



Constitution of The Tunisian Republic

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Constitution of the Tunisian Republic

In the Name of God, the Merciful, the Compassionate

Preamble

We, the representatives of the Tunisian people, members of the National Constituent Assembly,

Taking pride in the struggle of our people to gain independence and to build the State, to eliminate autocracy and achieve its free will, as a realization of the objectives of the revolution of freedom and dignity, the revolution of 17 December 2010 - 14 January 2011, out of loyalty to the blood of our blessed martyrs and the sacrifices of Tunisian men and women over the generations, and to break with oppression, injustice and corruption,

Expressing our people's commitment to the teachings of Islam and its open and moderate objectives, to sublime human values and the principles of universal human rights, inspired by our civilizational heritage accumulated over successive epochs of our history, and from our enlightened reformist movements that are based on the foundations of our Arab-Islamic identity and on the achievements of human civilization, and adhering to the national gains achieved by our people,

With a view to building a participatory, democratic, republican regime, within the framework of a civil state in which sovereignty belongs to the people through peaceful alternation of power through free elections, and on the principle of the separation of powers and balance between them; in which the right to association based on pluralism, neutrality of administration and good governance constitute the basis of political

competition; and where the State guarantees supremacy of the law, respect for freedoms and human rights, independence of the judiciary, equality of rights and duties between all male and female citizens and fairness between all regions,

Based on the dignified status of humankind; consolidating our cultural and civilizational affiliation to the Arab Islamic nation, on the basis of national unity that is based on citizenship, brotherhood, solidarity, and social justice; supporting unity of the Maghreb as a step towards achieving Arab unity, in complementarity with the Islamic and African peoples, and in cooperation with the peoples of the world; supporting the oppressed everywhere and the people's right to self-determination, and just liberation movements at the forefront of which is the Palestinian liberation movement; and standing against all forms of occupation and racism,

Conscious of the necessity of contributing to a secure climate and protection of the environment to ensure the sustainability of our natural resources and the continuation of a secure life for coming generations; with the aim of achieving the will of the people to be the makers of their history; believing in knowledge, work, and creativity as sublime human values; seeking to become pioneers, and aspiring to contribute to civilization, on the basis of the independence of national decision-making, world peace, and human solidarity,

We, in the name of the people, draft this Constitution with God's blessings.

Chapter One: General Principles

Article 1

Tunisia is a free, independent and sovereign state. Islam is its religion, Arabic its language, and the republic its form of government.

This article cannot be amended.

Article 2

Tunisia is a civil state based on citizenship, the will of the people, and the supremacy of law.

This article cannot be amended.

Article 3

The people are sovereign and are the source of all powers, which shall be exercised through their freely elected representatives or by referendum.

Article 4

The flag of the Tunisian Republic is red and bears in its center a white circle in which is inscribed a five-pointed red star surrounded by a red crescent, as prescribed by law.

The national anthem of the Tunisian Republic is “Defenders of the Homeland”, in accordance with the provisions defined by law.

The motto of the Tunisian Republic is: “freedom, dignity, justice, order”.

Article 5

The Republic of Tunisia is part of the Arab Maghreb, works to realise its unity and takes all measures to ensure its achievement.

Article 6

The State protects religion, guarantees freedom of belief and conscience and exercise of religious practices, guarantees the neutrality of mosques and places of worship from partisan instrumentalization.

The State commits to spreading the values of moderation and tolerance, protecting sanctities and preventing attacks on them, just as it commits to preventing *takfeer* [calling another Muslim an unbeliever] and incitement to hatred and violence, and to confronting such acts.

Article 7

The family is the basic unit of society and the State shall protect it.

Article 8

Youth are an active force in building the nation.

The State strives to provide the necessary conditions to develop the capacities of youth and realize their potential and works to give them responsibility and expand their participation in social, economic, cultural and political development.

Article 9

Protecting the unity of the nation and defending its sanctity is a sacred duty for all citizens.

National service is an obligation according to the regulations and conditions prescribed by law.

Article 10

Paying taxes and public contributions is an obligation in accordance with a fair and equitable system.

The State shall put in place the mechanisms necessary to ensure the collection of taxes and combatting of tax evasion and fraud.

The State shall strive to ensure the proper use of public funds and shall take the necessary measures for their use according to national economic priorities and shall work to prevent corruption and all that could undermine national sovereignty.

Article 11

All persons who occupy the post of President of the Republic, Prime Minister, member of the government, member of the Assembly of the People's Representatives, member of independent constitutional commissions or any higher official function shall declare their earnings according to the provisions prescribed by law.

Article 12

The State shall strive to achieve social justice, sustainable development, and balance between regions, with reference to development indicators and in accordance with the principle of positive discrimination. It shall also work to ensure the proper exploitation of national resources.

Article 13

Natural resources are the property of the Tunisian people; the State exercises sovereignty over them in their name.

Investment contracts related to these resources shall be put before the competent committee of the Assembly of the People's Representatives. Agreements concluded in relation to these resources shall be submitted to the Assembly for approval.

Article 14

The State shall commit to promoting decentralization and to its adoption throughout the country within the framework of the unity of the State.

Article 15

The public administration is at the service of the citizen and the public interest; it shall be organized and shall operate in accordance with the principles of impartiality, equality, continuity of public services, and the rules of transparency, integrity, efficiency and accountability.

Article 16

The State guarantees the neutrality of educational institutions away from partisan instrumentalization.

Article 17

Only the State may establish Armed Forces and Internal Security Forces, according to the law and to serve the public interest.

Article 18

The national army is a republican army and is an armed military force based on discipline, composed and structurally organized in accordance with the law. The army undertakes the duty of defending the nation, its independence and its territorial integrity, and is required to be entirely impartial. The national army supports the civil authorities in accordance with the provisions set out by law.

Article 19

The national security force is a republican security force; its forces are charged with maintaining security and public order, protecting individuals, institutions and properties, and law enforcement, while ensuring respect for freedoms and within the framework of total impartiality.

Article 20

International agreements approved and ratified by the Assembly of the People's Representatives are superior to laws and inferior to the Constitution.

Chapter 2: Rights and Freedoms

Article 21

All citizens, male and female, are equal in rights and duties, and are equal before the law without discrimination.

The State guarantees to citizens, male and female, individual and collective rights and freedoms, and provides them with the conditions for a dignified life.

Article 22

The right to life is sacred. It shall not be prejudiced except in exceptional cases prescribed by law.

Article 23

The State shall protect human dignity and physical integrity and shall prevent psychological and physical torture. Crimes of torture are not subject to any statute of limitations.

Article 24

The State shall protect the right to a private life, sanctity of domiciles, confidentiality of correspondence and communications and personal information.

Every citizen has the freedom to choose their place of residence and to move freely within the country, and the right to leave the country.

Article 25

No citizen shall be stripped of their Tunisian nationality, exiled, extradited or prevented from returning to the country.

Article 26

The right to political asylum is guaranteed as prescribed by law. It is prohibited to surrender persons who have been granted political asylum.

Article 27

A defendant is presumed innocent until proven guilty in a fair trial where he or she is granted all guarantees of the right of defense throughout all phases of prosecution and trial.

Article 28

Punishments are individual and shall not be imposed unless by virtue of a prior legal provision, except in the case of issuance of a provision more favorable to the defendant.

Article 29

No person may be arrested or detained unless in flagrant delicto or by virtue of a judicial order, and they shall be immediately informed of their rights and the charges against them, and has the right to appoint a lawyer to represent them. The period of arrest and detention shall be defined by law.

Article 30

Every prisoner shall have the right to humane treatment that preserves their dignity.

In implementing a freedom-depriving punishment, the State shall take into account the interests of the family and shall work rehabilitate and re-integrate the prisoner into society.

Article 31

Freedom of opinion, thought, expression, information and publication are guaranteed.

These freedoms shall not be subject to prior censorship.

Article 32

The State guarantees the right to information and the right to access to information.

The State strives to guarantee the right of access to communication networks.

Article 33

Academic freedoms and freedom of scientific research are guaranteed.

The State shall seek to provide the necessary resources to develop scientific and technological research.

Article 34

The rights to election, voting, and candidacy are guaranteed, in accordance with the provisions set out by law.

The State seeks to guarantee women's representation in elected councils.

Article 35

The freedom to establish political parties, trade unions, and associations is guaranteed.

Political parties, unions and associations must abide, in their internal regulations and activities, by the provisions of the Constitution, the law, financial transparency and the rejection of violence.

Article 36

Trade union rights are guaranteed including the right to strike.
This right does not apply to the National Army.
The right to strike does not apply to internal security forces and customs.

Article 37

The right to peaceful assembly and demonstration are guaranteed.

Article 38

Health is a right for every person.
The State shall guarantee preventative treatment and health care for every citizen and provide the necessary means to guarantee the safety and quality of health services.
The State shall guarantee free health care for those without means and those with limited income. It shall guarantee the right to social assistance in accordance with the provisions set out by law.

Article 39

Education is mandatory until the age of sixteen.
The State shall guarantee the right to free public education at all stages and shall seek to provide the necessary means to achieve quality education, teaching and training, as it shall work to embed youth in their Arab-Islamic identity and national belonging, and to strengthen and promote the Arabic language and expand its usage, and openness to foreign languages and human civilizations, and spreading the culture of human rights.

Article 40

Work is a right for every citizen, male and female. The State shall take the necessary measures to ensure work on the basis of competence and fairness. All citizens, male and female, have the right to adequate working conditions and to a fair wage.

Article 41

The right to property is guaranteed, and it shall not be interfered with except in accordance with the circumstances and guarantees stipulated by law.
Intellectual property is guaranteed.

Article 42

The right to culture is guaranteed.
The right to creativity is guaranteed. The State shall encourage cultural creativity and support national culture in its authenticity, diversity and renewal, in so as far as it promotes tolerance, rejection of violence, openness to different cultures and dialogue between civilizations. The State shall protect cultural heritage and guarantee the right of future generations to it.

Article 43

The State shall promote sports and strive to provide the facilities necessary for the exercise of physical and leisure activities.

Article 44

The right to water is guaranteed.
Conservation and the rational use of water shall be a duty of the State and society.

Article 45

The State shall guarantee the right to a sound and balanced environment and contribution to a safe climate. The State shall provide the necessary means to combat environmental pollution.

Article 46

The State commits to protecting women's achieved rights and works to promote and develop them.

The State shall guarantee equality of opportunity between men and women in the bearing of all responsibilities and in all fields.

The State shall strive to achieve equal representation for women and men in elected councils.

The State shall take the necessary measures to eradicate violence against women.

Article 47

Children have the right to be guaranteed dignity, health, care, education and teaching by their parents and the State.

The State shall provide all forms of protection to all children without discrimination according to the best interests of the child.

Article 48

The State shall protect persons with disabilities against all forms of discrimination.

Every citizen with disabilities shall have the right to benefit, based on the nature of their disability, from all of the measures guaranteeing their full integration into society. The State must take all necessary measures to realize this.

Article 49

The law shall determine the limitations on the rights and freedoms that are guaranteed by this Constitution and their exercise, on the condition that it does not compromise their essence. These limitations can only be imposed where necessary in a civil democratic state and with the aim of protecting the rights of others or to meet the requirements of public order, national defense, public health or public morals, while respecting proportionality between these limitations and their objectives. Judicial authorities shall ensure that rights and freedoms are protected from any violation.

No amendment may undermine the human rights acquisitions or freedoms guaranteed in this Constitution

Chapter 3: Legislative Power

Article 50

The people exercise legislative power through their representatives in the Assembly of the People's Representatives or through referenda.

Article 51

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

Article 52

The Assembly of the People's Representatives shall enjoy financial and administrative independence within the framework of the State budget. The Assembly of the People's Representatives shall set its rules of procedure and ratify them by an absolute majority of its members. The State shall provide the Assembly with sufficient human and material resources to allow deputies to fulfill their obligations.

Article 53

Candidacy for membership of the Assembly of the People's Representatives shall be the right of every Tunisian voter who has held Tunisian nationality for at least 10 years and is 23 years of age or over 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 18 years or over shall be entitled to vote in accordance with the conditions set by the Election Law.

Article 55

Members of the Assembly of the People's Representatives 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 voting and representation in the Assembly of the People's Representatives for Tunisians abroad.

Article 56

The Assembly of the People's Representatives 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 Assembly shall be extended by law.

Article 57

The Assembly of the People's Representatives 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 Assembly of the People's Representatives shall begin during the 15-day period following the announcement of the final results of the elections, by invitation from the outgoing President of the Assembly.

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

The Assembly of the People's Representatives 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 Assembly of the People's Representatives 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, and that I will abide by the provisions of the Constitution and maintain complete loyalty to Tunisia".

Article 59

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

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

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

Article 60

The opposition is an integral component of the Assembly of the People's Representatives 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 Assembly'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

Voting in the Assembly of the People's Representatives is personal and may not be delegated.

Article 62

Legislative initiative shall be exercised through proposals for laws by at least 10 deputies, or through draft laws by the President of the Republic or 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 Assembly of the People's Representatives 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 Assembly.

No draft organic law shall be presented to the Assembly of the People's Representatives 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 misdemeanors 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 Assembly of the People's Representatives 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 Assembly 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 Assembly for a second reading within the two days following ratification by the Assembly. In this case, the Assembly 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 Assembly 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 Assembly of the People's Representatives, all of which shall be completed within two days of the date of the court's decision. The Assembly 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 Assembly 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 installments 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 organizations, 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 Assembly of the People's Representatives. Treaties shall only come into force upon their ratification.

Article 68

No member of the Assembly of the People's Representatives 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 Assembly shall immediately be notified, and the deputy shall be released if the Bureau of the Assembly so requests.

Article 70

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

The Assembly of the People's Representatives 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 Assembly upon the end of the period mentioned.

The Election Law is excluded from this process.

Chapter 4: Executive Authority

Article 71

Executive authority is exercised by the President of the Republic and a government headed by the Prime Minister.

Section 1: President of the Republic

Article 72

The President of the Republic shall be the Head of State, shall represent its unity and guarantee its independence and continuity, and shall ensure respect of the Constitution.

Article 73

The official seat of the Presidency of the Republic shall be the capital Tunis. In the event of exceptional circumstances, the headquarters may be transferred to any other location in the Republic.

Article 74

Candidacy for the position of President of the Republic shall be the right of every male and female voter who holds Tunisian nationality since birth, whose religion is Islam.

On the day of submission of the nomination, a candidate must be at least 35 years old. If he or she holds another nationality other than the Tunisian nationality, he or she must include in his or her nomination file a pledge to give up the second nationality when elected as President of the Republic. The nomination must have the support of a number of members of the Assembly of the People's Representatives or heads of elected local

municipal group councils or registered voters in accordance with the terms specified by the Election Law.

Article 75

The President of the Republic shall be elected for a five-year period during the last 60-day period of the presidential term by means of general, free, direct, secret, fair and transparent elections, and with an absolute majority of votes cast.

In the event of failure by any candidate to achieve an absolute majority in the first round, a second round shall be organised during the two weeks following the announcement of the final results of the first round. The two candidates who won the highest number of votes during the first round shall run for elections.

In the event of the death of one of the candidates in the first round, or one of the candidates in the second round, nominations shall be reopened and new dates for elections shall be set within a period not exceeding 45 days. This does not apply to withdrawal in the first or second round.

In the event of failure to hold the elections on the set date as a result of a state of imminent danger, the presidential term shall be extended by law. It shall not be permissible to hold the position of President of the Republic for more than two full terms, whether separate or consecutive; and in the case of resignation, the term shall be regarded as a full presidential term. The number and duration of presidential terms may not be amended or increased.

Article 76

The elected President of the Republic shall, before the Assembly of the People's Representatives, swear the following oath: "I do solemnly swear by Almighty God to maintain the independence of Tunisia and the safety

of its territory, to respect its Constitution and legislation, to safeguard its interests, and to remain loyal to it”.

The President of the Republic may not hold a party political post while occupying the post of President.

Article 77

The President of the Republic is responsible for representing the State. He or she is responsible for setting the general State policies in the domains of defense, foreign relations and national security related to protecting the State and national territory from internal and external threats, after consulting the Prime Minister.

He or she is also responsible for:

- Dissolving the Assembly of the People’s Representatives in accordance with the Constitution’s provisions. The Assembly cannot be dissolved in the first six months following the vote of confidence in the first government after legislative elections or during the last six months of the presidential term or parliamentary term,
- Presiding the National Security Council, to which the Prime Minister and the President of the Assembly of the People’s Representatives shall be invited,
- Being the Commander-in-Chief of the armed forces,
- Declaring war and establishing peace, upon the approval by a majority of the Assembly of the People’s Representatives by three-fifths of its members, as well as sending troops abroad with the approval of the President of the Assembly of the People’s Representatives and of the Prime Minister provided that the Assembly is convened with a view to deciding on the matter within a period of no more than 60 days from the date of the decision to send troops,
- Taking measures that are required by exceptional situations, and to declare such measures in accordance with article 80,
- Ratifying treaties and authorizing their publication,
- Awarding State awards of honour,
- Granting special pardons.

Article 78

The President of the Republic is responsible for:

- Appointing and dismissing the General Mufti of the Tunisian Republic,
- Appointing and dismissing holders of senior positions in the Presidency of the Republic and affiliated institutions. These senior positions are determined by law,
- Appointing and dismissing holders of senior military and diplomatic positions that are related to national security, after consulting the Prime Minister. These senior positions are regulated by law,
- Appointing the Governor of the Central Bank upon a proposal from the Prime Minister and after approval by the Assembly of the People's Representatives by an absolute majority of its members. The Governor shall be dismissed in the same manner or upon the request of a third of the members of the Assembly of the People's Representatives and by approval of an absolute majority of members.

Article 79

The President of the Republic may address the Assembly of the People's Representatives.

Article 80

In the event of imminent danger threatening the nation's institutions and the security and independence of the country in such a manner as to prevent the normal operation of the institutions of the State, the President of the Republic may take any measures necessitated by such exceptional circumstances, after consultation with the Prime Minister and the President of the Assembly of the People's Representatives, and after giving notice to the President of the Constitutional Court. The President shall announce the measures in an address to the nation.

The measures shall aim to secure a return to the normal operation of state institutions as soon as possible. The Assembly of the People's Representatives shall be deemed in a state of continuous session throughout such period. In such event, the President of the Republic may not dissolve the Assembly of the People's Representatives and may not bring a motion of censure against the government.

After the lapse of a 30-day period as of the implementation of the measures, and at any time after this, the Constitutional Court may, by request from the President of the Assembly of the People's Representatives or 30 of the members, examine whether the state of emergency may continue.

The measures shall cease to have effect upon the termination of the reasons causing their introduction. The President of the Republic shall address the nation to that effect.

Article 81

The President of the Republic shall seal and approve the publication of laws in the Official Gazette of the Tunisian Republic within a period of no more than four days from the date of:

1. Lapse of the period for contesting constitutionality or returning the law, without the occurrence of either of the two,
2. Lapse of the period for returning the law without exercise of that right after the Court's issuing a decision of constitutionality or the obligatory referral of the draft law to the President of the Republic, in accordance with the provisions of paragraph three of Article 121,
3. Lapse of the period for contesting the constitutionality of a draft law which was returned by the President of the Republic and ratified by the Assembly in an amended form,
4. The Assembly's second ratification, without amendments, of a draft law which had been returned, the constitutionality of which was not contested after the first ratification or where a decision of the law's constitutionality was issued, or where the referral of the draft law

- was duly referred to the President of the Republic, in accordance with the provisions of paragraph three of Article 121,
5. The Court's decision of constitutionality or obligatory referral of the draft law to the President of the Republic, in accordance with the provisions of paragraph three of Article 121, if it had been previously returned by the President of the Republic and ratified by the Assembly in an amended form.

Except for draft constitutional laws, the President of the Republic is entitled to return the draft law to the Assembly for a second reading, accompanied by a justification, within a period of five days as from the:

- Lapse of the period for contesting constitutionality without such occurrence, in accordance of the provisions of point one of Article 120.
- The Court's decision on the draft law's constitutionality or obligatory referral of the draft law to the President of the Republic, in accordance with the provisions of paragraph three of Article 121 in the case of contestation by virtue of the provisions of point one of Article 120.

Ratification of ordinary draft laws, after return, must be by an absolute majority of the members of the Assembly, and in the case of organic draft laws, by a majority of three-fifths of its members.

Article 82

The President of the Republic may, in exceptional circumstances, within the period for returning a draft law, submit for referendum the draft laws which relate to ratification of treaties, or to freedoms or human rights, or personal status, which had been ratified by the Assembly of the People's Representatives. The submission for referendum shall be deemed a waiver of the right to return the draft law to the Assembly.

If the result of the referendum is the approval of the draft law, the

President of the Republic shall seal and approve publication of the law within a period not exceeding 10 days as of the date of announcement of the results of the referendum.

The Election Law shall regulate the means of conducting the referendum and announcing its results.

Article 83

The President of the Republic may, in the event of a temporary inability to perform his or her tasks, temporarily delegate his or her powers to the Prime Minister for a maximum period of 30 days, renewable once.

The President of the Republic shall inform the President of the Assembly of the People's Representatives of the temporary delegation of powers.

Article 84

In the event of the position of President of the Republic becoming temporarily vacant for reasons that prevent the President of the Republic from delegating his or her powers, the Constitutional Court shall promptly meet and acknowledge the temporary vacancy of the office, and the Prime Minister shall undertake the tasks of the President of the Republic. The period of temporary vacancy may not exceed 60 days.

Should the temporary vacancy exceed the 60-day period, or if the President of the Republic submits a written resignation to the President of the Constitutional Court, or in the event of death or absolute incapacity, or for any other reason that causes a permanent vacancy, the Constitutional Court shall promptly meet and acknowledge the permanent vacancy and notify the President of the Assembly of the People's Representatives who shall, on a temporary basis, immediately undertake the tasks of the President of the Republic for a duration of no less than 45 days and no more than 90 days.

Article 85

In the event of permanent vacancy, the interim President of the Republic shall take the oath set out in the Constitution before the Assembly of the People's Representatives, and if necessary before the Assembly's Bureau or before the Constitutional Court if the Assembly has been dissolved.

Article 86

The person undertaking the tasks of the President of the Republic during the temporary or permanent vacancy of the office shall undertake presidential tasks. He shall not be entitled to propose amending the Constitution, resort to a referendum, or dissolve the Assembly of the People's Representatives.

During the interim presidential period, a new President for the Republic shall be elected for a full presidential term. No motion of censure against the government may be presented.

Article 87

The President of the Republic enjoys judicial immunity during his mandate. All statutes of limitations and other deadlines are suspended. Judicial procedures may recommence after the end of his mandate.

The President of the Republic cannot be prosecuted for acts that were carried out in the context of his functions.

Article 88

A majority of the members of the Assembly of the People's Representatives may initiate a request to bring an end to the President of the Republic's mandate for a flagrant violation of the Constitution,

detailing their arguments, and it must be approved by two-thirds of members. In such event, the matter is referred to the Constitutional Court for determination by two-thirds of its members. In the event of condemnation, the Constitutional Court must render an order of removal of the President of the Republic from office. This shall not mean immunity from criminal prosecution where necessary. Where the President has been removed from office under these circumstances, he or she is not entitled to run in any other elections.

Section Two: The Government

Article 89

The government shall be composed of a Prime Minister, ministers, and secretaries of State selected by the Prime Minister. The Ministers of Foreign Affairs and Defense shall be selected by the Prime Minister in consultation with the President of the Republic.

Within one week of the date on which the definitive election results are declared, the President of the Republic shall task the candidate of the party or the election coalition that gained the largest number of seats in the Assembly of the People's Representatives with forming a government within a one-month period, extendable only once. If two or more parties or coalitions have the same number of seats, then the nomination shall be based on the numbers of votes gained by each in the elections.

If the specified period of time elapses without the formation of a government or in the event of failure to receive a vote of confidence by the Assembly of the People's Representatives, the President of the Republic shall, within 10 days, consult with political parties, coalitions, and parliamentary blocs to entrust the person most capable of constituting a government within a period of no more than one month.

If a four-month period elapses since the first assignment and the members of the Assembly of the People's Representatives fail to agree on granting confidence to a government, the President of the Republic is entitled to

dissolve the Assembly of the People's Representatives and to call for new legislative elections to be held within at least 45 days and not more than 90 days.

The government shall present a brief program to the Assembly of the People's Representatives to gain its confidence by an absolute majority of members. When the government gains the confidence of the Assembly, the President of the Republic shall immediately appoint the Prime Minister and members of the government.

The Prime Minister and the members of government shall be sworn in before the President of the Republic in accordance with the following oath: "I swear by Almighty God to work sincerely for the benefit of Tunisia, to abide by its Constitution and legislation, and to promote its interests and remain loyal to it".

Article 90

Membership of the government and of the Assembly of the People's Representatives may not be combined. The Elections Law shall regulate the process of filling vacancies.

The Prime Minister and the members of the government may not be employed in any other profession during their mandate.

Article 91

The Prime Minister sets the State's general policy, with consideration to the provisions of Article 77, and shall ensure its execution.

Article 92

The Prime Minister is responsible for the following:

- Creating, amending and dissolving ministries and bureaus of State, as well as determining their mandates and powers after discussion with

the Council of Ministers,

- Removing one or more members of the government or receiving the resignation of one or more members of the government, after consultation with the President of the Republic if the Minister of Defense or Foreign Relations is concerned,
- Creating, amending or dissolving public institutions, public entities and administrative departments as well as regulating their mandates and powers after discussion with the Council of Ministers, except for those under the authority of the President of the Republic, which shall be created, amended or dissolved by way of a proposal by the President of the Republic,
- Appointing and dismissing individuals from senior civil positions. These positions are determined by law.

The Prime Minister shall inform the President of the Republic of the decisions taken within the powers mentioned above.

The Prime Minister governs the administration and concludes international agreements of a technical nature.

The government ensures the implementation of laws. The Prime Minister may delegate some of his or her powers to ministers.

If the Prime Minister is temporarily unable to carry out his or her tasks, he or she shall delegate his or her powers to one of the ministers.

Article 93

The Prime Minister is the head of the Council of Ministers. The Council of Ministers meets by convocation by the Prime Minister, who sets its agenda.

The President of the Republic heads the Council of Ministers, by invitation from the Prime Minister, in the domains of defense, foreign relations and national security relating to the defense of the State and national territory from internal and external threats, and he may also attend other meetings of the Council of Ministers. When he attends meetings of the Council of Ministers, he shall preside over them. All draft laws shall be discussed in the Council of Ministers.

Article 94

The Prime Minister shall exercise general regulatory powers and shall issue individual decrees that shall be signed after discussion with the Council of Ministers.

Decrees issued by the Prime Minister are referred to as governmental decrees. Regulatory decrees shall be signed by the competent minister. The Prime Minister shall sign the regulatory orders issued by ministers.

Article 95

The government shall be held accountable before the Assembly of the People's Representatives.

Article 96

Each member of the Assembly of the People's Representatives has the right to submit written or oral questions to the government in accordance with the Assembly's internal rules of procedure.

Article 97

Votes may be taken on a motion of censure brought against the government, after at least one-third of the members of the Assembly of the People's Representatives make a justified request to the President of the Assembly of the People's Representatives. The voting process shall not take place except after the lapse of a 15-day period as from the date that the request was presented to the President of the Assembly.

Withdrawal of confidence in the government shall be conditional upon the approval of an absolute majority of the members of the Assembly of the People's Representatives and upon the presentation of an alternative candidate for the position of Prime Minister whose candidacy shall be ratified in the same voting process. The President of the Republic shall

entrust the candidate with the task of forming a government, in accordance with the provisions of article 89.

In the event of failure to attain the specified majority, a motion of censure may only be reintroduced against the government after the lapse of a six-month period.

The Assembly of the People's Representatives may withdraw confidence in a member of the government after a justified request is submitted to the President of the Assembly by no less than a third of the members. Withdrawal of confidence shall be by an absolute majority of votes.

Article 98

If the Prime Minister resigns, the entire government is considered to have resigned. The resignation shall be submitted in writing to the President of the Republic who notifies the President of the Assembly of the People's Representatives.

The Prime Minister may propose to the Assembly of the People's Representatives to give a vote of confidence to the government to continue its work. The vote shall be by an absolute majority of the members of the Assembly of the People's Representatives. Should the Assembly not renew confidence in the government, it shall be deemed to have resigned.

In either case, the President of the Republic shall assign the person who is most capable to form a government in accordance with the provisions of Article 89.

Article 99

The President of the Republic may call the Assembly of the People's Representatives to vote on the government's continuation of its functions, for a maximum of two times during the entire presidential term. The vote

is done on an absolute majority of the members of the Assembly of the People's Representatives. If the Assembly does not renew its confidence in the government, the government shall be deemed to have resigned, in which case the President of the Republic designates the person most able to form a government within a period of 30 days, in accordance with the first, fifth and sixth paragraphs of Article 89.

If this period lapses without a government having been formed, or it fails to receive a vote of confidence from the Assembly of the People's Representatives, the President may dissolve the Assembly and call early legislative elections after at least 45 days and no later than 90 days.

In the case of the Assembly's renewing its confidence in the government, in the two instances, the President of the Republic is considered to have resigned.

Article 100

If, for any reason other than resignation or withdrawal of confidence, the post of Prime Minister is permanently vacant, the President of the Republic shall task the candidate nominated by the ruling political party or coalition with forming a government within one month. If this period lapses without a government having been formed, or it fails to receive a vote of confidence, the President shall task the most capable person with forming a government, which shall be put to a vote of confidence by the Assembly in accordance with the provisions stipulated in Article 89.

The outgoing government shall continue its activities under the supervision of one of its members, to be selected by the Council of Ministers and appointed by the President of the Republic, until the new government takes over.

Article 101

Any disputes arising with respect to the powers of the President of the Republic and of the Prime Minister shall be referred to the Constitutional

Court. The Court shall rule on the dispute within one week based on a request presented by the most concerned of the parties.

Chapter 5: Judicial Authority

Article 102

The judiciary is an independent authority that ensures the prevalence of justice, the supremacy of the Constitution, the sovereignty of law, and the protection of rights and freedoms.

Judges are independent. No power shall be exercised over their rulings other than the power of the law.

Article 103

A condition of being a judge is the possession of competence. A judge must abide by impartiality and integrity and shall be held accountable for any shortcomings in the performance of his or her duties.

Article 104

Judges shall enjoy immunity against criminal prosecution and may not be prosecuted or arrested unless their immunity is lifted. In the event of flagrante delicto, a judge may be arrested and the Judicial Council shall be notified with a view to determining the request to lift their immunity.

Article 105

The legal profession is a free independent profession that contributes to the establishment of justice and defense of rights and liberties.

Lawyers are entitled to the legal guarantees that ensure their protection and the fulfillment of their tasks.

Section One: Judicial, Administrative and Financial Justice

Article 106

Judges shall be nominated by virtue of an order made by the President of the Republic based on the assent of the Supreme Judicial Council.

Appointments of senior judges shall be made by way of presidential order after consultation with the Prime Minister, based on a sole proposal from the Supreme Judicial Council, and the law shall determine these senior judicial positions.

Article 107

No judge may be transferred without his or her consent or removed, and no judge may be suspended, dismissed, or subjected to disciplinary punishment except in such cases and in accordance with the guarantees provided for by law and by virtue of a justified decision issued by the Supreme Judicial Council.

Article 108

Every individual has the right to a fair trial within a reasonable period. Litigators shall be equal before the judiciary.

The right to litigation and the right to defense shall be guaranteed. The law shall facilitate access to justice and those without financial means shall be granted financial judicial assistance.

The law shall guarantee litigation on two levels.

Court sessions shall be public unless the law decides otherwise, and the judgment shall only be pronounced in a public session.

Article 109

Any interference with the judiciary is prohibited.

Article 110

Classifications of courts shall be established by virtue of a law. No exceptional courts or exceptional procedures that may prejudice the principles of a fair trial may be established or adopted.

Military courts specialize in the domain of military crimes. The law shall regulate their jurisdiction, composition, applicable procedures and the statute of its judges.

Article 111

Judgments shall be issued in the name of the people and executed in the name of the President of the Republic. Failing to execute or impeding the execution of a sentence without legal grounds is prohibited.

Part One: The Supreme Judicial Council

Article 112

The Supreme Judicial Council is composed of four bodies, which are the Judiciary Council, the Administrative Judicial Council, the Financial Judicial Council, and plenary assembly of the Judicial Councils.

Two-thirds of each of these entities are composed of judges the majority of whom are elected as well as judges appointed by capacity, while the remaining third shall be composed of specialized independent individuals.

The majority of the composition of these bodies shall be elected. Elected members shall undertake their functions for a single six-year term.

The Supreme Judicial Council shall elect its president from amongst its most senior judges.

A law shall regulate the mandate, structure, and organization of each of the four entities as well as the procedures applicable before each.

Article 113

The Supreme Judicial Council shall enjoy administrative and financial independence and shall manage itself, and shall prepare its draft budget and discuss it before the competent committee of the Assembly of the People's Representatives.

Article 114

The Supreme Judicial Council shall ensure the judiciary's sound performance and respect for its independence. The conference of the three Judicial Councils shall propose reforms and express opinions with respect to proposals and draft laws related to the judiciary that are presented to it. Each of the three councils shall decide on the professional career of judges and on disciplinary measures.

The Supreme Judicial Council shall submit an annual report to the Speaker of the Assembly of the People's Representatives, the President of the Republic, and the Prime Minister, by the month of July. The report shall be published. The Assembly of the People's Representatives shall discuss the annual report in a plenary dialogue session with the Supreme Judicial Council.

Part Two: Judicial Order

Article 115

The judicial order is composed of the Court of Cassation, appellate courts and courts of first instance.

The public prosecution is part of the judicial justice system, covered by the guarantees for the system protected in the Constitution. The judges shall practice their tasks within public prosecution within the framework of the penal policy of the State as regulated by the law.

The Court of Cassation shall prepare an annual report and submit it to the

President of the Republic, the President of the Assembly of the People's Representatives, the Prime Minister and the head of the Supreme Judicial Council. The report shall be published.

A law shall regulate the judicial system, its mandate, its procedures, as well as the statute of its judges.

Part Three: Administrative Judiciary

Article 116

The administrative judiciary is composed of the Supreme Administrative Court, administrative courts of appeal, and administrative courts of first instance.

The administrative judiciary has jurisdiction over any abuse of power by the administration as well as administrative disputes. The administrative judiciary shall, in accordance with the law, exercise consultative functions. The Supreme Administrative Court shall prepare a general annual report to be submitted to the President of the Republic, the President of the Assembly of the People's Representatives, the Prime Minister, and the President of the Supreme Judicial Council.

A law shall regulate the organisation of the administrative judiciary, its mandate, procedures, as well as the statute of its judges.

Part Four: Financial Judiciary

Article 117

The financial judiciary is composed of the Court of Audit with its various bodies.

The Court of Audit shall have jurisdiction to supervise the sound spending of public funds in accordance with the principles of legality, efficiency and transparency. The financial judiciary shall decide on the accounts of public accountants. The financial judiciary evaluates the expenditure of public

funds and punishes any mismanagement in that regard.

The financial judiciary shall assist the legislature and the executive in supervising the enforcement and sealing of financial laws.

The Court of Audit shall prepare a general annual report to be submitted to the President of the Republic, the President of the Assembly of the People's Representatives, the Prime Minister, and the President of the Supreme Judicial Council. The report shall be published. The Court of Audit shall, when necessary, prepare special reports that may be published.

A law shall regulate the organization, mandate and procedures of the Court of Audit as well as the statute of its judges.

Section Two: The Constitutional Court

Article 118

The Constitutional Court is an independent judicial body that is composed of twelve competent members, three-quarters of whom are legal experts having no less than 20 years experience.

The President of the Republic, the Assembly of the People's Representatives, and the Supreme Judicial Council shall each appoint four members, three-quarters of whom must be legal specialists. The nomination is for a single nine-year term.

One-third of the members of the Constitutional Court shall be renewed every three-year period. Any vacancies in the hierarchy of the Court shall be filled by virtue of the means adopted during appointment, taking into account the appointing party and the specialization.

The members of the Court shall, from amongst the members, elect a President and a Vice President of the Court.

Article 119

Combining membership of the Constitutional Court and undertaking any other post or task shall be prohibited.

Article 120

The Constitutional Court is the sole body competent to oversee the constitutionality of the following:

- Draft laws, upon the request of the President of the Republic, the Prime Minister, or 30 members of the Assembly of the People's Representatives, submitted to it within seven days of the date of the Assembly's ratification of the draft law or the date of the ratification of a draft law in an amended form after its return to the Assembly by the President of the Republic,
- Constitutional draft laws submitted to it by the President of the Assembly of the People's Representatives as specified in Article 144 or to determine whether the procedures for amending the Constitution have been respected,
- Treaties referred to it by the President of the Republic before ratification of the draft laws for their ratification,
- Laws referred to it by courts as a result of a request filed by a litigator, in accordance with the procedures provided for by law, to claim the unconstitutionality thereof,
- The Assembly of the People's Representatives' rules of procedure presented to it by the President of the Assembly,

The Constitutional Court is also responsible for the other tasks that are granted to it by the Constitution.

Article 121

The Court issues its decision within 45 days of the date of the contestation of constitutionality, by an absolute majority of its members.

The Court's decision shall pronounce on the contested provisions' constitutionality or unconstitutionality. Its decision shall set out the reasoning and shall be binding on all authorities, and shall be published in the Official Gazette of the Tunisian Republic.

In the event of the end of the period specified in the first paragraph without the Court's decision being issued, the latter shall be obliged to immediately refer the draft to the President of the Republic.

Article 122

The unconstitutional draft law must be referred to the President of the Republic and from the latter to the Assembly of the People's Representatives to be reconsidered in accordance with the Constitutional Court's decision.

The President of the Republic must, before sealing it, return it to the Constitutional Court to rule on its constitutionality.

In the event of the Assembly of the People's Representatives' ratification of an amended draft law after being returned, where the Court had approved the law's constitutionality or referred it to the President of the Republic due to lapse of the set period without a decision being issued in its regard, the President of the Republic must refer it to the Constitutional Court before its promulgation.

Article 123

In the event the Constitutional Court is seized of a claim of unconstitutionality, the Court shall be limited to examining the issues that have been put before it. It shall render its decision within three months, which can be renewed only once and by virtue of a decision that sets out its reasoning.

If the Constitutional Court decides on the unconstitutionality of the law, the law shall, within the limits specified by the Court, no longer be applied.

Article 124

A law shall govern the organization of the Constitutional Court and the procedures it shall follow as well as the guarantees enjoyed by its members.

Chapter Six: Independent Constitutional Commissions

Article 125

The independent constitutional commissions seek to support democracy. All institutions of the State must facilitate their work.

These commissions shall enjoy legal personality as well as financial and administrative independence. These commissions shall be elected by the Assembly of the People's Representatives by qualified majority, and shall submit an annual report to it, with the report of each commission being discussed in a special plenary of the Assembly.

The law shall determine the composition of these commissions, representation within them, the procedures for their election, organization and ways of holding them accountable.

Section One: Electoral Commission

Article 126

The Electoral Commission, called the Higher Independent Electoral Commission, shall be entrusted with the management and organization of elections and referenda, and overseeing all their phases. The Commission shall ensure the soundness, integrity and transparency of the election process, and announce the results.

The Commission has regulatory power in the areas that are related to its mandate.

The Commission shall be composed of nine independent, impartial members possessing competence, who undertake their work for one six-year period. One third of its members shall be replaced every two years.

Section Two: Audio-Visual Communication Commission

Article 127

The Audio-Visual Communication Commission shall oversee the modulation and development of the audio-visual communication sector and seek to guarantee freedoms of expression and of the media and the existence of pluralistic and fair media.

The Commission shall have regulatory power in matters related to its mandate and must be duly consulted on relevant draft laws.

The Commission shall be composed of nine independent, impartial members possessing competence and integrity who undertake their work for one six-year period. One third of its members shall be replaced every two years.

Section Three: Human Rights Commission

Article 128

The Human Rights Commission shall oversee the extent to which human rights and freedoms are respected, and promote human rights and freedoms. The Commission shall propose reforms to develop the human rights framework and shall be consulted on draft laws that are related to its mandate.

The Commission shall conduct investigations into violations of any human rights with a view to settlement or referral to the competent authorities.

The Commission shall be composed of independent and impartial members who possess competence and integrity. They undertake their functions for one six-year period.

Section Four: Commission for Sustainable Development and the Rights of Future Generations

Article 129

The Commission for Sustainable Development and the Rights of Future Generations shall be consulted on draft laws related to economic, social and environmental issues and on development planning. The Commission shall give its opinion on issues related to its specializations.

The Commission shall be composed of members possessing competence and integrity. They undertake their functions for one six-year period.

Section Five: Commission for Good Governance and Anti-Corruption

Article 130

The Commission for Good Governance and Anti-Corruption contributes to policies of good governance, preventing and fighting corruption and following up their implementation and dissemination of their culture, and strengthens the principles of transparency, integrity and accountability.

The Commission shall be in charge of monitoring cases of corruption within the public and private sectors, investigating and confirming them, and submitting them to the relevant authorities. The Commission must be consulted on draft laws related to its specialization and can give its opinion on general regulatory texts related to its mandate. The Commission is composed of independent impartial members possessing competence and integrity, who undertake their functions for one six-year period. One third of the members shall be renewed every two years.

Chapter 7: Local Authority

Article 131

Local authority shall be based on decentralization. Decentralization shall be embodied in local authorities composed of municipalities, regions and governorates covering the entire territory of the Republic in accordance with a distribution set by law. Special categories of local authorities may be established by law.

Article 132

Local authorities shall enjoy legal personality as well as financial and administrative independence. They shall manage local interests in accordance with the principle of free administration.

Article 133

Local authorities shall be managed by elected councils. Municipal and regional councils shall be elected by virtue of general, free, direct, secret, fair and transparent elections. Governorate councils shall be elected by members of the municipal and regional councils. The Election Law shall guarantee the representation of youth in local authority councils.

Article 134

Local authorities shall enjoy autonomous powers, powers shared with central government, and powers delegated to them from central government. The joint and delegated powers shall be distributed in accordance with the principle of subsidiarity.

Local authorities shall enjoy regulatory power in exercising their mandates. Regulatory decisions of local authorities shall be published in the official gazettes of local authorities.

Article 135

Local authorities shall have self-generated resources and resources that are provided to them by central government. These resources shall be appropriate to the powers that are assigned to them by law.

All powers that are created or transferred by central government to the local authorities shall be coupled with the corresponding resources required.

The financial system of local authorities shall be governed by law.

Article 136

The central government shall guarantee the provision of additional resources to local authorities in order to consolidate the principle of solidarity and mechanism of regulation and balance.

The central government shall work to achieve equivalence between local resources and local burdens.

A portion of income from the exploitation of natural resources may be dedicated to stimulate regional development on a national level.

Article 137

Local authorities shall have the freedom to dispose of their resources within the framework of the approved budget in accordance with the rules of good governance and under the supervision of the financial judiciary.

Article 138

Local authorities shall, with respect to the legality of their work, be subject to a posteriori oversight.

Article 139

Local authorities shall adopt the mechanisms of participatory democracy and the principles of open governance to ensure broader participation by citizens and civil society in the preparation of development programmes and land management and monitoring of their implementation, in accordance with the law.

Article 140

Local authorities may cooperate and enter into partnerships with each other in order to implement programmes or undertake activities of common interest.

Local authorities may also build foreign relations for partnership and decentralized cooperation.

Rules for cooperation and partnership shall be regulated by law.

Article 141

The Supreme Council of Local Authorities shall be a representative structure for all councils of local authorities, and its headquarters shall be outside the capital.

The Supreme Council of Local Authorities shall examine matters related to development and balance between regions and shall render an opinion with respect to draft laws related to local planning, budgets and financial issues. The President of the Council of Local Authorities may be invited to attend discussions of the Assembly of the People's Representatives.

The composition and tasks of the Supreme Council of Local Authorities shall be regulated by a law.

Article 142

The administrative judiciary shall determine all disputes related to jurisdiction arising among local authorities and between central government and local authorities.

Chapter 8: Amendment of the Constitution

Article 143

The President of the Republic, or one third of the members of the Assembly of the People's Representatives, shall have the right to propose an amendment to the Constitution. A proposal by the President of the Republic shall have priority.

Article 144

Each proposal to amend the Constitution shall be submitted by the President of the Assembly of the People's Representatives to the Constitutional Court to give its opinion as to whether such a proposal is related to an article to which the Constitution has prohibited any amendment.

The Assembly of the People's Representatives shall examine the proposed amendment, to attain the approval of the absolute majority of members of the principle of the amendment.

The Constitution shall be amended upon the approval of two-thirds of the members of the Assembly of the People's Representatives. The President shall, after the approval of two-thirds of the Assembly of the People's Representatives, have the right to submit the amendment to a referendum, which must be approved in this case by a majority of voters.

Chapter 9: Concluding Provisions

Article 145

This Constitution's preamble is deemed an integral part of the Constitution.

Article 146

The Constitution's provisions shall be interpreted as a harmonious whole.

Article 147

After approving the complete Constitution according to Article 3 of the constitutional law No. 6 of the year 2011 dated 16 December 2011 related to the temporary organization of public authorities, the National Constituent Assembly shall convene an extraordinary plenary session where the Constitution shall be ratified by the President of the Republic, the President of the National Constituent Assembly and the Prime Minister. The President of the National Constituent Assembly shall give permission to publish the Constitution in a special issue of the Official Gazette of the Tunisian Republic, and the Constitution comes into effect upon its publication. The President of the National Constituent Assembly shall announce the date of publication in advance.

Chapter 10: Transitional Provisions

Article 148

1. Provisions of Articles 5, 6, 8, 15 and 16 of the Provisional Organization of Public Authorities continue to be in force until the election of the Assembly of the People's Representatives.

Provisions of Article 4 of the Provisional Organization of Public Authorities continue to be in force until the election of the Assembly of the People's Representatives. However, once the Constitution enters into effect, no proposed law presented by deputies can be accepted unless it relates to the electoral process, the transitional justice system or the bodies that emerge out of the laws ratified by the National Constituent Assembly.

Provisions of Articles 7, 9 to 14 and 26 of the Provisional Organization of Public Authorities continue to be in force until the election of the President of the Republic in accordance with Article 74 and subsequent articles of the Constitution.

Provisions of Articles 17 to 20 of the Provisional Organization of Public Authorities continue to be in force until the first government receives a vote of confidence from the Assembly of the People's Representatives.

The National Constituent Assembly continues to exercise its legislative, oversight and electoral prerogatives approved in the constituent law on the Provisional Organization of Public Authorities or in current laws until the election of the Assembly of the People's Representatives.

2. The following provisions come into effect in the following manner:

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Chapter Three relating to legislative power - with the exception of articles 53, 54 and 55 - and Section Two of Chapter Four relating to the Government shall come into effect on the day of announcing the final results of the first legislative elections.

- Articles 74 and 75 do not come into effect, except in relation to the President of the Republic who shall be elected through direct elections.

- Section Two of Chapter Five relating to Judicial, Administrative and Financial Justice, with the exception of Articles 108 to 111, come into effect upon the completion of the formation of the Supreme Judicial Council.

- Provisions of Section Two of Chapter Five relating to the Constitutional Court, with the exception of Article 118, come into effect upon the appointment of all members of the first composition of the Constitutional Court.

- Provisions of Chapter Six relating to Constitutional Bodies come into effect after the election of the Assembly of the People's Representatives.

- Provisions of Chapter Seven relating to Local Authority come into effect upon the laws contained within coming into effect.

3. Presidential and legislative elections shall be held in the period starting from four months from the completion of the establishment of the High Independent Electoral Commission and no later than the end of 2014.

4. Nominations for the first direct presidential elections are made by a number of the National Constituent Assembly members according to the number set for members of the Assembly of the People's Representatives or a number of registered voters, either to be set by the Election Law.

5. Within a period of no later than six months after the legislative elections, the Supreme Judicial Council must be established, and the Constitutional Court shall be created within one year of those elections.

6. In the case of the first and second partial renewals of members of the Constitutional Court, the Election Commission, Audio-Visual Communication Commission or the Commission for Good Governance and Anti-Corruption, it shall be conducted through the drawing of lots between the members of the first composition, with the exception of the President of the Commission.

7. Within three months of the ratification of the Constitution, the National Constituent Assembly shall create a temporary committee dedicated to verifying the constitutionality of draft laws, to be composed of:

- the first president of the Court of Appeal, as president,
- the first president of the Administrative Court, as member,
- the first president of the Accounts Department, as member,
- three members with a legal specialization, to be appointed by the President of the National Constituent Assembly, the President of the Republic and the Prime Minister, respectively.

No other court is entitled to examine the constitutionality of laws.

The temporary committee's functions expire upon the creation 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.

And God is the Grantor of success.