

## Constitutional Council

### **Making referrals for review (normal statutes)**

Before the passing of the statute : the Council's Legal Department keeps track of the work of Parliament and assesses the likelihood of a statute being referred for review.

Updating of the contemplated schedule of sittings of the whole Council



Final passing of the statute by Parliament



Transmission to the Government of the statute as enacted.  
Commencement of the period allotted for promulgation as determined by Article 10 (indent 1) of the Constitution.



Registration of a referral for review with the Secretary General of the Council.  
Verification of signatures (if the referral originates from members of Parliament).  
Suspension of the time allotted for promulgation (Article 61 of the Constitution).



The Secretary General of the Council immediately informs the Secretary General of the Government of the suspension of the time allotted for promulgation.  
The Secretary General of the Government immediately informs the Secretary General of the Elysée of the suspension of the time allotted for promulgation.



Appointment of a rapporteur by the President of the Council



Registration of other possible referrals ( verification of signatures)



Communication of the referral(s) to the President of the Republic, of the Senate and of the National Assembly, together with the Secretary General of the Government (SGG).



Examination of the referral(s) (together with the statute referred for review) under the authority of the rapporteur.

Various documentary research.



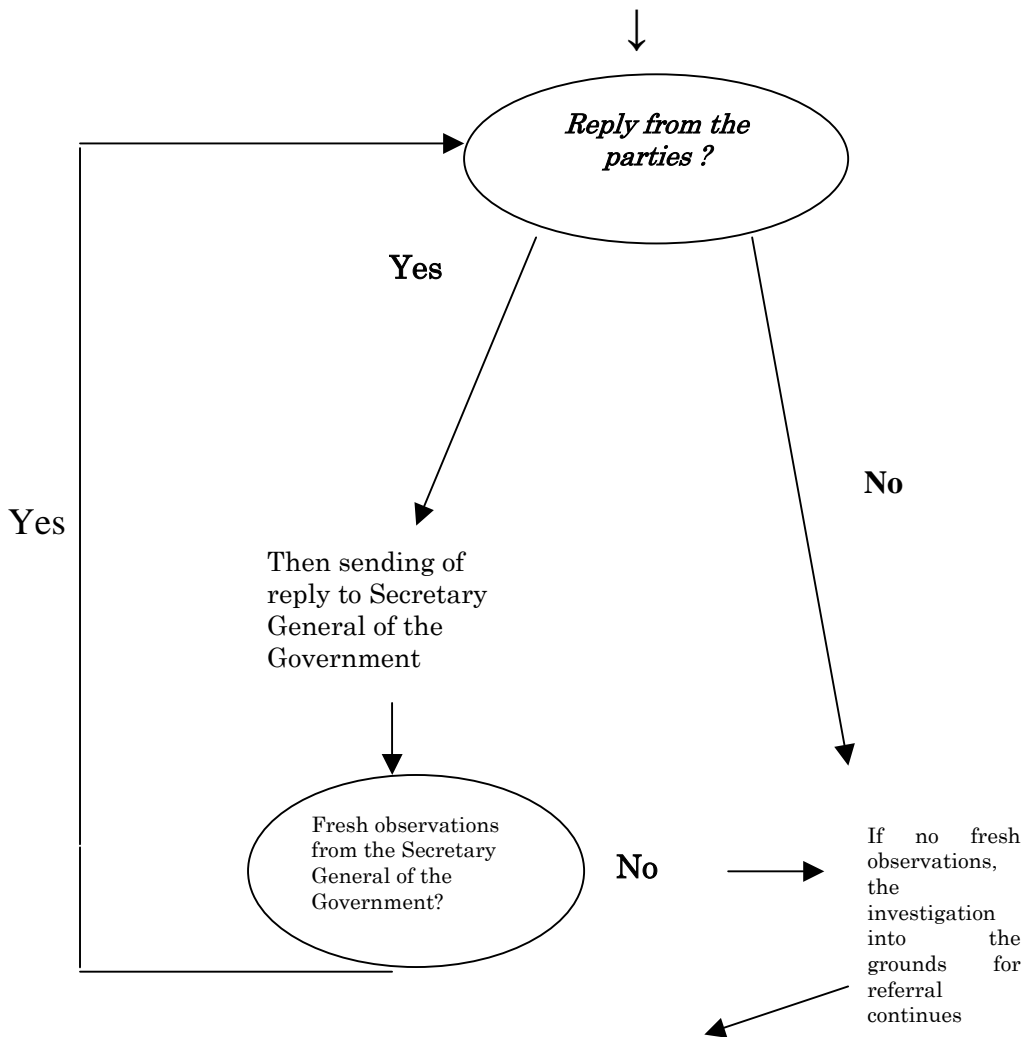
Meeting between the rapporteur and the representatives of the Government (Secretary General of the Government and the Ministers involved).



Written observations of the Secretary General of the Government.



Sending of the observations of the Secretary General of the Government to the parties making the referral.



Working meetings under the authority of the rapporteur

Drafting of the report

Preparation of a draft decision

Preparing the file for the sitting of the whole Council

Distribution of the file and draft decision 48 hours before the sitting of the Council.

### **SITTING OF THE WHOLE COUNCIL**

- Report
- General discussion
- Voting on issues of principle
- Voting on the text of the decision
- Final adopting of the decision.

## IMMEDIATELY AFTER THE SITTING OF THE WHOLE COUNCIL

- Information of the SGG (via the Ministerial network)
- Notification of parties making the appeal, Head of State, Prime Minister and Presidents of both Houses of Parliament
- Time allotted for promulgation begins to run again
- Drafting of the press release
- Putting together of press file
- Possible press conference
- Placing of decision and press file on the Council's Internet site
- Indexation of decision by the Legal Department of the Council
- Drafting of the commentary of the decision for publication in the *Cahiers du Conseil constitutionnel*



Promulgation of the statute (after deletion of provisions deemed to be unconstitutional) by the Head of State except in the event of a request for a further deliberation ( Article 10 indent 2 of the Constitution).



Transmission to the Council for verification of proofs of the decision to be published in the Journal officiel  
Re-reading by the Legal Department



Simultaneous publication in the J.O of the statute (after deletion of provisions deemed to be unconstitutional), the referrals, the observations of the Government and the decision.



**Subsequently**

- Re-reading of the record of the sitting of the Court and archiving
- Updating of the data base
- Commentary by the Secretary General (legal publication)
- Commentary by external writers (legal journals)
- Updating of record of cases, analytical tables and references to doctrine on the Internet site of the Council.
- Publication of the commentary in the *Cahiers du Conseil constitutionnel*
- Publication in the annual collection of decisions (integral text and analytical tables) in April of the year following that in which the decision was handed down.