

# CONSTITUTIONMAKING.ORG

## OPTION REPORTS

### ORGANIZATION OF THE LEGISLATURE

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The following report is one of a series produced by the Constitutional Design Group, a group of scholars dedicated to distributing data and analysis useful to those engaged in constitutional design. The primary intent of the reports is to provide current and historical information about design options in written constitutions as well as representative and illustrative text for important constitutional provisions. Most of the information in these reports comes from data from the Comparative Constitutions Project (CCP), a project sponsored by the National Science Foundation. Interested readers are encouraged to visit [constitutionmaking.org](http://constitutionmaking.org) for further resources for scholars and practitioners of constitutional design.

Note that the dates provided herein for constitutional texts reflect either the year of initial promulgation *or* of a subsequent amendment, depending on the version used for analysis. For example, Brazil 2005 refers to the Brazilian Constitution of 1988, as amended through 2005.

## 1. INTRODUCTION

Legislatures are central institutions of modern government and found in both dictatorships and democracies. Important features of their organization are typically provided for in the national constitution. We describe below the range of constitutional provisions for the general organizational features of legislatures.

## 2. DATA SOURCE(S)

The analysis reported below is based on data the Comparative Constitutions Project (please see the appendix for more information on this resource). As of this writing, the project sample includes 550 of the roughly 800 constitutions put in force since 1789, including more than 90% of constitutions written since World War II.

## 3. CLASSIFICATION AND HISTORICAL TRENDS

Overall, 98% of constitutions in the sample have provided for a legislative body. The legislature is organized in one chamber in 52% of the cases, and in two chambers in 46% of the constitutions. As Figures 1 and 2 suggest, the number of unicameral legislatures has increased over time, while the number of bicameral legislatures has decreased. Figures 2 and 3 shows regional variation among these constitutions. Figure 2 shows that unicameral legislatures are most common in Oceania, the Middle East, and South Asia, and least common in Latin America and Western Europe. Figure 3 shows that bicameral legislatures are most common in Western Europe and Latin America, and least common in Oceania and the Middle East.

In the case of bicameral legislatures, a majority of constitutions (66%) specify the circumstances when the two chambers meet in joint session. Table 1 summarizes these findings.

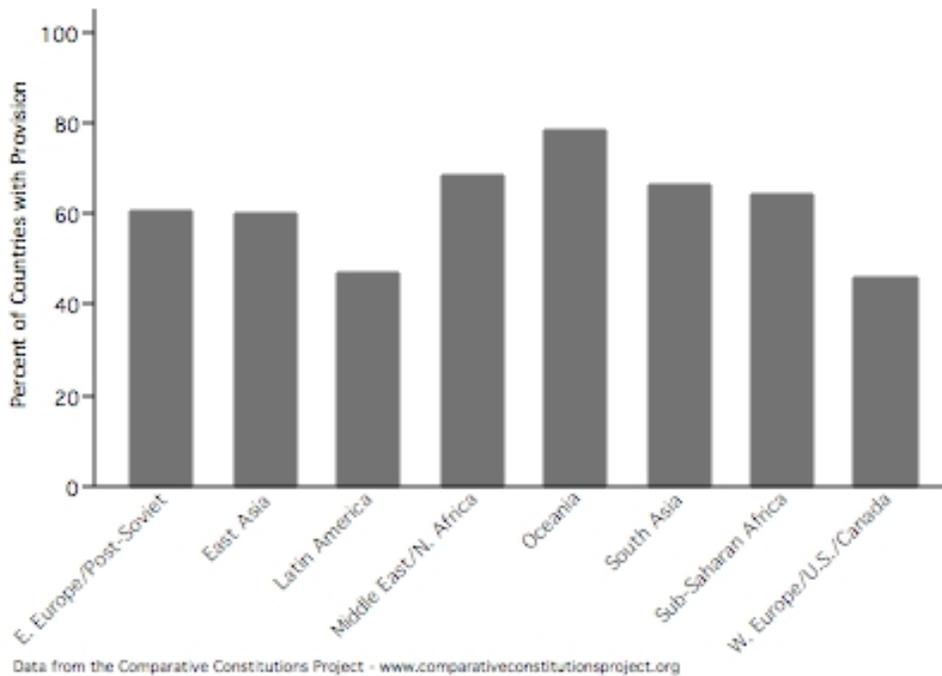
**Table 1. Circumstances for Joint Sessions of Bicameral Legislatures (N=261)**

<b>Circumstances for Joint Meetings</b>	<b>Number of Cases</b>	<b>Percentage of Cases</b>
Special body composed of both chambers	11	4.21%
Meet to coordinate parallel legislation	12	4.59%
Under certain (specified) circumstances	149	57.08%

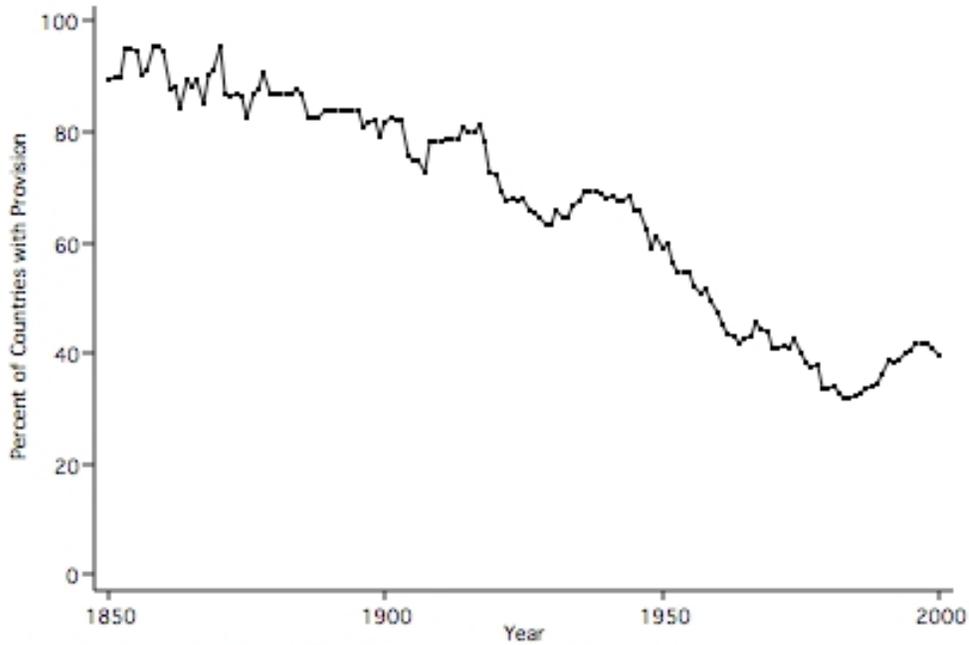
**Figure 1. Percent of Constitutions That Provide for Unicameral Legislature by Year (N=550)**



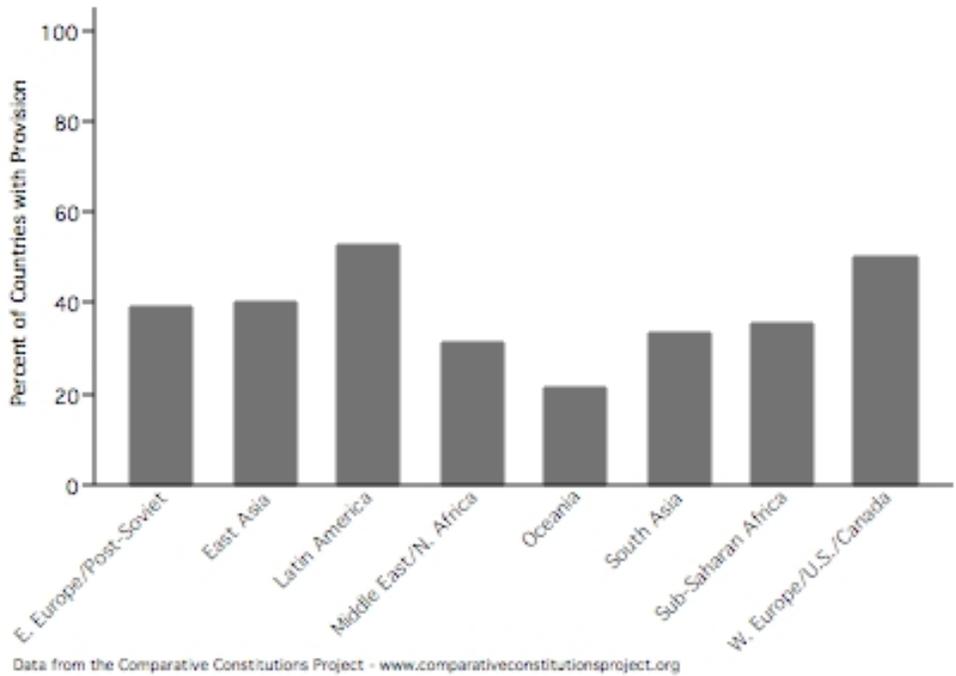
**Figure 2. Percent of Constitutions That Provide for Unicameral Legislature in 2000 by Region (N=191)**



**Figure 3. Percent of Constitutions That Provide for Bicameral Legislature by Year (N=550)**



**Figure 4. Percent of Constitutions That Provide for Bicameral Legislature in 2000 by Region (N=191)**



#### 4. NOTES ON ATYPICAL CASES

None.

#### 5. SAMPLE CONSTITUTIONAL PROVISIONS

*(Note: dates provided reflect the version of the constitution used to obtain sample provisions, and represent either initial year of promulgation or year through which subsequent amendments are included.)*

The set of sample provisions is divided into sections on:

1. Unicameral Legislature
2. Bicameral Legislature
3. Joint Sessions of Bicameral Legislatures
  - a. Joint Sessions of Bicameral Legislatures Under a Common Body
  - b. Joint Sessions of Bicameral Legislatures to Coordinate Parallel Legislation
  - c. Joint Sessions of Bicameral Legislatures in Other Circumstances

##### 5.1. Unicameral Legislature

The Loya Jirgah, the supreme council, is the highest organ of state power of the DRA. The composition of the Loya Jirgah, the total democratic method and manner of election of the representatives of the people of Afghanistan and the party officials, its authority and method of activity will be regulated by law. The election of the people's representatives to the Loya Jirgah will be implemented based on general secret, free, direct and equal vote. The Loya Jirgah will ratify the constitution of Afghanistan at its first session. The time of the election of the Loya Jirgah will be determined and announced by the Revolutionary Council.

- *Afghanistan 1980, Article 35*

There shall be a Parliament of Botswana which shall consist of the President and a National Assembly.

- *Botswana 2002, Article 57*

The National Assembly is the supreme body of the state authorities and the highest representative organ of the people of the State of Cambodia. The National Assembly is the sole legislative organ.

- *Cambodia 1989, Article 45*

The Central African people elects by direct universal suffrage the citizens who compose the parliament and who carry the title of deputy.

The Parliament of the Central African Republic consists of a single Assembly, which carries the name national assembly. Each Deputy is an elected representative (*l'élú*) of the Nation.

- *Central African Republic 2004, Article 49*

The National People's Congress of the People's Republic of China is the highest organ of state power. Its permanent body is the Standing Committee of the National People's Congress.

- *China 2004, Article 57*

The Parliament is composed of one sole chamber called the National Assembly having members carrying the title of Deputy. The Deputies are elected by universal direct suffrage.

- *Cote d'Ivoire 2000, Article 58*

The French people delegate the legislative power to a single assembly.

- *France 1848, Article 20*

Laws are passed either by the People's Chamber or directly by the people by means of a referendum.

- *German Democratic Republic 1960, Article 81*

The legislative power is exercised by one assembly called the Legislature. The deputies of the legislature join together into the National Assembly to execute the duties and powers of the legislative power as provided for in the present Constitution.

The seat of the legislature is that of the government.

- *Haiti 1983, Article 63*

The House of Representatives, represents the entire Indonesian people and consists of a membership the number of which is determined on the basis of one representative to every 300,000 residents of Indonesian citizenship, without prejudice to the provision in the second paragraph of Article 58.

- *Indonesia 1950, Article 56*

The legislative power of the Republic shall vest in the Parliament of Kenya, which shall consist of the President and the National Assembly.

- *Kenya 1997, Article 30*

The members of the House of Representatives shall be elected by the Nation. The right to vote is personal and cannot be delegated.

- *Morocco 1970, Article 36*

The Legislative power shall be vested in a National Assembly.

- *Philippines 1973, Article 8.1*

The All-Russian Congress of Soviets is the supreme power of the Russian Socialist Federated Soviet Republic.

- *Russia 1918, Article 24*

There shall be a legislature of Sierra Leone which shall be known as Parliament, and shall consist of the President, the Speaker and Members of Parliament.

- *Sierra Leone 1991, Article 73.1*

The legislative powers are vested in the people, who exercise it through the parliament or the Congress of Deputies.

- *Spain 1931, Article 51*

There shall be a National Legislative Assembly having the duty to prepare the Constitution and consider bills.

- *Thailand 1977, Article 6*

The National Assembly will be composed of deputies elected in each federal entity by universal, direct, personalized and secret vote with proportional representation, according to a population base of one point one per cent of the total population of the country.

Each federal entity will elect, as well, three deputies.

The indigenous peoples of the Bolivarian Republic of Venezuela will elect three deputies in accordance with that established in the electoral law, respecting their traditions and customs.

Each deputy will have a substitute, elected at the same election [*en el mismo proceso*].

- *Venezuela 1999, Article 186*

## 5.2. Bicameral Legislature

The legislative power is exercised by a Parliament, composed of two chambers, the National People's Assembly and the Council of the Nation. The Parliament elaborates and votes independently [*souverainement*].

- *Algeria 2002, Article 98*

The federal legislation is exercised by the Nationalrat, together with the Lander- and Standerat.

- *Austria 1929, Article 24*

The Legislative Branch is the National Congress, which is composed of the Chamber of Deputies and the Senate.

Sole Paragraph. Each legislative term shall last for four years.

- *Brazil 2005, Article 44*

The Parliament is composed of one sole chamber called the National Assembly having members carrying the title of Deputy. The Deputies are elected by universal direct suffrage.

- *Cote d'Ivoire 2000, Article 58*

The power to make laws for the State vests in a Parliament consisting of the President, the House of Representatives and the Senate.

- *Fiji 1998, Article 45*

The Parliament consists of the Chamber of Deputies and the Senate of the Republic.

The Parliament meets in joint session of the members of both Chambers only in the cases established in the Constitution.

- *Italy 2003, Article 55*

Art. 41. The Diet shall be the highest organ of state power, and shall be the sole law-making organ of the State.

Art. 42. The Diet shall consist of two houses, namely the House of Representatives and the House of Councilors.

- *Japan 1946, Articles 41; 42*

The Legislative Power of the United Mexican States is vested in a General Congress, which shall be divided into two Chambers, one of Deputies and the other of Senators.

- *Mexico 2003, Article 50*

The Parliament is composed of the two Chambers, the Chamber of Representatives and the Chamber of Counselors [*Conseillers*]. Their members hold their mandate from the Nation. Their right to vote is personal and cannot be delegated.

- *Morocco 1996, Article 36*

(1) Parliament consists of—

(a) the National Assembly; and

(b) the National Council of Provinces.

(2) The National Assembly and the National Council of Provinces

participate in the legislative process in the manner set out in the Constitution.

(3) The National Assembly is elected to represent the people and to ensure government by the people under the Constitution. It does this by choosing the President, by providing a national forum for public consideration of issues, by passing legislation and by scrutinizing and overseeing executive action.

(4) The National Council of Provinces represents the provinces to ensure that provincial interests are taken into account in the national sphere of government. It does this mainly by participating in the national legislative process and by providing a national forum for public consideration of issues affecting the provinces.

(5) The President may summon Parliament to an extraordinary sitting at any time to conduct special business.

(6) The seat of Parliament is Cape Town, but an Act of Parliament, enacted in accordance with section 76(1) and (5), may determine that the seat of Parliament is elsewhere.

- *South Africa 2003, Article 42*

1. The Cortes Generales represent the Spanish people and are formed by the Congress of Deputies and the Senate.

2. The Cortes Generales exercise the legislative power of the State, approve its budgets, control the action of the Government and have the other competences granted them by the Constitution.

3. The Cortes Generales are inviolable.

- *Spain 1992, Article 66*

The National Assembly consists of the House of Representatives and the Senate.

Joint or separate sittings of the National Assembly shall be in accordance with the provisions of this Constitution.

- *Thailand 1997, Article 90*

### **5.3. Joint Sessions of Bicameral Legislatures**

#### **5.3.a. Joint Sessions of Bicameral Legislatures Under a Common Body**

(1) The Joint Committee consists of Members of the Bundestag and Members of the Bundesrat; the Bundestag provides two thirds and the Bundesrat one third of the committee members. The Bundestag designates Members in proportion to the relative strength of the various parliamentary groups; they may not be members of the Federal Government. Each land is represented by a Bundesrat Member of its choice; these Members are not bound by instructions. The establishment of the Joint Committee and its proceedings are regulated by Rules of

Procedure to be adopted by the Bundestag and requiring the consent of the Bundesrat.

(2) The Federal Government must inform the Joint Committee about its planning for a State of Defense. The rights of the Bundestag and its committees under paragraph (1) Article 43 remain unaffected by the provisions of this paragraph.

- *German Federal Republic 2002, Article 53a*

Presiding at sittings of the National Assembly and at joint sittings.

(1) At any sitting of the National Assembly—

(a) in the case of the Senate, the President of the Senate shall preside, and in his absence the Deputy President shall preside; and

(b) in the case of the House of Representatives, the Speaker of that House shall preside, and in his absence the Deputy Speaker shall preside.

(2) At any joint sitting of the Senate and House of Representatives—

(a) the President of Senate shall preside, and in his absence the Speaker of the House of Representatives shall preside; and

(b) in the absence of the persons mentioned in paragraph (a) of this subsection, the Deputy President of the Senate shall preside, and in his absence the Deputy Speaker of the House of Representatives shall preside.

(3) In the absence of the persons mentioned in the foregoing provisions of this section, such member of the Senate or the House of Representatives or of the joint sitting, as the case may be, as the Senate or the House of Representatives or the joint sitting may elect for that purpose shall preside.

- *Nigeria 1999, Article 53*

In cases specified in the Constitutional Act, the House of Representatives and the Senate sitting

jointly, presided over by the Marshal of House of Representatives, shall constitute the National

Assembly.

- *Poland 1992, Article 27*

The National Assembly shall be competent to:-

(a) assume legislation in all national powers, subject to sub-Article (5)(b),

(b) approve plans, programs and policies relating to the State and society,

(c) approve the annual national budget,

(d) ratify international treaties, conventions and agreements,

(e) oversee the performance of the National Executive,

(f) adopt resolutions on matters of public concern,

(g) summon national ministers to present reports on the executive performance of the government in general or of specified ministries or

particular activities,

(h) interrogate, at will, national ministers about their performance or the performance of their ministries and may recommend to the President of the Republic, in a subsequent sitting, the removal of a national minister, if he is deemed to have lost the confidence of the National Assembly.

- *Sudan 2005, Article 91.3*

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

- *Uruguay 1934, Article 124*

### **5.3.b. Joint Sessions of Bicameral Legislatures to Coordinate Parallel Legislation**

Except cases defined otherwise in this constitution, the decisions of one of the houses relating to powers described under Article 81 shall be delivered to the other house. If the decision of one house is rejected by the other, a joint committee of equal number of members of either house shall be set up. The decision of the joint committee which has been adopted on the basis of 2/3 of votes of the committee members shall enter into force after it is signed by the president. If the joint committee fails to resolve differences, the matter shall be discussed in the joint session of the national assembly and decision taken by a majority vote of the joint session.

- *Afghanistan 1990, Article 95*

Every Government or member's bill shall be considered successively in the two Assemblies of Parliament with a view to the adoption of an identical text.

If, as a result of a disagreement between the two Assemblies, it has proved impossible to adopt a Government or member's bill after two readings by each Assembly or, if the Government has declared the matter urgent, after a single reading by each of them, the Prime Minister may convene a joint committee, composed of an equal number of members from each Assembly, to propose a text on the provisions still under discussion. The text drafted by the joint committee can be submitted by the Government to both Assemblies for approval. No amendment shall be

admissible without the consent of the Government.

If the joint committee does not succeed in adopting a common text, or if the text is not adopted as provided in the preceding paragraph, the Government may, after a further reading by the National Assembly and by the Senate, ask the National Assembly to make a final decision. In that event, the National Assembly may reconsider either the text drafted by the joint committee, or the last text passed by itself, as modified, if such is the case, by any amendment or amendments adopted by the Senate.

- *France 2005, Article 45*

Any bill or proposal of law is examined successively by the two Chambers of Parliament with the view of adopting an identical text.

When, following a disagreement between the two Chambers, a bill or a proposal of law could not be adopted after one reading by each of the Chambers, the Prime Minister has the authority [*faculté*] to summon the meeting of a mixed commission of the two Chambers, charged with proposing a text about the provisions remaining in discussion.

If the mixed commission is unable to adopt a common text, the Government seizes the National Assembly which will decide definitively. If the mixed commission adopts a common text, this latter becomes that of Parliament only if it is adopted separately by each of the Chambers. The proceeding concerning the budget is identical to that of ordinary law, with reservation for the particular provisions stated in Article 48 above.

- *Gabon 1997, Article 58a*

Joint sitting of both Houses in certain cases

(1) If after a Bill has been passed by one House and transmitted to the other House'

(a) the Bill is rejected by the other House; or

(b) the Houses have finally disagreed as to the amendments to be made in the Bill; or

(c) more than six months elapse from the date of the reception of the Bill by the other House without the Bill being passed by it, the President may, unless the Bill has elapsed by reason of a dissolution of the House of the People, notify to the Houses by message if they are sitting or by public notification if they are not sitting, his intention to summon them to meet in a joint sitting for the purpose of deliberating and voting on the Bill: Provided that nothing in this clause shall apply to a Money Bill.

(2) In reckoning any such period of six months as is referred to in clause (1) no account shall be taken of any period during which the House referred to in sub-clause (c) of that clause is prorogued or adjourned for more than four consecutive days.

(3) Where the President has under clause (1) notified his intention of summoning the Houses to meet in a joint sitting, neither House shall proceed further with the Bill, but the President may at any time after the

date of his notification summon the Houses to meet in a joint sitting for the purpose specified in the notification and, if he does so, the Houses shall meet accordingly.

(4) If at the joint sitting of the two Houses the Bill, with such amendments, if any, as are agreed to in joint sitting, is passed by a majority of the total number of members of both Houses present and voting, it shall be deemed for the purposes of this Constitution to have been passed by both Houses:

Provided that at a joint sitting'

(a) if the Bill, having been passed by one House, has not been passed by the other House with amendments and returned to the House in which it originated, no amendment shall be proposed to the Bill other than such amendments (if any) as are made necessary by the delay in the passage of the Bill;

(b) if the Bill has been so passed and returned, only such amendments as aforesaid shall be proposed to the Bill and such other amendments as are relevant to the matters with respect to which the Houses have not agreed, and the decision of the person presiding as to the amendments which are admissible under this clause shall be final.

(5) A joint sitting may be held under this article and a Bill passed thereat, notwithstanding that a dissolution of the House of the People has intervened since the President notified his intention to summon the Houses to meet therein.

- *India 1995, Article 108*

Every project or legislative proposal is examined successively by the two Chambers of Parliament in order to proceed to the adoption of an identical text. The Chamber [which] first receives it examines the legislative project presented by the Government or of a written proposed law; a Chamber which receives a text which has been voted by the other Chamber deliberates on the text transmitted to it.

Because a bill or legislative proposal cannot be adopted until after two readings in each Chamber or if the Government has declared [a state] of urgency after only one reading in each Chamber, the Government can initiate [provoquer] the reunion of a mixed paritary committee, charged with [the development of] a proposal for a text of provisions under discussion. The text elaborated by the mixed paritary Committee can be submitted to the two Chambers for adoption. No amendment is acceptable except in agreement with the Government.

If the mixed paritary Committee does not proceed to the adoption of a common text or if it is not adopted by the Chambers, the Government can submit to the Chamber of Representatives the bill or the legislative proposal [as] modified, as the case may be, by the amendments resulting from the parliamentary discussion and taken over by the Government. The Chamber of Representatives cannot adopt the text definitively, except by the absolute majority of all its members.

The provisions [dispositions] adopted by the Chamber of Representatives are considered to have been voted by it in application of Article 75 Paragraph 2.

The organic laws are voted on and modified with the same conditions. However the bill or proposal of an organic law is not submitted to the deliberation and to the vote of the Chamber that has received it except with a time limit of ten days after its submission. The organic laws pertaining to the Chamber of Counselors must be voted on the same terms by the two Chambers.

The organic laws cannot be promulgated until after the Constitutional Council has pronounced their conformity with the Constitution.

- *Morocco 1996, Article 58*

(a) If after a Bill or any other measure has been passed by one Chamber and transmitted to the other Chamber,

(i) The Bill is rejected by the other Chamber,

(ii) The Chambers have finally disagreed as to amendments to be made in the Bill, or

(iii) More than twelve months elapse from the date of the reception of the Bill by the other Chamber without the Bill being presented to His Highness the Maharaja for his assent, His Highness the Maharaja may summon the Chambers to meet in a joint sitting for the purpose of deliberating and voting on the Bill.

(b) Any Bill thus passed at the joint sitting of the two Chambers shall be deemed to have been passed by both Chambers.

(c) At a joint sitting of the two Chambers the President of the Bharadari Sabha or in his absence such person as may be purpose by His Highness the Maharaja shall preside.

- *Nepal 1948, Article 36*

(1) This section applies to a bill, other than a bill certified under section 72(2), 73(2) or 74 of this Constitution or a bill for a law to alter this Constitution.

(2) Subject to the provisions of subsection (3) of this section, when a bill to which this section applies having been introduced and passed by one chamber of Parliament has been sent to the other chamber of Parliament at least ninety days before the end of the session and has been considered by that other chamber of Parliament within ninety days after it is so sent but has not within that period been passed either without amendment or with amendments which are agreed to by the chamber in which the bill was introduced, neither chamber shall proceed further upon the bill and the bill shall be referred to a joint sitting of the Senate and the House of Assembly in accordance with the provisions of Schedule 1 to this Constitution.

(3) If a bill to which this section applies, having been introduced in and

passed by the House of Assembly, has been sent to the Senate at least ninety days before the end of the session and is not considered by the Senate within ninety days after it is so sent, the bill shall not be referred to a joint sitting of the Senate and the House of Assembly but shall, unless the House of Assembly otherwise resolves, be presented to the King for assent.

- *Swaziland 1987, Article 75*

### 5.3.c. Joint Sessions of Bicameral Legislatures in Other Circumstances

(1) Both houses of the National Assembly hold their sessions separately at the same time. (2) Under the following circumstances, both houses can hold joint sessions: -- When the legislative session, or the annual session is inaugurated by the President. -- When it is deemed necessary by the President. (3) In this case the head of the House of Representatives [Wolesi Jirga], chairs the joint session of the National Assembly.

- *Afghanistan 2004, Article 104*

Art. 88. ... The Parliament in a joint session of both chambers declares the state of impediment of the President of the Republic, by a two-thirds (2/3) majority of its members, and empowers the President of the Council of the Nation as interim President of the State, for a maximum period of forty-five (45) days to exercise the prerogatives within the terms of the provisions of Article 90 of the Constitution. ...

Art. 130. Upon request of the President of the Republic or one of the Presidents of one of the two chambers, the Parliament may initiate a debate on foreign policy.

This debate can be concluded with a resolution of the Parliament meeting in joint session of the two chambers which shall be communicated to the President of the Republic.

Art. 177. Three-fourths (3/4) of the members of the two chambers of the Parliament, meeting in joint session, may propose a constitutional revision and present it to the President of the Republic, who can submit it in a referendum.

If its approval is obtained, it is promulgated.

- *Algeria 2002, Articles 88; 130; 177*

Art. 38. The Nationalrat and the Linder- and Standerat assemble as the Bundesversammlung in a joint public sitting for administering the oath of office of the Federal President as well as for a resolution concerning a declaration of war.

- *Austria 1929, Article 38*

The national congress shall have exclusive power to:

1. Estimate the receipts and fix the federal expenses annually and examine the accounts of receipts and expenditures of each fiscal period;
2. Authorize the executive power to make loans and engage in other operations of credit;
3. Legislate in regard to the public debt and establish means for its payment;
4. Regulate the collection and distribution of the federal revenues;
5. Regulate international commerce, as well as that of the states with each other and with the federal district., establish custom-houses in the ports, and create and abolish warehouses:
6. Legislate regarding the navigation of rivers that water more than one state, or that extend to foreign territory;
7. Determine the weight, value, design, character, and denomination of the coinage;
8. Create banks of emission, legislate regarding them, and tax them;
9. Fix the standards of weights and measures;
10. Determine finally the boundaries of the states with each other, those of the federal district, and those of the nation with adjoining states;
11. Authorize the government to declare war, if resort to arbitration is not feasible or has failed, and to make peace;
12. Pass finally upon treaties and conventions with foreign nations;
13. Move the capital of the union;
14. Grant subsidies to the states in accordance with art. 5;
15. Legislate on the federal postal and telegraph services;
16. Adopt the regulations requisite for the safety of the frontiers;
17. Fix annually the land and sea forces;
18. Legislate on the organization of the army and navy;
19. Permit or prohibit the passage of foreign troops through the national territory for military operations;
20. Mobilize and utilize the national guard or civil militia, in the cases contemplated by the constitution;
21. Declare in a state of siege one or more points of the national territory, in the emergency of aggression by foreign forces or of internal commotion, and approve or suspend the siege which may have been declared by the executive power or his responsible agents in the recess of the congress;
22. Regulate the conditions and the procedure of the elections for federal offices throughout the country;
23. Legislate regarding the civil, commercial, and criminal law of the republic and the procedural law of the federal courts;
24. Establish uniform laws of naturalization;
25. Create and abolish federal public offices, fix their powers, and determine their salaries;
26. Organize the federal judiciary, in accordance with art. 55, and following, of Sec. III;
27. Grant amnesties;

28. Commute and pardon the penalties imposed upon federal officials for offenses in office;
  29. Legislate regarding the lands and mines belonging to the union;
  30. Legislate concerning the municipal organization of the federal district, as well as on the police, higher instruction, and the other services which may be reserved in the capital for the government of the union;
  31. Subject to special legislation the points in the territory of the republic necessary for the establishment of arsenals and other establishments and institutions of federal utility.
  32. Regulate the cases of extradition between the states;
  33. Enact the laws and resolutions necessary for the exercise of the powers that belong to the union;
  34. Enact the organic laws for the complete execution of the constitution;
  35. Extend and adjourn its sessions.
- *Brazil 1891, Article 34*

Exclusive attributes of Congress are:

- 1) To approve or disapprove annually the statement of disbursement of funds intended for the expenses of the public administration, which the Government must present.
- 2) To give its consent for the President of the Republic to leave the national territory.
- 3) To declare, when the President of the Republic tenders his resignation from office, whether or not the causes upon which he bases it do disable him from holding the office, and in consequence whether to accept or to refuse the resignation.
- 4) To declare, when there may be occasion for doubts, whether the disability that debars the President from the exercise of his functions is of such a nature that a new election should be held.
- 5) To approve or disapprove treaties that, before their ratification, the President of the Republic presents to it.

All of the above resolutions shall be subject in Congress to the same procedure as a law.

- *Chile 1925, Article 43*

Art. 113. In addition to the permanent and special committees, the two Chambers may set up one or several joint committees with equal representation of both Chambers in order to reconcile their views if they diverge on a point on which they must adopt the same decision in identical terms.

If the disagreement persists, the National Assembly takes the final decision.

Art. 119. The two Chambers meet jointly as Congress for the following cases:

- a) the procedure of constitutional revision in conformity with Articles 218

to 220 of this Constitution;

b) the authorization of the proclamation of the state of emergency or the state of siege and the declaration of war in accordance with Articles 85 and 86 of this Constitution;

c) the hearing of the speech of the President of the Republic on the state of the Nation in conformity with Article 77 of this Constitution;

d) the designation of three members of the Constitutional Court in accordance with the provisions of Article 158 of this Constitution.

- *Democratic Republic of Congo 2005, Articles 113; 119*

Art. 27. The Chambers shall meet together as a National Assembly in the cases indicated in the Constitution, and there must be present for this purpose more than one-half of the members of each Chamber.

Decisions shall be taken by absolute majority vote.

Art. 36. It is the function of the National Assembly to examine the act of election of the President and Vice President of the Republic, to proclaim them elected, and when called upon, to administer their oaths of office, to accept or reject their resignations, and to exercise the powers (*facultades*) conferred by this Constitution.

- *Dominican Republic 1994, Articles 27; 36*

Art. 55. The Parliament consists of the Chamber of Deputies and the Senate of the Republic.

The Parliament meets in joint session of the members of both Chambers only in the cases established in the Constitution.

Art. 90. The President of the Republic is not responsible for the acts performed in the exercise of his duties, except for high treason or plots against the Constitution.

In such cases he is impeached by Parliament in joint session, with an absolute majority of its members.

Art. 91. The President of the Republic, before assuming his functions, takes an oath of fidelity to the Republic and observance of the Constitution before a joint sitting of Parliament.

Art. 104. The judiciary is an autonomous order and independent of all other powers. The High Council of the Judiciary is presided over by the President of the Republic. Members by right are the first president and the procurator general of the Court of Cassation.

Of the other members, two-thirds are elected by all the ordinary judges belonging to the various categories, and one-third by Parliament in joint session from among university full professors of law and lawyers after fifteen years of practice.

The Council elects a vice-president from among those members designated by Parliament.

The elected members of the Council remain in office for four years and are not immediately re-eligible.

They cannot, while in office, be registered in professional Rolls, nor serve in Parliament or on a Regional Council.

- *Italy 2003, Articles 55; 90; 91; 104*

Art. 59. A bill becomes law on passage by both houses, except as otherwise provided by the Constitution.

A bill which is passed by the House of Representatives, and upon which the House of Councillors makes a decision different from that of the House of Representatives, becomes a law when passed a second time by the House of Representatives by a majority of two-thirds or more of the members present.

The provision of the preceding paragraph does not preclude the House of Representatives from calling for the meeting of a joint committee of both houses, provided for by law.

Failure by the House of Councillors to take final action within sixty days after receipt of a bill passed by the House of Representatives, time in recess excepted, may be determined by the House of Representatives to constitute a rejection of the said bill by the House of Councillors.

- *Japan 1946, Article 59; 60; 67*

Art. 74.1. The Chambers shall meet in joint sessions to exercise the non-legislative competences which Title II expressly authorizes for the Cortes Generales.

Art. 94.

1. The giving of the consent of the State to obligate itself to something by means of treaties or agreements shall require prior authorization of the Cortes Generales in the following cases:

- a) Treaties of a political nature.
- b) Treaties or agreements of a military nature.
- c) Treaties or agreements which affect the territorial integrity of the State or the fundamental rights and duties established in Title I.
- d) Treaties or agreements which imply important obligations for the public treasury.
- e) Treaties or agreements which involve modification or repeal of some law or require legislative measures for their execution.

2. The Congress and the Senate shall be immediately informed of the conclusion of the treaties or agreements.

Art. 145

1. In no case shall the federation of Autonomous Communities be allowed.

2. The Statutes may specify the conditions, requirements and terms under which the Autonomous Communities may establish agreements among themselves for the administration and rendering of services pertaining to them, as well as the nature and purposes of the

corresponding communication of them to the Cortes Generales. Under other conditions, cooperation agreements between Autonomous Communities shall require the authorization of the Cortes Generales.

Art. 158

1. In the General State Budgets, an allocation may be made to the Autonomous Communities in proportion to the volume of State services and State activities for which they have assumed responsibility and to their guarantee to provide a minimum level of basic public services throughout Spanish territory.

2. With the object of correcting inter-territorial economic imbalances and implementing the principle of solidarity, a clearing fund shall be established for investment expenditure, whose resources shall be distributed by the Cortes Generales among the Autonomous Communities and the provinces, as the case may be.

- *Spain 1992, Articles 74.1; 94; 145; 158*

The National Assembly shall hold a joint sitting in the following cases:

- (1) the approval of the appointment of the Regent under Section 19;
- (2) the making of a solemn declaration by the Regent before the National Assembly under Section 21;
- (3) the acknowledgment of an amendment of the Palace Law on Succession, B.E. 2467 under Section 22;
- (4) the acknowledgment or approval of the succession to the Throne under Section 23;
- (5) the reconsideration of a bill or an organic law bill under Section 94;
- (6) the passing of a resolution for the consideration by the National Assembly of other matters during a legislative ordinary session under Section 159;
- (7) the approval of the prorogation of a session under Section 160;
- (8) the opening of the session of the National Assembly under Section 161;
- (9) the approval of the further consideration of a bill or an organic law bill under Section 173;
- (10) the approval of the further consideration of a Constitution Amendment, bill or an organic law bill under Section 178 Paragraph Two;
- (11) the making of the rules of procedure of the National Assembly under Section 194;
- (12) the announcement of policies under Section 211;
- (13) the holding of a general debate under Section 213;
- (14) the approval of the declaration of war under Section 223;
- (15) the approval of a treaty under Section 224;
- (16) the amendment of the Constitution under Section 313.

- *Thailand 1997, Article 193*

## 6. APPENDIX

This report is based on the following question(s) from the Comparative Constitution Project's "survey instrument":

**[LEGISL]**-Does the constitution provide for a central representative body (a legislature)?

1. Yes
2. No
96. other, please specify in the comments section
97. Unable to Determine

**[HOUSENUM]**-How many chambers or houses does the Legislature contain?

1. 0
2. 1
3. 2
96. other, please specify in the comments section
97. Unable to Determine
98. Not Specified
99. Not Applicable

**[LEGJOINT]**-Does the constitution specify that the chambers should meet jointly for any reason?

1. Yes; there is even a special body composed of members of both chambers
2. Yes, but only to coordinate parallel legislation
3. Yes, under certain circumstances (please specify in comments)
90. left explicitly to non-constitutional law
96. other, please specify in the comments section
97. Unable to Determine
98. Not Specified

For additional documentation on the Comparative Constitutions Project, (including the full codebook, the sample, the sources of constitutional texts and translation issues related to those texts, coding procedures, publicly available data, etc.) please visit the project website at [www.comparativeconstitutionsproject.org](http://www.comparativeconstitutionsproject.org).