The Gamgebeli of the rayon (Tskneti town) will be the part of the Tbilisi government.
4. Gamgebeli:
 - a. will submit to the council for approval the Gamgeoba;
 - b. will submit to the Mayor of Tbilisi the personnel of the Gamgeoba; will have right to commission the members of Gamgeoba to discharge duties before appointment of the new members of Gamgeoba;
 - c. will lead the activity of Gamgeoba; will distribute the functions between the members of the Gamgeoba; will preside on the sessions of the Gamgeoba;
 - d. will appoint and dismiss the heads of the rayon municipal enterprises;
 - e. will submit to the council the projects for the rayon budget and programs for social and economical development of the rayon;
 - f. will sign the treaty or agreement entered on behalf of the Gamgeoba; will represent and act on behalf of this unit during official relationships; will implement other representative functions;
 - g. will issue orders and decrees within his/her authority;
 - h. will implement other powers provided for in this law and Tbilisi mayor's regulation.
5. The Gamgebeli will have right to resign. The Gamgebeli will dismiss his/her duties and will be responsible before the president of Georgia. He/she will be accountable before the Mayor of Tbilisi, the population of the Sakrebulo and Rayon (Tskneti town).

Article 31. The deputy Gamgebelis

1. The Gamgebeli will appoint his/her deputy (deputies not more than 3), in agreement with the Mayor of Tbilisi.
2. The deputy governor(s) will regulate the areas within their authority in accordance to the functions invested in them by the Governor; The deputy governors will prepare and submit to the governor proposal of activities to be implemented in the respective areas; will organize and control implementation of the governor's decisions.
3. In absence of the Governor, or in case the governor is temporarily unable to discharge his/her duties, or commissioned by the governor, one of the deputy governors will serve as acting governor.

Article 32. The services of Gamgeoba

1. The services of a Gamgeoba will regulate the activity of industrial complexes and various areas of public services within their authority.
2. The heads of the services will regulate the activity of the services. The governor of the Rayon on agreement with the Mayor will appoint and dismiss the heads of the services.

3. Organization and powers of the services will be provided for in the respective regulation, approved by the governor of the Rayon.

Chapter IV. Economical and financial basis of activity of the Tbilisi council and bodies of government

Article 33. Economical powers and financial basis of the Tbilisi council and governing bodies

1. Economical powers of the Tbilisi council will be provided for in the Georgian constitution, this law and other legislative acts.
2. Economical powers of the Tbilisi government will be provided for in this law, Georgian legislation and Tbilisi municipality regulation.
3. The economical and financial basis of the bodies of Tbilisi government will be: natural resources (land, water, plants and animals); the local property of Tbilisi; local industry; Budget and other financial resources of Tbilisi governing bodies.

Article 34. The natural resources of Tbilisi

1. In accordance with Georgian legislation the natural resources of Tbilisi will be land, water, air space, plants and animals within the territory of Tbilisi.
2. The land fund of Tbilisi in accordance with Georgian legislation will be divided according to targeted destination.
3. The land sites and other natural resources, located outside the city boundaries, passed to the city to meet its needs and implement its functions in accordance with the existed legislation, may also construe the property of Tbilisi.

Article 35. The local property of Tbilisi

1. The local property will represent the basis of the local industry. The bodies of the Tbilisi government will regulate the local property.
2. The local property will be the property provided for in the law on property demarcation.
3. The local property may be buildings, housing foundation and objects of utility industry; transportation enterprising, trading and utility services; education, culture, sport and health care institution, industrial, building, agricultural enterprises, as well as Tbilisi budget, securities (shares, debentures etc.), scientific, technical, technological and other information; other movables and realties, indispensable for implementation of powers of governing bodies and the capital's functions, other sites provided for in the Georgian legislation.
4. In pursuance with the existing legislation the sites of local property may be located outside the boundaries of Tbilisi as well.

5. The activity of enterprises, organizations and institutions within the local property of Tbilisi, will be regulated by Georgian legislation and legislative acts of Tbilisi.

Article 36. The basis of creation of Tbilisi local property

The local property will be created in accordance with the rules provided for in Georgian legislation, which envisages:

- a. transfer of the state sites to the bodies of Tbilisi self-government (government) by the President of Georgia;
- b. reception, purchase or creation of the new sites by the Tbilisi governing bodies;
- c. in case of trade deals entered into by the Tbilisi governing bodies within their authority in accordance with this law and acting legislation of Georgia, as well as, based on the deals not provided for in the legislation, but that will not violate it;
- d. as a result of the processes, that the Georgian legislation relates to emergence of civic and legal affects;
- e. in other cases provided for in Georgian legislation.

Article 37. Relationship of the Tbilisi governing bodies with the enterprises, institutions and organizations outside the local jurisdiction

1. The Georgian legislation, the council legislative acts, treaties entered into by the parties of industrial relations provide for logistical supplies of Tbilisi local industry.
2. Those material resources that are for social and economical development of Tbilisi, public services, protection of ecological situation, based on centralized rules, will be distributed by the governing bodies securing rational and targeted usage of these resources.

Article 39. Foreign economical relations

1. The Tbilisi governing bodies will have the right to establish foreign economical relations based on monetary self-reimbursement.
2. The Tbilisi governing bodies will support enterprises and organizations located on the territory within their jurisdiction to establish foreign economical relations, develop export basis and increase output.

Article 40. The Financial system of the Tbilisi governing bodies

The financial system of the Tbilisi governing bodies will be provided for in the law on budget system and budget powers” and will comprise the city, rayon and Tskneti town budgets. As well as, other sums, that will be used to provide implementation of Tbilisi governing bodies’ and Tbilisi rayon’s activity, social and economical development of Tbilisi and functions of the capital.

Article 41. Tbilisi budget

1. The budget of Tbilisi will be the major financial plan of mobilizing and usage of money. Tbilisi will have a budget that will consist of the city, Rayons and Tsknati town’s budgets and will be approved by the council of Tbilisi.

2. The Tbilisi City Budget will be independent from the state and territorial units' budgets.
3. The independence of the budget will be conditioned on its own incomes and assignment received from the state tax incomes provided for in long-term economical normatives, approved in pursuance with the set rules, as well as the right of the Tbilisi City governing bodies to direct independently the budget incomes within the authority provided for in this law.
4. The superior bodies of the state government will not have the right to interfere by administrative rules in the authority of the Tbilisi City budget.

Article 42. Budget incomes and expenditures

1. The Tbilisi City budget will consist of the income and outgoing parts.
2. The budget incomes will be formed in pursuance with the Georgian legislation and legislative acts of the Tbilisi City governing bodies.
3. The outgoing part of the budget will be divided into current and capital expenditures.
4. The capital expenditures will provide for financing of the investment and innovation activities of the Tbilisi City governing bodies according to the city and Rayons (Tskhneti town).
5. The budget of the current expenditures will provide for financing of the activity of Tbilisi city law and order protecting bodies, as well as the expenditures in regards to implementation of the functions of the capital by Tbilisi City, of the institutions and organizations working in the field of local industry, science, education, health care, social security, environment protection, housing and utility services and financing of other current expenditures.
6. The budget of Tbilisi capital will include the reserve fund, that will be used to cover emergent expenditures. The account on usage of these emergency monies will be included in the Premier's report on implementation of the budget.

Article 43. Budget processes

1. The budget processes will include formation, discussion, approval and implementation of the budget by the bodies of Tbilisi local self-government and government.
2. The Georgian legislation and the legislative acts of Tbilisi capital will regulate the budget processes.
3. Implementation of the budget will be the responsibility of the Tbilisi city government and the Rayon (Tskhneti town) Gamgeobas. The additional incomes, as well as exceed of income on outgoing – which will be received by economy or additional incomes – will stay in the Tbilisi governing bodies and will be left to their own discretion.
4. The functions invested in the Tbilisi government will be devolved to the Rayon Gamgeoba (Tskneti town) together with the respective material and financial resources.

Article 44. The credit rights of the Tbilisi City governing bodies

In pursuance with the rules provided for in the Georgian legislation and upon consent of the Tbilisi City council, the Tbilisi capital governing bodies will have the right to arrange an overdraft, buy or sell credit rights.

Chapter V. General authority of the Tbilisi capital governing bodies over economical issues**Article 45. Tbilisi council's and governing bodies' authority over land and other natural resources**

1. In accordance with the Georgian legislation, the Tbilisi City council's authority will include:
 - a. setting rules for usage, secure and control of the land and other natural resources in the territory of Georgia;
 - b. setting lease tariffs; defining rules of reimbursement;
 - c. approving distribution of the land funds for targeted destination, territorial zones and their borders upon Tbilisi City government's presentation.
2. The authority of the Tbilisi City governing bodies, in accordance with the Georgian legislation will include:
 - a. governing the land sites;
 - b. expropriation of the fines set for violation of land and ecological legislation;
 - c. division of Tbilisi City into territorial zones;
 - d. cleaning and recultivation of the land;
 - e. protection of the rules for usage of the land and natural resources;
 - f. defining losses incurred by expropriation form Tbilisi city turnover of the land and natural resources;
 - g. constitution and production of the Tbilisi land cadastre.
3. Within their Jurisdiction they will have right to:
 - a. establish enterprises, organizations and institutions of treasury or other organizational-legislative forms;
 - b. coordinate reorganization or liquidation of local enterprises, institutions and organizations;
 - c. appoint the heads of the local enterprises, institutions and organizations;
 - d. within the legislation, encourage those enterprises, institutions and organizations, that will facilitate development of the social and productive infrastructure of Tbilisi City, satisfaction of the population's demand and implementation of the capital's functions by Tbilisi;
 - e. enter into treaties on economical cooperation with the legal and real entities;
 - f. within the rules provided for in the legislation, implement foreign and economical relations;
 - g. implement other powers provided for in this law, Georgian legislation and legislative acts of the Tbilisi governing bodies.
4. The duties of the Tbilisi governing bodies will be to:

- a. secure development of social and economical infrastructure, improve living conditions of the population and protect consumer's rights;
- b. create appropriate conditions for social securing of the population;
- c. promote private initiatives and production, create competitive environment;
- d. provide for implementation of economical reforms;
- e. create ground for development of the traditional production.

Article 46. The powers of the Tbilisi council and governing bodies in regards the property relations

1. In pursuance with the working legislation, the following will pertain to the powers of the Tbilisi council:

- a. setting rules for regulating and directing, creating, giving on lease or selling the Tbilisi city local property;
- b. setting rules for usage and protection of the sites of historical and cultural value;
- c. entering into an agreement with the Georgian government for the purpose to demarcate the state and the Tbilisi city local property;
- d. control over implementation of the laws on property;
- e. upon the government's proposal determining the sites of the local property that cannot be sold;
- f. imposing leasing fees for local property upon government's proposal.

2. The following will pertain to the powers of the Tbilisi city governing bodies:

- a. governing the sites of local property; their reconstruction, restoration and building; protection and security of these sites;
- b. giving on lease, procurement and selling of these sites;
- c. creation, procurement and selling of the local property;
- d. drafting agreement with the Georgian government for the purpose to distinguish between the state and the local property;
- e. other powers provided for in this law , the Georgian legislation and the legislative acts of Tbilisi.

Article 47. Budget authorities of the Tbilisi council and the governing bodies

1. The authority of the Tbilisi council will include:

- a. discussion of the budget;
- b. approval of the budget;
- c. review and approval of the premier's and governor's (Gamgebeli) report on budget implementation;
- d. control over implementation of the budget;
- e. adoption and abolishment of the local taxes and duties provided for in the legislation upon the government's presentation.

2. The authority of the Tbilisi governing bodies will include:

- a. drafting the budget;
- b. implementation of the budget;
- c. submitting a report to the council on budget implementation.

3. The Tbilisi council may make amendments to the budget upon the Tbilisi mayor's, premier's or gamgebeli's (governor) presentation. The amendments will be made within the

reserve fund or free budget money in pursuance with the rules provided for in the Tbilisi legislative acts.

Chapter VI. Transitional regulations

Article 48. Normative acts, that must be adopted in regards to the law on capital of Georgia – Tbilisi

The president's decree on status and structure of the Tbilisi municipality will be adopted in regards to the law on the capital of Georgia – Tbilisi.

Article 49. A temporary legislative regulation of the certain relations provided for in the law on the capital of Georgia – Tbilisi

This law will cover and the bodies of local self-governance and governance will be created within the administrative borders of Tbilisi at the moment of enforcement of this law.

Chapter VII. Summarizing regulations

Article 50. Enforcement of the law on the capital of Georgia - Tbilisi

1. The law on the capital of Georgia – Tbilisi will be enforced upon official promulgation of the election results to the Tbilisi representative body.
2. The Tbilisi council elections will happen in pursuance with this law within the rules provided for in the Georgian legislation for the elections to the representative bodies of local self-governance and governance.

Article 51. Invalidation of the normative acts of Georgia upon enforcement of the law on the capital of Georgia – Tbilisi

A temporary regulation on Tbilisi governance will be invalidated upon enforcement of the law on the capital of Georgia - Tbilisi