

LAW OF GEORGIA
ON THE PUBLIC REGISTRY

Chapter I - General Provisions

Article 1 - Scope of the Law

1. This Law determines the organisational and legal basis for maintaining a public registry, and the rights and duties of the Legal Entity under Public Law (LEPL) – the National Agency of Public Registry (“the Agency”), a body operating under the Ministry of Justice of Georgia and responsible for maintaining the public registry.

2. This Law does not apply to legal relations related to the registration of rights on motor vehicles.

Law of Georgia No 5565 of 20 December 2011 – website, 28.12.2011

Article 2 - Definition of terms used in the Law

For the purposes of this Law, the terms used herein have the following meanings:

a) immovable thing - a parcel of land with or without a building on it, or a building (under construction, completed or demolished), or a building unit (under construction, completed or demolished), or a linear construction;

b) movable thing - any property defined as movable under the Civil Code of Georgia, except motor vehicles and aircrafts and floating crafts;

b¹) economic activity – types of economic activity under the National Classification of Georgia approved by the Legal Entity under Public Law (LEPL) – the National Statistics Office of Georgia;

c) registration object - a movable or immovable thing, or intangible property;

d) linear construction - a communication structure, a motor way, a railroad, all types of pipelines, a tunnel, an aerial ropeway, a power transmission line, a communication line, a funicular, a dam, or a canal;

e) category of an agricultural land parcel - a pasture, a hayfield, arable land (with perennial plants, gardens, vegetable gardens) or a homestead;

f) changing the category of an agricultural land parcel - converting an agricultural land parcel from the category of low intensity agricultural land use into the category of high intensity agricultural land use according to the sequence provided for by sub-paragraph (e) of this article;

g) interested person - any natural or legal person, or other organisational establishment or administrative body, whose legitimate interest is affected, directly or indirectly, by the decisions or actions of the Agency;

h) registration - upon the delivery of a registration decision, recording data on the following in respective registries: rights to things and intangible property under this Law, public-law restrictions and tax liens/mortgages, the arising of, changes to and the termination of obligations related to immovable property ownership rights, the abandonment of immovable property ownership rights, changes to the designated purpose and category of agricultural land parcels, the establishment and alteration of the boundaries of forest resources, data on the numbering and addresses of geographical objects, identification data of subjects or objects of rights to things and immovable property, mandatory registration data on entrepreneurs and non-entrepreneurial (non-commercial) legal entities as defined by the Law of Georgia on Entrepreneurs and the Civil Code of Georgia, changes to and termination of such data, and the arising of, changes to and the termination of obligations related to the limitation of titles to the shares of partners of limited liability companies or limited partnerships;

i) registration procedure - the activities of the Agency in processing registration;

j) registration document - a legal act that directly confers the right to request registration under this Law;

k) registration documents - registration and other documents to be submitted for registration to a registration body;

l) coincidence of cadastral data - identity between the cadastral data of an immovable thing (or part of it) and the cadastral data of an immovable thing (or part of it) with registered rights;

m) authorised person - a natural or legal person authorised by the Agency on the basis of an agreement to maintain a public registry and/or to access information, who carries out activities under this Law on his/her/its own responsibility;

n) lawful possessor - an interested person, whose registration document conferring the right to request the registration of an ownership right has been issued, adopted or prepared before the registration of the origination of a seizure or the prohibition of administration of a registration object (however, the registration document must have been issued, adopted or prepared before the entry into force of this Law, or the issuance, adoption and preparation of the document must have been directly provided for by the legislation of Georgia regardless of the seizure or the prohibition of administration of a registration object), as well as a person who is an assignee of the owner of the subject of a public-law restriction under this sub-paragraph;

o) maintaining a public registry - the formation of registries defined by this Law;



- p) fee for services provided by the Agency - a mandatory sum payable to the account of the Agency (in cash or non-cash form) for services provided by the Agency in the amount determined by an ordinance of the Government of Georgia;
- q) extract from the Public Registry - an extract from the Registry of Immovable Property Rights, from the Registry of Movable and Intangible Property Rights, from the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities, or from the Register of Economic Activities;
- r) notice - information or an application about the conferral of a right to a movable thing or intangible property submitted for registration;
- s) access to information - ensuring the freedom of viewing and the issuance of information and documents kept at the Public Registry and a registration body;
- t) numbering - assigning numbers to geographical objects, apartment buildings and other objects within the municipality using Arabic numbers and/or the letters of the Georgian alphabet;
- u) geographical object – autonomous republics, municipalities, administrative units of the municipality, settlements (cities, towns, boroughs, villages) and their geographical objects: zones, micro-regions, blocks, developed territories within the settlement with other integrated or separate geographical objects, streets, avenues, alleys, highways, lanes, blind alleys, exits, beaches, esplanades, playgrounds, squares, boulevards, gardens, parks, city forests, local forests, cemeteries, pantheons, buildings and structures, objects of transportation system, land parcels or other objects;
- v) addressing – combination of works to be performed by the Agency for the purposes of identifying locations of geographical objects and existed addresses ;
- w) address – the means to localise geographical objects, apartments or other objects within the space, a unique textual record denoting the location thereof, which shall be created by the letters of the Georgian alphabet and the Arabian numbers and which shall contain information on the name and/or numeration of the relevant geographical object;
- x) person carrying out cadastral surveys/planning - a physical person who prepares cadastral survey/planning drawings in accordance with the procedures defined by Article 11² of this Law;
- y) person with an authority to perform cadastral surveys/planning – a person carrying out cadastral survey/planning works who is a physical person certified by an entity duly accredited by a Legal Entity under Public Law called the Accreditation Centre of the Unified National Body of Accreditation in accordance with the requirements of the Legislation of Georgia.

Law of Georgia No 1962 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 251

Law of Georgia No 4413 of 11 March 2011 – website, 17.3.2011

Law of Georgia No 5565 of 20 December 2011 – website, 28.12.2011

Law of Georgia No 6324 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Law of Georgia No 5567 of 24 June 2016 – website, 13.7.2016

Article 3 - System of registration bodies and their powers

1. The Agency, as a statutorily established legal entity under public law and a registration body exercising the public-law powers defined under this Law, shall maintain a public registry and ensure access to information.

1¹. The Agency shall be administered by the Chairman. He/she shall be appointed to and dismissed from the post by the Minister of Justice of Georgia. Powers and structure of the Agency shall be defined under this Law, and the Statute of the Agency to be approved by the Minister of Justice of Georgia.

2. The functions of the Agency are to:

- a) perform registration;
- b) ensure access to information;
- c) develop methodological and operational guidelines for its territorial registration offices and authorised persons of the Agency;
- d) render to tax payers different services provided for by the tax legislation of Georgia on the basis of agreements between a tax authority and the Agency;
- e) assign addresses and numbers to geographical objects in the territory of Georgia and record data related thereto;
- f) register cadastre data of an unregistered immovable property in accordance with the terms and conditions defined by an Instruction On Public Registry ('the instruction') approved by the Minister of Justice of Georgia;
- g) exercise other powers determined by the legislation of Georgia.

3. The Agency shall exercise its powers directly or through its territorial registration offices and authorised persons.

3¹. An administrative body may exercise the powers of the Agency under the legislation of Georgia on the basis of an agreement between an



administrative body and the Agency or on the basis of a legal act issued by the Minister of Justice of Georgia.

4. The Agency shall use appropriate software and automated management tools to maintain a public registry and ensure access to information.

5. Registration may be performed on the basis of documents received by means of an electronic document management system for tax liens/mortgages and public-law restrictions imposed by judicial or other administrative bodies and on the basis of memoranda between the Agency and a judicial or a relevant administrative body.

6. A registration body and its employees shall not be responsible for the authenticity of submitted registration documents. They shall be responsible only for the compliance of registered data with registration or other documents kept by them and for their safety.

6¹. The registering body may verify, change, declare void or invalidate false or inconsistent data registered in the Registry of Immovable Property Rights in accordance with the requirements of the legislation of Georgia and shall ensure the engagement of all interested persons in the administrative procedures initiated for this purpose.

6². The registering body may verify the correctness of data of cadastre survey/planning drawing submitted to the registry and the consistency of these data with those registered in the Public Registry.

7. A registration body may certify the copies of legal acts or other documents issued by it and the copies of registration or other documents kept by it if the content of the original document and the copy are identical.

8. A copy of a document certified by a registration body is legally valid and verifies its identity in relation to the original document.

9. The procedure and conditions for the use of automated management tools, as well as the procedure and conditions for the certification of documents, shall be determined by the Instruction.

10. The fee rates for services provided by the Agency, and the time frames for providing services, and the procedure and conditions for the payment of fees, for the exemption from payment and for the refund of fees paid, shall be determined by an ordinance of the Government of Georgia.

Law of Georgia No 3888 of 7 December 2010 – LHG I, No 67, 9.12.2010, Art. 416

Law of Georgia No 4208 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 5565 of 20 December 2011 – website, 28.12.2011

Law of Georgia No 6324 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 5036 of 27 April 2016 – website, 13.5.2016

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Article 4 - Structure of the Public Registry

1. The Public Registry is a set of the Registry of Immovable Property Rights, the Registry of Public-law Restrictions, the Registry of Tax Liens/Mortgages, the Registry of Movable and Intangible Property Rights, the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities, the Address Registry, and the Register of Economic Activities.

2. The Registry of Immovable Property Rights is a set of data on immovable property rights, on obligations related to immovable property ownership rights, and changes to and the termination of such rights or obligations, and on the origination of the abandonment of immovable property ownership rights.

3. The Registry of Public-law Restrictions is a set of data on seizures of things and intangible property and on restrictions and prohibitions of administration of rights to things and intangible property, imposed by judicial or other administrative bodies under the procedure defined by law, as well as data on the origination of, changes to and the termination of prohibitions on registration.

4. The Registry of Tax Liens/Mortgages is a set of data on the conferral, changes to and the termination of rights to tax liens/mortgages on things (except motor vehicles) and intangible property.

5. The Registry of Movable and Intangible Property Rights is a set of data on the registration of rights to movable things and intangible property, on changes to and the termination of registered rights.

6. The Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities is a set of data on compulsory registration data of entrepreneurs and non-entrepreneurial (non-commercial) legal entities as defined under the Law of Georgia on Entrepreneurs and the Civil Code of Georgia, and on changes to and the termination of these compulsory registration data.

7. The Address Registry is a set of data on the addresses of geographical objects existed in the territory of Georgia.

8. The Register of Economic Activities shall be a set of data on the registered economic activities, changes made therein, and on their termination, as well as on the place of an economic activity (address).

Law of Georgia No 6324 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Law of Georgia No 5567 of 24 June 2016 – website, 13.7.2016



Article 5 - Presumption of the accuracy of data registered in the Public Registry

Data registered in the Public Registry are subject to the presumption of accuracy until they are declared invalid or null and void under the procedure defined by the legislation of Georgia.

Article 6 - Access to information

1. Data registered in and kept at the Public Registry shall be public and available for any person for viewing, except where provided for by the legislation of Georgia.
2. The original document kept at a registration body, which was submitted to the Public Registry for registration or other purposes, and regarding which the registration body delivered a decision either to suspend the registration procedure, to dismiss the application or to terminate the registration procedure, may be requested by the applicant or a person duly authorised by him/her, or, in cases defined by the legislation of Georgia, by any other person or an administrative body on the basis of a relevant judicial act.
3. Requesting documents kept at a registration body, as well as an original or a copy of any document prepared by a registration body as a result of registration, shall not suspend the validity of the registered data or preclude the issuance of an extract from the Public Registry or any other document or information on the basis of the above request.
4. The procedure and conditions for viewing information and documents kept at a registration body and for requesting their originals or copies shall be determined by the Instruction.
5. The restrictions under paragraph 2 of this article shall not apply to cases where, in order to organise archives, documents are returned to the applicant or a person, duly authorised by him/her, in the cases determined by an order of the Chairperson of the Agency.

Article 6¹ - Procedure for decision-making on access to information

1. In the case of a request to issue information, a registration body shall determine a period of 30 days for interested persons to submit additional information or documents if:
 - a) the substance of the request is not clear or the requested information may not be identified;
 - b) the application is not supported with the documents or information provided for by this Law and the legislation of Georgia;
 - c) there are other circumstances provided for by the legislation of Georgia.
2. In the case of a request to issue information, the period for reviewing the application shall be deemed suspended where the time frame for submitting additional information or documents is determined for an interested person. A relevant decision of a court or other authorised person/body shall also be considered as grounds for suspending the period of review of an application. The period shall be resumed only if the requested document or information has been submitted and/or the grounds for suspending the period of review of an application no longer apply.
3. An application shall be dismissed if an applicant fails to submit the requested information or documents within the term of the suspension of the period of review of an application under paragraph 1 of this article.
4. The grounds for refusal to issue information are determined by this Law, by the Instruction and under the procedure defined by the legislation of Georgia.
5. (Deleted – 20.12.2011, No 5565).
6. A registration body shall make a respective decision where it refuses to issue information, or determines the time frame for the submission of additional information or documents, or resumes the period of review of applications or dismisses applications for the issuance of information.
7. The decision of a registration body on the refusal to issue information, or on the determination of a time frame for the submission of additional information or documents, or on the resumption of the period of review of an application, or on the dismissal of an application for the issuance of information, may be appealed under the procedure defined by the legislation of Georgia.

Law of Georgia No 1962 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 251

Law of Georgia No 5565 of 20 December 2011 – website, 28.12.2011

Article 7 - General principles for maintaining and accessing a public registry

1. The Agency may keep and issue an electronic copy of any document prepared by or kept at the Agency.
2. Electronic copies of documents under paragraph 1 of this article and their printed forms have the same legal force as these documents.
3. The Agency may receive, publish or issue any information and/or document using unified automated management tools. In the above case, an application and attached information may be submitted to, and a document may be issued by, any territorial registration office or authorised person.



4. Data may be entered in a document published or issued by the Agency using mechanical and/or electronic means.

Article 8 - Registration procedure and its initialisation

1. A registration procedure shall be initiated on the basis of a registration application or a decision made by an authorised body.

2. Documents and information defined in the Instruction shall be attached to the application.

2¹. (Deleted – 20.2.011, No 4208).

3. In specific cases, a registration body may request the submission of additional documents or information related to the registration procedure that are necessary to make a decision on the issue raised in the application.

Law of Georgia No 2800 of 23 March 2010 – LHG I, No 14, 30.3.2010, Art. 86

Law of Georgia No 3966 of 10 December 2010 – LHG I, No 74, 24.12.2010, Art. 447

Law of Georgia No 4208 of 22 February 2011 – website, 10.3.2011

Article 9 - General principles of registration

1. Registration shall be performed directly on the basis of registration or other documents or their duly prepared electronic copies.

2. A registration body shall confirm the receipt of registration applications by registering their electronic or paper versions in a registration book and by assigning registration numbers to them. The payment of a registration fee shall be considered a precondition for the registration of an application submitted using automated management tools.

3. A registration body shall prepare extracts from the Public Registry as a result of registration. In addition, it shall produce cadastral maps in the case of the registration of ownership rights to immovable things with unregistered ownership rights in the Registry of Immovable Property Rights and in the case of the registration of changes to cadastral data. This procedure shall not apply to the registration of public-law restrictions and tax liens/mortgages and to the registration of ownership rights to movable things and intangible property.

Law of Georgia No 2980 of 27 April 2010 – LHG I, No 24, 10.5.2010, Art. 146

Article 10 - Extracts from the Public Registry

1. An extract from the Registry of Immovable Property Rights is prepared on the basis of the unified data bank of the Registry of Immovable Property Rights, the Registry of Public-law Restrictions and the Registry of Tax Liens/Mortgages and contains data on immovable things, which are registered in Registries and are valid at the moment of the preparation of an extract.

2. An extract from the Registry of Movable and Intangible Property Rights is prepared on the basis of the unified data bank of the Registry of Movable Property Rights, the Registry of Public-law Restrictions and the Registry of Tax Liens/Mortgages and contains data on movable things and intangible property, which are registered in Registries and are valid at the moment of the preparation of an extract.

2¹. An extract from the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities is prepared on the basis of the unified data bank of the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities, the Registry of Public-law Restrictions and the Registry of Tax Liens/Mortgages, the Registry of Movable and Intangible Property Rights and the Registry of Debtors, and contains valid data on the subject registered in these registries. In the case of limited liability companies and limited partnerships, an extract shall also contain information on obligations related to the limitation of titles to the shares of partners.

2²) An extract from the Register of Economic Activities shall be prepared on the basis of the Register of Economic Activities and the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities, and shall include the valid data of an entity registered with these Registries.

2³) An extract from the Register of Economic Activities shall be prepared in Georgian language, and if requested by an interested person – in English language as well. When the extract is prepared in English language, it shall also be prepared in Georgian language.

3. An extract from the Public Registry shall be issued to any person and prepared together with a decision on the registration, and in the case of the availability of registered data, upon payment of a respective fee.

4. When making a transaction or performing other legal actions with regard to an immovable thing, except for establishing an inheritance right, the right of an interested person to an immovable thing shall be established only by an extract from the Public Registry.

5. The content and the form of an extract from the Public Registry shall be defined by the Instruction.

Law of Georgia No 1962 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 251

Law of Georgia No 6324 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016



Chapter II - Registry of Immovable Property Rights

Article 11 - Rights and obligations subject to registration in the Registry of Immovable Property Rights

1. The following shall be registered in the Registry of Immovable Property Rights:

- a) property;
- b) rights of superficies and mortgage of superficies;
- c) rights of usufruct;
- d) easements;
- e) mortgages;
- f) rents and sub-rents;
- g) leases and subleases;
- h) loans;
- i) finance leases;
- j) rights related to ownership and use provided for by public law;
- k) obligations related to immovable property ownership rights.

2. In addition to data on registered rights, the identification data of subjects and objects of such rights, including cadastral data of immovable things, shall also be entered in the Registry of Immovable Property Rights.

3. The rights provided for by paragraph 1(b-k) of this article may be registered only if the immovable property ownership right is registered in the Registry of Immovable Property Rights.

4. Registered data on the rights provided for by paragraph 1(b-j) of this article shall be transferred intact to a new owner, except as provided for by the legislation of Georgia.

4¹. A limited immovable property right shall be registered together with a respective limitation and/or obligation.

4². For immovable things or parts thereof with unregistered ownership rights on which information regarding the cadastral data has been registered with the registering body, during the registration of ownership rights of immovable things appropriate cadastral data on relevant immovable things shall be registered in accordance with the documentation submitted by the interested person and as defined in the Instruction.

5. For the conferral of the rights provided for by paragraph 1(a-e) of this article and, in the case of transactions made for more than year with the participation of legal entities under private law (including transactions with a total validity of more than one year), the conferral of the rights provided for by paragraph 1(f-i) and (k), such rights shall be registered in the Public Registry.

6. The procedure for the registration of mortgage certificates shall be determined by the Instruction.

Law of Georgia No 2980 of 27 April 2010 – LHG I, No 24, 10.5.2010, Art. 146

Law of Georgia No 3888 of 7 December 2010 – LHG I, No 67, 9.12.2010, Art. 416

Law of Georgia No 4208 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Article 11¹ – Responsibility for the identification of immovable things and for the correctness of cadastre survey/planning drawings

1. An owner/lower possessor of an immovable thing shall be responsible for the identification of the location and boundaries of the immovable thing in order to prepare a cadastre survey/planning drawing.

2. A person performing cadastre survey/planning shall be responsible for the completion of cadastre survey/planning and for the correctness of data of the cadastre survey/planning drawing.

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016



Article 11² – Obligations of persons performing cadastre survey/planning

Person performing cadastre survey/planning shall be obliged to prepare a cadastre survey/ planning drawing to be submitted to the Public Registry for the registration of rights/obligations in accordance with the procedures for performing cadastre survey/planning of the land parcel and with the procedures for preparing documentation as provided for by an Ordinance of the Government of Georgia; the Ordinance also defines the procedures for the suspension and cancellation of the validity of certificates of persons authorised to perform cadastre survey/planning for having performed cadastre survey/planning in breach of the requirements provided for by the legislation of Georgia.

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Article 12 - Pre-registration of immovable property rights

1. To ensure the registration of an immovable property right, such a right may be pre-registered in the Registry of Immovable Property Rights under the procedure defined by this Law on the basis of the agreement signed between the parties.
2. The pre-registration of an immovable property right excludes the registration of any other right to this property, or the registration of the abandonment of the property right unless otherwise agreed by the parties.
3. The pre-registration of an immovable property right does not exclude the registration of a legal successor as an owner of such immovable property.
4. The pre-registration of an immovable property right shall be annulled:
 - a) upon the registration of the right that has been secured by pre-registration;
 - b) upon the expiry of a term if such term has been determined;
 - c) on the basis of a written agreement between the parties; and
 - d) upon the registration of an immovable property right of other person as provided for by the legislation of Georgia, except for the registration of a legal successor as an owner of such property, and except for those cases, when such immovable property appears without a lawful possessor after the cancellation of the property right.

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Article 13 - Priority of registrations of rights and registered rights

1. If the registration of several rights is requested with respect to one registration object and these rights are mutually exclusive by their content, only the right(s) submitted for registration earlier than other right(s) shall be registered.
2. If the registration of several rights having the same content is requested with respect to one registration object and these rights are not mutually exclusive, the priority of registration of these rights shall be determined according to the date of their submission for registration.
3. If the registration of several rights having different content is requested with respect to one registration object and these rights are not mutually exclusive, the priority of registration of these rights shall be determined according to their content.
4. The priority of registered rights shall be determined according to the time when an application for the registration of the right was submitted (registered), unless otherwise provided for by law.

Article 14 - Registration of abandonment of immovable property ownership rights

1. The abandonment of immovable property ownership rights shall also be registered in the Registry of Immovable Property Rights.
2. The abandonment of an immovable property ownership right may be registered only if no rights, other than the ownership right, are registered in relation to the immovable thing in the Registry of Immovable Property Rights at the moment when the abandonment of the immovable property ownership right was requested.
3. An immovable property ownership right shall be deemed abandoned from the moment of registration of the abandonment of the immovable property ownership right in the Registry of Immovable Property Rights.
4. The ownership right shall pass to the State after the immovable property ownership right has been abandoned.

Article 15 - Registration and change of the designated purpose of land parcels and of the category of agricultural land parcels

1. A land parcel shall be registered as either an agricultural or a non-agricultural land parcel. An agricultural land parcel shall be registered as an agricultural land parcel of a respective category according to the document confirming the right. If the document confirming the right does not specify, and its content is not sufficient to establish, the designated purpose of a land parcel and/or the category of an agricultural land parcel, the registration shall be performed on the basis of additional information submitted about the designated purpose of the land parcel and/or the category of the agricultural land parcel or on the basis of the application of an interested person.



2. The following shall be registered in the Registry of Immovable Property Rights:

- a) the change of agricultural land parcels to non-agricultural land parcels;
- b) the change of the category of agricultural land parcels.

3. The procedure and conditions for the registration of the change of the designated purpose of land parcels and the category of agricultural land parcels, as well as the periods for the registration of the change of the designated purpose of land parcels shall be defined by the Instruction.

Law of Georgia No 4947 of 24 June 2011 – website, 13.7.2011

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Article 15¹ - Registration of the establishment and alteration of the boundaries of forest resources

1. The Agency shall register the establishment of the boundaries of state forest resources on the basis of a relevant act of the Government of Georgia, whereas the alteration of the boundaries of forest resources shall be registered in accordance with the procedures under paragraphs 3 and 4 of this article.

2. The boundaries of state forest resources are altered through the adjustment of boundaries.

3. The adjustments of boundaries of state-owned forest resources shall be registered on the basis of an application by the manager of the property under the Law on Georgia on State Property.

4. The boundaries may be adjusted on the basis of an application by the owner or the lawful possessor of a land parcel if the registration document conferring the right to request the registration was issued, adopted or prepared not later than 1 January 2012.

Law of Georgia No 4947 of 24 June 2011 – website, 13.7.2011

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Article 15² - (Deleted)

Law of Georgia No 6324 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Chapter III - Registry of Movable and Intangible Property Rights

Article 16 - Rights subject to registration in the Registry of Movable and Intangible Property Rights

1. The following shall be registered in the Registry of Movable and Intangible Property Rights:

- a) a lien (except for a financial lien, the registration of which is regulated in accordance with the Law of Georgia on Payment Systems and Payment Services);
- b) a finance lease;
- c) a bank guarantee.

2. For the conferral of the right to a lien under paragraph 1(a) of this article, the right to a lien shall be registered in the Public Registry.

3. The right to a lien on the shares of partners of limited liability companies and limited partnerships shall be registered in the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities.

Law of Georgia No 3888 of 7 December 2010 – LHG I, No 67, 9.12.2010, Art. 416

Law of Georgia No 6309 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 6324 of 25 May 2012 – website, 12.6.2012

Article 17 - Grounds for registration

1. The conferral of, changes to and the termination of movable and intangible property rights shall be registered on the basis of an applicant's notice (information and/or a document) or other information and/or document defined in the Instruction.



2. A registration body shall make a relevant decision upon the registration of an application for the registration of a movable or intangible property right.

3. The procedure for the submission of relevant data as a ground for registration shall be defined by the Instruction.

4. A registration body shall not be responsible for the authority of a person to request the registration of, changes to and/or termination of a movable or intangible property right, and/or for the authenticity of the notice and data submitted by him/her.

Article 18 - Obligation to notify about a request for the registration of the right in the Registry of Movable and Intangible Property Rights

A creditor or a debtor, who submits an application requesting the registration of a right, or changes to and the termination of a registered right on the basis of a notice, shall notify the other party of the registration within one week after the registration is performed.

Chapter IV - Registry of Public-law Restrictions and Registry of Tax Liens/Mortgages

Article 19 - Registry of Public-law Restrictions

1. The Registry of Public-law Restrictions is a set of data on seizures of things and intangible property and on restrictions and prohibitions of administration of rights to things and intangible property imposed by judicial or other administrative bodies under the procedure defined by law, as well as data on the origination of, changes to and the termination of prohibitions on registration.

2. The registration of public-law restrictions on things and intangible property excludes the registration of any other right/obligation to or of the abandonment of the ownership right to these things and intangible property, unless otherwise provided for by the respective registration document.

3. The restriction (depending on its content) under paragraph 2 of this article shall not apply where:

a) the person interested in the registration is a legal successor of the owner of the thing/intangible property or of the person with registered right/obligation to such thing/intangible property;

b) the registration document is an Act issued by a court (arbitrage) that has entered into force;

c) the registration document has been issued, obtained or compiled before the registration of the restriction or prohibition of the right to seize and dispose of the property and before the entry into force of the Law of Georgia of 3 November 2009 No1962-IIs on Making Amendments and Additions to the Law of Georgia on Public Registry;

d) the registration of changes to identification data of subjects and objects of rights;

e) a thing appears without a lawful possessor after the cancellation of the property right. In such case, along with the cancellation of the property right registration, the registered seizure and the restriction and cancellation of a disposal shall be declared invalid;

f) a thing and/or intangible property has been disposed of by the enforcement agency in accordance with the enforcement procedures provided for by the legislation of Georgia. In such case the registered seizure and the restriction and cancellation of a disposal shall be declared invalid;

g) cancellation of the registered right (except for the ownership right)/obligation is requested, which is not related to the public-law restriction registered thereto, and unless such cancellation does not contradict the public-law restriction content registered with regard to such thing.

3¹. The procedures provided for in the third paragraph of this article shall not apply where the prohibition of the registration of cancellation of the right/obligation is not directly indicated in the legislative act on the public-law restriction and/or where such right/obligation is an object of public-law restriction.

4. A public-law restriction may not be registered if, at the time of the submission of a request for the registration of a public-law restriction on a thing or intangible property, this thing or intangible property is owned by a third person, and/or the registration document conferring the right to request the registration of an ownership right has been issued, adopted or prepared before the registration of origination of a seizure or administration prohibition on the registration object. In addition, the registration document must have been issued, adopted or prepared before the entry into force of this Law.

5. Where the registration of a public-law restriction is requested and, the registration has also been requested that contradicts the content of the public-law restriction, first a decision shall be made on the registration of the public-law restriction, and then a decision shall be made on the other right submitted for registration.

6. Where the registration of changes (except for changing the owner) to rights/obligations with regard to a thing and an intangible property or to the registered data is requested and such changes contradict the content of the public-law restriction registered for such thing, and the person initiating the public-law restriction has submitted a written consent to the registering body with regard to such registration, the public-law restriction shall not be the basis to refuse from the registration.

7. The procedures provided for by the sixth paragraph of this article shall not apply where the prohibition of the registration is not directly indicated in the legislative act on the public-law restriction.

Law of Georgia No 1962 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 251

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016



Article 20 - Registry of Tax Liens/Mortgages

1. Rights to tax liens/mortgages shall be registered in relation to things (except motor vehicles) and intangible property.
2. A right to a tax lien/mortgage may not be registered if, at the time of the registration of a request for the registration of a right to a tax lien/mortgage on an immovable thing, this thing or intangible property is owned by a third person.
3. If a transaction submitted for the registration has been made with regard to a thing which is free of legal defects, and if on the basis of the transaction, and before the registration of the property right such thing has been charged with a tax lien/mortgage, the property right of a new owner may not be registered except where there is a preliminary written consent of the new owner with regard to the transfer of the charged thing to his/her ownership.
4. If the property has been disposed of by the enforcement agency, on the basis of the request of the tax authority, the tax lien/mortgage registered for such thing and intangible property that has been used to secure the fulfilment of the requirement of the tax authority, shall be cancelled.

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Chapter IV¹ - Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities

Law of Georgia No 6324 of 25 May 2012 – website, 12.6.2012

Article 20¹ - Principles of maintaining the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities

1. Data on the origination, changes to and the termination of subjects under the Law of Georgia on Entrepreneurs and the Civil Code of Georgia and on the arising of, changes to and the termination of obligations related to the limitation of titles to the shares of partners of limited liability companies and limited partnerships shall be registered in the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities.
2. The grounds for the registration of subjects in the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities and the procedure for maintaining the registry shall be determined by the Law of Georgia on Entrepreneurs and the Civil Code of Georgia. Additional conditions for registration shall be determined by the Instruction on the Registration of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities that is approved by the Minister of Justice of Georgia.
3. A subject shall be considered created, registered data changed and registration terminated upon the entry into force of a decision on the registration of any of the above in the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities.
4. As a result of registration, a registration body shall prepare an extract. This procedure shall not apply to the registration of public-law restrictions and tax liens/mortgages, or to the registration of movable and intangible property rights, except for the registration of, changes to and the termination of liens on the shares of partners of limited liability companies and limited partnerships.
5. An extract from the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Entities shall be prepared in the Georgian language; upon the request of an interested person, the extract may also be prepared in the English language. If an extract is prepared in the English language, it shall also be prepared in the Georgian language.
6. (Deleted – 24.6.2016, No 5567).
- 6¹. (Deleted – 24.6.2016, No 5567).
7. (Deleted – 24.6.2016, No 5567).
8. (Deleted – 24.6.2016, No 5567).

Law of Georgia No 6324 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 2286 of 17 April 2014 - website, 2.5.2014

Law of Georgia No 3420 of 1 April 2015 - website, 22.4.2015

Law of Georgia No 5567 of 24 June 2016 – website, 13.7.2016

Chapter IV² – Registry of Addresses

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Article 20² – Principles for keeping the Registry of Addresses

1. The basis for the creation of the Registry of Addresses are documents/information on naming and numbering geographical objects submitted by interested persons, or stored in the registering body, and/or prepared by agencies or public authorities, and bodies of the Autonomous republics and/or



local self-government (municipalities).

2. The registering body is entitled to grant, at its own initiative, numbers to geographic objects, apartments or other objects in the territory of Georgia.
3. The basis for making a decision with regard to numbering of geographical objects, apartments or other objects in the Registry of Addresses is documentation certifying the immovable property ownership right and/or the right to use such property that is stored in the Agency and/or submitted by the interested person.
4. The geographical object that has not been named in accordance with the procedures provided for by the legislation of Georgia may not be numbered.
5. In the cases where an address is incompletely or incorrectly recorded in the document certifying the ownership/use of the respective immovable property, the Agency shall verify the address and make an appropriate decision thereon.
6. The procedures and additional conditions for keeping the Registry of Addresses shall be defined by the Instruction.

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Chapter IV² – Register of Economic Activities

Law of Georgia No 5567 of 24 June 2016 – website, 13.7.2016

Article 20³ – Principles for keeping the Register of Economic Activities

1. Data on the economic activities of entities, changes made therein, and on their termination, as well as on the place of an economic activity (address) shall be registered with the Register of Economic Activities.
2. Registration of an economic activity shall be voluntary, except as provided for by the legislation of Georgia.
3. If, in the case provided for by the legislation of Georgia, registration of an economic activity with the Register of Economic Activities is mandatory, an entity shall be granted the right to conduct the economic activity after the decision on registration is made by the registration body.
4. If the basis for registration of an economic activity subject to mandatory registration is the decision made by an administrative body, the registration body shall, with the use of automated control means, forward to the authorised administrative body information on the application and documents submitted. The way of, and the procedure for exchanging information between these administrative bodies shall be determined under an administrative agreement.
5. The decision made by the administrative body under paragraph 4 of this article shall be a basis for registration of an economic activity by the registration body, for making a change in it, or for its termination. Exceeding by the authorised administrative body of the time limit set for making the decision shall be considered a positive decision, and shall be a basis for granting the application by the registration body.
6. The economic activity shall be considered registered, the registered data shall be considered changed, and the registration shall be considered terminated from the moment a respective decision made by the registration body becomes effective.
7. The registration of an economic activity shall be valid from the moment of registration. Expiration of this period shall invalidate the decision on registration unless the interested person applies for prolongation of the period of registration.

Law of Georgia No 5567 of 24 June 2016 – website, 13.7.2016

Chapter V - Making and Appealing Decisions on Registration

Article 21 - Suspending a registration procedure

1. A registration body shall make a decision on the suspension of a registration procedure if:
 - a) an application is not supported with documents or information provided for by the legislation of Georgia, which are necessary for making a decision on the issue raised in the application;
 - a¹) the fee for services provided by the Agency is not paid;
 - b) an application and/or supporting documents or information are not submitted in the form and under the procedure defined by the legislation of Georgia;
 - c) an application and/or supporting documents or information do not provide means to identify the following: a right to a thing and intangible property, an obligation related to an immovable property ownership right, changes to and the termination of such right or obligation, a public-law restriction, an object or a subject of a tax lien/mortgage, and/or an owner or a lawful possessor of an object;
 - d) there is a coincidence of the cadastral data of an immovable thing submitted for registration and of an immovable thing registered in the Public Registry, which is provided for by the Instruction, or if the area of an immovable thing in the cadastral data exceeds the area of an immovable thing



indicated in the document confirming the right to the thing, except as provided for by the Instruction;

e) the registration body has officially become aware of the appeal of a registration document or other document or any part of it and such appeal results in the suspension of the validity of the registration document or other document or any part of it;

f) there is a final act of a court (arbitration tribunal) that provides for the suspension of the registration procedure

g) there are circumstances as defined in Article 25 of this Law;

h) the registration of a right to a land parcel, or of an obligation related to an ownership right to a land parcel, or of changes to or termination of such right or obligation, has been requested, but the cadastral data on the land parcel are not available in the registration body or the cadastral data kept at the registration body do not comply with the requirements provided for by the Instruction;

h¹) documents submitted for registration have been sent to a relevant law enforcement body for the examination of their lawfulness;

h²) an application on the registration of the public-law restriction is not supported by a legislative act certifying the origination of such public-law restriction, irrespective of the presentation of the document certifying the application and submission to a court a request to use the right of the public-law restriction, in addition to an application on requesting a claim and on requesting to secure such claim and/or a document certifying the litigation in a Court of Appeals with regard to the use of the right of public-law restriction;

i) there are other grounds provided for by the legislation of Georgia.

2. A registration procedure may be suspended for 30 calendar days, except as provided for by this article.

2¹. In the cases provided for under sub-paragraph a¹ of the first paragraph of this article the registration procedure may be suspended for three working days.

2². In the cases provided for under sub-paragraph h¹ of the first paragraph of this article the registration procedure may be suspended for 60 calendar days.

2³. In the cases provided for under sub-paragraph h² of the first paragraph of this article the registration procedure may be suspended for three working days, and where there is a litigation in the Court of Appeals with regard to the use the right of public-law restriction, the registration procedure may be suspended for the period before a decision of the Court of Appeals is taken.

3. In the cases provided for by paragraph 1(e), (f), (g) of this article, a registration procedure shall be suspended for the period indicated in a final act of the relevant body.

3¹. If the legal grounds for the suspension of a registration procedure under paragraphs 2, 2¹, 2², 2³ and 3 of this article exist simultaneously, the registration procedure shall be suspended until these grounds no longer apply but for not less than the periods determined by paragraphs 2-2³ of this article.

3². The periods under this article for the suspension of the registration procedure shall start from the date of officially notifying the interested person on the decision to suspend the registration procedure, and where such decision is officially published on the relevant website of the Agency, the periods under this article for the suspension of the registration procedure shall start from the date of the publication of such decision. The periods under this article for the suspension of the registration procedure may not be prolonged.

4. A registration body shall make a decision on the resumption of a registration procedure if information or a document confirming that the grounds for the suspension of the registration procedure no longer apply is submitted within the period of suspension of the registration procedure.

4¹. In the cases provided for by sub-paragraph h¹ of the first paragraph of this article, a decision (on the fulfilment of the requirement) to register the right/obligation shall be made on the basis of the registration documents submitted after the expiry of the period of suspension of the registration procedure, unless there are other circumstances under the legislation of Georgia restricting the registration of such rights/obligations.

5. If a registration procedure is resumed, the counting of the time frame for the registration procedure shall start anew.

Law of Georgia No 1348 of 26 June 2009 – LHG I, No 13, 2.7.2009, Art. 69

Law of Georgia No 4947 of 24 June 2011 – website, 13.7.2011

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Article 22 - Termination of a registration procedure

A registration body shall make a decision on the termination of a registration procedure if:

a) an applicant or a person authorised by the applicant requests the termination of the registration procedure in the course thereof;

b) information or a document confirming that the grounds for suspension of the registration procedure no longer apply has not been submitted within the period of suspension of the registration procedure;

c) in the course of the registration procedure, a registration body has officially become aware of the fact that a right submitted for registration, or an obligation related to an immovable property ownership right, or a public-law restriction or a tax lien/mortgage, or their subjects or objects, no longer exist, or the registration document and/or other document has been declared invalid or null and void;



d) there is a final act of a court (arbitration tribunal) that provides for the termination of the registration procedure;

e) there are other grounds provided for by the legislation of Georgia.

Law of Georgia No 1348 of 26 June 2009 – LHG I, No 13, 2.7.2009, Art. 69

Article 23 - Refusal of registration

In the course of a registration procedure, a registration body shall make a decision on the refusal of registration if:

a) the origination, changes to and the termination of a right or of an obligation related to an immovable property ownership right, or the origination, changes to and the termination of a right to a tax lien/mortgage or of a public-law restriction, or the origination of the abandonment of an immovable property ownership right, is not subject to registration;

b) a right, or an obligation related to an immovable property ownership right, or changes to and the termination of such right or obligation, or a public-law restriction or a tax lien/mortgage, which have been already registered, exclude the registration of a right, a public-law restriction or a tax lien/mortgage, which have been submitted for registration, to the same immovable thing;

c) the registration document has been issued, adopted or prepared by an unauthorised person;

d) the fact of the annulment of the registration document has become known under the established procedures;

e) there is a final act of a court (arbitration tribunal) that provides for the refusal of registration;

f) by the time registration is requested, the ownership right has been transferred to a new owner;

f¹) the request for registration is identical to already registered data;

f²) an application on the registration of the public-law restriction is not supported by a legislative act certifying the origination of such public-law restriction, irrespective of the presentation of the document certifying the application and submission to a court a request to use the right of the public-law restriction, in addition to an application on requesting a claim and on requesting to secure such claim and/or a document certifying the litigation in a Court of Appeals with regard to the use of the right of public-law restriction;

f³) The request for the initiation of the public-law restriction is identical to those within the scopes of which the registration process is in progress in the Agency.

g) there are other grounds provided for by the legislation of Georgia.

Law of Georgia No 1348 of 26 June 2009 – LHG I, No 13, 2.7.2009, Art. 69

Law of Georgia No 4947 of 24 June 2011 – website, 13.7.2011

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016

Article 24 - Additional issues related to a registration procedure

1. Restrictions provided for by the legislation of Georgia shall not apply to the re-submission of an application on the same issue in the case under Article 22(a) of this Law.

2. Restrictions provided for by Article 92 of the General Administrative Code of Georgia shall not apply to a registration procedure performed by an authorised person.

3. If during the registration procedure inconsistencies between the names and/or surnames indicated in the identity document of the interested person and in the registration documentation are detected, particularly due to incorrect alphabetical letters written by a mechanical mistake, or a misspelling when rewriting in the Georgian language or due to other reasons, as well as the diminutive forms of the names, extra letters or the lack of letters in the names and/or surnames, but despite this other identification data (personal number, patronymic, date of birth, address, etc) coincide, the registration shall be carried in accordance with the record made in the identity document of the interested person.

4. If during the registration procedure inconsistencies as provided for by the third paragraph of this article between the names and/or surnames indicated in the identity document of the interested person and in the registration documentation are detected and the identity of the person cannot be established, and where the person's names and/or surnames are otherwise inconsistent and/or where such inconsistencies cannot be otherwise corrected, the basis for the registration of the right in accordance with the record made in the identity document of the person shall be a decision establishing the fact that the registration document belongs to that person, which is taken by a commission established on the basis of an Order of the Minister of Justice of Georgia that is authorised to establish the fact that a registration document belongs to a person.

5. The Rules of Procedure of the commission authorised to establish the fact that a registration document belongs to a person, shall be defined by the Instruction.

Law of Georgia No 1962 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 251

Law of Georgia No 5154 of 3 June 2016 – website, 17.6.2016



Article 25 - Suspension of the validity of registered data

1. The validity of registered data shall be suspended upon the suspension of a decision on registration if:

- a) the registration document has been appealed and this appeal results in the suspension of the validity of the registration document;
- b) a legal act of an authorised body suspending the validity of the registered data has been submitted;
- c) there is a final court judgment confirming that the registration document has been issued, adopted or prepared as a result of a criminal act of a person.

2. During the period of suspension of the validity of registered data, no extract on a thing or intangible property may be prepared, and no right (except to a tax lien/mortgage), or obligation related to an immovable property ownership right, or changes to and the termination of such right or obligation, may be registered.

Article 26 - Annulment of registration

1. Registration shall be declared invalid if:

- a) a registration document confirming the transfer and/or termination of a right has been submitted;
- b) a document confirming the right, which is the ground for registration, has been declared invalid or null and void;
- c) the decision on registration has been declared invalid;
- d) the validity period of the right has expired;
- e) there are other grounds provided for by the legislation of Georgia.

2. Declaring a registration invalid shall not result in the restoration of the registration which was deemed valid prior to being declared invalid.

3. Registration shall be declared null and void if:

- a) the decision on registration has been declared null and void;
- b) a final act of a court has been submitted, which confirms that the registration has been declared null and void;
- c) there are other grounds provided for by the legislation of Georgia.

4. The consequences of declaring a registration null and void shall be determined under the procedure defined in the legislation of Georgia.

5. The annulment of a registration may be appealed together with the grounds for annulment.

Article 27 - Decisions of a registration body

1. A registration body shall issue decisions on registration.

2. A decision of a registration body shall be issued in written form and shall contain the following data:

- a) the type of decision;
- b) the title;
- c) the name and address of the registration body;
- d) the date of issue and a registration number;
- e) justification and legal grounds;
- f) the name and address of a body where the decision may be appealed and the time frame for appealing the decision;
- g) the name, surname and signature of the authorised person;
- h) an official seal.

3. A right to things and intangible property defined in this law, or an obligation related to an intangible property ownership right, or a right to a tax lien/mortgage and a public-law restriction, shall be deemed originated, changed or terminated and an ownership right abandoned upon the issuance of a decision on registration, except as provided for by this Law.

4. Data may be entered in a decision using mechanical and/or electronic means.

5. A decision may be published by means of automated management tools. A decision published by means of automated management tools need not



meet the requirements of paragraph 2(e), (g) and (h) of this article.

6. A decision shall enter into force upon its publication under the procedure defined by the legislation of Georgia.

7. A decision shall also be deemed published if it is published on the official website of a registration body.

8. If a decision is issued by means of automated management tools, the counting of time frames related to the decision shall start upon its publication.

9. The procedure, form and other legal grounds for the issuance of a decision shall be determined by the Instruction.

Article 28 - Correction of technical errors in registered data

A registration body shall, upon discovery, correct its technical errors, caused by an inaccurate transfer of data from documents or by technical or calculation mistakes. Orthographic, arithmetic and other technical inaccuracies shall also be deemed as technical errors.

Article 29 - Procedure for appealing decisions of a registration body

1. Any interested person may appeal a decision of a registration body after being officially presented with the decision, and if the decision has been published, within 30 calendar days after its publication.

2. Decisions of a registration body on the refusal of registration, on the suspension or termination of registration procedures, except for the decision on registration of movable and intangible property rights, and the decision on registration of an economic activity, the basis for making of which is the decision made by the authorised administrative body, shall be appealed under the procedure defined by the legislation of Georgia.

3. Decisions of a registration body on the registration of rights, as well as on the refusal of registration and on the suspension or termination of registration procedures related to movable and intangible property rights, shall be appealed in court. Decisions of a registration body on registration shall be appealed in court.

3¹) The decision made by the Agency under Article 20³(4) of this Law shall be appealed in court along with the decision made by the authorised administrative body.

4. Appealing a decision on registration of a registration body shall not suspend the validity of registered data and shall not preclude the issuance of an extract or other legal act on the basis of such data, unless otherwise provided for by the authorised body.

5. Appealing a decision of a registration body on the suspension of a registration procedure, or on the termination of a registration procedure or on the refusal of registration, shall not suspend the validity of the appealed decision.

Law of Georgia No 5567 of 24 June 2016 – website, 13.7.2016

Chapter VI - (Deleted)

Law of Georgia No 5565 of 20 December 2011 – website, 28.12.2011

Article 30 - (Deleted)

Law of Georgia No 4947 of 24 June 2011 – website, 13.7.2011

Law of Georgia No 5565 of 20 December 2011 – website, 28.12.2011

Article 31 - (Deleted)

Law of Georgia No 1343 of 26 June 2009 – LHG I, No 16, 7.7.2009, Art. 79

Law of Georgia No 1962 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 251

Law of Georgia No 2980 of 27 April 2010 – LHG I, No 24, 10.5.2010, Art. 146

Law of Georgia No 3888 of 7 December 2010 – LHG I, No 67, 9.12.2010, Art. 416

Law of Georgia No 4208 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 4413 of 11 March 2011 – website, 17.3.2011

Law of Georgia No 4468 of 22 March 2011 – website, 29.3.2011

Law of Georgia No 4947 of 24 June 2011 – website, 13.7.2011



Article 32 - (Deleted)

Law of Georgia No 1962 of 3 November 2009 LHG I, No 35, 19.11.2009, Art. 251

Law of Georgia No 3888 of 7 December 2010 – LHG I, No 67, 9.12.2010, Art. 416

Law of Georgia No 4413 of 11 March 2011 – website, 17.3.2011

Law of Georgia No 4947 of 24 June 2011 – website, 13.7.2011

Law of Georgia No 5565 of 20 December 2011 – website, 28.12.2011

Article 32¹ - (Deleted)

Law of Georgia No 1962 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 251

Law of Georgia No 5565 of 20 December 2011 – website, 28.12.2011

Article 33 - (Deleted)

Law of Georgia No 1962 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 251

Law of Georgia No 2980 of 27 April 2010 – LHG I, No 24, 10.5.2010, Art. 146

Law of Georgia No 3888 of 7 December 2010 – LHG I, No 67, 9.12.2010, Art. 416

Law of Georgia No 3966 of 10 December 2010 – LHG I, No 74, 24.12.2010, Art. 447

Law of Georgia No 4208 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 4413 of 11 March 2011 – website, 17.3.2011

Law of Georgia No 4947 of 24 June 2011 – website, 13.7.2011

Law of Georgia No 5008 of 1 July 2011 – website, 15.7.2011

Law of Georgia No 5565 of 20 December 2011 – website, 28.12.2011

Article 34 - (Deleted)

Law of Georgia No 1962 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 251

Law of Georgia No 2980 of 27 April 2010 – LHG I, No 24, 10.5.2010, Art. 146

Law of Georgia No 5565 of 20 December 2011 – website, 28.12.2011

Chapter VII - Transitional and Final Provisions

Article 35 - Transitional provisions

1. The Minister of Justice shall approve the Instruction on the Public Registry. Before the approval of the Instruction, the norms of the instruction approved by Order No 800 of 13 December 2006 of the Minister of Justice of Georgia on the Approval of the Instruction on the Registration of Immovable Property Rights, which do not contravene the provisions under this Law and the legislation of Georgia, shall be applicable.

2. Transactions, which were made before the entry into force of the Civil Code of Georgia and which were not registered in the relevant registration body within the time frames determined by the legislation in force in that period, shall serve as a basis for the registration of an immovable property right.

3. A right to an object of individual ownership shall be registered in accordance with the total area of the object, i.e. its residential and non-residential areas.

4. The following shall be declared invalid:



a) seizures and other measures precluding registration or the administration of things and intangible property recorded before the entry into force of the Civil Code of Georgia;

b) seizures and other measures precluding registration or the administration of a thing or intangible property, the documentary proof of which is not kept at a registration body or which has been recorded on the basis of an act of an unauthorised person or body;

c) a public-law restriction registered before the entry into force of this Law, provided it was recorded after the thing or intangible property had been transferred into the ownership of a third person, and/or a registration document conferring the right to request the registration of an ownership right, which has been issued, adopted or prepared before the seizure or the prohibition of administration of the registration object has been registered.

5. Tax liens/mortgages on things and intangible property, the documentary proof of which is not kept at a registration body or which have been registered on the basis of an act of an unauthorised person or body, shall be declared invalid. Tax liens/mortgages shall also be declared invalid if they were registered after a thing or intangible property had been transferred into the ownership of a third person.

6. A registration body shall apply to the body that has imposed a seizure or a tax lien/mortgage on a thing or intangible property to identify the owner or user (possessor) of an object of seizure or tax lien/mortgage if a seizure or tax lien/mortgage is registered to a thing or intangible property, but documents (information) identifying the owner or user (possessor) of the object of seizure or tax lien/mortgage as defined by the legislation of Georgia have not been submitted to the registration body. A body that imposed a seizure or a tax lien/mortgage shall, within one month after the application, submit to the registration body the documents (information) determined by the legislation of Georgia for the identification of an owner or user (possessor) of an object of seizure or tax lien/mortgage. If the above documents (information) are not submitted within one month, this shall serve as a basis for the registration body to declare the registration of the seizure or tax lien/mortgage invalid.

Law of Georgia No 1962 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 251

Article 36 - Final provisions

1. The following shall be considered repealed upon the entry into force of this Law:

a) the Law of Georgia on the Registration of Immovable Property Rights;

b) the Law of Georgia on Fees Established for Services Provided by the National Agency of Public Registry

2. This Law shall enter into force on the 15th day from its promulgation.

President of Georgia

M. Saakashvili

Tbilisi

19 December 2008

No 820–IIS

