

**CONSTITUTION OF THE PRINCIPALITY**  
**DECEMBER 17<sup>TH</sup> 1962**  
**(as amended by Law n° Section 1.249 dated April 2<sup>nd</sup> 2002)**

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**CHAPTER VII**

**THE NATIONAL COUNCIL**

**Art.53.** (amended by Law n°1.249 dated April 2nd 2002) – The National Council comprises twenty-four members, elected for five years by direct universal suffrage and by list vote under the conditions prescribed by law.

In accordance with the conditions determined by law, electors are Monegasque citizens of either gender, at least eighteen years old, with the exception of those deprived of the right to vote for any of the causes set forth by law.

**Art.54.** (amended by Law n°1.249 dated April 2nd 2002) – All Monegasque electors of either gender, aged at least twenty-five, who have held the Monegasque nationality for at least five years, and who are not deprived of the right to stand for election for any of the causes set forth by law, are eligible.

Law determines which offices are incompatible with the National Councillor's mandate.

**Art.55.-** Courts of justice are entrusted with the control of the elections' legitimacy, under the conditions prescribed by law.

**Art.56.-** The National Council's members are not liable to any civil or penal responsibility on the grounds of opinions or votes they express during the exercise of their mandates.

Without the Council's authorisation, they may neither be prosecuted nor arrested during a session due to a criminal or police infringement, save in the case of flagrant offence.

**Art.57.-** The newly elected National Council meets on the eleventh day after elections in order to elect its board. The oldest National Councillor chairs this session.

Without prejudice of article 74, the prior National Council's powers expire on the day of the new National Council's meeting.

**Art.58** (amended by Law n°1.249 dated April 2nd 2002) – The National Council meets *ipso jure* in two annual ordinary sessions.

The first session opens on the first working day of April.

The second session opens on the first working day of October.

Each session may not last longer than three months. The session's closure is declared by the Chairperson.

**Art.59.-** The National Council meets in extraordinary session, convened either by the Prince, or, on the request of at least two thirds of the members, by the Chairperson.

**Art.60.-** The National Council's board comprises a chairperson and a co-chairperson, who are elected each year by the assembly from among its members.

A mayor's office is incompatible with that of the National Council's chairperson and co-chairperson.

**Art.61.-** Without prejudice to the provisions of the Constitution and if need be, the law, the organisation and operations of the National Council are determined by the rule of procedure which the Council issued.

Before being enforced, these rules of procedure must be submitted to the Supreme Court, which decides on its compliance with the Constitution and, if need be, with law.

**Art.62.-** The National Council sets its agenda. It is notified to the Minister of State at least three days beforehand. On the request of the Government, at least one of the two sessions must be devoted to debating the bills introduced by the Prince.

However, the agenda of extraordinary sessions convened by the Prince is set in the convocation

**Art.63.-** National council's meetings are public.

However, the Council may decide, with a majority of two thirds of the attending members, to sit in private session.

The minutes of the public meetings are published in "Le Journal de Monaco".

**Art.64.-** The Prince communicates with the National Council through messages read by the Minister of State.

**Art.65.-** The Minister of State and Government Councillors have reserved entrances and seats at the National Council's meetings. They must have the floor when they request so.

**Art.66.-** The instigation of law implies the agreement of wills of both the Prince and the National Council.

The Prince alone may initiate law.

Deliberating and voting on bills are the National Council's responsibility.

It falls to the Prince to sanction laws, which confers them a binding power through promulgation.

**Art.67.**(amended by Law n°1.249 dated April 2nd 2002) – The Prince signs bills. These bills are introduced to Him via the Government Council and with the Minister of State's signature. After the Prince's endorsement, the Minister of State introduces them to the National Council.

The National Council can formulate bill proposals. Within a period of six months starting from the date the Minister of State received the draft legislation, he notifies the following to the National Council:

- a) – either his decision to turn the bill into a proposal, eventually amended into a bill which shall follow the procedure provided for in paragraph 1. In this case, the bill is introduced within a period of one year starting from the expiration of six months;
- b) – or his decision to interrupt the legislative procedure. This decision is explained with a declaration placed on the agenda of an ordinary session public meeting anticipated within the period. This declaration can be followed by a debate.

After expiration of six months, if the Government has not notified the outcome intended for this bill proposal, the latter, according to the procedure prescribed by paragraph 1, becomes *ipso jure*, a bill.

The same procedure is applicable if the Government did not introduce the bill within a one year period provided for in paragraph 2, a).

The National Council has the right of amendment. As such, it can propose inclusions, substitutions or withdrawals in the bill. Amendments alone that have a direct link with the bill provisions relevant to the bill are admitted. The vote takes place on the eventually amended bill, unless the Government withdraws the bill before the final vote, as entitled to.

However, provisions of the precedent paragraph are not applicable for ratification bills or budget bills.

At the beginning of each ordinary session, in public meeting, the National Council announces the update of all bills introduced by the Government, whenever they were introduced.

**Art.68.-** The Prince issues, when necessary, ordinances to ensure the enforcement of laws and the implementation of international treaties or conventions.

**Art.69.-** Laws and sovereign ordinances are enforceable against third parties only from the day after their publication in the “Journal de Monaco”.

**Art.70.** (amended by Law n°1.249 dated April 2nd 2002) – The National Council votes on the budget. No direct or indirect taxation may be introduced but through a law. Any treaty or international agreement entailing such taxation may only be ratified by a law.

**Art.71.** (amended by Law n°1.249 dated April 2nd 2002) – Budget bill is introduced to the National Council before September 30<sup>th</sup>.  
Budget bill is voted upon during the National Council October session.

**Art.72.-** Budget is voted upon chapter by chapter. Transfers from one chapter to another are forbidden, unless authorised by law.

The Budget comprises among others, within expenditure items, sums made available to the Town council for the budgetary year to come, as provided for in article 87.

**Art.73.-** In case the appropriation of funds requested by the Government as provided for in article 71 has not taken place before December 31<sup>st</sup>, funds relevant to services voted upon may be opened by sovereign ordinance, with the National Council's agreement.

The same prevails for income and expenses resulting from international treaties.

**Art.74.-** The Prince may, after having taken the advice of the Council of the Crown, pronounce the dissolution of the National Council. If this occurs, new elections take place within a period of three months.

## CHAPTER VIII

### THE CROWN COUNCIL

**Art.75.-** The Crown Council consists of seven members of Monegasque nationality, appointed by the Prince for a period of three years.

The Chairperson and three other members are directly appointed by the Prince.

Three members are appointed at the suggestion of the National Council, chosen from outside its members.

The offices of Minister of State and Government Councillor are incompatible with those of chairperson or member of the Crown Council.

**Art.76.-** The Crown Council meets at least twice a year further to the Prince's summons.

In addition, the Prince may call a meeting anytime He deems it necessary, either on his own initiative, or further to the suggestion of the Crown Council's chairperson.

**Art.77.-** The Council may be consulted by the Prince on issues regarding the State's higher interests. It may offer suggestions to the Prince.

It must be consulted on the following subjects: international treaties, dissolution of the National Council, requests for naturalisation and restoration of the Monegasque nationality, pardons and amnesties.

## CHAPTER IX

### THE COMMUNE

**Art.78.-** The territory of the Principality forms a single commune.

**Art.79.** (amended by Law n°1.249 dated April 2nd 2002) – The Commune is administered by a municipality composed of the mayor and deputies designated by the Communal Council from amongst its members.

In accordance with the conditions determined by law, electors are Monegasque citizens of either gender, at least eighteen years of age, with the exception of those deprived of the right to vote for any of the causes set forth by law.

All Monegasque electors of either gender, at least twenty-one of age, who have held the Monegasque nationality for at least five years, and who are not deprived of the right to stand for election for any of the causes set forth by law, are eligible.

**Art.80.-** The Communal Council is composed of 15 members elected for a term of four years by universal direct suffrage by the list system.

There is no incompatibility between the Communal Councillor's mandate and that of the National Councillor.

**Art.81.-** The Communal Council meets every three months in ordinary session. Each session may not last longer than fifteen days.

**Art.82.-** Extraordinary sessions may be held, on the request or with the authorisation of the Minister of State, for specific purposes.

**Art.83.-** The Communal Council may be dissolved by a well-founded ministerial decree, after the State Council's opinion is sought.

**Art.84.-** In case of dissolution or resignation of all the members of the Communal Council, a special delegation is appointed by ministerial decree to carry out its duties until a new Council is elected. This election shall take place within three months.

**Art.85.-** The Communal Council is chaired by the mayor or, in his/her absence, by the deputy of the councillor who replaces him/her, following the order of the chart.

**Art.86.-** The Communal Council debates in public meeting on the Commune's affairs. Its proceedings are enforceable fifteen days after notification to the Minister of State, unless a well-founded opposition under the form of a ministerial decree is initiated.

**Art.87.** (amended by Law n°1.249 dated April 2nd 2002) – The communal budget is supplied with revenue produced from communal property, the commune's ordinary resources and appropriations prescribed by the initial budget law of the year.