

# Constitution of the Oriental Republic of Uruguay

## SECTION VI

Sessions of the General Assembly.

Provisions Common to Both Chambers.

The Permanent Commission.

### Chapter I

#### Article 104.

The General Assembly shall begin its sessions on the first of March of each year, meeting until the fifteenth of December, or only until the fifteenth of September, in the event that there are elections, and the new Assembly must in that event begin its sessions on the fifteenth of the following February.

The General Assembly shall meet on the dates indicated, without the necessity of special convocation by the Executive Power, and until the Vice President assumes office. Its sessions and those of the Chamber of Senators shall be presided over by the person who received the most votes in the list of Senators of the party receiving the votes.

Only for grave and urgent reasons may the General Assembly or either of its Chambers, or the Executive Power, convoke extraordinary sessions to terminate a recess, and then exclusively for the purpose of dealing with the questions which have given rise to the convocation or with a proposed law declared to be of urgent consideration and that is under study although it was not included in the call. Likewise, a recess is automatically suspended for the Chamber which has before it or which receives for consideration, during the recess, a proposal declared to be of urgent consideration.

A simple convocation to extraordinary sessions does not suffice to terminate the recess of the General Assembly or of either of its Chambers. For the recess to be interrupted sessions must actually be held, and the interruption shall last as long as the sessions are being held.

### Chapter II

#### Article 105.

Each Chamber shall be governed internally by such regulations as it may issue, and when they meet jointly in General Assembly, by such rule as the General Assembly may make.

#### Article 106.

Each Chamber shall appoint its president and vice presidents, with the exception of the president of the Chamber of Senators, whose appointment is governed by the provisions of Article 94.

Article 107.

Each Chamber shall appoint its secretaries and personnel, in conformity with regulations which must be established in accordance with the guaranties provided in Article 58 to 66, wherever appropriate.

Article 108.

Within the first twelve months of each legislative term, each Chamber shall approve its budget by a vote of three-fifths of its full membership, and shall notify the Executive Power in order that it may be included in the National Budget. These budgets shall be structured by programs and, in addition, shall be given broad public dissemination. Within the first five months of each legislative term, any changes deemed indispensable may be adopted by the same quorum. If the budget has not been approved before these periods have expired, the previous budget shall continue in force.

Article 109.

Neither Chamber may open its sessions unless more than half of its members are present, and if such is not the case on the day designated by the Constitution, the minority may meet for the purpose of compelling absent members to attend under penalties which they may prescribe.

#### Article 110.

The Chambers shall communicate in writing between themselves and with the other public powers through their respective presidents and with the authorization of a secretary.

#### Article 111.

The granting of special pensions shall be decided by secret vote and require approval by an absolute majority of the full membership of each Chamber.

The regulations of each Chamber may provide for a secret vote in cases of pardons and appointments.

### Chapter III

#### Article 112.

Senators and Representatives shall never be held liable for the votes they cast or opinions expressed during the discharge of their duties.

#### Article 113.

No Senator or Representative, from the day of his election until that of his termination, may be arrested except in case of flagrante delicto and then notice shall immediately be given to the respective Chamber, with a summary report of the case.

#### Article 114.

No Senator or Representative, from the day of his election until that of his termination, may be indicted on a criminal charge, or even for common offenses which are not specified in Article 93, except before his own Chamber, which, by two-thirds of the votes of its full membership, shall decide whether or not there are grounds for prosecution and if so, shall declare him suspended from office, and he shall be placed at the disposition of a competent Tribunal.

#### Article 115.

Each Chamber may reprimand any of its members for disorderly conduct in the discharge of his duties, and may even suspend him by a two-thirds vote of its full membership.

By the same number of votes it may remove a member for physical or mental incapacity which developed after he took office, or for conduct rendering him unworthy of his office after he was declared elected.

A simple majority of those present shall be sufficient to accept voluntary resignations.

#### Article 116.

Vacancies which may occur for any reason during each legislative term, shall be filled by the alternates designated at the time of the elections, in the manner to be provided by law, and without a new election.

The law may also authorize the substitution of alternates in cases of temporary disability or absence of the principals.

#### Article 117.

Senators and Representatives shall be compensated for their services by a monthly salary which they shall receive during their term of office, without prejudice to pertinent deductions, pursuant to the regulations of the Chamber concerned, in case of unjustifiable absence from the Chamber to which they belong or from committees on which they are members.

Such deductions shall in each case be made in proportion to the salary.

The salary shall be fixed by a two-thirds vote of the full membership of the General Assembly, meeting in joint session, during the last period of each legislative term, for the members of the succeeding term. This compensation shall be paid with absolute independence from the Executive Power and other than this, Legislators may not receive economic benefits of any kind deriving from the office they hold.

#### Chapter IV.

#### Article 118.

Any Legislator may ask a Minister of state, the Supreme Court of Justice, the Electoral Court, the Contentious-Administrative Tribunal, and the Tribunal of Accounts, for such data and information as he may consider necessary for the discharge of his duties. The request shall be made in writing and through the intermediary of the President of the respective Chamber, who will transmit it immediately to the appropriate agency. If the latter does not supply the information within the period to be fixed by law, the Legislator may request it through the Chamber to which he belongs, which will make a final decision in the case.

Matters pertaining to the jurisdictional business and competence of the Judicial Power and of the Contentious-Administrative Tribunal may not be de object of such a request.

#### Article 119.

Each Chamber has the right, by a resolution of one-third of its full membership, to require the presence on its floor of the Ministers of state in order to question them and receive from them information which it considers appropriate, whether for legislative purposes or for purposes of inspection or investigation, without prejudice to the provisions of Section VIII.

When such information refers to Autonomous Entities or Decentralized Services, the Ministers may require the simultaneous attendance of a Representative of the corresponding Council or Board of Directors.

Article 120.

Each Chamber may appoint parliamentary committees for making investigations or for obtaining data for legislative purposes.

Article 121.

In the cases contemplated in the three preceding articles, either Chamber may make statements, without prejudice to the provisions of Section VIII.

Chapter V

Article 122.

Senators and Representatives, after they have taken their seats in their respective Chambers, may not hold salaried positions under the State, the Departmental Governments, the Autonomous Entities, the Decentralized Services, or any other public agency, or perform remunerative services of any kind for them, without the consent of the Chamber to which they belong, and in all such cases their seats shall be considered vacated by the act of accepting such a position or rendering such service.

Whenever a Senator is called to serve temporarily as President of the Republic and whenever Senators and Representatives are called to serve as Ministers or Under Secretaries of State, their legislative functions are suspended, and during such suspension their corresponding alternates shall replace them.

Article 123.

The legislative function is likewise incompatible with the holding of any other elective public office, regardless of its nature.

Article 124.

Senators and Representatives, during their term of office, are likewise prohibited from:

- 1) Participating as Directors, administrators, or employees of enterprises under contract for works or services with the State, the Departmental Governments, Autonomous Entities, Decentralized Services or any other public agency;

- 2) Carrying or directing matters in behalf of third parties before the Central Administration, Departmental Governments, Autonomous Entities or the Decentralized Services.

Nonobservance of the provisions of this article will entail immediate loss of the legislative office.

#### Article 125.

The prohibition provided in the first paragraph of Article 122 shall apply to Senators and Representatives until one year after the end of their term of office, except by the express authorization of the respective Chamber.

#### Article 126.

The law, by an absolute majority of votes of the full membership of each Chamber may enact regulations on the prohibitions set forth in the preceding two articles or may establish others or extend them to include persons in other agencies.

### Chapter VI

#### Article 127.

There shall be a Permanent Commission composed of four Senators and seven Representatives elected by the proportional system and designated by their respective Chambers. The President shall be a Senator of the majority. The designation is to be made annually within fifteen days after the organization of the General Assembly or after the beginning of each period of regular sessions of the Legislature.

#### Article 128.

At the same time that this election is held, an alternate is to be elected for each of the eleven members, who shall replace the member in case of his illness, death, or other impediment.

#### Article 129.

The Permanent Commission shall be the guardian of the observance of the Constitution of the laws, and shall make the necessary representations to the Executive Power in this respect, under responsibility to the existing or following General Assembly, as the case may be.

#### Article 130.

In the event the aforementioned representations, if made for the second time, do not produce any effect, the Commission may, according to the importance and gravity of the matter in question, convoke the General Assembly on its own responsibility. In the event that the President of the Republic has made use of the power granted him by Article 148, Paragraph 7, the Permanent Commission shall report to the General Assembly when the new Chambers are organized, or when the previous ones renew their functions.

#### Article 131.

It shall exercise its functions while the General Assembly is in recess and until its regular sessions are resumed.

Matters within the competence of the Permanent Commission that are under study by the General Assembly or by the Chamber of Senators on the date set for beginning a recess shall ipso facto be referred to the Commission.

Nevertheless, if the recess is interrupted, and during special sessions that have been decreed, the General Assembly or the Chamber of Senators may, when it so decides, assume jurisdiction in matters within its competence which are under consideration by the Permanent Commission, upon notice to the latter body.

When the special sessions are ended, matters left undecided over which the General Assembly or Chamber of Senators had assumed jurisdiction shall be referred directly to the Permanent Commission by the appropriate officials.

During each special session that takes place during a recess, the General Assembly or Chamber of Senators may make use of the power granted it by this article.

When the recess is ended, matters before the Permanent Commission that have not been decided shall be referred directly to the appropriate body.

The obligation and the responsibility imposed on the Permanent Commission by Article 129 shall not be affected by the circumstance that the General Assembly or either Chamber meets in special session, even if the General Assembly or Chamber of Senators has assumed jurisdiction over all matters under consideration by the Permanent Commission.

If the powers of the Senators and Representatives have lapsed by reason of the expiration of their constitutional terms, and the newly elected Senators and Representatives have not been proclaimed, or use has been made of the power granted by Article 148, Paragraph 7, the Permanent Commission shall continue to exercise the functions conferred upon it by this chapter, until the new Chambers are organized.

In such case, when each Chamber is organized it shall designate new members of the Permanent Commission.

#### Article 132.

The Permanent Commission shall likewise be competent to give or withhold its consent in all cases in which the Executive Power requires it in accordance with the present Constitution, and it shall have the authority conferred on the Chambers in Articles 118 et seq., without prejudice to the provisions of Paragraph 13 of Article 168.

## SECTION VII

### Introduction, Discussion, Passage and Promulgation of the Laws

#### Chapter I

##### Article 133.

Any bill may originate in either of the two Chambers on the proposal of any of its members or by the Executive Power through the intermediary of its Ministers, without prejudice to the provisions of paragraph 6 of Article 85 and Article 86.

The initiative of the Executive Power shall be required for any bill specifying tax exemptions or fixing minimum wages or prices for the purchase of the products or goods of public or private enterprise.

The Legislative Power may not increase the tax exemptions nor the minimums proposed by the Executive Power for wages and prices, nor may it lower the proposed maximum prices.

#### Chapter II

##### Article 134.

If the Chamber in which a bill originated approves it, it shall be transmitted to the other in order that, after discussion therein, it may be approved, amended, amplified, or rejected.

##### Article 135.

If either of the two Chambers to which a bill has been sent returns it with additions or objections and the Chamber which sent it agrees to them, it shall give notice to that effect and the bill shall be sent to the Executive Power; but if the latter Chamber is not in accord and insists on maintaining the bill in the form in which it was originally submitted, it may in that case request a joint session of both Chambers and, according to the result of the discussion, there shall be adopted whatever may be decided by a two-thirds vote, which may modify the divergent bills or even approve a new one.

##### Article 136.

If the Chamber to which a bill has been sent has no objection to offer, it shall approve it and by merely notifying the Chamber which submitted it, shall submit it to the Executive Power in order that it may be published.

Bills which have not passed both Chambers in the same Legislature shall be considered as having originated in the Chamber which last passed them.

##### Article 137.



If, upon receipt of a bill, the Executive Power has objections or observations to make, the bill shall be returned with them to the General Assembly within the prescribed period of ten days.

Article 138.

Whenever a bill shall have been returned by the Executive Power with total or partial objections or observations, the General Assembly shall be convoked and the matter shall be decided by a three-fifths vote of the members present of each of the Chambers, who may incorporate the observations or reject them, maintaining the adopted bill.

Article 139.

If thirty days have passed since the first convocation without agreeing on an express rejection of the observations of the Executive Power, they will be considered accepted.

Article 140.

If the Chambers in joint session disapprove the bill returned by the Executive Power it shall be considered null and void for the time being and may not again be presented until the following Legislature.

Article 141.

In all cases of the reconsideration of a bill returned by the Executive, the voting shall be by name and by "yes" and "no", and both the names and reasons of those voting, as well as the objections or observations of the Executive Power, shall be immediately published in the press.

Article 142.

Whenever a bill passed by one Chamber shall be rejected by the other at the beginning, it shall be considered as null and void for the time being and may not again be introduced until the following period of the Legislature.

Chapter III

Article 143.

If the Executive Power has no objection to offer to a bill which has been submitted to it, it shall immediately give notice to that effect, the bill being thereby approved, and promulgated without delay.

Article 144.

If the Executive does not return a bill within the ten days prescribed in Article 137, it shall become law and shall be complied with as such, the Chamber which sent it having the right to demand such action if this is not done.

Article 145.

When a bill returned by the Executive Power with objections or observations has been considered by the Chambers in joint session and has again been approved, it shall be considered as finally passed and shall be communicated to the Executive Power, which shall promulgate it immediately without further objections.

Chapter IV

Article 146.

When a law has been passed, the following formula shall be invariably used for its promulgation:

"The Chamber of Senators and the Chamber of Representatives of the Oriental Republic of Uruguay, met in General Assembly, decree:"

SECTION VIII

Relations Between the Legislative Power and the Executive Power

Chapter I

Article 147.

Either of the Chambers may pass judgment on the conduct of Ministers of State by proposing that the General Assembly in joint session shall declare that their acts of administration or of government are censured.

Whenever motions to this effect are presented, the Chamber in which they are made shall be specially convoked, within a period of not over forty-eight hours, to decide upon its course of action.

If the motion is approved by a majority of those present, notice shall be given to the General Assembly, which shall be called within forty-eight hours.

If upon the first convocation of the General Assembly there are not a sufficient number of members present to hold a meeting, a second convocation shall be made and the General Assembly shall be considered organized with the number of Legislators who attend.

Article 148.

The disapproval may be individual, plural, or collective, but in all cases it must be adopted by an absolute majority of the votes of the full membership of the General

Assembly, at a special and public session. However, a secret session may be decided upon whenever circumstances so demand.

Individual disapproval is one that affects one Minister; plural disapproval one that affects more than one Minister; and collective disapproval is one that affects a majority of the Council of Ministers.

Disapproval adopted in accordance with the foregoing articles shall mean the resignation of the Minister, the Ministers, or the Council of Ministers, as the case may be.

The President of the Republic may veto the vote of disapproval whenever it has been adopted by less than two-thirds of the full membership of the body.

In such case the General Assembly shall be convoked into special session to be held within the next ten days.

If after the first call the number of Legislators in the General Assembly necessary to meet do not attend, a second call shall be made, in not less than twenty-four hours nor more than seventy-two hours after the first call, and if the necessary number again is not present, the act of disapproval shall be considered revoked.

If the General Assembly maintains its vote by less than three-fifths of its full membership, the President of the Republic, within the next forty-eight hours, may, by express decision, retain the censured Minister, Ministers, or Council of Ministers, and dissolve the Chambers.

In such case he must call for a new election of Senators and Representatives which shall be held on the eighth Sunday following the date of the decision referred to.

The retaining of the censured Minister, Ministers, or Council of Ministers, the dissolution of the Chamber and the call for a new election must be made simultaneously in the same decree.

In such case the Chambers are suspended, but the rights and privileges of the Legislators continue.

The President of the Republic may not exercise this power during the last twelve months of his term. During that period the General Assembly may vote a disapproval with the effects indicated in the third paragraph of this article, if it is adopted by two-thirds or more of its full membership.

In the case of a disapproval that is not collective, the President of the Republic may not exercise this right more than once during his term of office.

From the moment the Executive Power does not comply with the decree calling for new elections, the Chambers shall resume their sessions ipso jure and recover their constitutional rights as a legitimate Power of the State, and the Council of Ministers shall fail.

If within ninety days following the election, the Electoral Court has not proclaimed elected a majority of the members of each Chamber, the dissolved Chambers shall also recover their rights.

If a majority of the members of each of the new Chambers is proclaimed elected by the Electoral Court, the General Assembly shall meet with all its rights within three days following the respective notification.

The new General Assembly shall meet without prior convocation by the Executive Power and the previous one shall terminate at that time.

Within fifteen days after its organization, the new General Assembly, by an absolute majority of its full membership, shall maintain or revoke the vote of disapproval. If it is maintained the Council of Ministers shall fail.

The Chambers elected by special election shall complete the normal term of those who left office.

