

Constitution of the Tunisian Republic

Chapter 3: Legislative Power

Article 50

only be put in place where necessary in a civil
The people exercise legislative power through their representatives in the Chamber of the People's Deputies or through referenda.

Article 51

The seat of the Chamber of the People's Deputies shall be located in Tunis and its suburbs. In the event of exceptional circumstances, the Chamber may hold its sessions in any other place in the Republic.

Article 52

The Chamber of the People's Deputies shall enjoy financial and administrative independence within the framework of the State budget.

The Chamber of the People's Deputies shall set its rules of procedure and ratify them by an absolute majority of its members.

The State shall provide the Chamber with sufficient human and material resources to allow deputies to fulfill their obligations.

Article 53

Running for membership of the Chamber of the People's Deputies shall be a right for every Tunisian voter who has held Tunisian nationality for at least 10 years and is no younger than 23 years of age on the day of candidacy, provided that they are not subject to any form of exclusion from candidacy specified by the law.

Article 54

Every Tunisian citizen aged over 18 years shall be entitled to vote in accordance with the conditions set by the Election Law.

Article 55

Members of the Chamber of the People's Deputies shall be elected in secret, direct, free, fair and transparent general elections in accordance with the Election Law.

The Election Law shall guarantee the right to vote and representation in the Chamber of the People's Deputies for Tunisians abroad.

Article 56

The Chamber of the People's Deputies shall be elected for five years, within the last 60 days of the term of their mandate.

In the event of failure to hold the elections as a result of imminent danger, the mandate of the Chamber shall be extended by law.

Article 57

The Chamber of the People's Deputies shall hold an ordinary session starting in October of every year and ending in July, provided that the first session of the mandate of the Chamber of the People's Deputies shall begin during the 15-day period following the announcement of the final results of the elections, by invitation from the President of the preceding Chamber.

In the event that the beginning of the first session of the mandate of the Chamber of the People's Deputies coincides with the recess thereof, an extraordinary session shall be held until the granting of a vote of confidence to the government.

The Chamber of the People's Deputies shall, during its recess, convene an extraordinary session upon the request of the President of the Republic, the Prime Minister, or one-third of the members in order to look into a specified agenda.

Article 58

Every member in the Chamber of the People's Deputies shall, upon assuming his or her functions, swear the following oath: "I do solemnly swear by Almighty God that I will work to serve the nation with sincerity, that I will abide by the provisions of the Constitution and maintain complete loyalty to Tunisia".

Article 59

The Chamber of the People's Deputies shall elect a President from amongst its members in its first session.

The Chamber of the People's Deputies shall form standing and special committees. Their responsibilities shall be established and distributed on the basis of proportional representation.

The Chamber of the People's Deputies may form investigation committees. All authorities shall assist such committees in undertaking their missions.

Article 60

The opposition is an integral element of the Chamber of the People's Deputies and shall have the rights that enable it to undertake its tasks in parliamentary work. The opposition is guaranteed an appropriate and effective representation in all the Chamber's structures and internal and external activities, and it shall be given the presidency of the financial affairs committee and the rapporteur position within the foreign affairs committee. It shall have the right to establish and head an investigation committee per year. Its duties include active and constructive participation in parliamentary work.

Article 61

The process of voting in the Chamber of the People's Deputies shall be done in person and may not be delegated.

Article 62

Legislative initiative shall be exercised through proposals for laws by no less than 10 deputies, or through draft laws by the President of the Republic, or by the Prime Minister.

The head of the government is exclusively competent to present draft laws relating to the ratification of treaties and the draft budget law. Draft laws shall take priority.

Article 63

Proposed laws or amendments presented by deputies shall not be admitted if their ratification would cause prejudice to the State's financial balance as set in the budget laws.

Article 64

The Chamber of the People's Deputies shall, by an absolute majority of its members, ratify draft organic laws, and shall, by a majority of the members present, ratify normal draft laws, provided that such a majority is no less than one-third of the members of the Chamber.

No draft organic law shall be presented to the Chamber of the People's Deputies for deliberation unless a 15-day period has passed since the date of referral of such law to the competent committee.

Article 65

Laws relating to the following areas are deemed ordinary laws:

- Classification of public institutions and facilities and the provisions regulating sales thereof,
- Citizenship,
- Civil and commercial obligations,
- Procedures taken before various types of courts,
- Specifying felonies and misdemeanours and the punishments applicable thereto, in addition to violations resulting in a penalty involving deprivation of freedom,
- General pardon,
- Regulation of taxation rules, percentages and procedures for collection thereof,
- Regulations of currency issuance,

- Loans and financial obligations of the State,
- Regulation of senior public officials,
- Declaration of assets,
- Basic guarantees given to civil and military employees,
- Organisation of the ratification of treaties,
- Laws of finance and balancing of the State budget, and the ratification of development plans,
- The fundamental principles of property laws, rights in rem, education, scientific research, culture, public health, the environment, land and urban planning, energy, labor law, and social security.

Laws relating to the following areas are deemed organic laws:

- Ratification of treaties,
- Organisation of justice and the judiciary,
- Organisation of the media, press and publication,
- Organisation and funding of political parties, trade unions, associations, and professional organisations and bodies,
- Organisation of the national army,
- Organisation of the internal security forces and customs,
- Election law,
- Extension of the term of the parliament according to article 56,
- Extension of the presidential term according to article 75,
- Freedoms and human rights,
- Personal status laws,
- Fundamental duties of citizenship,
- Local authorities,
- Organisation of constitutional commissions,
- The organic law for budgets,

All matters that do not form part of the domain of laws shall be part of general regulatory powers.

Article 66

The law determines the State's resources and its expenses in conformity with the provisions set out in the organic budget law.

The Chamber of the People's Deputies shall ratify the draft finance laws and the balancing of the budget in accordance with the terms stipulated under the organic budget law.

The draft finance law shall be presented to the Chamber no later than 15 October and shall be ratified no later than 10 December.

The President of the Republic may send the draft finance law back to the Chamber for a second reading within the two days following ratification by the Chamber. In this case, the Chamber meets to deliberate a second time within three days to exercise their right of response.

The parties referred to in the first point of article 120 during the three days following the ratification of the draft finance law by the Chamber when the latter deliberates a second time after the draft finance law is returned to it or after the term to exercise the right of response expires without its exercise, in such a case such parties can contest the unconstitutionality of the provisions of the draft finance law before the Constitutional Court, which shall issue its decision within no later than five days of such contestation being lodged.

If the court rules that the provisions are unconstitutional, it shall communicate its decision to the President of the Republic, who in turn shall communicate it to the President of the Chamber of the People's Deputies, all of which shall be completed within two days of the date of the court's decision. The Chamber shall ratify the draft finance law within the three days following its being informed of the decision of the Constitutional Court.

If the court rules that the provisions are constitutional or in case of ratification a second time after its return to the Chamber or upon the expiration of the term for response and contestation without either of these occurring, the President of the Republic shall ratify the draft finance law within two days. In all cases, the law shall be sealed no later than 31 December.

If the draft finance law is not ratified by 31 December, the law can be implemented insofar as it relates to expenditures, in instalments of three months subject to renewal by a presidential order, and revenues shall continue to be collected in accordance with the laws in force.

Article 67

Commercial treaties and treaties related to international organisations, the territorial borders of the State, the financial obligations of the State, the status of individuals, or provisions of a legislative nature shall be submitted for approval to the Chamber of the People's Deputies.

Treaties shall only come into force upon their ratification.

Article 68

No member of the Chamber of the People's Deputies may be prosecuted for a civil or criminal matter, arrested or tried, for expressing opinions or proposals or undertaking acts that are related to the performance of their parliamentary functions.

Article 69

If the deputy maintains his or her criminal immunity in writing, the deputy may not be prosecuted or arrested during his or her term of office for a criminal charge unless immunity is lifted.

In the event of flagrante delicto, the deputy may be arrested and the President of the Chamber shall immediately be notified, and the deputy shall be released if the Bureau of the Chamber so requests.

Article 70

In the event of the dissolution of the Chamber of the People's Deputies, the President of the Republic may issue decrees with the approval of the Prime Minister, to be submitted for ratification to the Chamber during its subsequent ordinary session.

The Chamber of the People's Deputies may with three-fifths of its members delegate authority for a limited period and for a certain purpose to the Prime Minister to issue decree-laws to be submitted for ratification to the Chamber upon the end of the period mentioned.

The Election Law is excluded from this process.

of the Constitutional Court.

8. The temporary commission overseeing judicial justice continues its functions until the complete formation of the Supreme Judicial Council.

The Independent Commission for Audio-visual Communication (HAICA) continues its functions until the election of the Audio-Visual Communication Commission.

9. The State commits to implementing the transitional justice system in all its domains within the timeline set by related legislation, and in this regard, no claim of retroactivity of laws or the existence of a previous pardon or the binding force of double jeopardy or statute of limitations or prescription of the crime or punishment, may be admitted.

Article 149

The Military Court continues to exercise the powers granted to it by current laws until the latter are amended in accordance with the provisions of Article 110.