

Constitution of the Princf Andorra



Title IV

The General Council

Article 50

The General Council, which expresses the mixed and apportioned representation of the national population and of the seven Parishes, represents the Andorran people, exercises legislative powers, approves the budget of the State and prompts and controls the political action of the Government.

Chapter 1. Organization of the General Council

Article 51

- 1.** The Councillors are elected by universal, free, equal and direct suffrage for a four-year term. Their mandate shall cease four years after their election or on the day that the General Council is dissolved.
- 2.** Elections shall be held between the thirtieth and fortieth days following the dissolution of the General Council.
- 3.** All Andorran nationals fully enjoying their political rights are entitled to vote and to be eligible for election.
- 4.** A Qualified Law shall regulate the electoral system and shall provide for the causes for ineligibility or incompatibility of Councillors.

Article 52

The General Council consists of a minimum of twenty-eight and a maximum of forty-two General Councillors, half of whom shall be elected in an equal number by each of the seven Parishes and the other half elected on the basis of a national single constituency.

Article 53

- 1.** The members of the General Council have equal power of representation, are equal in terms of rights and duties and are not subject to any form of imperative mandate. Their vote is personal and may not be delegated.
- 2.** Councillors may not be called to account for votes cast or any utterances made in the exercise of their functions.
- 3.** Throughout their term Councillors may not be arrested or detained, except in the cases of flagrant delicto. But in that case, their detention and prosecution shall be decided by a plenary session of the Criminal Law Court (9) and the trial shall be conducted by the High Court.

Article 54

The General Council draws up and modifies its own Rules of Procedure, with a majority vote of the Chamber, it fixes its budget and regulates the statute of the staff in its service.

Article 55

- 1.** The Office of the Speaker (10) is the ruling organ of the General Council.
- 2.** The General Council assembles in its inaugural session fifteen

days after the proclamation of the electoral results. The Syndic General, the Subsyndic General and, should this be the case, the other members who may statutorily be part of the Office of the Speaker, shall be elected in that same session.

3. The Syndic General and the Subsyndic General may not exercise their office for more than two consecutive full terms.

Article 56

1. The General Council meets in traditional ordinary and extraordinary sessions, convened in the form prescribed in the Rules of Procedure. There shall be two ordinary periods of session throughout the year, as prescribed in the Rules of Procedure. The sessions of the General Council are public, unless otherwise decided by the absolute majority of its members.

2. The General Council functions as a Plenum or in committees. The Rules of Procedure shall provide for the formation of legislative committees such that they represent the composition of the Chamber.

3. The General Council appoints a Permanent Commission to safeguard the powers of the Chamber while it is dissolved or in the period of recess. The Permanent Commission, under the presidency of the Syndic General, shall be formed in a way that will represent the apportioned composition of the Chamber.

4. The Councillors may form parliamentary groups. The Rules of Procedure shall provide for the rights and duties of the Councillors and of the parliamentary groups, as well as for the statute of those Councillors not attached to any group.

Article 57

1. Resolutions of the General Council shall only take effect when it meets with the minimum attendance of half of the Councillors.
2. Resolutions take effect when approved by the simple majority of the Councillors present, notwithstanding the special majorities prescribed in the Constitution.
3. The approval of the qualified laws prescribed by the Constitution requires the final favourable vote of the absolute majority of the members of the General Council, except for the Qualified Laws of elections and referendums, as well as for those concerning communal competence, and of transference to the Local Councils, (11) the approval of which requires the final favourable vote of the absolute majority of Councillors elected in the parish constituencies and the absolute majority of Councillors elected in the national constituency.

Chapter II. Legislative procedure

Article 58

1. Legislative initiative corresponds to the General Council and to the Government.
2. Three Local Councils jointly or a tenth part of the electoral roll may present Private Members' Bills to the General Council.
3. Government Bills and Private Members' Bills shall be examined by the Plenum of the Chamber and by the committees in the form prescribed by the Rules of Procedure.

Article 59

The General Council may delegate the exercise of the legislative function to the Government, by means of a law. This function may not be further delegated. The law of delegation determines the matter delegated, the principles and directives under which the corresponding legislative decree of the Government shall be issued, as well as the term of its exercise. The authorization will provide for the parliamentary forms of control of the delegated legislation.

Article 60

- 1.** In cases of extreme urgency and need, the Government may present the General Council with an articulated text for approval as a law, in a vote on the whole text, within a period of forty-eight hours.
- 2.** The matters reserved to a Qualified Law may not be subject to legislative delegation or to the procedure provided for in part 1 of this article.

Article 61

- 1.** The initiative in the Bill of the General Budget corresponds exclusively to the Government, which must submit it for parliamentary approval at least two months prior to the expiry of the previous budget.
- 2.** The Bill of the General Budget shall be given priority over other matters and it will be debated in accordance with a specific procedure, as prescribed in the Rules of Procedure.
- 3.** If the Bill of the General Budget has not been approved by the first day of the corresponding fiscal year, the Budget of the previ-

ous year shall automatically be extended until a new one is approved.

4. The Bill of the General Budget may not create taxes.

5. The Finance Committee of the General Council shall make an annual revision of the execution of the Budget.

Article 62

1. Councillors and the parliamentary groups have the right to amend Government and Private Members' Bills.

2. The Government may request the General Council not to debate those amendments which imply an increase in expenditure or a decrease in revenue in relation to the amounts provided for in the Law of the General Budget. The General Council, by an absolute majority vote of the Chamber, may challenge such a request by means of a reasoned motion.

Article 63

Once a bill has been approved by the General Council, the Syndic General shall present it to the Coprinces so that they may sanction it, enact it and order its publication in the Official Gazette of the Principality of Andorra