



Constitutional Court of Georgia partially granted two applications of GYLA

Constitutional Court of Georgia delivered the judgement on September 30, 2016, regarding GYLA constitutional application. The Court found unconstitutional the order of the Minister of Defense regarding unfounded transfer of the Army and Military personnel to the Human Resources Department that could be followed with dismissal of the certain employee. The Constitutional Court considered first and second paragraphs of Article 29 of the Constitution (the right to hold any state position).

Constitutional Court of Georgia also granted the application of GYLA and abolished the fee for fishing regulation that was ruled by Order of the Head of National Environmental Agency of the Ministry of Environment and Natural Resources

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Protection of Georgia. Abolished norm provided for calculating regulation fee out of the predetermined quota by the Ministry and not from the amount of actually obtained fish by the company that could have been less than predetermined quota. Based on this principle the charge of the company was calculated that was also appealed with the mentioned application. The court abolished regulation fee but maintained the charges for the company. The Constitutional Court considered that the fee established by the Head of National Environmental Agency of the Ministry of Environment and Natural Resources Protection of Georgia violated first and second paragraphs of the Article 21 (right to property) and second paragraph of the Article 30 (right to free entrepreneurial activity and competition).