

Statute of the Ministry of Regional Development and Infrastructure of Georgia

Article 1. General Provisions

1. The Ministry of Regional Development and Infrastructure of Georgia (hereinafter referred to as the Ministry) is a governmental institution established according to the article 81(2) of the Constitution of Georgia and law of Georgia "The Structure, Powers and Order of Activity of the Government of Georgia" vested with the power to set and fulfill the objectives defined under this statute. .
2. In its work the Ministry obeys the Constitution of Georgia, laws of Georgia, other relevant legal acts and the present Statute.
3. The Ministry is accountable to the Government of Georgia and fulfils the objectives provided by law or assigned by the Government or Prime Minister in accordance with law.
4. . The Ministry has a statute, a completed balance and an account with the Treasury, cost estimate and a seal bearing the national emblem..
5. The Ministry is financed from the state budget. It shall be accountable in manner provided by the laws of Georgia for due spending of budget funds.
6. The Ministry is based on the principle of autocracy. The competence of the Government is established by law or/and by the decree of the President of Georgia or resolution of the Government issued in accordance with law. The Ministry has no right to transfer rights and obligations within its competence to governmental or non-governmental institutions unless otherwise provided by the laws of Georgia
7. The Ministry is Located at 7, Ingorokva St. , Tbilisi

Article 2. Scope of Activities of the Ministry

1. The scope of the activities of the Ministry covers regional development policy, state regulation of transport sphere, implementation of unified state policy in the issues of the development, planning and scientific technical progress of auto transportation road networks of international and internal importance and provision of state monitoring over the architectural-construction works.
2. The basic tasks of the Ministry are:
 - a) Elaboration of main directions, concepts and state programs, draft laws, presidential and governmental normative acts and other legal acts within the sphere of its competence, coordination and monitoring over their implementation.
 - b) Development of proposals over the issues of decentralization, de-concentration, division and distribution of power among the central, regional and local self government bodies.
 - c) Development of projects aiming at the support to the entrepreneurship activities, stimulation of investments, regulation of employment issues, creation of new job places and improvement of social infrastructure; coordination of the elaboration and implementation of the regional socio-economic development plans and programmes.; analysis and prognosis of the level of socio-economic (including level of living and employment)development of self governing entities; securing and coordination of water supply improvement, development and support of water supply system installation activities. (29.04.2005 #85)
 - d) Coordination of the regional programs and projects financed by local or international sources and evaluation of their effectiveness within its sphere of competence.
 - e) Analysis of annual budget expenditures and revenues of self governing units, preparation of proposals on the development of inter-budgetary relations.
 - f) Preparation of proposals in cooperation with interested organizations on the decentralization of budget system, relations with the state budget, allocation of transfer and its due spending, and also, about the methodology of calculating equalization transfers.
 - g) Participation in the liquidation of the results of ecological or other kinds of calamities within its competence.
 - h) Preparation of proposals to the government of Georgia on creation, abolishment and/or changes of administrative borders of self governing units.

- i) Coordination and monitoring of the activities of Governor under its competence
- j) Coordination qualification raising programs of Governor's Office and local self government servants.
- k) Participation in the elaboration of military-mobilization plans; support to the implementation of the activities serving the increase of the defence capacities , mobilization and civil defence
- l) Coordination of the drafting, military training and recruiting activities done by the military offices of the local self government bodies.
- m) State regulation of transport sphere.
- n) Implementation and control of the uniform policy in the sphere of automobile transportation.
- o) Implementation of uniform state policy in the issues of the development, planning and scientific technical progress of auto transportation road networks of international and internal importance
- p) Provision of state monitoring over the architectural-construction works under its competence
- q) Support to and coordination of international, including trans-boundary cooperation of Georgian regions and self government units under its competence
- r) Cooperation with foreign countries and international organizations within the scope of their competence; participation in the preparation of draft international agreements, cooperation with international financial organizations and there regional structures for attraction of international support and realization of the projects important for the state.
- s) Provision of issuance of licenses and permissions in cases defined under the legislation.
- t) Fulfilment of other authorities defined under law

Article 3. System of the Ministry

The system of the Ministry consists of the structural units of the ministry, State sub-divisions, legal entities of public law under state control.

Article 4. Structural units of the ministry

Structural units of the ministry are: (10.02.2009 #18)

- a) Office of the Minister (Department)
- b) Administrative Department
- c) General Inspection (Department)
- d) Department of legal support and reforms
- e) Department of Regional Development
- f) Department of Public relations
- g) Mobilization and military drafting coordination office
- h) Office of International Relations

2. Additional departments/offices may be created by the administrative acts of the Minister.

Article 5. Subdivisions of the Ministry

Subdivisions of the Ministry are:

- a) Automobile Roads Department of Georgia
- b) Transport Administration
- c) Main architectural-constructions Inspection

Article 6. Legal entities of public law under state control

Legal entities of public law under state control are:

- A) Centre for Effective Governance and Territorial Arrangement Reform
- B) Eurasia Transport Corridor Investment Centre

C) Agency for the regional development of water supply

Article 7. Rights and Duties of the Head of the Ministry

1. The Ministry is headed by the Minister who on the principle of autocracy, manages and coordinates the structural bodies and subdivisions of the Ministry within his competence in accordance with the Constitution of Georgia, Law of Georgian on “the Structure, Powers and Order of Activity of the Government of Georgia” , other legal and normative acts, bylaws and this statute.
2. The minister is appointed by the Prime Minister with the Consent from the President of Georgia. The minister discharges its authority before the president of Georgia. The work of the minister is coordinated and controlled by the Prime Minister who has the authority to dismiss the minister.
3. The Minister:
 - a) Supervises the Ministry, conducts its activity and makes decisions on the matters within the competence of the Ministry
 - b) Submits a proposal to the Prime Minister regarding the income and expenditure of the annual budget of the Ministry and, if necessary, regarding a draft additional budget, makes decisions on target-oriented use of budget funds and is responsible for accurate and expedient execution of the budget.
 - c) Pursuant to the state budget, approves the cost estimate of the state sub-departmental institutions within the sphere of its governance, exercises control over its execution and, if necessary, gives instructions regarding the use of budget funds
 - d) Is responsible for the fulfilment of the Constitution of Georgia, laws of Georgia, decrees and edicts of the President of Georgia and resolutions and orders of the Government;
 - e) Approves the staffing list, defines the labour compensation and titles of positions for the key and additional staff of the ministry and its subdivisions in compliance with the rules defined by the legislation.
 - f) In manner provided by the laws of Georgia and within the scope of its competence, appoints to and removes from office the public servants under the staff schedule of the Ministry, heads the legal entities of Public Law under state control, as provided by law; Submits proposals of appointing/dismissing the heads of Ministry subdivisions to the Prime Minister
 - g) Forms the structure and order of paperwork of the state sub-departmental institutions within the sphere of its governance except where they are established by the legal acts superior to an order of the Minister
 - h) Observes the progress in the fulfillment of their duties by the structural units or the Ministry and the state sub-departmental institutions, public laws of legal entity and territorial bodies within the sphere of governance of the Ministry and in manner provided by this law provides official oversight on the decisions and activity of the public servants of the Ministry
 - i) Under the competence define by the law of Georgia on “Legal Entity of Public Law” and in compliance with the established rule, the minister guarantees the supervision over the legality, reasonability and effectiveness of the socio-economic activities of the legal entities of public law under state control; requests data and information needed for the implementation of supervision activities, abolishes or halts their unreasonable decisions, approves annual balance and invites independent audit for checking the annual balance.
 - j) Submits the draft statute of the ministry to the government for approval
 - k) Approves the statutes of the Ministry Structural units and subdivisions, as well as the rules of internship at the ministry; Fulfils other tasks assigned to him by law (24.03.2009 #62)
 - l) Presents the list of automobile roads of state importance to the president of Georgia for his approval within the timeframes defined under the law of Georgia on “Automobile Roads)
 - m) Through the joint order of the Minister of defence of Georgia, approves the flight request forms signed by the authorised official, the rules of filling in the form that represents the basic explanatory document stating the reason, objective and the route of the flight.
 - n) As provided by law and under the established rules, approves normative acts regulating the rehabilitation, maintenance and exploitation of roads, scientific research works in this field.

- o) Participates in the government meetings
 - p) Submits a performance report of the Ministry to the Prime Minister.
 - q) Is responsible for the fulfilment of normative Acts of Georgia within the scope of his/her competence.
 - r) Takes part in the Government Meetings;
 - s) Ensures checking of the reports submitted to the government by the governors and presents the appropriate recommendations to the government of Georgia. Provided there is a well-grounded reason, proposes abolishment of the normative act(s) of the governor.
 - t) Submits a proposal of creation/abolishment and/or changing administrative borders of a self government unit to the government of Georgia for presenting to the Parliament of Georgia
 - u) Coordinates drafting, military training and recruiting activities done by the military offices of the local self government bodies and governors' Offices, ensures the preparation of corresponding legal acts and monitors their implementation within the scope of his/her competence.
 - v) Abolishes the legal acts issued by the his/her first deputy, deputies, the officials of the ministry and the heads of the structural units in case they do not comply with the constitution of Georgia, other laws, decrees of the president of Georgia, orders and regulations of the government of Georgia, as well as with the orders of the minister and abolishes the acts issued by the above mentioned officials on the bases of their irrelevance.
 - w) Ensures Implementation and control of the uniform policy in the sphere of automobile transportation
 - x) Does methodical management and controls the state supervision over the architectural-construction activities.
 - y) Is authorised to charge the first deputy with the responsibility to supervise the activities of the Ministry officials.
 - z) Charges one of the deputies to act as a parliamentary secretary.
 - aa) Issues orders on the bases and for the fulfilment of the legal acts of the president or government
 - bb) Fulfills other tasks assigned to him by law, decrees and edicts of the President and resolutions and orders of the Government.
4. The minister has 3 deputies (including the first deputy) Nominated by the Minister, the first deputy minister and deputy ministers are appointed to and removed from office by the Prime Minister in agreement with the President of Georgia. The rights and responsibilities of the deputy ministers are defined by the order of the minister.
 5. The first deputy minister supervises the activity of the Ministry and coordinates the activity of the structural units and subdivisions within the sphere of governance of the Ministry when the Minister is absent
 6. Within the sphere of his governance the Minister may set up commissions and boards with a deliberative vote and determine their duties and order of activity.

Article 8. Staff of the Ministry

1. Officials of the Ministry are:
 - a) Minister, First deputy minister, deputy ministers
 - b) Heads of the structural units of the ministry and similar persons of the same rank?????
2. The heads of the structural units are directly supervised by the minister, first deputy minister or deputy minister.
3. The head of the structural unit may a deputy/deputies.
4. The head of the structural unit:
 - a) Distributes responsibilities among the staff of the structural unit, gives them assignments and directions.
 - b) Monitors the fulfilment of responsibilities by the staff of the structural unit.
 - c) Signs or approves the documents prepared within the structural unit.
 - d) Is accountable for the work of the structural unit

- e) Represents the structural unit when fulfilling the responsibilities of the structural unit and under the name of the structural unit presents conclusions to the minister or deputy minister who is responsible for the supervision of the structural unit under the order of the minister.
- f) Presents proposals on the structure, staff, organization of work, raising of qualification , motivation or disciplinary responsibility of the staff of the structural unit
- g) Mediates over the allocation of finances needed for meeting the objectives of the structural unit.
- h) Fulfils other duties defined under the statute of the structural unit as well as the duties assigned by the minister and/or coordinator deputy minister.

Article 9. Objectives and competences of the structural units

- a) Minister's Office-Provision of organizational and administrative support to the minister; participation in the coordination of the activities of the structural units, subdivisions and other bodies; arrangement of the board or other meetings fixed by the minister, preparation of the minutes of the meetings; fulfilment of other duties assigned by the minister (18.02.2009 #25)
- b) Administrative Department- financial accounting, planning the budget of the ministry; elaboration of uniform budget for the whole ministry and coordination over its fulfilment. Procurements within the scales of the budget assignments allocated by the state budget in compliance with the law of Georgia on "State Procurements"; Implementation of control activities over the financial-economical activities of the institutions within the Ministry system upon the assigned by the minister' provision of the working conditions for at the location of the ministry; Management and administration of the computer system network within the structural unit of the ministry; ; provision of accessibility of the public information existing in the ministry; maintenance and processing of the business correspondence and documentation according to the uniform clerical rules; Control over the fulfilment of the assignments allotted and legal acts issued bt the President of Georgia, Parliament of Georgia as well as by the minister within the scope of their competence; Organizing job competitions for the vacant positions within the ministry; management of personal files of the public servants, organizing certification and reflection of the certification results into the personal files of the servants; coordination and organizational support to the internship program in the ministry; implementation of activities serving to raising qualifications of the public servants of the ministry; Coordination qualification raising programs of Governor's Office and local self government servants. (24.03.2009)
- c) General Inspection-The Working control of discipline and protection of the law and order by the public servants of the ministry; Revealing of the facts of the irresponsibility and delays, their avoidance and preventive maintenance, studying these cases and drawing up the conclusions and submitting them to the Minister
- d) Department of legal support and reforms- organizing lawmaking action plan of the ministry and coordinating the implementation of the work plan; preparation of draft legislative and normative acts on the issues within the scope of the management of the ministry and provision of their submission to the Parliament of Georgia, President of Georgia or government of Georgia according to relevance; drawing up conclusions on the draft legal acts received from other institutions or prepared within the system of the ministry; representation of the ministry in courts at all levels; provision of legal support to the administrative-legal acts of the minister and to the structural units of the ministry; provision of legal support to draft responds to the complaints received by the ministry and to the draft international agreements to be concluded under the name of the ministry; studying the report of the governors in cooperation with the relevant structural units and presenting recommendations to the management of the ministry; proposing abolishment of the normative act(s) of the governor, provided there is a well-grounded reason; working out proposals for the lay down of powers among the central and local government bodies, for the municipal development, administrative territorial arrangement and regional management system reforming; studying and analysis of the existing situation in the spheres of institutional, human, information provision capacities and drawing up appropriate conclusions and proposals; preparing proposals for the strategy and basic directions of the decentralization and de-concentration processes, for the optimization of managements system and for the activities needed to be carried out; monitoring of the legal entity of public law-" Centre for Effective Governance and Territorial Arrangement Reform"; submitting proposals to the minister on the realization of the state control over the activities of the legal entity of public law-" Centre for Effective Governance and Territorial Arrangement Reform" (10.02.2009#18)
- e) Department of Regional Development- working out the strategy of the social economic development of the regions taking into account the peculiarities of the depressed, mountainous regions; Drawing up recommendations for the decrease of the existing disproportion in the levels of socio-economic development among the regions; developing proposals on the support to the entrepreneurship activities, stimulation of investments, regulation of employment issues, creation of new job places and improvement of social infrastructure; monitoring of the development of projects and programs within the scope of their competence; analysis of the efficiency of the development of socio-economic programs and preparation of proposals for the appropriate decision making; participation in the preparation of

informative-analytical materials about the decentralization of budget system, relations with the state budget, allocation of transfers and their due spending; preparation of proposals over the creation/abolishment or the changes in the administrative borders of the local self government units; preparation of recommendations over defining the methodology of calculating equalization transfers; participation in the preparation of the draft legislative and normative acts regulating the budgetary process in territorial aspects. (10.02.2009 #18)

- f) Public relations Department-coordination of the preparation of public statements and speeches of the minister; liaison with mass media; delivery of official messages, statements and other information about the events in the ministry to mass media.(10.02.2009#18)
- g) Mobilization and military drafting coordination office-Coordination of drafting, military training and recruiting activities done by the military offices of the local self government bodies and governors' Offices; support to the development of mobilization activities; participation in the development of military-mobilization action plans; Bringing the plan to the level of the governors' offices and local self government units and setting timetables for its implementation; participation in the preparation of corresponding legal acts and monitoring their implementation within the scope of its competence (10.02.2009 N 18)
- h) Removed (10.02.2009 N 18)
- i) Office of International Relations-cooperation with international organizations and the relevant bodies of foreign countries about the issued under the government of the ministry and coordination of the cooperation with the above mentioned institutions; preparation and arrangement of the visits of delegations, provision of protocol support, participation of international forums of the ministry and organizing corresponding events in Georgia (18.02.2009 #25)

Article 10. Conclusive Provision

1. The liquidation of the ministry is realized in way specified by the corresponding effective legislation of Georgia.