

#ილაპარაკე



GYLA submits a legislative proposal to the Parliament of Georgia with the aim of increasing safeguards for the

protection of women's property rights

The Georgian Young Lawyers Association (GYLA) has submitted a legislative proposal, which aims to increase the legal safeguards for the protection of property rights of spouses, to the Parliament of Georgia. The proposal provides for making it possible for a married person to register co-ownership on real estate purchased during the marriage without the consent of the other spouse. The proposal particularly contributes to the protection of the property rights of married women, because, considering the practice existing in Georgia, co-owned property is mainly registered in the name of men and, in most cases, women have to achieve recognition of their right to co-owned property through legal proceedings.

The legislative proposal defines a special procedure of registration of co-ownership of real estate purchased during the marriage. According to the proposed amendment to the Law of Georgia on Public Registry, during the marriage, a spouse has the right to demand registration as a co-owner of property purchased during the marriage. In order to exercise this right, a spouse must only submit a marriage certificate or an equivalent certificate issued by the Public Service Development Agency to the Public Service Hall. In addition, registration of co-ownership on real estate purchased during the marriage does not require the consent of the other spouse. Besides, the proposed amendment allows the registration of co-ownership only during marriage, because, in the case of divorce, the decision on the division of co-owned property must be made by a court.

The proposed amendment is going to ensure proper regulation of the right to co-ownership on property purchased by spouses during the marriage, decrease the risks of unilateral disposal of co-owned property, and save spouses from the burden of proving their right to co-owned property in court.

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



The legislative proposal is based on the GYLA 2016 study on the international practice titled [REDACTED] of Spouses in Various Legal Systems of the World and on the basis of which we revealed deficiencies in the Georgian legislation and prepared relevant recommendations.

GYLA hopes that the Parliament of Georgia will take into account the views contained in the legislative proposal and ensure the creation of additional safeguards for the protection of women's property rights.