



constituteproject.org

Chile's Draft Constitution of 2022

Draft of 4 Jul 2022

Table of contents

Preamble	9
CHAPTER I. PRINCIPLES AND GENERAL PROVISIONS	9
Article 1	9
Article 2	9
Article 3	9
Article 4	9
Article 5	9
Article 6	10
Article 7	10
Article 8	10
Article 9	10
Article 10	10
Article 11	10
Article 12	11
Article 13	11
Article 14	11
Article 15	11
Article 16	11
CHAPTER II. Fundamental Rights and Guarantees	12
Article 17	12
Article 18	12
Article 19	12
Article 20	12
Article 21	12
Article 22	13
Article 23	13
Article 24	13
Article 25	13
Article 26	14
Article 27	14
Article 28	14
Article 29	15
Article 30	15
Article 31	15
Article 32	15
Article 33	16
Article 34	16
Article 35	16
Article 36	16
Article 37	17
Article 38	18
Article 39	18
Article 40	18
Article 41	18
Article 42	18

Article 43	18
Article 44	19
Article 45	19
Article 46	20
Article 47	20
Article 48	21
Article 49	21
Article 50	21
Article 51	21
Article 52	22
Article 53	22
Article 54	22
Article 55	23
Article 56	23
Article 57	23
Article 58	23
Article 59	23
Article 60	23
Article 61	24
Article 62	24
Article 63	24
Article 64	24
Article 65	24
Article 66	24
Article 67	25
Article 68	25
Article 69	25
Article 70	25
Article 71	25
Article 72	26
Article 73	26
Article 74	26
Article 75	26
Article 76	26
Article 77	26
Article 78	27
Article 79	27
Article 80	27
Article 81	27
Article 82	28
Article 83	28
Article 84	28
Article 85	28
Article 86	28
Article 87	29
Article 88	29
Article 89	29
Article 90	29

Article 91	29
Article 92	29
Article 93	30
Article 94	30
Article 95	30
Article 96	30
Article 97	30
Article 98	31
Article 99	31
Article 100	31
Article 101	31
Article 102	31
Article 103	32
Article 104	32
Article 105	32
Article 106	32
Article 107	32
Article 108	32
Article 109	33
Article 110	33
Article 111	33
Article 112	34
Article 113	34
Nationality and Citizenship	34
Constitutional remedies	36
Chapter III. Nature and Environment	38
Article 127	38
Article 128	38
Article 129	39
Article 130	39
Article 131	39
Article 132	39
Article 133	39
Natural common goods	39
Status of water	40
Status of minerals	41
Nature Ombudsman's Office	42
CHAPTER IV. DEMOCRATIC PARTICIPATION	43
Article 151	43
Democratic Participation and Representation	43
Suffrage and electoral system	44
CHAPTER V. GOOD ADMINISTRATION AND PUBLIC POWERS	46
Article 165	46
Article 166	46
Article 167	46
Article 168	47
Article 169	47
Article 170	47

Article 171	47
Article 172	47
Article 173	47
Article 174	47
Article 175	48
Article 176	48
Article 177	48
Article 178	48
Article 179	49
Article 180	49
Article 181	49
Article 182	49
Article 183	50
Article 184	50
Article 185	50
Article 186	51
CHAPTER VI. REGIONAL STATE AND TERRITORIAL ORGANIZATION	51
Article 187	51
Article 188	51
Article 189	52
Article 190	52
Article 191	52
Article 192	52
Article 193	52
Article 194	53
Article 195	53
Article 196	53
Article 197	53
Article 198	53
Article 199	54
Article 200	54
Autonomous commune	54
Province	57
Autonomous region	58
Special territories	63
Rurality	63
Fiscal autonomy	64
CHAPTER VII LEGISLATIVE POWER	66
Article 251	66
Congress of Deputies	66
Chamber of the Regions	67
Common provisions to the Legislative Power	68
Joint sessions of the Congress of Deputies and the Chamber of the Regions	70
The Statute	70
Legislative procedure	73
CHAPTER VIII EXECUTIVE POWER	76
Article 279	76
Article 280	76

Article 281	.76
Article 282	.76
Article 283	.77
Article 284	.77
Article 285	.77
Article 286	.77
Article 287	.78
Article 288	.79
Article 289	.79
article 290	.80
Article 291	.80
Article 292	.80
Article 293	.80
Article 294	.81
Article 295	.81
Article 296	.81
Article 297	.81
Article 298	.82
Article 299	.82
Article 300	.82
Article 301	.82
Article 302	.83
Article 303	.84
Article 304	.84
Article 305	.84
Article 306	.85
Chapter IX judicial systems	.85
Article 307	.85
Article 308	.85
Article 309	.85
Article 310	.85
Article 311	.86
Article 312	.86
Article 313	.86
Article 314	.86
Article 315	.86
Article 316	.86
Article 317	.87
Article 318	.87
Article 319	.87
Article 320	.87
Article 321	.87
Article 322	.87
Article 323	.88
Article 324	.88
Article 325	.88
Article 326	.88
Article 327	.88

Article 328 88

Article 329 89

Article 330 89

Article 331 89

Article 332 89

Article 333 89

Article 334 90

Article 335 90

Article 336 90

Article 337 90

Article 338 90

Article 339 91

Article 340 91

Article 341 91

Council of Justice 92

CHAPTER X. constitutional autonomous entities 94

Article 350 94

Office of the Comptroller General of the Republic 94

Central Bank 95

Public Prosecutor's Office 97

Public Defender's Office 99

National Data Protection Agency 99

Constitutional Court 99

CHAPTER XI AMENDMENT AND REPLACEMENT OF THE CONSTITUTION 102

Constitutional amendment 102

Procedure for enacting a new Constitution 103

TRANSITORY PROVISIONS 104

First 104

Second 104

Third 104

Fourth 105

Fifth 105

Sixth 106

Seventh 106

Eighth 106

Ninth 107

Tenth 107

Eleventh 107

Twelfth 107

Thirteenth 107

Fourteenth 108

Fifteenth 108

Sixteenth 108

Seventeenth 108

Eighteenth 109

Nineteenth 109

Twentieth 109

Twenty-first 109

Twenty-second	109
Twenty-third	110
Twenty-fourth	110
Twenty-fifth	110
Twenty-sixth	110
Twenty-seventh	110
Twenty-eighth	111
Twenty-ninth	111
Thirtieth	111
Thirty-first	111
Thirty-second	112
Thirty-third	112
Thirty-fourth	112
Thirty-fifth	112
Thirty-sixth	113
Thirty-seventh	114
Thirty-eighth	114
Thirty-ninth	114
Forty	114
Forty-first	114
Forty-second	114
Forty-third	115
Forty-fourth	115
Forty-fifth	115
Forty-sixth	116
Forty-seventh	116
Forty-eighth	116
Forty-ninth	117
Fiftieth	117
Fifty-first	117
Fifty-second	117
Fifty-third	117
Fifty-fourth	117
Fifty-fifth	118
Fifty-sixth	118
Fifty-seventh	118

- Preamble
- Source of constitutional authority

Preamble

We, the people of Chile, made up of various nations, freely grant ourselves this Constitution, agreed in a participatory, parity and democratic process

CHAPTER I. PRINCIPLES AND GENERAL PROVISIONS

Article 1

- Type of government envisioned
- Human dignity

- 1.. Chile is a social and democratic State based on the rule of law. It is plurinational, intercultural, regional and ecological.
- 2.. It is constituted as a solidary republic. Its democracy is inclusive and equal. It recognizes as intrinsic and inalienable values the dignity, freedom, substantive equality of human beings and their indissoluble relationship with nature.
- 3.. The protection and guarantee of individual and collective human rights are the foundation of the State and guide all its activity. It is the duty of the State to generate the necessary conditions and provide the goods and services to ensure the equal enjoyment of rights and the integration of people into political, economic, social and cultural life for their full development.

Article 2

- Human dignity

- 1.. Sovereignty resides in the people of Chile, made up of various nations. It is exercised democratically, in a direct and representative manner, recognizing as a limit human rights as an attribute that derives from human dignity.
- 2.. No individual or sector of the people can claim responsibility for its exercise.

Article 3

Chile, in its geographical, natural, historical and cultural diversity, forms a single and indivisible territory.

- Human dignity
- General guarantee of equality
- Indigenous right to representation

Article 4

People are born and remain free, interdependent and equal in dignity and rights.

- Integration of ethnic communities

Article 5

- Right to self determination

- 1.. Chile recognizes the coexistence of diverse peoples and nations within the framework of the unity of the State.
- 2.. Pre-existing indigenous peoples and nations are the Mapuche, Aymara, Rapanui, Lickanantay, Quechua, Colla, Diaguita, Chango, Kawésqar, Yagán, Selk'nam and others who can be recognized in the manner established by statute.
- 3.. It is the duty of the State to respect, promote, protect and guarantee the exercise of self-determination, the collective and individual rights of which they are incumbents and their effective participation in the exercise and

3.. distribution of power, incorporating their political representation in organs of popular election at the communal, regional and national levels, as well as in the structure of the State, its organs and institutions.

- Equality regardless of gender
- Equality regardless of sexual orientation

Article 6

- 1.. The State promotes a society where women, men, diversities and sexual and gender dissidents participate in conditions of substantive equality, recognizing that their effective representation is a principle and minimum condition for the full and substantive exercise of democracy and citizenship.
- 2.. All the collegiate bodies of the State, the constitutionally autonomous, the superiors and directors of the Administration, as well as the boards of directors of State owned or semi-State owned companies, must have an equal composition that ensures that at least fifty percent of its members are women.
- 3.. The State shall promote equal integration in its other institutions and in all public and private spaces and shall adopt measures for the representation of persons of diverse gender through the mechanisms established by the law.
- 4.. The branches and organs of the State shall adopt the necessary measures to adapt and promote legislation, institutions, regulatory frameworks and the provision of services, in order to achieve gender equality and parity. They must mainstream the gender approach in their institutional design, fiscal and budgetary policy and in the exercise of their functions.

- Reference to fraternity/solidarity

Article 7

Chile is made up of autonomous territorial entities and special territories, within a framework of equity and solidarity, preserving the unity and integrity of the State. The State shall promote cooperation, harmonious integration and adequate and fair development among the various territorial entities.

- Protection of environment

Article 8

People and peoples are interdependent with nature and form with it an inseparable whole. The State recognizes and promotes the good living as a relationship of harmonious balance between people, nature and the organization of society.

- Separation of church and state
- Freedom of religion

Article 9

The State is secular. Freedom of religion and spiritual belief is respected and guaranteed in Chile. No religion or belief is official, notwithstanding to its recognition and free exercise, which has no limitation other than the provisions of this Constitution and the law.

Article 10

- Right to found a family
- Right to reasonable standard of living

The State recognizes and protects families in their various forms, expressions and ways of life, without restricting them to exclusively filitive or consanguineous ties, and guarantees them a dignified life.

- Integration of ethnic communities

Article 11

The State recognizes and promotes intercultural, horizontal and transversal dialogue between the various worldviews of the peoples and nations that live together in the country, with mutual dignity and respect. The exercise of public functions must guarantee institutional mechanisms and the promotion of public policies that favor the recognition and understanding of ethnic and cultural diversity, overcoming

existing asymmetries in access, distribution and exercise of power, as well as in all areas of life in society.

- Official or national languages
- Protection of language use

Article 12

- 1.. The State is multilingual. Its official language is Spanish. Indigenous languages are official in their territories and in areas of high population density of each indigenous people and nation. The State promotes their knowledge, revitalization, appreciation and respect.
- 2.. Chilean sign language is recognized as a natural and official language of deaf people, as well as their linguistic rights in all areas of social life.

Article 13

- National flag
- National anthem
- Right to culture

- 1.. The national emblems of Chile are the flag, the coat of arms and the national anthem.
- 2.. The State recognizes the symbols and emblems of indigenous peoples and nations.

Article 14

- International law

- Reference to fraternity/solidarity
- Right to self determination

- 1.. Chile's international relations, as an expression of its sovereignty, are based on respect for international law and the principles of self-determination of peoples, non- intervention in matters that are within the internal jurisdiction of States, multilateralism, solidarity, cooperation, political autonomy and legal equality among States.
- 2.. Likewise, it is committed to the promotion and respect of democracy, the recognition and protection of human rights, inclusion, gender equality , social justice, respect for nature, peace, coexistence and the peaceful solution of conflicts and the recognition, respect and promotion of the rights of indigenous and tribal peoples and nations in accordance with international human rights law.
- 3.. Chile declares Latin America and the Caribbean as a priority area in its international relations. It is committed to maintaining the region as a zone of peace and free of violence; it promotes regional, political, social, cultural, economic and productive integration among States, and facilitates cross-border contact and cooperation among indigenous peoples.

- Regional group(s)

Article 15

- International law
- Customary international law

- 1.. The rights and obligations set out in the international human rights treaties ratified and in force in Chile, the general principles of international human rights law and customary international law of the same matter form an integral part of this Constitution and enjoy constitutional status.
- 2.. The State must prevent, investigate, punish and make full reparation for human rights violations.

Article 16

- Binding effect of const rights

- 1.. The State is founded on the principle of constitutional supremacy and respect for human rights. The provisions of this Constitution bind every person, group, authority or institution.
- 2.. The organs of the State and their holders and members act after regular investiture and submit their actions to the Constitution and the norms dictated in accordance with it, within the limits and powers established by them.

- 3.. No judiciary, person or group of persons, civilian or military, may be attributed any authority, power or rights other than those expressly granted upon them by virtue of the Constitution and the laws, even on the pretext of extraordinary circumstances.
- 4.. Any act in contravention of this article is null and void and will give rise to the responsibilities and sanctions that the law indicates. The action for annulment shall be exercised within the periods and conditions established by this Constitution and the law.

CHAPTER II. Fundamental Rights and Guarantees

Article 17

- 1.. Fundamental rights are inherent in the human person, universal, inalienable, indivisible and interdependent.
- 2.. The full exercise of these rights is essential for the dignified life of individuals and peoples, democracy, peace and the balance of nature.

Article 18

- 1.. Individuals are holders of fundamental rights. Rights may be exercised and enforced individually or collectively.
- 2.. Indigenous peoples and nations are holders of collective fundamental rights.
- 3.. Nature is the holder of the rights recognized in this Constitution that are applicable to it.

- Protection of environment

Article 19

- 1.. The State must respect, promote, protect and guarantee the full exercise and satisfaction of fundamental rights, without discrimination, as well as adopt the necessary measures to eliminate all obstacles that hinder their realization.
- 2.. For their protection, individuals enjoy effective, timely, relevant and universal guarantees.
- 3.. Every person, institution, association or group shall respect fundamental rights, in accordance with the Constitution and the law.

Article 20

- 1.. The State must take all necessary measures to progressively achieve the full satisfaction of fundamental rights. None of them may have a regressive character that unjustifiably diminishes, impairs or prevents their exercise.
- 2.. The financing of State benefits linked to the exercise of fundamental rights will tend to progressivity.

- Right to life

Article 21

- 1.. Everyone has the right to life and personal integrity. This includes physical, psychosocial, sexual and affective integrity.

- Prohibition of capital punishment
- Prohibition of torture
- Prohibition of cruel treatment

2.. No person may be sentenced to death or executed, subjected to torture, or cruel, inhuman or degrading Article 17 treatment or punishment.

Article 22

No person shall be subjected to enforced disappearance. Every victim has the right to be sought and the State shall have all the necessary means to do so.

Article 23

No person residing in Chile who meets the requirements of this Constitution and the laws may be banished, exiled, relegated or subjected to forced displacement.

- Protection of victim's rights

Article 24

1.. Victims and the community have the right to clear out and knowledge of the truth regarding serious human rights violations, especially when they constitute crimes against humanity, war crimes, genocide or territorial dispossession.

2.. Enforced disappearance, torture and other cruel, inhuman or degrading treatment or punishment, war crimes, crimes against humanity, genocide and the crime of aggression are imprescriptible and non-amnesty.

3.. It is the obligations of the State to prevent, investigate, punish and prevent impunity. Such crimes must be investigated ex officio, with due diligence, seriousness, speed, independence and impartiality. The investigation of these facts shall not be subject to any impediment.

4.. Victims of human rights violations have the right to full reparation. The State guarantees the right to memory and its relationship with the guarantees of non-repetition and the rights to truth, justice and integral reparation.

5.. It is the duty of the State to preserve memory and guarantee access to archives and documents, in their different supports and contents. Memorial and memorial sites are subject to special protection and their preservation and sustainability are ensured.

- General guarantee of equality

Article 25

- Prohibition of slavery

1.. Everyone has the right to equality, which includes substantive equality, equality before the law and non-discrimination. It is the duty of the State to ensure equal treatment and opportunities. In Chile there is no privileged person or group. Any form of slavery is prohibited.

2.. The State guarantees all individuals substantive equality, as a guarantee of the recognition, enjoyment and exercise of fundamental rights, with full respect for diversity, social inclusion and integration.

3.. The State ensures gender equality for women, girls, diversities and sexual and gender dissidents, both in the public and private spheres.

4.. Any form of discrimination is prohibited, in particular when it is based on one or more grounds such as nationality or statelessness, age, sex, sexual characteristics, sexual or affective orientation, gender identity and expression, bodily diversity, religion or belief, race, membership of an indigenous or tribal people and nation, political or other opinions, social class, rurality, migratory or refugee status, disability, mental or physical health condition, marital status, filiation or social status, and any other that has the purpose or result of nullifying or impairing human dignity, the enjoyment and exercise of rights.

5. The State shall take all necessary measures, including reasonable accommodation, to correct and overcome the disadvantage or subjugation of

- Equality regardless of gender
- Equality regardless of sexual orientation
- Equality regardless of nationality
- Equality regardless of age
- Equality regardless of gender
- Equality regardless of sexual orientation
- Equality regardless of religion
- Equality regardless of creed or belief
- Equality regardless of race
- Provisions for wealth redistribution
- Equality regardless of political party
- Equality regardless of financial status

- Equality regardless of social status
- Equality regardless of parentage

5. a person or group. The law shall determine the measures for the prevention, prohibition, punishment and reparation of all forms of discrimination, in the public and private spheres, as well as the mechanisms to guarantee substantive equality. The State should give special consideration to cases in which more than one category, condition or motive converges in respect of one person.

- Rights of children
- State support for children

Article 26

- International law

- 1.. Children and adolescents are holders of the rights established in this Constitution and in the international human rights treaties ratified and in force in Chile.
- 2.. The State has the priority duty to promote, respect and guarantee the rights of children and adolescents, safeguarding their best interests, their progressive autonomy, their integral development and their right to be heard and to participate and influence all matters that affect them, to the extent that corresponds to their level of development in family, community and social life.
- 3.. Children and adolescents have the right to live in family and environmental conditions that allow the full and harmonious development of their personality. The State must ensure that they are not separated from their families except as a temporary measure and last resort in the protection of their best interests, in which case a family foster care will be prioritized over residential and must adopt the measures that are necessary to ensure their well-being and safeguard the exercise of their rights.
- 4.. They also have the right to protection from all forms of violence, ill-treatment, abuse, exploitation, harassment, and neglect. Eradication of violence against children is of the highest priority for the State and to this end it will design strategies and actions to address situations that imply an impairment of their personal integrity, whether the violence comes from families, the State or third parties.
- 5.. The law shall establish a system of comprehensive protection of guarantees of the rights of children and adolescents, through which it shall establish specific responsibilities of the powers and organs of the State, their duty of intersectoral and coordinated work to ensure the prevention of violence against them and the promotion and effective protection of their rights. The State shall ensure through this 12 system that, in the event of a threat or violation of rights, there are mechanisms for their restitution, punishment and reparation.

Article 27

- Provisions for wealth redistribution
- Protection of victim's rights

- 1.. All women, girls, adolescent girls and people of sexual and gender diversity and dissent have the right to a life free of gender-based violence in all its manifestations, both in the public and private spheres whether it comes from individuals, institutions or officers of the State.
- 2.. The State shall adopt the necessary measures to eradicate all types of gender-based violence and the socio-cultural patterns that enable it, acting with due diligence to prevent, investigate and punish it, as well as provide comprehensive care, protection and reparation to the victims, especially considering vulnerability situations of in which they may be found.

- Equality for persons with disabilities

Article 28

- International law

- 1.. Persons with disabilities are holders of the rights established in this Constitution and in the international human rights treaties ratified and in force in Chile.
- 2.. Every person with a disability has the right to the enjoyment and exercise of his or her legal capacity, with support and safeguards, as appropriate; to universal accessibility; to social inclusion; to labor insertion; and to political, economic, social and cultural participation.

- 3.. The law shall establish a national system through which policies and programs aimed at meeting their needs for work, education, housing, health and care shall be developed, coordinated and implemented. The law shall ensure that the development, implementation and monitoring of such policies and programs involve the active and binding participation of persons with disabilities and their representative organizations.
- 4.. The law shall determine the means necessary to identify and remove physical, social, cultural, attitudinal, communication and other barriers to facilitate the exercise of their rights by persons with disabilities.
- 5.. The State guarantees the linguistic rights and cultural identities of persons with disabilities, including the right to express themselves and communicate through their languages and access to alternative mechanisms, means and forms of communication. It also guarantees the linguistic autonomy of deaf people in all areas of life.

Article 29

- International law

The State recognizes neurodiversity and guarantees neurodivergent persons their right to an autonomous life, to freely develop their personality and identity, to exercise their legal capacity and the rights recognized in this Constitution and international human rights treaties and instruments ratified and in force in Chile.

Article 30

- Right to health care
- Prohibition of torture
- Prohibition of cruel treatment
- Prohibition of slavery

- 1.. Any person subjected to any form of deprivation of liberty may not suffer limitations of rights other than those strictly necessary for the execution of the sentence.
- 2.. The State must ensure dignified treatment with full respect for their human rights and those of their visits.
- 3.. Women and pregnant persons have the right, before, during and after childbirth, to 13 access the health services they require, breastfeeding and the direct and permanent link with their daughter or son, taking into account the best interests of children and adolescents.
- 4.. No person deprived of liberty may be subjected to torture or other cruel, inhuman or degrading treatment or forced labor. Likewise, she may not be subjected to isolation or incommunicado detention as a disciplinary sanction.

Article 31

- 1.. Persons deprived of their liberty have the right to petition the prison's authority and the court of execution of the sentence for the protection of their rights and to receive a timely response.
- 2.. Likewise, they have the right to maintain personal, direct and periodic communication and contact with their support networks and always with the people in charge of their legal advice.

Article 32

- 1.. Every person deprived of liberty has the right to social insertion and integration. It is the duty of the State to guarantee a penitentiary system geared towards this end.
- 2.. The State shall create bodies which, with civil and technical personnel, shall guarantee the insertion and integration of persons deprived of liberty in penitentiary and post-penitentiary detention. The security and administration of these enclosures will be regulated by statute.

- Equality regardless of age
- State support for the elderly

Article 33

- 1.. Elder persons are holders of the rights established in this Constitution and in the international human rights treaties ratified and in force in Chile.
- 2.. They also have the right to age with dignity; to obtain sufficient social security benefits for a dignified life; to accessibility to the physical, social, economic, cultural and digital environment; political and social participation; a life free from abuse on grounds of age; autonomy and independence and the full exercise of their legal capacity with the appropriate support and safeguards.

- International law

- Right to self determination
- Indigenous right to self governance
- Right to culture
- Protection of language use

Article 34

Indigenous peoples and nations and their members, by virtue of their self-determination, have the right to the full exercise of their collective and individual rights. In particular, they have the right to autonomy; self-government; to their own culture; identity and worldview; heritage; to the language; the recognition and protection of their lands, territories and resources, in their material and immaterial dimension and the special bond they maintain with them; cooperation and integration; the recognition of their institutions, jurisdictions and authorities, their own or traditional; and to fully participate, if they so wish, in the political, economic, social and cultural life of the State.

Article 35

- 1.. Everyone has the right to education. Education is a primary and inescapable duty of the State.
- 2.. Education is a process of lifelong learning and lifelong learning, indispensable for the exercise of other rights and for scientific and technological activity, economic and cultural of the country.
- 3.. Its aims are the construction of the common good, social justice, respect for human rights and nature, ecological awareness, democratic coexistence among peoples, the prevention of violence and discrimination, as well as the acquisition of knowledge, critical thinking, creative capacity and the integral development of people, considering their cognitive, physical, social and emotional dimensions.
- 4.. Education is governed by the principles of cooperation, non-discrimination, inclusion, justice, participation, solidarity, interculturality, gender approach, pluralism and the other principles enshrined in this Constitution. It has a non-sexist character and is developed in a contextualized way, considering the territorial, cultural and linguistic relevance.
- 5.. Education is oriented towards quality, understood as the fulfillment of its aims and principles.
- 6.. The law shall establish the way in which these aims, and principles shall be materialized, under conditions of equity, in educational institutions and in educational processes.
- 7.. Education is universally accessible at all levels and compulsory from basic level to secondary education inclusive.

- Reference to science

- Reference to fraternity/solidarity

- Compulsory education

Article 36

- 1.. The National Education System is composed of pre-school, basic, middle and higher education establishments and institutions, created or recognized by the State. It is articulated under the principle of collaboration and has as its center the learning experience of the students.

- Reference to art
 - Right to self determination
 - Indigenous right to self governance
 - State support for the disabled
 - Free education
- 2.. The State carries out tasks of coordination, regulation, improvement and supervision of the System. The law shall determine the requirements for the official recognition of these establishments and institutions.
 - 3.. The establishments and institutions that make it up are subject to the common regime established by statute, are of a democratic nature, may not discriminate in their access, are governed by the purposes and principles of this right and are prohibited from all forms of profit.
 - 4.. The National Education System promotes the diversity of artistic, ecological, cultural and philosophical knowledge that coexists in the country.
 - 5.. The Constitution recognizes the autonomy of indigenous peoples and nations to develop their own establishments and institutions in accordance with their customs and culture, respecting the aims and principles of education, and within the frameworks of the National System of Education. Education established by statute.
 - 6.. The State will provide additional opportunities and support to persons with disabilities and at risk of exclusion.
 - 7.. Public education is the strategic axis of the National Education System; its expansion and strengthening is a primary duty of the State, for which it will articulate, manage and finance a Public Education System of a secular and free nature, composed of state establishments and institutions of all levels and educational modalities.
 - 8.. The State must finance this System in a permanent, direct, pertinent and sufficient way through basal contributions, in order to fully and equitably comply with the aims and principles of education.

Article 37

- Right to academic freedom
 - Access to higher education
 - Free education
- 1.. The Higher Education System shall consist of universities, professional institutes, technical training centers, academies created or recognized by the State and training schools for the police and the Armed Forces. These institutions will consider communal, regional and national needs. They are forbidden all forms of profit.
 - 2.. Higher education institutions have a mission to teach, produce and socialize knowledge. The Constitution protects academic freedom, research and the free discussion of the ideas of academics of universities created or recognized by the State.
 - 3.. The higher education institutions of the State are part of the Public Education System, and their financing will be subject to the provisions of this Constitution and must guarantee the full fulfillment of their functions of teaching, research and collaboration with society.
 - 4.. In each region there shall be at least one state university and one state higher level vocational technical training institution. These will relate in a coordinated and preferential manner with territorial entities and public services with a regional presence, according to local needs.
 - 5.. The State shall ensure access to higher education for all persons who meet the requirements established by statute. The entry, permanence and promotion of those who study in higher education will be governed by the principles of equity and inclusion, with particular attention to historically excluded groups and of special protection, prohibiting any type of discrimination.
 - 6.. Higher education studies leading to initial academic degrees and degrees shall be free of charge in public and private institutions determined by law.

Article 38

- Access to higher education

It is the duty of the State to promote the right to continuing education through multiple training opportunities, inside and outside the National System of Education, promoting various spaces of development and integral learning for all people.

Article 39

- Protection of environment

The State guarantees an environmental education that strengthens the preservation, conservation and care required with respect to the environment and nature, and that allows to form ecological awareness.

Article 40

Everyone has the right to receive comprehensive sexuality education, which promotes the full and free enjoyment of sexuality; sex-affective responsibility; autonomy, self-care and consent; recognition of diverse gender and sexuality identities and expressions; eradicating gender stereotypes; and preventing gender-based and sexual violence.

Article 41

- Right to academic freedom

- 1.. Freedom of education is guaranteed and it is the duty of the State to respect it.
- 2.. This includes the freedom of mothers, fathers, minor guardians, tutors and legal caretakers to choose the type of education of the persons in their charge, respecting the best interests and the progressive autonomy of children and adolescents.
- 3.. Teachers and educators are holders of academic freedom in the exercise of their functions, within the framework of the aims and principles of education.

Article 42

Those who make up the educational communities have the right to participate in the definitions of the educational project and in the decisions of each establishment, as well as in the design, implementation and evaluation of local and national educational policy. The law shall specify the conditions, bodies and procedures that ensure their binding participation.

Article 43

- 1.. The Constitution recognizes the fundamental role of teachers, values and encourages the contribution of educators, education assistants and traditional educators.
- 2.. As a whole, they are key agents for guaranteeing the right to education. The State guarantees the development of the pedagogical and educational work of those who work in establishments and institutions that receive public funds. This guarantee includes initial and continuing training, its exercise reflective and collaborative and pedagogical research, in coherence with the principles and purposes of education. It also protects stability in the exercise of their functions by ensuring optimal working conditions and safeguarding their professional autonomy.
- 3.. Workers in pre-school, basic and secondary education who work in establishments that receive resources from the State shall enjoy the same rights as provided for by law.

- Right to health care

Article 44

- 1.. Everyone has the right to health and integral well-being, including their physical and mental dimensions.
- 2.. Indigenous peoples and nations have the right to their own traditional medicines, to maintain their health practices and to conserve the natural components that sustain them.
- 3.. The State must provide the necessary conditions to achieve the highest possible level of health, considering in all its decisions the impact of social and environmental determinants on the health of the population.
- 4.. The State is exclusively responsible for the function of directing the health system, including the regulation, supervision and supervision of public and private institutions.
- 5.. The National Health System is universal, public and integrated. It is governed by the principles of equity, solidarity, interculturality, territorial relevance, de-concentration, effectiveness, quality, opportunity, gender focus, progressivity and non-discrimination.
- 6.. It also recognizes, protects and integrates the practices and knowledge of indigenous peoples and nations, as well as those who impart them, in accordance with this Constitution and the law.
- 7.. The National Health System may be composed of public and private providers. The law will determine the requirements and procedures for private providers to integrate into this System.
- 8.. It is the duty of the State to ensure the strengthening and development of public health institutions.
- 9.. The National Health System is financed through the general income of the nation. In addition, the law may establish mandatory contributions to employers, employers, and workers with the sole purpose of contributing jointly and severally to the financing of this system. The law shall determine the public body responsible for administering all the funds of this system.
- 10.. The National Health System incorporates actions of promotion, prevention, diagnosis, treatment, habilitation, rehabilitation and inclusion. Primary care forms the basis of this system and the participation of communities in health policies and the conditions for their effective exercise is promoted.
- 11.. The State will generate mental health policies and programs aimed at care and prevention with a community approach and will progressively increase their funding.

- Reference to fraternity/solidarity

Article 45

- 1.. Everyone has the right to social security, based on the principles of universality, solidarity, integrality, unity, equality, sufficiency, participation, sustainability and opportunity.
- 2.. The law shall establish a public social security system, which provides protection in case of illness, old age, disability, survival, maternity and paternity, unemployment, accidents at work and occupational diseases, and in other social contingencies of lack or decrease. of means of subsistence or capacity for work. In particular, it shall ensure the coverage of benefits for those engaged in domestic and care work.
- 3.. The State defines social security policy. This will be financed by workers, employers and employers, through compulsory contributions and general income

- Reference to fraternity/solidarity

- State support for the elderly
- State support for the unemployed
- State support for the disabled

3.. of the nation. The resources from which social security is financed may not be used for purposes other than the payment of benefits established by the system.

4.. Trade union and employers' organizations have the right to participate in the management of the social security system, in the ways prescribed by statute.

Article 46

- Right to work
- Right to safe work environment
- Right to rest and leisure
- Right to choose occupation
- Right to just remuneration

1.. Everyone has the right to work and to his or her free choice. The State guarantees decent labor and its protection. This includes the right to fair working conditions, to health and safety at work, to rest, to the enjoyment of free time, to digital disconnection, to the guarantee of indemnity and to full respect for fundamental rights in the context of work.

2.. Workers have the right to equitable, fair and sufficient remuneration to ensure their livelihood and that of their families. In addition, they are entitled to equal pay for work of equal value.

3.. Any employment discrimination, arbitrary dismissal and any distinction that is not based on work skills or personal suitability is prohibited.

4.. The State will generate public policies that make it possible to reconcile work, family and community life and care labor.

5.. The State guarantees respect for the reproductive rights of workers, eliminating risks that affect reproductive health and safeguarding the rights of maternity and paternity.

- Right to safe work environment

6.. In rural and agricultural areas, the State guarantees fair and dignified conditions in seasonal work, safeguarding the exercise of labor and social security rights.

7.. The social function of labor is recognized. An autonomous body must supervise and ensure the effective protection of workers and trade union organizations.

8.. All forms of job insecurity, as well as forced, humiliating or degrading labor, are prohibited.

Article 47

- Right to join trade unions
- Right to strike

1.. Workers in both the public and private sectors have the right to freedom of association. This includes the right to organize, collective bargaining and strike.

2.. Trade union organizations are exclusive holders of the right to collective bargaining, as the sole representatives of workers before the employer (s).

3.. The right to organize includes the power to set up trade union organizations which they deem appropriate, at any level, of a national and international character, to join and disaffiliate from them, to give themselves their own regulations, to set out their own aims and to achieve their activity without the intervention of third parties.

4.. Trade union organizations enjoy legal personality by the mere fact of registering their statutes in the manner set forth by law.

5.. The right to collective bargaining is guaranteed. It is up to the workers to choose the level at which such negotiation will take place, including branch, sectoral and territorial negotiation. The only limitations on matters subject to negotiation shall be those concerning the inalienable minimums set by statute in favor of workers.

6.. The Constitution guarantees the right to strike of workers and trade union organizations. Trade union organizations will decide the scope of interests that will be defended through it, which cannot be limited by law.

- 7.. The law may not prohibit the strike. It may only limit it exceptionally in order to meet essential services whose paralysis may affect the life, health or safety of the population.
- 8.. Those who are members of the Police and the Armed Forces may not unionize or exercise the right to strike.

Article 48

Workers, through their trade union organizations, have the right to participate in the decisions of the company. The law shall regulate the mechanisms by which this right shall be exercised.

Article 49

- 1.. The State recognizes that domestic and care work are socially necessary and indispensable for the sustainability of life and the development of society. They constitute an economic activity that contributes to national accounts and must be considered in the formulation and execution of public policies.
- 2.. The State promotes social and gender co-responsibility and will implement mechanisms for the redistribution of domestic and care work, ensuring that they do not represent a disadvantage for those who exercise it.

- State support for the elderly
- State support for the disabled
- State support for children

Article 50

- 1.. Everyone has the right to care. This includes the right to care, to be cared for and to care for oneself from birth to death. The State undertakes to provide the means to ensure that care is dignified and carried out under conditions of equality and co- responsibility.
- 2.. The State guarantees this right through a Comprehensive System of Care, norms and public policies that promote personal autonomy and that incorporate human rights, gender and intersectional approaches. The System has a state, equal, solidary and universal character, with cultural relevance. Its financing will be progressive, sufficient and permanent.
- 3.. This System will pay special attention to infants, children and adolescents, the elderly, people with disabilities, people in situations of dependency and people with serious or terminal illnesses. It will also ensure the protection of the rights of those who carry out care work.

- Right to shelter

Article 51

- 1.. Everyone has the right to decent and adequate housing, which allows the free development of a personal, family and community life.
- 2.. The State shall take the necessary measures to ensure its universal and timely enjoyment, including at least the habitability, sufficient space and equipment, domestic and community, for the production and reproduction of life, the availability of services, affordability, accessibility, appropriate location, security of tenure and cultural relevance of housing, in accordance with the law.
- 3.. The State may participate in the design, construction, rehabilitation, conservation and innovation of housing. It will consider in particular in the design of housing policies people with low economic incomes or belonging to special protection groups.
- 4.. The State guarantees the creation of shelter in cases of gender-based violence and other forms of violation of rights, as determined by statute.

- 5.. The State guarantees the availability of the land necessary for the provision of decent and adequate housing. It administers an Integrated System of Public Lands with powers of prioritization of use, management and disposition of fiscal land for purposes of social interest, and acquisition of private land, in accordance with the law. It will also establish mechanisms to prevent speculation on land and housing that undermines the public interest, in accordance with the law.

Article 52

- 1.. The right to the city and the territory is a collective right oriented to the common good and is based on the full exercise of human rights in the territory, on its democratic management and on the social and ecological function of property.
- 2.. By virtue of this, everyone has the right to inhabit, produce, enjoy and participate in cities and human settlements free of violence and in conditions appropriate for a dignified life.
- 3.. It is the duty of the State to order, plan and manage territories, cities and human settlements; as well as establishing rules for land use and transformation, in accordance with the general interest, territorial equity, sustainability and universal accessibility.
- 4.. The State guarantees protection and equitable access to basic services, goods and public spaces; safe and sustainable mobility; connectivity and road safety. It also promotes socio-spatial integration and participates in the surplus value generated by its urban or regulatory action.
- 5.. The State guarantees the participation of the community in the processes of territorial planning and housing policies. It also promotes and supports community habitat management.

Article 53

- 1.. Right to live in safe and violence-free environments. It is the duty of the State to protect in an equitable manner the exercise of this right to all persons, through a policy of prevention of violence and crime that will consider especially the material, environmental, social and community strengthening of territories.
- 2.. The actions of prevention, prosecution and punishment of crimes, as well as the social reintegration of convicted persons, will be developed by the public bodies that indicate this Constitution and the law, in a coordinated manner and with unrestricted respect for human rights.

Article 54

- 1.. It is the duty of the State to ensure food sovereignty and security. To this end, it will promote the production, distribution and consumption of food that guarantees the right to healthy and adequate food, fair trade and ecologically responsible food systems.
- 2.. The State promotes ecologically sustainable agricultural production.
- 3.. It recognizes, encourages and supports peasant and indigenous agriculture, harvesting and artisanal fishing, as fundamental activities for food production.
- 4.. In the same way, it promotes the culinary and gastronomic heritage of the country.

- Protection of environment

- Mentions of social class

Article 55

The State guarantees the right of peasants and indigenous peoples and nations to the free use and exchange of traditional seeds.

Article 56

- 1.. Everyone has the right to adequate, healthy, sufficient, nutritionally complete and culturally relevant food. This right includes the guarantee of special food for those who require it for health reasons.
- 2.. The State continuously and permanently guarantees the availability of and access to food that satisfies this right, especially in geographically isolated areas.

Article 57

- 1.. Everyone has a human right to adequate, healthy, acceptable, affordable and accessible water and sanitation. It is the duty of the State to guarantee this for current and future generations.
- 2.. The State ensures that this right is satisfied by meeting the needs of individuals in their different contexts.

Article 58

The Constitution recognizes indigenous peoples and nations the traditional use of waters located in indigenous territories or indigenous territorial autonomies. It is the duty of the State to guarantee their protection, integrity and supply.

Article 59

- 1.. Everyone has the right to a vital minimum of affordable and safe energy.
- 2.. The State guarantees equitable and non-discriminatory access to energy that allows people to meet their needs, ensuring the continuity of energy services.
- 3.. It also regulates and promotes a distributed, decentralized and diversified energy matrix, based on renewable energies and with low environmental impact.
- 4.. Energy infrastructure is of the public interest.
- 5.. The State encourages and protects cooperative energy enterprises and self-consumption.

Article 60

- 1.. Everyone has the right to sports, physical activity and bodily practices. The State guarantees its exercise in its different dimensions and disciplines, whether recreational, educational, competitive or high performance. To achieve these objectives, differentiated policies may be considered.
- 2.. The State recognizes the social function of sport, as it allows collective participation, associativity, integration and social insertion, as well as the maintenance and improvement of health. The law will ensure the involvement of individuals and communities with the practice of sport. Children and adolescents shall enjoy the same guarantee in educational establishments. In the same way, it will guarantee the participation of the former in the direction of the different sports institutions.

3.. The law shall regulate and establish the principles applicable to public or private institutions whose purpose is the management of professional sport as a social, cultural and economic activity, and must guarantee democracy and the binding participation of their organizations.

- Right to found a family

Article 61

1.. Everyone is the holder of sexual and reproductive rights. These include, among others, the right to decide freely, autonomously and informed about one's own body, about the exercise of sexuality, reproduction, pleasure and contraception.

2.. The State guarantees its exercise without discrimination, with a focus on gender, inclusion and cultural relevance; as well as access to information, education, health, and the services and benefits required for this, ensuring all women and people with the capacity to gestate the conditions for a pregnancy, a voluntary interruption of pregnancy, a voluntary and protected birth and maternity. It also guarantees its exercise free of violence and interference by third parties, whether individuals or institutions.

3.. The law shall regulate the exercise of these rights.

4.. The State recognizes and guarantees the right of individuals to benefit from scientific progress in order to exercise these rights freely, autonomously and non-discriminatorily.

- Right to enjoy the benefits of science
- Reference to science
- Right to development of personality

Article 62

Everyone has the right to personal autonomy, to the free development of his personality, identity and life projects.

- Prohibition of slavery

Article 63

Slavery, forced labor, servitude and trafficking in persons in any of its forms are prohibited. The State shall adopt a policy of prevention, punishment and eradication of such practices. It will also guarantee the protection, full restoration of rights, remediation and social reintegration of victims.

Article 64

1.. Everyone has the right to the free development and full recognition of their identity, in all its dimensions and manifestations, including sexual characteristics, gender identities and expressions, name and sex-affective orientations.

2.. The State guarantees its exercise through laws, affirmative actions and procedures.

- Right to culture

Article 65

1.. Indigenous peoples and nations and their members have the right to identity and cultural integrity and to the recognition and respect of their own worldviews, ways of life and institutions.

2.. Forced assimilation and destruction of their cultures is prohibited.

Article 66

Indigenous peoples and nations have the right to be consulted prior to the adoption of administrative and legislative measures affecting them. The State guarantees the

- Indigenous right to representation

means for the effective participation of these, through its representative institutions, in a prior and free manner, through appropriate, informed procedures. and in good faith.

- Freedom of religion
- Freedom of opinion/thought/conscience

Article 67

- 1.. Everyone has the right to freedom of thought, conscience, religion and worldview. This right includes the freedom to profess and change religion or belief and their free exercise in public or private space, through worship, the celebration of rites, spiritual practices and teaching.
- 2.. It also includes the power to erect temples, outbuildings and places of worship; maintain, protect and access sacred places of spiritual relevance; and rescue and preserve objects of worship or that have a sacred meaning.
- 3.. The State recognizes spirituality as an essential element of the human being.
- 4.. Religious and spiritual groups may be organized as legal persons, are prohibited from all forms of profit and their property must be managed transparently in accordance with the law, respecting the rights, duties and principles set forth by this Constitution.

Article 68

- 1.. Everyone has the right to a dignified death.
- 2.. The Constitution ensures the right of people to make free and informed decisions about their care and treatment at the end of their lives.
- 3.. The State guarantees access to palliative care to all persons with advanced, progressive and life-limiting chronic diseases, especially vulnerable groups and those at social risk.
- 4.. The law shall regulate the conditions to guarantee the exercise of this right, including access to information and adequate accompaniment.

- Freedom of movement

Article 69

Everyone has the right to freedom of movement and freedom of movement, to reside, remain and move anywhere in the national territory, as well as to enter and leave it. The law shall regulate the exercise of this right.

- Regulation of evidence collection
- Right to privacy

Article 70

- 1.. Everyone has the right to personal, family and community privacy. No person or authority may affect, restrict or impede its exercise, except in the cases and forms determined by law.
- 2.. Private enclosures are inviolable. The entry, search or search may only be carried out with a prior court order, except in the cases of flagrant crime established by statute.
- 3.. All documentation and private communication is inviolable, including its metadata. Interception, capture, opening, search or review may only be carried out with a prior court order.

- Protection of stateless persons

Article 71

- 1.. Everyone has the right to seek and receive asylum and refuge. A statute will regulate the procedure for applying for and recognizing refugee status, as well as the specific guarantees and protections that are established in favor of asylum seekers or refugees.

- 2.. No asylum-seeker or refugee shall be forcibly returned to the State where they are at risk of persecution, serious human rights violations, or their life or liberty may be threatened.

- Freedom of association

Article 72

- 1.. Everyone has the right to associate without prior permission.
- 2.. This includes the protection of the autonomy of associations for the fulfillment of their specific purposes and the establishment of their internal regulation, organization and other defining elements.
- 3.. In order to enjoy legal existence, associations must be formed in accordance with the law.
- 4.. The law may impose specific restrictions on the exercise of this right in respect of the Police and the Armed Forces.

Article 73

- 1.. The State recognizes the social, economic and productive function of cooperatives organizations and encourages their development, in accordance with the principle of mutual aid.
- 2.. Cooperatives may be grouped into federations, confederations or other forms of organization. The law shall regulate its creation and operation, guaranteeing its autonomy, and shall preserve, through the corresponding instruments, its nature and purposes.

Article 74

Professional associations are national and autonomous corporations of public law, which collaborate with the purposes and responsibilities of the State. Its tasks consist of ensuring the ethical exercise of its members, promoting credibility and officially representing the profession before the State and the others established by law.

- Freedom of assembly

Article 75

- 1.. Everyone has the right to assemble and demonstrate peacefully in private and public places without prior permission.
- 2.. Meetings in places of public access may only be restricted in accordance with the law.

- Right of petition

Article 76

- 1.. Everyone has the right to submit petitions, presentations or claims to any authority of the State.
- 2.. The law shall regulate the time limits and the way in which the authority must respond to the request, in addition to the way in which the principle of multilingualism in the exercise of this right shall be guaranteed.

- Right to information

Article 77

Everyone has the right to access, search, request, receive and disseminate public information from any organ of the State or from entities that provide services of public utility, in the manner and under the conditions established by law.

- Right to own property
- Protection from expropriation

Article 78

- 1.. Every person, natural or legal, has the right to property in all its kind and over all kinds of property, except those which nature has made common to all persons and which the Constitution or the law declares non-appropriable.
- 2.. It shall be for the law to determine the manner of acquiring property, its content, limits and duties, in accordance with its social and ecological function.
- 3.. No person may be deprived of his property except by a statute authorizing expropriation for reasons of public utility or general interest declared by the legislator.
- 4.. The owner is always entitled to compensation for the fair price of the expropriated property. The payment must be made prior to the material taking possession of the expropriated property and the expropriated person may always claim the legality of the expropriation act, as well as the amount and method of payment before the courts determined by statute.
- 5.. Whatever the cause invoked to carry out the expropriation, it must always be duly founded.

Article 79

- 1.. The State recognizes and guarantees, in accordance with the Constitution, the right of indigenous peoples and nations to their lands, territories and resources.
- 2.. Ownership of indigenous lands enjoys special protection. The State shall establish effective legal instruments for its cadastre, regularization, demarcation, titling, reparation and restitution.
- 3.. Restitution is a preferential mechanism for reparation, of public utility and general interest.
- 4.. In accordance with the Constitution and the law, indigenous peoples and nations have the right to use the resources that they have traditionally used or occupied, that are located in their territories and are indispensable to their collective existence.

- Ownership of natural resources

- Right to establish a business
- Protection of consumers

Article 80

- 1.. Every person, natural or legal, has the freedom to undertake and develop economic activities. Its exercise must be compatible with the rights enshrined in this Constitution and the protection of nature.
- 2.. The content and limits of this right will be determined by the laws that regulate its exercise, which must promote the development of smaller companies and ensure the protection of consumers.

- Protection of consumers

Article 81

- 1.. Everyone has the right, in his capacity as a consumer or user, to free choice, to truthful information, not to be discriminated against, to safety, to the protection of his health and the environment, to adequate reparation and compensation and to education for responsible consumption.
- 2.. The State shall protect the exercise of these rights through effective procedures and a body with interpretative, supervisory, sanctioning and other powers granted to it by law.

- Freedom of expression
- Freedom of opinion/thought/conscience

Article 82

- 1.. Every person, natural or legal, has the right to freedom of expression and opinion, in any form and by any means, which includes the freedom to seek, receive and disseminate information and ideas of all kinds.
- 2.. There will be no prior censorship, but only the subsequent responsibilities determined by law.

- Freedom of press

Article 83

- 1.. Everyone has the right to produce information and to participate equitably in social communication. The right to found and maintain media and information is acknowledged.
- 2.. The State shall respect freedom of the press and promote media pluralism and diversity of information.
- 3.. Any person offended or unjustly referred to by a means of communication and information has the right to have his clarification or rectification disseminated free of charge by the same means in that had been issued. The law shall regulate the exercise of this right, with respect for freedom of expression.

- Right to protect one's reputation

- State operation of the media

Article 84

The State encourages the creation of media and information and their development at the regional, local and community levels and prevents the concentration of media ownership. In no case may the State monopoly be established over them. It shall be the responsibility of the law to safeguard this precept.

- State operation of the media

Article 85

- 1.. There will be public means of communication and information, in different technological supports, that respond to the informational, educational, cultural and entertainment needs of the various groups of the population.
- 2.. These media will be pluralistic, decentralized and coordinated with each other. They shall also enjoy independence from the Government and shall have public funding for their operation. The law shall regulate its organization and the composition of its directories, which shall be guided by technical and suitability criteria.

Article 86

- 1.. Everyone has the right to universal access to digital connectivity and information and communication technologies.
- 2.. The State guarantees free, equitable and decentralized access, with conditions of adequate and effective quality and speed, to basic communication services.
- 3.. It is the duty of the State to promote and participate in the development of telecommunications, connectivity services and information and communication technologies. The law shall regulate the manner in which the State shall perform this duty.
- 4.. The State has the obligation to overcome the gaps in access, use and participation in the digital space and in its devices and infrastructures.
- 5.. The State guarantees compliance with the principle of net neutrality. The obligations, conditions and limits in this matter shall be determined by statute.

- Telecommunications

- Telecommunications
- Radio

- 6.. Telecommunications infrastructure is in the public interest, regardless of its property regime.
- 7.. It shall be for the law to determine the use and exploitation of the radio spectrum.

Article 87

- 1.. Everyone has the right to informational self-determination and the protection of personal data. This right includes the power to know, to decide and control the use of the concerned data, to access, to be informed and oppose the treatment of them, and to obtain their rectification, cancellation and portability, notwithstanding other rights established by statute.
- 2.. The processing of personal data may only be carried out in the cases established by statute, subject to the principles of legality, loyalty, quality, transparency, security, limitation of the purpose and minimization of data.

Article 88

Everyone has the right to the protection and promotion of computer security. The State and individuals shall adopt the appropriate and necessary measures to guarantee the integrity, confidentiality, availability and resilience of the information contained in the computer systems they administer, except for the cases expressly indicated by law.

Article 89

- State support for children

- 1.. Everyone has the right to participate in a digital space free of violence. The State shall carry out actions to prevent, promote, repair and guarantee this right, granting special protection to women, girls, boys, adolescents and sexual and gender diversities and dissidents.
- 2.. The obligations, conditions and limits in this matter shall be determined by statute.

Article 90

Everyone has the right to digital education, to the development of knowledge, thought and technological language, as well as to enjoy its benefits. The State ensures that everyone can exercise their rights in digital spaces, for which it will create public policies and finance free plans and programs for this purpose.

- Right to rest and leisure

Article 91

Everyone has the right to leisure, rest and to enjoy free time.

- Right to culture
- Reference to art

Article 92

- 1.. Every person and community have the right to participate freely in cultural and artistic life and to enjoy its various expressions, goods, services and institutions. It has the right to the freedom to create and disseminate cultures and the arts, as well as to enjoy their benefits.
- 2.. It also has the right to cultural identity and to know and be educated in the various cultures.
- 3.. Likewise, it has the right to use public spaces to develop cultural and artistic expressions and manifestations, without any limitations other than those established by statute.

- 4..The State promotes, encourages and guarantees the harmonious interrelation and respect for all symbolic, cultural and patrimonial expressions, whether material and immaterial, and the access, development and dissemination of cultures, arts and knowledge, taking into account cultural diversity in all its manifestations and contributions, under the principles of collaboration. and interculturality.
- 5..In addition, it must generate the instances for society to contribute to the development of cultural and artistic creativity, in its most diverse expressions.
- 6..The State promotes the conditions for the free development of the cultural identity of communities and individuals, as well as their cultural processes.

- Right to culture

Article 93

The Constitution acknowledges the cultural rights of the Chilean Afro-descendant tribal people and ensures their exercise, development, promotion, conservation and protection.

Article 94

The State promotes access to books and the enjoyment of reading through plans, public policies and programs. It will also encourage the creation and strengthening of public and community libraries.

- Provisions for intellectual property

Article 95

- 1..The Constitution assures everyone of copyright protection in his or her intellectual, scientific and artistic works. These include the moral and economic rights over them, in accordance with and for as long as the law indicates, which will not be inferior to the life of the author.
- 2..The protection of the rights of performers in their performances is ensured , in accordance with the law.

Article 96

- 1..Everyone has the right to participate freely in the creation, development, conservation and innovation of the various knowledge systems and the transfer of their applications, as well as to enjoy their benefits.
- 2..The State recognizes and encourages the development of the various knowledge systems in the country, considering their different cultural, social and territorial contexts. It also promotes their equitable and open access, including the 31 exchange and communication of knowledge to society in the broadest possible way.
- 3..The State recognizes the right of indigenous peoples and nations to preserve, revitalize, develop and transmit traditional knowledge and ancestral knowledge and must, together with them, adopt effective measures to ensure their exercise.

Article 97

- 1..The Constitution guarantees freedom of investigation.
- 2..It is the duty of the State to stimulate, promote and strengthen the development of scientific and technological research in all areas of knowledge, thus contributing to the socio-cultural enrichment of the country and the improvement of the living conditions of its inhabitants.

- Reference to science

- Reference to science
- Protection of environment

3.. The State shall generate, in an independent and decentralized manner, the conditions for the development of transdisciplinary scientific research in matters relevant to the protection of the quality of life of the population and the ecosystem balance. In addition, it will carry out permanent monitoring of environmental and health risks that affect the health of the country's communities and ecosystems.

4.. The law will determine the creation and coordination of entities that meet the objectives established in this article, their collaboration with public and private research centers with territorial relevance, their characteristics and operation.

- Reference to science
- Reference to fraternity/solidarity
- International law
- Protection of environment

Article 98

Sciences and technologies, their applications and research processes must be developed according to the bioethical principles of solidarity, cooperation, responsibility and with full respect for human dignity, the sentience of animals, the rights of nature and the other rights established in this Constitution and in international human rights treaties ratified and in force in Chile.

Article 99

1.. The National Council of Bioethics is an independent, technical, consultative, pluralistic and transdisciplinary body that will have, among its functions, to advise State agencies on bioethical matters that may affect human life, animal life, nature and biodiversity, recommending the dictation, modification and deletion of rules governing these matters.

2.. The law shall regulate the composition, functions, organization and other aspects of this body.

- Equality regardless of language

Article 100

Every person and people have the right to communicate in their own language or language and to use them in all spaces. No person or group shall be discriminated against on linguistic grounds.

Article 101

The State recognizes and protects natural and cultural, tangible and intangible heritage and guarantees their conservation, revitalization, enhancement, safeguarding and transmission to future generations, regardless of the legal regime and ownership of such assets. It also promotes their dissemination and education.

- Right to culture

Article 102

1.. The State, together with indigenous peoples and nations, shall adopt positive measures for the recovery, revitalization and strengthening of indigenous cultural heritage.

2.. It also recognizes the linguistic heritage constituted by the different indigenous languages of the national territory, which are subject to revitalization and protection, especially those that have the character of vulnerable.

3.. Indigenous peoples and nations have the right to obtain the repatriation of their objects of culture and human remains. The State shall adopt effective mechanisms for their restitution and repatriation. In turn, it guarantees access to its heritage, including objects of its culture, human remains and culturally significant sites for its development.

- Protection of language use

- Protection of environment

Article 103

Nature has the right to respect and protect its existence, to the regeneration, maintenance and restoration of its dynamic functions and balances, which include natural cycles, ecosystems and biodiversity. The State must guarantee and promote the rights of nature.

- Protection of environment

Article 104

Everyone has the right to a healthy and ecologically balanced environment.

- Protection of environment

Article 105

Everyone has the right to clean air throughout his or her life cycle.

- Protection of environment

Article 106

The law may establish restrictions on the exercise of certain rights to protect the environment and nature.

- Protection of environment

Article 107

Everyone has the right of responsible and universal access to mountains, riverbanks, seas, beaches, lakes, lagoons and wetlands. The exercise of this right, the obligations of the surrounding owners, the applicable liability regime and access to other natural spaces, will be established by statute.

Article 108

- 1.. Everyone has the right to full access to justice and to require the courts of justice to effectively protect their legitimate rights and interests, in a timely and effective manner in accordance with recognized principles and standards in the Constitution and laws.
- 2.. It is the duty of the State to remove social, cultural and economic obstacles that prevent or limit the possibility of resorting to the courts for protection and exercise of rights.
- 3.. The courts must provide adequate attention to those who present petitions or consultations before them, always granting a dignified and respectful treatment, in accordance with the law.
- 4.. The State guarantees the right to free and complete legal advice, on the part of lawyers authorized to exercise the profession, to any person who cannot obtain it by himself, in the cases and in the manner established by the Constitution and the law.
- 5.. It is the duty of the State to provide specialized legal assistance for the protection of the best interests of children and adolescents, especially when they have been subject to protection measures. In addition, it must endeavor to create all the necessary conditions for the safeguarding of its rights.
- 6.. The State must ensure that the bodies involved in the process respect and promote the right to access justice with an intercultural perspective.
- 7.. Individuals have the right to specialized legal assistance, interpreters, intercultural facilitators and advisory experts, when they require it and cannot provide it on their own.
- 8.. The State guarantees access to environmental justice.

- Right to counsel

- Privileges for juveniles in criminal process

- State support for children

- Trial in native language of accused

Article 109

- International law
 - Right to fair trial
 - Right to speedy trial
 - Right to counsel
 - Privileges for juveniles in criminal process
- 1.. Everyone has the right to a reasonable and fair process in which the guarantees indicated in this Constitution, in the law and in the international treaties ratified and in force in Chile are safeguarded.
 - 2.. Such proceedings shall be conducted before the competent, independent and impartial tribunal previously established by law.
 - 3.. Everyone has the right to be heard and tried on equal terms and within a reasonable time.
 - 4.. Judgements will be founded, ensuring the admissibility of an adequate and effective remedy before the court determined by law.
 - 5.. Everyone has the right to legal defense and no authority or individual may prevent, restrict or disturb the proper intervention of the legal counsel.
 - 6.. In the processes involving children and adolescents, care must be taken to protect their identity.
 - 7.. The principles of probity and transparency shall apply to all persons exercising jurisdiction in the country. The law shall establish the corresponding responsibilities in case of violation of this provision.
 - 8.. The Constitution ensures assistance and the necessary proceedings adjustments regarding individual's age or disability, as appropriate, in order to enable them to participate in the process.
 - 9.. Judicial procedures shall be established by statute. 34

- Protection from unjustified restraint

Article 110

- 1.. No person may be arbitrarily deprived of his liberty or restricted except in the cases and in the manner determined by the Constitution and the law.
 - 2.. No person may be arrested or detained except by court order, unless caught in flagrant crime.
 - 3.. The person arrested or detained must be brought before the competent court within a maximum period of twenty-four hours. They must be informed in an immediate and understandable manner of your rights and the reasons for the deprivation of your liberty. They will have the right to communicate with their lawyer or with whomever deem appropriate.
 - 4.. No person may be arrested or detained, subject to pre-trial detention or imprisonment, except in his home or in public places intended for this purpose. The entry must be recorded in a public record.
 - 5.. Detention for debts is prohibited, except in case of breach of maintenance duties.
- Rights of debtors

Article 111

Everyone has the right to the following minimum criminal procedural guarantees:

- 1.. That any action of the investigation or procedure that deprives, restricts or disturbs the exercise of the rights guaranteed by the Constitution requires prior judicial authorization.
- 2.. Know the background of the investigation followed against you, except for the exceptions that the law indicates.

- Presumption of innocence in trials
 - 3.. Their innocence is to be presumed as long as there is no final conviction handed down against him.
 - 4.. That criminal responsibility is not presumed to be legal.
 - 5.. Be informed, without delay and in detail, of your rights and cause of the investigation against them.
- Protection from self-incrimination
 - 6.. Be silent and not be forced to testify against themselves or acknowledge their responsibility. Their ascendants, descendants, spouse, civil partner and other persons designated by statute may not be compelled to testify against the accused.
 - 7.. Let your freedom be the general rule. Personal precautionary measures are exceptional, temporary and proportional, and the law must regulate the cases of origin and requirements.
- Prohibition of double jeopardy
 - 8.. Not to be subjected to a new procedure, investigation or criminal prosecution for the same act in respect of which she has been convicted, acquitted or definitively dismissed by an enforceable sentence.
 - 9.. Be sanctioned in proportion to the infraction committed.
- Privileges for juveniles in criminal process
- International law
 - 10.. That the penalty of confiscation of property is not imposed, notwithstanding to confiscation in the cases established by statute.
 - 11.. That the loss of pension rights is not imposed as a punishment.
 - 12.. That the detention or internment of adolescents be used only exceptionally and for the shortest period that may be appropriate and in accordance with the provisions of this Constitution, the law and the international human rights treaties ratified and in force in Chile.
- Principle of no punishment without law
- Protection from ex post facto laws

Article 112

- 1.. No person may be convicted of acts or omissions that do not constitute a crime under the legislation in force at the time.
- 2.. No offence shall be punishable by any penalty other than that prescribed by a statute which entered into force prior to its perpetration unless a new law favors the accused.
- 3.. No law may establish penalties without the conduct being punished being clearly and precisely described therein.
- 4.. The provisions of this article shall also apply to security measures.

Article 113

- 1.. A decentralized body of a technical nature, called the Integral Service for Access to Justice, will have the function of providing advice, defense and quality legal representation to people, as well as providing professional psychological and social support in the cases that apply.
- 2.. The law will determine the organization, the areas of attention, the composition, and the staff of the Integral Service of Access to Justice, considering a territorially decentralized deployment.

Nationality and Citizenship

- Requirements for birthright citizenship
- Requirements for naturalization

Article 114

- 1.. Chileans are who:

- 1..
 - a). Were born in the territory of Chile. Exceptions are the daughters and sons of foreigners who are in Chile in the service of their Government, who, however, may opt for Chilean nationality, in accordance with the Constitution and laws.
 - b). Are daughters or sons of a Chilean father or mother born in foreign territory.
 - c). Obtain a letter of nationalization in accordance with the law.
 - d). Obtain special grace of nationalization by statute.
- 2.. No renunciation of the previous nationality will be required to obtain the Chilean nationalization charter
- 3.. Any person may require that any official identification document be recorded, in addition to Chilean nationality, his or her membership of any of the indigenous peoples and nations of the country.
- 4.. The law will establish measures for the recovery of Chilean nationality in favor of those who lost it or had to renounce it as a result of exile, their daughters and sons.

Article 115

- 1.. Everyone has the right to nationality in the manner and under the conditions set out in this article. The law may create more favorable procedures for the nationalization of stateless persons.
- 2.. Chilean nationality confers the unconditional right to reside in Chilean territory and to return to it. It also grants the right to diplomatic protection by the State of Chile and the other rights that the Constitution and the laws bind to the status of nationality.

Article 116

- Conditions for revoking citizenship
 - Right to renounce citizenship
- 1.. Chilean nationality is only lost for the following reasons, and only if the person is not stateless:
 - a). Voluntary waiver expressed before the competent Chilean authority.
 - b). Cancellation of the nationalization letter, unless it has been obtained by false declaration or fraud. The latter shall not apply to children and adolescents.
 - c). Revocation by statute of nationalization granted by grace.
 - 2.. In the case of point (a), nationality may be regained by letter of nationalization. In all other cases, it may be only by statute.

- Requirements for birthright citizenship
- Requirements for naturalization

Article 117

- 1.. People who have Chilean nationality are citizens of Chile. Those who lose that will also lose their citizenship.
- 2.. Likewise, foreigners who have been living in Chile for at least five years will be citizens. In this case, citizenship will be lost if the proximity ceases.
- 3.. The State shall promote the active and progressive exercise, through the various mechanisms of participation, of the rights derived from citizenship, especially in favor of children, adolescents, persons deprived of liberty, persons with disabilities, the elderly persons. whose personal circumstances or abilities diminish their chances of exercising.

Article 118

- 1.. Chileans abroad are part of the country's political community.
- 2.. The right to vote in national, presidential, parliamentary, plebiscite and consultation elections is guaranteed, in accordance with this Constitution and the laws.
- 3.. In the event of a humanitarian crisis and other situations determined by statute, the State shall ensure family reunification and voluntary return to the national territory.

Constitutional remedies

Article 119

- 1.. Any person who, by reason of an act or omission, suffers a threat, disturbance or deprivation in the legitimate exercise of his fundamental rights, may attend by himself or by anyone on his behalf before the court of instance determined by law, which shall adopt immediately all such measures as it deems necessary to restore the rule of law. This remedy can be filed as long as the violation persists. The action shall be dealt with summarily and in preference to any other case before the court.
- 2.. This precautionary action will be appropriate when the affected person does not have another remedy or procedural means to claim his right, except in those cases in which, due to its urgency and gravity, it may cause imminent or irreparable serious damage.
- 3.. When accepting or rejecting the action, the judicial procedure that corresponds in law and that allows the resolution of the matter must be indicated.
- 4.. The competent court may at any time during the proceedings, ex officio or at the request of a party, order any provisional measure it deems necessary, and lift or annul them when it deems it appropriate.
- 5.. This remedy may not be exercised against judicial decisions, except in respect of those persons who have not intervened in the respective process and those who affect its results.
- 6.. The appeal against the final judgment shall be heard by the respective court of appeals. Exceptionally, this remedy will be heard by the Supreme Court if with respect to the subject matter of law object of the action there are contradictory interpretations sustained in two or more final judgments issued by courts of appeals. If it is found in the admissibility examination that there is no such contradiction, it will be ordered that it be sent together with its background to the corresponding appeals court so that, if it considers it admissible, it will know it and resolve it.
- 7.. This remedy will also proceed when by act or administrative resolution the Chilean nationality is deprived or unknown. The bringing of proceedings shall suspend the effects of the act or decision under appeal.
- 8.. In the case of nature rights and environmental rights, both the Nature Ombudsman's Office and any person or group may exercise this action. I
- 9.. n the case of the rights of indigenous and tribal peoples, this action may be filed by the institutions representing indigenous peoples, their members or the Ombudsman's Office.

- Right to pre-trial release

Article 120

- 1.. Any person who is arrested, detained or imprisoned in violation of the provisions of this Constitution or the laws may attend by himself or by any person on his behalf, without formalities, before the magistracy indicated by law, so that it may immediately adopt the measures that are necessary to restore the rule of law and ensure the due protection of the person concerned, and may even order his immediate release.
- 2.. That judge may order that the individual be brought into its presence and its decree shall be obeyed precisely by all those in charge of prisons or places of detention. Instructed of the antecedents, it will decree his immediate release or will cause the legal defects to be repaired or will place the individual at the disposal of the competent court, proceeding in all brief and summarily, and correcting these defects by themselves or giving an account to whoever corresponds to correct them. Notwithstanding to the foregoing, the court must exhaust all measures leading to determining the existence and conditions of the person who is deprived of liberty.
- 3.. This remedy shall also apply in respect of any person who unlawfully suffers a deprivation, disturbance or threat to his right to personal liberty, ambulatory freedom or individual security, and in such case all measures must be taken to restore the rule of law and ensure due protection of the affected party.

- Protection from false imprisonment

Article 121

- 1.. Any person who is acquitted, definitively dismissed or who is not convicted shall be compensated for each day he has been deprived of liberty. The daily amount of compensation shall be fixed by statute and its payment shall be made by a simple and expeditious procedure.
- 2.. Compensation shall not proceed where the deprivation of liberty has been ordered on grounds based on the actual conduct of the accused.

- Protection from false imprisonment

Article 122

- 1.. Any person who has been convicted by a judgment handed down with unjustified error or lack of judicial service shall have the right to be compensated for all the damage caused to him by the trial and the conviction.
- 2.. If all or part of the damage derives from the deprivation of liberty, the compensation, which may always be demanded in accordance with the previous article, will be imputed to this compensation. The same compensation will proceed for the actions or administrative decisions derived from the judicial functioning that, with lack of service, generate damage.

- Ombudsman

Obudsman Office

Article 123

- a). An autonomous body, with legal personality and its own patrimony, called the Ombudsman's Office, will have as its function the promotion and protection of the human rights guaranteed in this Constitution, in the international human rights treaties ratified and in force in Chile, as well as those emanating from the general principles of law and the peremptory norms recognized by international law, in the face of acts or omissions of the organs of the Administration of the State and private entities that exercise activities of service or public utility, in the manner established by law.
- b). The Ombudsman's Office will operate in a decentralized manner in regional ombudsmen's offices, in accordance with the provisions of its law. The powers, organization, functioning and procedures of the Office of the Ombudsman shall be determined by statute.

Article 124

- 1.. The Office of the Ombudsman shall have the following powers:
 - a). To supervise the bodies of the State and private entities that exercise activities of service or public utility, in the fulfillment of their obligations in the field of human rights.b)
 - b). Formulate recommendations in the matters of its competence. c)
 - c). Carry out follow-up and monitoring actions of the recommendations made by international organizations in the field of human rights and of the sentences issued against the State of Chile by international human rights courts. d)
 - d). Process and follow up on complaints about human rights violations and refer where appropriate. e)
 - e). File claims and remedies that this Constitution and the laws establish when patterns of human rights violations are identified. f)
 - f). Bring constitutional and legal claims before the courts of justice in respect of acts that have the character of crimes of genocide, crimes against humanity or war, torture, forced disappearance of persons, trafficking in persons and others established by law. g)
 - g). Safeguard and preserve the records gathered by truth, justice, reparation and guarantees of non-repetition. h)
 - h). Recommend the presentation of bills in matters within its jurisdiction. 41 i)
 - i). Promote training and education in human rights. j)
 - j). The others entrusted to it by the Constitution and the law.

- 2.. Each body must collaborate with the requirements of the Ombudsman's Office, being able to access the necessary information and take on offices of the bodies subject to supervision, in accordance with the law.
- 3.. During states of constitutional emergency, the Office of the Ombudsman shall fully exercise its powers.

Article 125

- Joint meetings of legislative chambers

- 1.. The direction of the Ombudsman's Office will be in charge of an ombudsman, who will be appointed by the majority of the Congress of Deputies and the Chamber of the Regions, in joint session, based on a shortlist prepared by social and human rights organizations, in the form determined by law.
- 2.. The persons proposed by the organizations must meet the requirements of proven suitability and trajectory in the defense of human rights.
- 3.. Whoever heads the Ombudsman's Office will serve a six year term, without re-election. Upon the expiration of his term and during the following eighteen months, he may not apply for any office of popular election or of exclusive confidence of any authority.
- 4.. He shall enjoy non-removability in his office and shall be inviolable in the exercise of his powers. He shall cease to hold office for the completion of his term, for conviction for a crime or simple crime, resignation, illness incompatible with the exercise of his function and for removal. He may be removed by the Supreme Court, for notable abandonment of duties, in the manner established by law.
- 5.. There shall be a Council of the Ombudsman's Office, whose composition, functioning and powers shall be determined by statute.

- Supreme court powers

- State support for children

Article 126

- International law

- 1.. There will be an autonomous body, with legal personality and its own assets, called the Office of the Ombudsman for the Rights of the Child, whose purpose will be the promotion and protection of the rights of children and adolescents and to look after their best interests. The foregoing, in accordance with this Constitution, the Convention on the Rights of the Child, the other international treaties ratified and in force in Chile and national legislation.
- 2.. The organization, functions and powers of the Office of the Ombudsman for the Rights of the Child shall be determined by statute.

Chapter III. Nature and Environment

- Protection of environment

Article 127

- Reference to science

- 1.. Nature has rights. The State and society have a duty to protect and respect them.
- 2.. The State should adopt an ecologically responsible administration and promote environmental and scientific education through lifelong learning and training processes.

Article 128

- Reference to fraternity/solidarity

- 1.. These are principles for the protection of nature and the environment, at least those of progressivity, precaution, prevention, environmental justice, intergenerational solidarity, responsibility and just climate action.
- 2.. Whoever damages the environment has the duty to repair it, notwithstanding to the administrative, criminal, and civil penalties that correspond according to the Constitution and the laws.

Article 129

- 1.. It is the duty of the State to adopt actions to prevent, adapt and mitigate the risks, vulnerabilities and effects caused by the climate and ecological crisis.
- 2.. The State must promote dialogue, cooperation and international solidarity to adapt, mitigate and face the climate and ecological crisis and protect nature.

- Reference to fraternity/solidarity

Article 130

The State protects biodiversity, and must preserve, conserve and restore the habitat of wild native species in the appropriate quantity and distribution to sustain the viability of their populations and ensure the conditions for their survival and non- extinction.

Article 131

- 1.. Animals are subject to special protection. The State shall protect them, recognizing their sentience and the right to live a life free from abuse.
- 2.. The State and its entities shall promote education based on empathy and respect for animals. 45 46

Article 132

The State, through a national system of protected areas, unique, comprehensive and of a technical nature, must guarantee the preservation, restoration and conservation of natural spaces. It must also monitor and maintain up-to-date information regarding the attributes of these areas and ensure the participation of local communities and territorial entities.

Article 133

It is the duty of the State to regulate and promote the management, reduction and recovery of waste. Natural common goods

Natural common goods

- Ownership of natural resources

Article 134

- 1.. Natural common goods are elements or components of nature over which the State has a special duty of custody in order to secure the rights of the nature and interest of present and future generations.
- 2.. The territorial sea and its seabed are natural common goods; the beaches; waters, glaciers and wetlands; geothermal fields; the air and the atmosphere; the high mountains, protected areas and native forests; the subsoil, and others declared by the Constitution and the law.
- 3.. Among these goods are non-appropriable water in all its states, the air, the territorial sea and beaches, those recognized by international law and those that the Constitution or laws declare as such.
- 4.. In the case of natural common goods that are non-appropriable, the State must preserve, conserve and, where appropriate, restore them. It must also administer them in a democratic, solidary, participatory and equitable manner. With respect to those natural common goods that are in the private domain, the duty of custody of the State implies the power to regulate their use and enjoyment, with the purposes established in paragraph 1.
- 5.. The State may grant administrative authorizations for the use of non-appropriable natural common property, in accordance with the law, temporarily, subject to grounds for expiration, extinction and revocation, with specific conservation obligations, justified in the public interest, the

- International law

- Protection of environment

- 5.. protection of nature and the collective benefit. These authorizations, whether individual or collective, do not generate property rights.
- 6.. Any person may demand the fulfillment of the constitutional duties of custody of the natural common goods. The law shall determine the procedure and requirements of this action.

- Protection of environment

Article 135

- 1.. The State must promote measures to conserve the atmosphere and the night sky, according to territorial needs.
- 2.. It is the duty of the State to contribute and cooperate internationally in space research for peaceful and scientific purposes.

- Reference to science

- Protection of environment

Article 136

The State, as custodian of wetlands, native forests and soils, will ensure the integrity of these ecosystems, their functions, processes and water connectivity.

- Protection of environment

Article 137

The State guarantees the protection of glaciers and the glacial environment, including frozen soils and their ecosystem functions.

- Protection of environment

Article 138

The State shall protect the ecological and social function of the land.

- Protection of environment

Article 139

- 1.. Chile is an oceanic country that recognizes the existence of the *maritory* as a legal category that, like the territory, must have specific regulatory regulation, which incorporates its own characteristics in the social, cultural, environmental and economic fields.
- 2.. It is the duty of the State to conserve, preserve and care for continental, island and Antarctic marine and coastal ecosystems, promoting the various vocations and uses associated with them and ensuring, in any case, their preservation, conservation and ecological restoration.
- 3.. A statute will establish the administrative division of the *maritory*, its spatial planning, integrated management and the basic principles that must inform the legal bodies that materialize its institutionalization, through a differentiated, autonomous and decentralized treatment, as appropriate, on the basis of equity and justice. territorial. 48

Status of water

- Protection of environment

Article 140

- 1.. Water is essential for life and the exercise of human and natural rights. The State must protect the waters, in all their states and phases, and their hydrological cycle.
- 2.. The exercise of the human right to water, sanitation and ecosystem balance will always prevail. The other uses shall be determined by statute.

Article 141

The State shall promote and protect the community management of drinking water and sanitation, especially in rural and extreme areas and territories, in accordance with the law.

Article 142

The State shall ensure a reasonable use of the waters. Authorizations for the use of water shall be granted by the National Water Agency, of an inedible nature, granted on the basis of the effective availability of water, and shall oblige the holder to the use that justifies their granting.

Article 143

- 1.. The State shall ensure a participatory and decentralized water governance system through integrated watershed management. The river basin shall be the minimum unit of management.
- 2.. The basin councils shall be responsible for the administration of water, notwithstanding to the supervision and other powers of the National Water Agency and the powers assigned to other institutions.
- 3.. The law shall regulate the powers, functioning and composition of the councils. These must be integrated, at least, by the holders of water use authorizations, civil society and territorial entities with a presence in the respective basin, ensuring that no actor can reach control alone.
- 4.. Councils may coordinate and associate where appropriate. In those cases where a council is not constituted, the administration will be determined by the National Water Agency.

Article 144

- 1.. The National Water Agency is an autonomous body, with legal personality and its own patrimony, which operates in a decentralized manner and is responsible for ensuring the sustainable use of water for present and future generations, access to the human right to water and sanitation and the conservation and preservation of its associated ecosystems. To this end, it is responsible for collecting information, coordinating, directing and supervising the actions of state bodies with competence in water matters and individuals where appropriate.
- 2.. The National Water Agency has the following powers:
 - a). Lead and coordinate the agencies with competence in water matters.
 - b). Ensure compliance with the National Water Policy established by the respective authority.
 - c). Grant, review, modify, expire or revoke water use authorizations.
 - d). Implement and monitor environmental management and protection instruments in water matters.
 - e). Coordinate and develop a unified public information system.
 - f). Promote the constitution of the basin councils. It will assist them in carrying out integrated management, participatory governance and planning of interventions in water bodies and ecosystems associated with the or the respective basins.
 - g). Monitor the responsible and sustainable use of water.
 - h). Impose the corresponding administrative sanctions, which may be claimed before the courts of justice.
 - i). Determine the quality of health services.
 - j). The others set forth by statute.
- 3.. The law shall regulate the organization, designation, structure, functioning and 3. other functions and powers of the National Water Agency.

Status of minerals

- Ownership of natural resources

Article 145

- 1.. The State has absolute, exclusive, inalienable and imprescriptible control of all mines and mineral, metallic, non-metallic substances and deposits of fossil substances and hydrocarbons existing in the territory. national, with the exception of surface clays, notwithstanding to ownership of the land on which they are situated.

- 2.. The exploration and exploitation of these substances shall be subject to regulation that considers their finite, non-renewable nature, intergenerational public interest and environmental protection.

- Protection of environment

Article 146

Glaciers, protected areas, those established by statute and others declared by statute for reasons of hydrographic protection are excluded from all mining activity.

Article 147

- Protection of environment

- 1.. The State must establish a policy for mining activity and its productive chain, which will consider, at least, environmental and social protection, innovation and the generation of added value.
- 2.. The State must regulate the synergistic impacts and effects generated in the different stages of mining activity, including its productive chaining, closure or paralysis, in the manner established by statute. It is the obligation of whoever carries out the mining activity to allocate resources to repair the damages caused, the environmental liabilities and mitigate their harmful effects in the territories in which it is developed, in accordance with the law. The law shall specify how this obligation shall apply to small-scale mining and *pyrquinos*.
- 3.. The State shall adopt the necessary measures to protect small-scale mining and *pyrquinos*, promote them and facilitate access to and use of the tools, technologies and resources for the traditional and sustainable exercise of the activity.

- Protection of environment

Nature Ombudsman's Office

Article 148

- 1.. An autonomous body, with legal personality and its own patrimony, called the Ombudsman's Office of Nature, will have as its function the promotion and protection of the rights of nature and of the environmental rights guaranteed in this Constitution, in the international environmental treaties ratified and in force in Chile, against the acts or omissions of the organs of the State Administration and private entities.
- 2.. The Nature Ombudsman's Office will concentrate on regional ombudsmen's offices. The law shall determine the powers, organization, functioning and procedures of the Office of the Ombudsman for Nature.

Article 149

The Office of the Ombudsman for Nature shall have the following powers:

- 1.. To supervise the organs of the State and private entities in the fulfillment of their obligations in terms of environmental rights and rights of nature.
- 2.. Formulate recommendations in the matters of its competence.
- 3.. Process and follow up on complaints about violations of environmental rights and refer where appropriate.
- 4.. File constitutional and legal remedies when environmental and nature rights are violated.
- 5.. Promote training and education in environmental and nature rights.
- 6.. The others entrusted to it by the Constitution and the law.

Article 150

The direction of the Ombudsman of Nature will be in charge of a defender of nature, who will be appointed in a joint session of the Congress of Deputies and the Chamber of the Regions, by the majority of its members in office, based on a shortlist prepared by environmental organizations of civil society, in the manner determined by statute.

CHAPTER IV. DEMOCRATIC PARTICIPATION

Article 151

- 1.. In Chile, democracy is exercised in a direct, participatory, community and representative manner.
- 2.. It is the duty of the State to promote and guarantee the adoption of measures for the effective participation of the whole of society in the political process and the full exercise of democracy.
- 3.. Organized political activity contributes to the expression of the popular will and its functioning will respect the principles of autonomy, probity, financial transparency and internal democracy.

Democratic Participation and Representation

Article 152

- 1.. Citizens have the right to participate in an incident or binding manner in matters of public interest. It is the duty of the State to give adequate publicity to the mechanisms of democracy, tending to favor a broad deliberation of the people, in accordance with this Constitution and the laws.
- 2.. The public authorities shall facilitate the participation of the people in the political, economic, cultural and social life of the country. It will be the duty of each organ of the State to have the mechanisms to promote and ensure the participation and deliberation of citizens in the management of public affairs, including digital media.
- 3.. The law will regulate the use of digital tools in the implementation of the participation mechanisms established in this Constitution and that are different from suffrage, seeking that their use promotes the highest possible participation in these processes, as well as the broadest information, transparency, security and 54 accessibility of the process for all people without distinction.

Article 153

- 1.. The State shall guarantee to all citizens, without discrimination of any kind, the full exercise of a participatory democracy, through mechanisms of direct democracy.
- 2.. It will be up to the State, in its different spheres and functions, to guarantee the democratic participation and political impact of all people, especially that of historically excluded groups with special protection.
- 3.. The State shall guarantee the inclusion of these groups in public policies and in the process of forming laws, through mechanisms of popular participation and political deliberation, ensuring affirmative measures that enable their effective participation.
- 4.. The law shall establish the affirmative measures necessary to guarantee the participation and political representation of persons with disabilities.

Article 154

- 1.. It is the duty of the State to guarantee environmental democracy. The right to informed participation in environmental matters is recognized. The mechanisms for participation shall be determined by statute.
- 2.. All persons have the right to access environmental information held or in the custody of the State. Individuals must submit environmental information related to their activity, in the terms established by law.

- Right to information

Article 155

The regional statute will consider mechanisms of direct or semi-direct democracy that ensure the incident or binding participation of the population, as appropriate. In the same way, it will consider, at least, the implementation of popular initiatives of local norms at the regional and municipal level, of a binding nature, as well as incident citizen consultations. The budgetary planning of the different territorial entities will always incorporate elements of incident participation of the population.

Article 156

Matters within the jurisdiction of regional and local governments may be submitted to a referendum in accordance with the provisions of the law and the respective regional statute. A statute shall indicate the minimum requirements for requesting or convening them, the time at which they may be carried out, the voting and counting mechanisms, and the cases and conditions in which their results will be binding.

Article 157

- Legislative initiatives by citizens
- Initiation of general legislation

- 1.. A group of persons entitled to vote, equivalent to three per cent of the last electoral roll, may submit a popular bill for legislative processing.
- 2.. There will be a period of one hundred and eighty days from its registration with the Electoral Service so that the proposal is known by the citizens and can meet the required sponsorships. In case of gathering the required support, the Electoral Service will send the proposal to Congress, so that it can begin to the law-forming process. Popular bills will enter the legislative agenda with the urgency determined by statute. The Legislative Branch will report every six months on the progress of the processing of these initiatives.
- 3.. The popular initiative of law may not refer to taxes, to the budgetary administration of the State or limit fundamental rights.

- Referenda

Article 158

- 1.. A group of persons entitled to vote, equivalent to five percent of the last electoral roll, may present an initiative for the total or partial repeal of one or more laws enacted under the validity of this Constitution to be voted by national referendum.
- 2.. Initiatives on matters related to taxes or budgetary administration of the State will not be admissible.

Article 159

The Congress of Deputies, the Chamber of the Regions and the representative bodies at the regional and communal level will hold public hearings in the opportunities and forms that the law provides, in which individuals and civil society make known proposals and arguments. Suffrage and electoral system

Suffrage and electoral system

Article 160

- Claim of universal suffrage
- Secret ballot
- Compulsory voting
- Restrictions on voting

1. Suffrage is universal, egalitarian, free, direct, personal and secret. It is mandatory for those who have reached the age of eighteen and volunteer for people aged sixteen and seventeen and for Chileans living abroad. Its exercise constitutes a civic right and duty.
2. No authority or body may prevent the exercise of this right and must in turn provide all the necessary means so that the persons authorized to vote can exercise it.
3. The protection of public security during popular votes shall correspond to the institutions indicated by statute.
4. Chileans abroad will be able to vote in plebiscites and national consultations, presidential elections and elections of deputies. For this purpose, a special

4. overseas district will be constituted.
5. Foreigners who have been living in Chile for at least five years may exercise this right in the cases and in the ways determined by the Constitution and the law.
6. The law shall establish the conditions for ensuring the exercise of this right.

Article 161

- 1.. For popular elections, the law shall create an electoral system in accordance with the principles of substantive equality, parity, gender alternation and the others contemplated in this Constitution and the laws. This system should ensure that collegiate bodies have an equal composition and promote parity in candidacies for single-person positions. It will also ensure that electoral lists are always headed by a woman.
- 2.. There will be a public electoral register to which those who meet the requirements established by this Constitution will be incorporated, by the sole ministry of the law. The law shall determine its organization and functioning.

Article 162

- Indigenous right to representation

1. In the collegiate bodies of popular representation at the national, regional and communal levels, seats reserved for indigenous peoples and nations are established when appropriate and in proportion to their population within the respective electoral territory. Its requirements, form of application, number and updating mechanisms will be determined by statute.
2. Only those who belong to these peoples and nations and who are part of a special register called the Indigenous Electoral Registry may vote for these seats. Such a register shall be drawn up and administered by the Electoral Service on the basis of the archives kept by State bodies, of those held by indigenous peoples and nations on their members and of the applications of citizens and citizens who self-identify as such, in the terms indicated by statute.
3. A register of the Chilean Afro-descendant tribal people shall be created under the same rules as this article.

Article 163

1. Legally recognized political organizations will implement gender parity in their leadership spaces, ensuring substantive equality in their organizational and electoral dimensions and promoting women's full political participation. In turn, they must allocate electoral financing proportional to the number of these candidacies.
2. The State and political organizations should take the necessary measures to eradicate gender-based violence in order to ensure that all people fully exercise their political rights.
3. The law will arbitrate the means to encourage the participation of people of sexual and gender diversities and dissidents in electoral processes.

Article 164

- Joint meetings of legislative chambers

1. An autonomous body, with legal personality and its own assets, called the Electoral Service, exercises the administration, supervision and supervision of electoral and plebiscitary processes; compliance with the rules on transparency, limit and control of electoral expenditure; the rules on political organizations; of the norms relating to mechanisms of direct democracy and citizen participation, as well as the other functions indicated by the Constitution and the law.
2. The senior management of the Electoral Service corresponds to a board of directors that will exercise exclusively the powers entrusted to it by the Constitution and the laws.
3. This council is composed of five counselors appointed by the President or the President of the Republic, with the agreement of the Congress of Deputies and the Chamber of the Regions, in joint session and by the majority of its members in exercise. They will last eight years in their positions, they cannot be re-elected and they will be renewed for partialities every four years.
4. Counselors may only be removed by the Supreme Court at the request of the President of the Republic, of the absolute majority of the members in office of the

- Supreme court powers

4. Congress of Deputies or of the Chamber of the Regions, for serious infringement of the Constitution or the laws, supervening legal incapacity, bad behavior or manifest negligence in the exercise of their functions. The Court shall hear the matter in plenary session specially convened for that purpose and in order to decide on the removal it shall gather the concurring vote of the majority of its members.
5. With regard to participatory democracy and the mechanisms enshrined in this Constitution, it is the function of the Electoral Service to promote information, education and citizen or electoral participation in relation to such processes, in collaboration with other State agencies and civil society. It must also ensure the implementation and proper execution of these mechanisms.

CHAPTER V. GOOD ADMINISTRATION AND PUBLIC POWERS

Article 165

1. The exercise of public powers bind their holders to comply with the principles of probity, transparency and accountability in all their actions. In addition, it is governed by the principles of efficiency, effectiveness, responsibility, publicity, good faith, interculturality, gender focus, inclusion, non-discrimination and sustainability.
2. The public service must be provided with territorial, cultural and linguistic relevance.

Article 166

1. The principle of probity consists in observing responsible and impeccable official conduct, performing the corresponding function or position in a loyal, honest, objective and impartial manner, without incurring discrimination of any kind, with pre-eminence of the general interest for in this regard.
2. The elected authorities and other authorities, officials and officials determined by statute must declare their interests and assets in a public manner. The law will regulate the cases and conditions in which they will delegate to third parties the administration of those assets and obligations that suppose a conflict of interest in the exercise of public office. It may also consider other appropriate measures to address them.

- Right to information

Article 167

1. The Constitution assures all persons the transparency of public information by facilitating its access in an understandable and timely manner, periodic, proactive, legible and in open formats, within the terms and conditions established by law. The principle of transparency requires state bodies to make public information available to anyone who requires it and to ensure its timely delivery and accessibility.
2. The information prepared with a public budget and all other information held or in the custody of the State is public, whatever its format, support, date of creation, origin, classification or processing.
3. Any institution carrying out a public power or administering public resources must comply with the principle of transparency.
4. Only the law may provide for the confidentiality or secrecy of such information, for reasons of State security or the national interest, protection of the rights of

4. individuals, personal data or when their publicity affects the due fulfillment of the functions of the respective institution, according to its purposes.

Article 168

The organs of the State and those who exercise a public function must be accountable and assume responsibility in the exercise of their office, in the manner and under the conditions that establish the law. The State shall promote the active participation of individuals and civil society in monitoring compliance with this duty.

Article 169

1. The Council for Transparency is an autonomous, specialized and objective body with legal personality and its own assets, in charge of promoting the transparency of the public function, supervising compliance with the rules on transparency and publicity of the information of the organs of the State and guarantee the right of access to public information.
2. The law shall regulate its composition, organization, functioning and powers.

Article 170

1. Corruption is contrary to the common good and undermines the democratic system.
2. It is the duty of the State to promote the integrity of the public service and to eradicate corruption in all its forms, both in the public and private sectors. In compliance with the above, it must adopt effective measures for its study, prevention, investigation, prosecution and punishment.
3. The competent bodies shall coordinate their actions through the corresponding bodies and mechanisms for the fulfilment of these purposes and shall pursue the application of the corresponding administrative, civil and criminal sanctions, in the manner determined by the law.

Article 171

The State assures all persons due protection, confidentiality and indemnity when reporting infractions in the exercise of public office, especially breaches of probity, transparency and acts of corruption.

Article 172

Persons convicted of crimes against humanity, sexual crimes and domestic violence, those linked to corruption such as tax fraud, money laundering, bribery, bribery, embezzlement of public funds and others that the law so establishes. The terms and terms of these disabilities shall be determined by statute.

Article 173

With respect to the highest authorities of the State, the law will establish greater demands and standards of responsibility for compliance with the principles of probity, transparency and accountability.

Article 174

A commission shall fix the remuneration of the popularly elected authorities, as well as of those who serve as their exclusive trust. Remuneration shall be fixed every four years, at least eighteen months before the end of a presidential term. The agreements

• Compensation of legislators

of the commission shall be public, shall be based on technical background and shall ensure adequate remuneration for the responsibility of the position. A statute shall establish the composition, functioning and powers of this commission.

Article 175

1. Public administration aims to meet the needs of individuals and communities. It submits in its organization and operation to the principles of juridicality, speed, objectivity, participation, control, hierarchy, good treatment and the other principles indicated by the Constitution and the law.
2. The organs of the Administration shall execute public policies, plans and programs and shall provide or guarantee, where appropriate, the provision of public services on a continuous and permanent basis.
3. The law shall establish the basic organization of the public administration and may confer on its organs, among others, normative, supervisory, investigative, interpretative and sanctioning powers. In no case do these powers imply the exercise of jurisdiction.
4. Each authority and head, within the scope of its competence, may issue rules, resolutions and instructions for the best and most effective development of its functions.
5. Any person who has been violated in their rights by the Public Administration may complain to the administrative and jurisdictional instances established by this Constitution and the law.

- Ultra-vires administrative actions

Article 176

1. It is the duty of the State to provide universal and quality public services, which will be adequately financed
2. The State shall plan and coordinate in an intersectoral manner the provision, provision and coverage of these services, under the principles of generality, uniformity, regularity and territorial relevance.

Article 177

1. The Public Administration carries out its own and usual functions through civil servants.
2. The positions that this Constitution or the law qualifies as of exclusive confidence, taking into account the nature of their functions, are part of the Government and will have the regime of income, performance and cessation established by law.
3. Persons who have the status of spouse, civil cohabitant or relatives up to the fourth degree of consanguinity and second degree of affinity, inclusive, with respect to the authorities and management officials of the State agency to which they apply, may not be appointed in the Public Administration. Exceptions are made to appointments made in application of the current rules on admission or promotion on merit in career positions.

Article 178

1. The State shall define mechanisms for the modernization of its processes and organization; adapt its operation to the social, environmental and cultural conditions of each locality; use advances in science, technology, knowledge and innovation to promote optimization and continuous improvement in the provision of public goods and services, and allocate the necessary resources for those

- Reference to science

1. purposes. It will also promote participation and efficient management according to the needs of individuals and communities.
2. An agency will be in charge of drawing up plans to promote the modernization of the State Administration, monitor its implementation, prepare periodic diagnoses on the operation of public services and other functions, as established by law. It will have an advisory council whose integration will consider, among others, users and officials of public services and territorial entities.

- Civil service recruitment

Article 179

1. The Civil Service is composed of civil servants who, under the direction of the Government, regional governments or municipalities, carry out the functions of the Public Administration. Positions of exclusive trust are excluded from the Civil Service.
2. Admission to these functions will be carried out through an open, transparent, impartial, agile system that privileges merit, specialty and suitability for the position, observing objective and predetermined criteria.
3. The development, performance evaluation and cessation of these functions must respect their technical and professional character. The law will regulate the bases of the civil service career, allowing the mobility of civil servants within the entire public administration and civil service training, taking into account the territorial and cultural relevance of the place where the service is provided. In addition, it will establish a system of education, training and further training of civil servants.

Article 180

1. The Directorate of the Civil Service is an autonomous body, with legal personality and its own assets, responsible for strengthening the public function and the procedures for selecting positions in the Public Administration and other entities established by the Constitution and the law, safeguarding the principles of transparency, objectivity, non-discrimination and merit. Their powers shall not affect the powers which, in the field of management, correspond to the authorities and heads of public services. The law shall regulate its organization and other powers.
2. This Directorate will regulate the selection processes of candidates for positions of the Senior Public Management System, or those that must be selected with their participation, and conduct the competitions aimed at providing positions of senior heads of services, through a Council of Senior Public Management.

Article 181

1. The fire departments of Chile make up an institution belonging to the civil protection system, whose purpose is to attend to emergencies caused by nature or human beings, notwithstanding to the specific competence of other public and / or private organizations.
2. The State must provide financial coverage to cover all its operational expenses, training and equipment, as well as provide medical coverage to its personnel for accidents or illnesses contracted by acts of service.
3. Chile's fire departments will be subject in all their actions to the principles of probity, transparency and accountability.

Article 182

- Reference to fraternity/solidarity

1. The State participates in the economy to fulfill its constitutional purposes, in accordance with the economic principles and objectives of solidarity, economic pluralism, productive diversification and social and solidarity economy. In the

- Right to competitive marketplace
1. exercise of its powers, it regulates, supervises, promotes and develops economic activities, in accordance with the provisions of this Constitution and the law.
 2. The Constitution recognizes the State as an initiative to develop economic activities, through the various forms of ownership, management and organization authorized by law.
 3. Public companies shall be created by statute, shall be governed by the legal regime determined by it and shall be subject to the rules on probity and accountability.
 4. The State will promote innovation, local markets, short circuits and the circular economy.
 5. The State must prevent and punish abuses in the markets. Practices of collusion between undertakings and abuses of a dominant position, as well as business concentrations affecting the efficient, fair and fair functioning of markets, shall be understood as conduct contrary to the social interest. The law shall establish the sanctions against those responsible.

Article 183

- Protection of environment
1. Public finances shall be conducted in accordance with the principles of sustainability and fiscal responsibility, which shall guide the action of the State in all its institutions and in all its Levels.
 2. The State shall use its resources in a reasonable, optimal, effective and efficient manner, for the benefit of the people and in accordance with the objectives imposed on them by the Constitution and the laws.
 3. Notwithstanding to the different types of liability that may result from non-compliance with financial obligations, the law shall establish mechanisms for effective compensation of public assets.

Article 184

1. It is the duty of the State, within the scope of its financial powers, to establish a permanent policy of sustainable development and harmony with nature.
2. In order to have resources for the care and repair of ecosystems, the law may establish taxes on activities that affect the environment. Likewise, the law may establish taxes on the use of natural common goods, national goods for public use or goods Tax. When such activities are territorially circumscribed, the law must distribute resources to the corresponding territorial entity.

Article 185

- Duty to pay taxes
 - Reference to fraternity/solidarity
1. All persons and entities shall contribute to the maintenance of public expenditures by paying the taxes, fees and contributions authorized by statute. The tax system is based on the principles of equality, progressivity, solidarity and material justice, which, in no case, will have confiscatory scope. It will have within its objectives the reduction of inequalities and poverty.
 2. The exercise of the power to tax allows the creation of taxes that respond to purposes other than collection, and must take into account limits such as necessity, reasonableness and transparency.
 3. The taxes collected, whatever their nature, will enter the fiscal coffers or the territorial entities as appropriate according to the Constitution. Exceptionally, the law may create taxes in favor of the territorial entities that tax the activities or goods with a clear identification with the territories.
 4. Territorial entities may only establish fees and contributions within their territory in accordance with a framework law that will establish the taxable event.

5. Annually, the competent authority shall publish, in accordance with the law, tax revenues and state, regional and communal tax burdens, as well as tax benefits, subsidies, subsidies or bonuses for the promotion of business activity, including natural and legal persons. The cost of these tax benefits must also be estimated annually in the Budget Act and published.
6. There will be no plebiscite and referendum on tax matters.

Article 186

The State shall establish a national port policy, guided by the principles of efficiency in the use of the coastal edge; environmental responsibility, with special emphasis on the care of nature and natural common goods; public participation in the resources generated by the activity; connection with the territory and the communities in which the port areas are located; recognition of the port professional career as high-risk work, and collaboration between port enclosures and infrastructure to ensure the timely supply of the communities. 64

CHAPTER VI. REGIONAL STATE AND TERRITORIAL ORGANIZATION

Article 187

- Indigenous right to self governance

1. The State is organized territorially into autonomous territorial entities and special territories.
2. Autonomous territorial entities are autonomous communes, autonomous regions and indigenous territorial autonomies. They are endowed with political, administrative and financial autonomy for the realization of their aims and interests. They have legal personality under public law, their own patrimony and the powers and powers necessary to govern themselves in the general interest of the republic, in accordance with the Constitution and the law, having as limits the rights humans and nature.
3. The creation, modification, delimitation and abolition of territorial entities must consider objective criteria based on historical, geographical, social, cultural, ecosystem and economic background, guaranteeing popular, democratic and binding participation. of its inhabitants.
4. In no case may the exercise of autonomy violate the unique and indivisible character of the State of Chile or allow territorial secession.

Article 188

- Reference to fraternity/solidarity

1. The territorial entities coordinate and associate in relations of solidarity, cooperation, reciprocity and mutual support, avoiding the duplication of functions, in accordance with the mechanisms established by statute.
2. Two or more territorial entities, with or without territorial continuity, may sign agreements and form territorial associations in order to achieve common objectives, promote social cohesion, improve the provision of public services, increase efficiency and effectiveness in the exercise of its powers and promoting sustainable and balanced social, cultural, economic development .
3. The Central Administration shall promote and support cooperation and associativity with and between territorial entities.

4. The law shall establish the general bases for the creation and operation of these associations, in accordance with the respective regional regulations.
5. Associations of territorial entities shall in no case alter the territorial organization of the State.

Article 189

1. The Constitution guarantees equitable treatment and harmonious and solidary development among the various territorial entities, both urban and rural. It shall be in the general interest and effective integration and may not establish arbitrary differences between them.
2. The State assures all persons horizontal equity in access to public goods and services, employment and all State benefits, notwithstanding to the place they live in the territory, establishing, if necessary, affirmative action in favor of the special protection groups .

Article 190

Territorial entities and their bodies must act in coordination in compliance with the principles of plurinationality and interculturality; respect and protect the various ways of conceiving and organizing the world, of relating to nature; and guarantee the rights of indigenous peoples and nations to self-determination and autonomy.

Article 191

Participation in the territorial entities in the regional State.

1. Territorial authorities guarantee the right of their inhabitants to participate, individually or collectively, in public decisions, including the formulation, implementation, evaluation, democratic oversight and control of the civil service, in accordance with the Constitution and the laws.
2. Indigenous peoples and nations shall be consulted and shall grant free, prior and informed consent in those matters or matters that affect them in their rights recognized in this Constitution.

Article 192

The territorial entities must promote, encourage and guarantee the mechanisms of participation in public policies, plans and programs that are implemented at each territorial level, in the cases that this Constitution, the law and regional statutes indicate.

Article 193

1. It is the duty of the territorial entities, within the scope of their powers, to establish a permanent policy of territorial equity, sustainable development and harmony with nature.
2. Territorial entities shall consider for their social, political, administrative, cultural, territorial and economic planning the principles of budgetary sufficiency, inclusion and interculturality, criteria of socio-spatial integration, gender, socio-ecosystem, human rights and other than that established by this Constitution.

- Protection of environment

Article 194

- Reference to fraternity/solidarity

Between territorial entities, the principle of non-guardianship applies. No territorial entity may exercise guardianship over another, notwithstanding to the application of the principles of coordination, associativity, solidarity and conflicts of powers that may be caused.

Article 195

- Reference to fraternity/solidarity

1. The central administration may transfer to the territorial entities the powers determined by statute, notwithstanding to those indicated in this Constitution. This transfer must always consider the personnel and financial resources appropriate and sufficient for its proper implementation. It shall be for the law to establish the procedure, as well as its evaluation and control mechanisms.
2. The State must also generate differentiated public policies. The law will establish the criteria and requirements for the application of these differences, as well as the mechanisms of solidarity and equity that compensate for the inequalities between the different territorial levels.

Article 196

1. The powers must be based prioritizing the local entity over the regional one and the latter over the national one, notwithstanding to those powers that the Constitution itself or the laws reserve to each of the territorial entities.
2. When the general interest so requires, the organ of the central or regional administration may temporarily subrogate the regional or local entity in the exercise of the powers that cannot be assumed by them.

Article 197

- Protection of environment

1. The State, through the Central Administration, regional and local governments, have the duty to order and plan the territory. For this, they will use management units that consider the watersheds.
2. This duty will aim to ensure an adequate location of settlements and productive activities, which allow responsible management of ecosystems and human activities, with criteria of equity and territorial justice for intergenerational well-being.
3. The ecological planning and planning plans of the territory will prioritize the protection of the upper parts of the basins, glaciers, areas of natural recharge of aquifers and ecosystems. These may define areas of environmental or cultural protection and create buffer zones for these. They will also consider the impacts that land uses cause on the availability and quality of water.
4. The planning and planning of the territories shall be binding in the matters determined by statute. They will be executed in a coordinated and integrated manner, focused on the general interest and with processes of popular participation in their different stages.

Article 198

The State is the guarantor of the country's connectivity in coordination with regional governments. Regional connectivity will be promoted with special attention to isolated, rural and hard-to-reach territories.

Article 199

- Protection of environment

The communes and autonomous regions located in border areas may link with the territorial entities bordering the neighboring country, through their respective authorities, to establish cooperation and integration programs, directed to promote community development, the provision of public services and the conservation of the environment, in accordance with the terms established by this Constitution and the law.

Article 200

The election of representatives by popular vote of the territorial entities will be carried out ensuring territorial representativeness, territorial belonging and the respective proximity.

- Municipal government

Autonomous commune

Article 201

1. The autonomous commune is the basic political and territorial entity of the regional State, endowed with legal personality under public law and its own patrimony, which enjoys autonomy for the fulfillment of its purposes and the exercise of its powers, in accordance with the provisions of the Constitution and the law.
2. The law will classify the communes into different types, which must be considered by the organs of the State for the establishment of differentiated administrative and economic-fiscal regimes, the implementation of policies, plans and programs. attending to the various local realities, and in particular, for the transfer of powers and resources. The establishment of communal types must take into account at least demographic, economic, cultural, geographical, socio-environmental, urban and rural criteria.

Article 202

The autonomous commune has the powers and powers of self-government to meet the needs of the local community. The following are the essential powers of the autonomous commune:

- Protection of environment

- a). Exercise functions of government and administration within the commune and within the scope of its powers.
- b). The issuance of general and mandatory rules in matters of a communal nature, in accordance with the Constitution and the laws.
- c). The creation, provision, organization and administration of municipal public services within the scope of their functions, in accordance with the Constitution and the law.
- d). The sustainable and integral development of the commune.
- e). The protection of communal ecosystems and the rights of nature.
- f). Exercise the pertinent actions in protection of nature and its rights recognized by this Constitution and the law.
- g). The execution of environmental protection mechanisms and actions in the manner determined by the Constitution, the law, environmental management instruments and related regulations.
- h). The conservation, custody and safeguarding of cultural and natural heritage.

- i). The promotion and protection of cultures, arts and cultural and natural heritage, as well as research and artistic training in their territories.
- j). Guarantee popular participation and the strengthening of democracy.
- k). Develop, with the regional and central level, activities and services in matters of education, health, housing, tourism, recreation, sports and others established by law.
- l). The construction of works that demand local progress within the framework of its powers.
- m). The strategic development of the commune through the communal development plan .
- n). The planning of the territory through the communal regulatory plan agreed in a participatory manner with the community of its respective territory.
- ñ). The promotion of productive activities.
- o). The promotion of local trade.
- p). The promotion of the reintegration and reintegration of people in street situations who require it, through the planning, coordination and execution of programs for this purpose.
- q). Manage disaster risk reduction.
- r). The development of toilet and decoration of the commune.
- s). The promotion of citizen security.
- t). The other powers determined by the Constitution and the law. Laws should recognize the differences between the different types of communes and municipalities, ensuring equity, inclusion and territorial cohesion.

Article 203

1. In order to ensure the respect, protection and progressive realization of economic and social rights on equal terms, the autonomous communes may temporarily entrust one or more powers to the respective autonomous region or the central administration, in accordance with the established by law.
2. At the request of the mayor or the mayor, with the agreement of the municipal council, the autonomous region or the central administration, when the general interest so requires, they may temporarily subrogate the autonomous commune in the exercise of powers that cannot be assumed by it.

Article 204

The mayor, with the approval of the municipal council, may establish delegations for the exercise of the powers of the autonomous commune in the cases and forms determined by statute.

Article 205

The government of the autonomous commune resides in the municipality, which will be constituted by the mayor or the mayor and the municipal council, with the participation of the community that inhabits its territory.

Article 206

1. The mayor is the highest executive authority of the communal government, integrates and presides over the municipal council and represents the commune judicially and extrajudicially.

2. She or he shall serve for a term of four years and may be re-elected consecutively only once for the following period. For these purposes, it shall be understood that she or he has exercised his office for a period when he has completed more than half of his mandate.

Article 207

1. The municipal council is the collegiate body of popular and neighborhood representation, endowed with normative, resolute and supervisory functions. It shall consist of the number of persons in proportion to the population of the commune, in accordance with the Constitution and the law. The law shall establish a regime of inabilities and incompatibilities.
2. Those who make up the municipal council will exercise their functions for the term of four years and may be re-elected consecutively only once for the following period. For these purposes, it shall be understood that they have exercised their office for a period when they have completed more than half of their mandate.
3. The councilors will have the conditions and resources necessary for the efficient and honest performance of the position.
4. The agreement of the council will be necessary for the approval of the communal development plan, the municipal budget and the respective investment projects, and others determined by statute.
5. The agreement of the council will also be necessary for the approval of the communal regulatory plan.

Article 208

Each commune shall have a communal statute drawn up and approved by the municipal council. Notwithstanding to the general minimums provided by statute for all communes, the communal statute establishes the administrative organization and functioning of communal organs, the mechanisms of neighborhood democracy and the rules for the elaboration of communal ordinances.

Article 209

1. The purpose of the communal social assembly is to promote popular and citizen participation in public affairs. It shall be of an advisory, incident and representative nature of the organizations of the commune.
2. Its integration, organization, operation and powers will be established by statute and complemented by the regional statute.

Article 210

1. The communes will establish territories called neighborhood units. Within the neighborhood unit, a neighborhood council will be constituted, representative of the people who reside in it, which will have legal personality and will not have profit purposes. Its purpose will be to make effective popular participation in communal management and community development. In communes with a rural population, a communal union of rural neighborhood councils may also be constituted.
2. The law shall provide for the manner in which the territory of the neighborhood units is determined, the procedure for the constitution of neighborhood councils and communal unions and their powers.

Article 211

1. The Council of Mayors is an advisory body representing all the communes of the autonomous region. It will be coordinated by whoever determines its members by majority in office.
2. It should meet and address the problems of the autonomous region, promote effective coordination between the different bodies with a regional presence and foster effective cooperation between communal governments.

Article 212

1. The Central State Administration guarantees the municipality sufficient financing and resources for the fair and equitable development of each commune.
2. Likewise, it must observe as a basic principle for the communal government the search for a harmonious and equitable territorial development, tending that all people have access to the same level and quality of municipal public services, without distinction of the place they inhabit.

Article 213

1. Autonomous communes may be associated with each other, permanently or temporarily. They will have legal personality under private law and will be governed by the regulations of that sector.
2. Notwithstanding to the provisions of the preceding paragraph, associations shall be subject to the supervision of the Office of the Comptroller General of the Republic and shall comply with the regulations of administrative probity and transparency in the exercise of the function they perform.

Article 214

The autonomous communes, in order to fulfill their functions and exercise their powers, may create companies, or participate in them, either individually or associated with other public or private entities, prior authorization by general or special law. Municipal public enterprises shall have legal personality and their own assets and shall be governed in accordance with the provisions of the Constitution and the law.

Article 215

1. The creation, division or merger of autonomous communes or the modification of their boundaries or denomination shall be determined by statute, respecting in any case objective criteria, as provided for in the Constitution.
2. A statute shall regulate the transitional administration of the communes to be created; the procedure for the installation of the new municipalities, the transfer of municipal personnel and services, and the necessary safeguards to safeguard the use and disposal of the goods that are located in the territories of the new communes.

Article 216

1. Municipalities have the duty to promote and guarantee the citizen participation of the local community in the management, in the construction of local development policies and in the planning of the territory, as well as in the cases that this Constitution, the law and the regional or communal statutes indicate.
2. These will provide the mechanisms, spaces, resources, digital literacy, training and civic education and everything that is necessary to realize such participation, which will be consultative, incident and, where appropriate, binding in accordance with the respective legislation.

Article 217

The municipalities may establish their personnel plants and the organs or units of their internal structure, in accordance with the law, taking care of the civil service career and its due financing.

- Subsidiary unit government

Province

Article 218

The province is a territorial division established for administrative purposes and is composed of a grouping of autonomous communes.

- Subsidiary unit government

Autonomous region

Article 219

The autonomous region is the political and territorial entity endowed with legal personality under public law and its own patrimony that enjoys autonomy for the development of regional interests, the management of its economic resources and the exercise of legislative, regulatory, executive and supervisory powers through its bodies within the scope of its powers, in accordance with the provisions of the Constitution and the law.

Article 220

The autonomous region is responsible for:

- a). The organization of the regional government, in accordance with the Constitution and its statute.
 - b). The political-administrative and financial organization of the autonomous region.
 - c). Coordinate and delegate the constitutional powers shared with the other territorial entities.
 - d). The regional policy of housing, urban planning, health, transport and education, in coordination with national policies, plans and programs, respecting the universality of the rights guaranteed by this Constitution.
 - e). The creation of regional public enterprises by the competent bodies of the autonomous region , in accordance with the procedures regulated by statute.
 - f). To exercise autonomously the administration and coordination of all the public services of its dependency.
 - g). The conservation, preservation, protection and restoration of nature, ecological balance and the rational use of water and other natural elements of its territory.
 - h). The regulation and administration of forests, reserves and parks of protected wild areas and any other fiscal property deemed necessary for the care of the ecosystem services that are granted to communities, within the scope of their Powers.
 - i). Planning, land use planning and integrated watershed management.
 - j). Establish a permanent policy of sustainable development and harmony with nature.
 - k). Approve, through processes of citizen participation, the environmental decontamination plans of the autonomous region.
 - l). Promote popular participation in matters of regional interest.
 - m). The development of research, technology and science .
 - n). The promotion and protection of cultures, arts, historical, intangible archaeological, linguistic and architectural heritage; and artistic training in its territory.
 - ñ). Execute public works of interest in the territory of the autonomous region.
 - o). The planning and implementation of physical and digital connectivity.
 - p). The promotion and encouragement of sport, leisure and recreation.
 - q). The promotion and management of tourism in the territorial scope of the autonomous region, in coordination with the autonomous commune.
- Protection of environment
 - Protection of environment
 - Reference to science
 - Reference to art

- r). The promotion of the social, productive and economic development of the autonomous region, in coordination with national policies, plans and programs.
- s). Establish contributions and fees within its territory with prior authorization by statute.
- t). Participate in international cooperation actions, within the frameworks established by current treaties and conventions.
- u). The other powers determined by the Constitution and law.

Article 221

The powers not expressly conferred on the autonomous region correspond to the central administration, notwithstanding to the transfers of powers regulated by the Constitution and the law. The powers of the autonomous region may be exercised concurrently and in coordination with other organs of the State.

Article 222

The institutional organization of the autonomous regions consists of the regional government and the regional assembly.

Article 223

1. The regional government is the executive body of the autonomous region.
2. A governor or a regional governor directs the regional government, exercises the function of government and administration and represents the region judicially and extrajudicially.
3. Whoever heads the regional government represents the autonomous region before the national authorities with functions of coordination and intermediation between the central government and the region and before the international authorities, within the framework of the national policy of relations International.
4. In the respective election, the person who obtains the majority of the validly cast votes will be elected. If no person achieves at least forty percent of the vote, a second vote will occur among those who have obtained the two highest majorities. Whoever obtains the majority of the validly cast votes will be elected.
5. Whoever directs the regional government will exercise his functions for the term of four years, being able to be re-elected consecutively only once for the following period. In this case, the office shall be deemed to have been held for a period when more than half of the term of office has been completed.

Article 224

The following are the essential powers of regional governments:

- a). Exercise regulatory power in all matters that fall within the scope of its powers, in accordance with the Constitution, the law and the regional statute.
- b). Organize, administer, supervise and supervise the public services of the autonomous region and coordinate with the Government with respect to those that have a national character and that operate in the region.
- c). Propose to the regional assembly the creation of regional public enterprises or participation in regional enterprises for the management of services within its competence, as provided for in the Constitution, the law and the regional statute.
- d). Prepare and present to the regional assembly the regional land use plan and the urban development plans of the metropolitan areas, in accordance with the regional statute and the law.
- e). Present to the regional assembly the integrated watershed management plans agreed in the respective basin councils, in accordance with the law.

- f). Convene regional referendums and plebiscites under the provisions of the Constitution, regional statute and law.
- g). Establish crisis management systems among the bodies that have their seat in the autonomous region, which include, at least, their preparation, prevention, administration and management.
- h). Prepare and present to the regional assembly the regional development plan, in accordance with the regional statute.
- i). Celebrate acts and contracts in which you have an interest.
- j). Adopt and implement public policies that encourage and promote the social, productive, economic and cultural development of the autonomous region, especially in areas of competence of the autonomous region.
- k). Promote innovation, competitiveness and investment in the respective autonomous region .
- l). Prepare and present to the regional assembly the draft regional budget, in accordance with this Constitution and the regional statute.
- m). Manage and execute budget planning on the allocation and use of the regional budget.
- n). Exercise their own fiscal powers in accordance with the Constitution and the law.
- ñ). To conclude and execute agreements with the governments of other autonomous regions for the purpose of implementing interregional programs and public policies, as well as any other form of territorial associativity.
- o). Celebrate and execute international cooperation actions, within the frameworks established by the treaties and agreements that the country concludes for this purpose and in accordance with the regulated procedures in the law.
- p). The other powers indicated by the Constitution, the law and the regional statute .

Article 225

1. The regional assembly is the collegiate body of regional representation that is endowed with normative, resolutive and supervisory powers.
2. A statute shall determine the general requirements for access to the office of regional assemblyman and their number in proportion to the regional population.
3. Those who hold the position of regional assemblyman will exercise their functions for the term of four years, being able to be re-elected consecutively only once for the immediately following period. In this case, they shall be deemed to have held office for a period when they have served more than half of their term of office.

Article 226

The powers of the regional assembly are:

- a). Dictate its internal rules of operation.
- b).b) Dictate the regional norms that make applicable the laws of regional agreement.
- c).c) Initiate in matters of regional interest the legislative process before the Chamber of the Regions.
- d). To request the Congress of Deputies to transfer legislative power in matters of interest to the autonomous region.
- e). Exercise the regulatory power in conjunction with whoever directs the regional government in matters within its competence and dictate the regulations of

- e). execution of law when it entrusts it.
- f). Manage your assets and own assets.
- g). Approve, reject or modify the investment of the resources of the solidarity funds that are created and other public resources that the law provides.
- h). Supervise the acts of the regional government in accordance with the procedure established in the regional statute.
- i). Supervise the acts of the regional administration, for which it may request information from authorities or chiefdoms that perform their functions in the autonomous region, summon public officials or regional authorities and create special commissions.
- j). Request the governor or the regional governor to give an account of their participation in the Council of Governors.
- k). Approve, reject or propose modifications to the integrated watershed management plan.
- l). To pronounce in conjunction with the competent bodies regarding the environmental assessment procedures.
- m). Approve, modify or reject the regional budget, the regional development plan and the territorial planning plans .
- n). Pronounce on the call for regional consultations or plebiscites.
- ñ). Approve, at the proposal of the governor or the regional governor and prior ratification of the Chamber of Regions, the creation of regional public enterprises or participation in regional enterprises.
- o). The other powers determined by the Constitution and the law.

Article 227

1. The administrative organization and internal functioning of each autonomous region shall be established in a statute.
2. The regional statute must respect the fundamental rights and the principles of the social and democratic State of law recognized in the Constitution.

Article 228

1. The draft regional statute will be prepared and proposed by whoever directs the regional government to the respective regional assembly, for deliberation and agreement, which will be approved by the majority in office.
2. The process of elaboration and reform of this must guarantee the popular, democratic and binding participation of the inhabitants of the respective autonomous region .

Article 229

1. The regional social council is responsible for promoting popular participation in regional public affairs on a participatory and consultative basis. Their integration and powers shall be determined by statute.
2. Whoever heads the regional government and the heads of regional public services must report to the regional social council, at least once a year, for the budget execution and the development of projects in the terms prescribed by the statute. regional.

Article 230

1. The Council of Governors, chaired by the President of the Republic and made up of the governors of each region, shall coordinate relations between the central

1. administration and the territorial entities, ensuring the balanced social and economic well-being of the republic as a whole.
2. The powers of the Council of Governors are:
 - a). Coordinate, complement and collaborate in the execution of public policies in the regions.
 - b). Conduct economic and budgetary coordination between the central administration and the autonomous regions.
 - c). Discuss joint actions of a strategic nature, which affect the areas of state and regional competence, as well as ensure respect for the autonomy of territorial entities.
 - d). Ensure the correct application of the principles of equity, solidarity and territorial justice and interterritorial economic compensation mechanisms, in accordance with the Constitution and the law.
 - e). Convene sectoral meetings between territorial entities.
 - f). Agree on the creation of commissions or working groups for the study of matters of common interest.
 - g). The others established by the Constitution and the law.

Article 231

1. The autonomous region may establish its personnel plants and the organs or units of its internal structure in accordance with the law, safeguarding the civil service career and its due financing.
2. These powers will be executed by the person presiding over the governorate, with the prior agreement of the regional assembly.

Article 232

The law shall determine the public services, institutions or enterprises of the State which, by virtue of their supervisory purposes or for reasons of efficiency and general interest, shall maintain a centralized or decentralized organization in the entire territory of the republic.

Article 233

1. The autonomous regions have the competence to coordinate with those who represent the ministries and public services with a presence in the autonomous region.
2. The regional government may request the central administration to transfer powers from ministries and public services. In turn, the municipalities may request the regional government to transfer powers.
3. The exercise of these powers is intended to ensure the respect, protection and progressive realization of social and economic rights on equal terms in the various territorial entities.
4. The central administration will have subrogatory powers of a transitory nature when the territorial entities cannot efficiently fulfill their mandates. T
5. he law shall regulate the procedure and the exercise of these powers.

- Indigenous right to self governance

Article 234

1. Indigenous territorial autonomy Indigenous territorial autonomy is the territorial entity endowed with legal personality under public law and its own patrimony, where indigenous peoples and nations exercise rights of autonomy in coordination with other territorial entities. It is the duty of the State to recognize, promote and guarantee indigenous territorial autonomy for the fulfillment of its purposes.
2. The law, through a process of participation and prior consultation, will create a timely, efficient and transparent procedure for the constitution of indigenous territorial autonomies. This procedure must be initiated at the request of the indigenous peoples and nations concerned, through their representative authorities.

Article 235

- Right to self determination

The law shall establish the exclusive competences of indigenous territorial autonomies and those shared with other territorial entities. Indigenous territorial autonomies shall have the necessary powers and financing for the proper exercise of the right of self-determination of peoples and nations. Indigenous.

- Subsidiary unit government

Special territories

Article 236

1. Special territories are Rapa Nui and the Juan Fernández archipelago, which are governed by their respective statutes.
2. By virtue of the geographical, climatic, environmental, economic, social and cultural particularities of a given territorial entity or part thereof, the law may create special territories.
3. In the special territories, the law may establish differentiated economic and administrative regimes, as well as their duration, taking into account the characteristics of these entities.

Article 237

1. The law shall create and regulate the administration of a Fund for Special Territories, the resources of which shall be allocated exclusively to the purposes for which they were created.
2. Likewise, the central administration and the autonomous territorial entities must allocate their own resources to the financing of the respective special territories.

Article 238

In the special territory of Rapa Nui, the State guarantees the right to self-determination and autonomy of the Rapanui Polynesian nation people, ensuring the means to finance and promote their development, protection and well-being under the Agreement of Wills signed in 1888, by which is incorporated into Chile. The Rapanui people are recognized as collectively title to the rights to the territory with the exception of the individual land rights of its members. A statute of autonomy will regulate the Rapa Nui territory.

Article 239

The Juan Fernández archipelago is a special territory made up of the Robinson Crusoe, Alejandro Selkirk, Santa Clara, San Félix and San Ambrosio islands, and the maritime territory adjacent to them. The government and administration of this territory shall be governed by such special statutes as may be established by statute.

Article 240

The Chilean Antarctic territory, including its maritime spaces, is a special territory and border area in which Chile exercises respectively sovereignty and sovereign rights, with full respect for ratified and current treaties. The State shall conserve, protect and care for Antarctica, through a policy based on knowledge and oriented to scientific research, international collaboration and peace.

Rurality

Article 241

1. The State promotes the integral development of rural territories and recognizes rurality as a territorial expression where ways of life and production develop around the direct relationship of people and communities with land, water and sea.

2. It will also facilitate the participation of rural communities at the local and regional levels in the design and implementation of programs and public policies that affect or concern them.

Article 242

The State will adopt the necessary measures to prevent violence and overcome the inequalities faced by rural women and girls, promoting the implementation of public policies that guarantee the equal enjoyment of rights, which the Constitution enshrines.

Article 243

The State encourages local markets, free fairs and short circuits of commercialization and exchange of goods and products related to rurality.

- Subsidiary unit government
- Municipal government

Fiscal autonomy

Article 244

1. The financial activity of the territorial entities will be carried out in coordination between them, the State and the competent authorities, which must cooperate and collaborate with each other and avoid duplication and interference of functions, ensuring at all times for the satisfaction of the general interest.
2. The foregoing shall also apply with respect to all the powers or powers attributed to the territorial entities.

Article 245

1. The autonomous territorial entities have financial autonomy in their income and expenses for the fulfillment of their powers, which must comply with the principles of sufficiency, coordination, budgetary balance, solidarity and interterritorial compensation, sustainability, responsibility and economic efficiency.
2. The Budget Act should aim to progressively ensure that a significant part of public expenditure is executed through subnational governments, depending on the responsibilities that each level of government.
3. The duty and power to ensure macroeconomic and fiscal stability shall be centralized.

Article 246

1. The financial autonomy of territorial entities implies the power to order and manage their public finances within the framework of the Constitution and the laws, for the benefit of their inhabitants, under the criteria of responsibility and financial sustainability.
2. Financial sufficiency shall be determined under objective criteria such as correspondence between powers and resources necessary for its fulfillment, budgetary balance, coordination, non-arbitrary discrimination between territorial entities, equality in social benefits, harmonious development of territories, unity, objectivity, reasonableness, timeliness and transparency.

Article 247

Territorial entities shall have the following sources of revenue:

- a). The resources allocated by the Budget Law.
- b). Taxes in favor of the territorial entity.
- c). The distribution of taxes established in the Budget Law.
- d). Fees and contributions.

- e). The distribution of solidarity funds.
- f). The interterritorial tax transfer.
- g). The administration and use of its patrimony.
- h). The donations, inheritances and legacies they receive in accordance with the law.
- i). Others determined by the Constitution and the law.

Article 248

1. The tax revenues generated by taxes are distributed between the central administration and the territorial entities in the manner established in the Budget Act.
2. The law will define the body in charge of collecting and systematizing the information necessary to propose to the Legislative Power the formulas for the distribution of tax revenues, fiscal compensation between territorial entities and the resources to be integrated into the various funds. For these purposes, the participation and representation of territorial entities must be considered.
3. During the budgetary legislative process, the competent body will suggest a formula for the distribution of tax revenues, which will consider the distribution criteria established by law.

Article 249

1. The Administration and the territorial entities must contribute to the correction of the inequalities that exist between them.
2. The law will establish compensation funds for territorial entities with lower fiscal capacity. The competent body, on the basis of objective criteria, will suggest to the legislator the resources that should be integrated into these funds.
3. The law will establish a contingency and macroeconomic stabilization fund to guarantee the resources of territorial entities in the face of fluctuations in ordinary income.
4. By virtue of interterritorial solidarity, the central administration must make unconditional direct transfers to territorial entities that have tax revenues less than half of their weighted average.
5. Autonomous regions and communes with revenues above the weighted average of tax revenues will transfer resources to those equivalent with below- average revenues. The competent body shall suggest a formula to the legislator for making such transfers.

Article 250

Regional and local governments may issue debt in accordance with the provisions of the law, general or special, which will establish at least the following regulations:

1. The prohibition of allocating the funds raised through the issuance of debt or borrowings to the financing of current expenditure.
2. Mechanisms that ensure that the debt is fully and duly served by the debtor.
3. The prohibition of the establishment of guarantees or guarantees of the Treasury.
4. The establishment of maximum debt limits as a percentage of the annual budget of the respective regional and municipal government and the obligation to maintain an updated risk classification.
5. Restrictions in electoral terms.
6. These resources may not be used for remuneration or current expenditure.

CHAPTER VII LEGISLATIVE POWER

- Structure of legislative chamber(s)

Article 251

The Legislative Power is composed of the Congress of Deputies and the Chamber of the Regions.

Congress of Deputies

Article 252

- Size of first chamber
- First chamber selection
- First chamber representation quotas
- Indigenous right to representation

1. The Congress of Deputies is a deliberative, parity and plurinational body that represents the people. It participates in the formation of laws and exercises the other powers entrusted by the Constitution.
2. The Congress is composed of a number not less than one hundred and fifty-five members elected in direct voting by electoral districts. A statute of regional agreement shall determine the number of members, the electoral districts and the form of their election, taking into account the criterion of proportionality.
3. Seats reserved in the Congress of Deputies for indigenous peoples and nations shall be elected in a single national district. Their number is defined in proportion to the indigenous population in relation to the total population of the country. They must be added to the total number of members of Congress. The law shall regulate the requirements, procedures and distribution of reserved seats.

Article 253

The exclusive powers of the Congress of Deputies are:

- Legislative oversight of the executive
- Legislative oversight of the executive

- a). Supervise the acts of the Government. To exercise this power it may:
 - 1). Adopt agreements or suggest observations, which will be 83 84 b) c) transmitted in writing to the President of the Republic, who within thirty days of the communication must give a reasoned response through the minister or the minister of the corresponding State.
 - 2). Request, with the sponsorship of a quarter of its members, background information from the President or the President of the Republic on the content or the foundations of the acts of the Government, who must respond justifiably through the minister or the minister of State that corresponds within the three days from its communication. In no case shall these acts affect the political responsibility of ministers of state.
 - 3). To create special commissions of inquiry at the request of at least two-fifths of its members in office, in order to gather information on certain acts of the Government. The commissions of inquiry, at the request of one third of their members, may issue summonses and request background information. Any person summoned by these commissions shall be obliged to appear and to provide the background and information requested. However, the same investigative commission may not summon the same person more than three times without the prior agreement of the majority of its members.
- b). Declare, when the President or the President submits the resignation from his position, whether or not the reasons that originate it are founded and, consequently, admit or reject it.
- c). To declare whether or not there is room for the accusations that not less than ten nor more than twenty of its members formulate against:

- Head of state removal
- Cabinet removal
- Supreme/ordinary court judge removal

- c.)
- 1). The President of the Republic, for acts of her administration that have seriously compromised the honor or security of the State or openly infringed the Constitution or the laws. Such an indictment may be brought while the President or the President is in office and within six months of her expiration in office. During this last time he may not be absent from the republic without the agreement of the Congress of Deputies .
 - 2). Ministers of State, for having seriously compromised the honour or security of the State, for infringing the Constitution or laws or for having left them without execution and for the crimes of treason, concussion, embezzlement of public funds and bribery.
 - 3). The judges of the courts of appeals and the Supreme Court and the comptroller general of the republic, for notable abandonment of their duties.
 - 4). The generals or admirals of the institutions belonging to the Armed Forces, the general director of the Carabineros de Chile and the general director of the Investigative Police of Chile, for having seriously compromised the honor or security of the State.
 - 5). The governors and the regional governors, for violation of the Constitution and for the crimes of treason, sedition, embezzlement of public funds and concussion.

The accusation will be processed in accordance with the law that regulates the matter.

The charges referred to in points (2), (3), (4) and (5) may be brought while the person concerned is in office or within three months of the expiration of his or her position. Once the accusation has been filed, he may not leave the country without the permission of the Congress of Deputies and may not do so in any case if the accusation has already been approved by it.

To declare that the accusation against the President of the Republic or a regional governor has taken place, the vote of the majority of the deputies in office will be required. The accused person shall not be suspended from his duties.

In other cases, the vote of the majority of the deputies present will be required and the accused person will be suspended from his functions from the moment the Congress of Deputies declares that the accusation has taken place. The suspension shall cease if the Chamber of the Regions dismisses the accusation or if it does not pronounce itself within the following thirty days.

- d). To grant the country for more than thirty days or from the third Sunday of November of the year prior to the one in which the person in office must cease in office . its agreement so that the President of the Republic may be absent from
- e). Periodically supervise the execution of the budget allocated to defense, as well as the implementation of national defense policy and military policy .
- f). The others established by the Constitution.

Chamber of the Regions

Article 254

1. The Chamber of the Regions is a deliberative, parity and plurinational body of regional representation responsible for assisting in the formation of laws of regional agreement and for exercising the other powers entrusted by it. Constitution.
2. Its members are called regional representatives and are elected by popular vote, together with the communal and regional authorities, three years after the presidential and congressional elections.

- Size of second chamber

3. The law shall determine the number of regional representatives to be elected per region, which shall be the same for each region and in no case less than three, ensuring that the final integration of the body respects the principle of parity. Likewise, the law will regulate the integration of reserved seats in the Chamber of regions .
4. The law shall specify its special rights and obligations, which, in any case, must include the obligation to report periodically to the regional assembly it represents. They may also be specially summoned and summoned for this purpose.
5. The Chamber of the Regions may not supervise the acts of the Government or the institutionality that depends on it.

- Head of state removal
- Cabinet removal
- Supreme/ordinary court judge removal

Article 255

1. It is the exclusive responsibility of the Chamber of the Regions to hear the accusations brought by the Congress of Deputies.
2. The Chamber of regions will decide as a jury and will limit itself to declaring whether or not the accused person is guilty.
3. The guilty plea must be pronounced by two-thirds of its members in office in the case of an accusation against the President or the President of the Republic or a regional governor. In other cases, by the majority of its members in practice.
4. A person found guilty is removed from office and may not hold any other office of exclusive confidence of the President or the President for the remainder of his or her term or stand for the office of popular election from which he or she was removed in the next election, as appropriate.
5. The official found guilty shall be tried in accordance with the laws by the competent court, both for the application of the penalty indicated to the crime, if any, and to make effective the responsibility civil for damages caused to the State or to individuals.

Common provisions to the Legislative Power

- Quorum for legislative sessions

Article 256

1. The Congress of Deputies and the Chamber of the Regions may not enter into session or adopt agreements without the concurrence of one third of their members in exercise. They make their decisions by the majority of their members present, unless this Constitution provides for a different quorum.
2. The law shall establish its rules of organization, operation and processing, which may be supplemented by the operating regulations that these bodies dictate.

- Eligibility for first chamber
- Eligibility for second chamber

Article 257

1. For a person to be elected deputy or regional representative must be a citizen with the right to vote, have reached eighteen years of age on the day of the election and have residence in the relevant territory for a period of not less than two years in the case of members and four years in the case of regional representatives, counted backwards from the day of the election.
2. It will be understood that they have their residence in the corresponding territory while exercising their position.

- Eligibility for first chamber
- Eligibility for second chamber

Article 258

1. The following may not apply to the Congress of Deputies or the Chamber of the Regions:
 - a). Whoever exercises the Presidency of the Republic or who subrogates him in the exercise of the Presidency at the time of the election.
 - b). Ministers of State and Undersecretaries and Undersecretaries.
 - c). The regional and communal authorities of popular election.
 - d). The directors of the Central Bank.
 - e). The directors of the Board of Directors of the Electoral Service.
 - f). Those who hold senior or managerial positions in the autonomous bodies.
 - g). Those who exercise jurisdiction in the Justice Systems.

1.
 - h). Those who make up the Constitutional Court.
 - i). Those who make up the Electoral Qualification Tribunal and the regional electoral tribunals.
 - j). The comptroller or the comptroller general of the republic.
 - k). Those who hold the positions of national prosecutor, regional prosecutors or deputy prosecutors of the Public Ministry.
 - l). Female or active duty police officers.
 - m). Natural persons or administrators of legal persons who enter into or secure contracts with the State.
 - n). The military on active duty.
- 2). The disabilities established in this article will be applicable to those who have held the aforementioned qualities or positions within the year immediately prior to the election, except in respect of the persons referred to in point (m), those who must not fulfill those conditions at the time of registration of their application, and those referred to in points (k), (l) and (n), in respect of which the term of incapacity shall be the two years immediately preceding the election.

- Outside professions of legislators

Article 259

1. The positions of Member of Parliament and regional representative are incompatible with each other, with other positions of representation and with any employment, function, commission or position of a public or private nature.
2. By the mere fact of their proclamation by the Election Qualification Tribunal, they will cease in the other incompatible position, employment, function or commission that they perform.

- Immunity of legislators

Article 260

1. Deputies, deputies and regional representatives are inviolable by the opinions they express and the votes they cast in the performance of their positions.
2. From the day of their election or investiture, they may not be charged or deprived of liberty, except in case of flagrante delicto, if the court of appeals of the respective jurisdiction, in full, does not previously declare that there is room for the formation of a case. An appeal may be lodged with the Supreme Court against decisions in this regard.
3. In the event that they are arrested for flagrante delicto, they shall be immediately placed at the disposal of the respective appeals court, with the corresponding summary information. The Court shall proceed in accordance with the provisions of the preceding paragraph.
4. From the moment it is declared, by final decision, that there is room for the formation of a case, they will be suspended from their position and will be subject to the competent judge.

Article 261

- Removal of individual legislators

1. The deputy or regional representative shall cease to hold office when:
 - a). Is absent from the country for more than thirty days without the permission of the respective corporation or, in recess of this, of its Board of Directors.
 - b). During its exercise, it celebrates or guarantees contracts with the State, or acts as a procurator or procurator or agent in particular administrative procedures, in the provision of public jobs, councils, functions or commissions of a similar nature. This incapacity will take place whether acting by itself or by an intermediary person, natural or legal.
 - c). That, during its exercise, it acts as a statuteyer or lawyer or president or representative in any kind of trial, that exercises any influence before the administrative or judicial authorities in favour of or on behalf of the employer or workers in labour negotiations or disputes, whether in the public or private sector, or that intervenes in them before any of the parties.
 - d). That has seriously violated the rules on transparency, limits and control of electoral spending, from the date declared by final judgment of the Election Qualification Tribunal, at the request of the Board of Directors of the Electoral Service. A statute will identify cases where there is a serious violation.

- Replacement of legislators

1. e). That, during its exercise, loses any general requirement of eligibility or incurs in a cause of incapacity of those established in this chapter.
2. Deputies, deputies and regional representatives may resign from their positions when they are affected by a serious illness, duly accredited, that prevents them from performing them, and this is qualified by the Election Qualification Tribunal .
3. In case of vacancy of a deputy or a deputy or of one or a regional representative, the law will determine his form of replacement. His replacement must meet the requirements established by this Constitution to be elected to the respective office and the same inabilities and incompatibilities will reach him. The equal composition of the body shall be ensured to any event.

- Term length for first chamber
- Term length of second chamber
- Term limits for first chamber
- Term limits of second chamber

Article 262

Deputies and regional representatives are renewed in their entirety every four years and can be re-elected successively in office for up to one term. For these purposes, it will be understood that they have exercised their office for a period when they have completed more than half of their mandate.

- Joint meetings of legislative chambers

Joint sessions of the Congress of Deputies and the Chamber of the Regions

Article 263

The Congress of Deputies and the Chamber of the Regions shall meet in joint session to:

- Legislative oversight of the executive
- Head of state replacement
- Emergency provisions

- a) Inaugurate the legislative year.
- b) Take the oath or promise of the President or President-elect upon taking office.
- c) Receive the annual public account of the President or the President.
- d) Elect the President in the event of vacancy, if the next election is less than two years away.
- e) Authorize or extend states of constitutional emergency as appropriate.
- f) Decide on the appointments that correspond to this Constitution, guaranteeing a strict scrutiny of the suitability of the candidates for the corresponding position.
- g) The other cases established in this Constitution.

The Statute

Article 264

Only by virtue of a statute can one:

- a) Create, modify and eliminate taxes of any kind or nature and the tax benefits applicable to them, determine their progression, exemptions and proportionality, notwithstanding to the exceptions established by this Constitution.
- b) Authorize the contracting of loans and other operations that may compromise the credit and financial responsibility of the State, its agencies and municipalities, notwithstanding to what is enshrined with respect to territorial entities and the provisions of the following letter. This provision shall not apply to the Central Bank.
- c) Establish the conditions and rules according to which universities and state enterprises and those in which it has a stake may contract loans, which in no case may be made with the State, its agencies and companies.
- d) To institute the rules on the alienation of state property, regional governments or municipalities and on their lease, enabling titles for their use or exploitation and concession.

- e). Regulate national defense capabilities, allow the entry of foreign troops into the territory of the republic and authorize the departure of national troops out of it.
- f). Establish or modify the political or administrative division of the country.
- g). Indicate the value, type and denomination of the coins and the system of weights and measures.
- h). Grant general pardons and amnesties, which will not proceed in case of war crimes and crimes against humanity.
- i). Establish the system for determining the remuneration of the President of the Republic and ministers of State, deputies, governors and regional representatives.
- j). To identify the city in which the President of the Republic must reside , to hold its sessions in the Congress of Deputies and the Chamber of the Regions and to operate the Supreme Court.
- k). To authorize the declaration of war, on the proposal of the President or the President of the Republic.
- l). Establish the bases of the procedures that govern the acts of the Public Administration .
- m). Establish the creation and modification of public services and public jobs, whether fiscal, autonomous or state enterprises, and determine their functions and powers.
- n). Establish the applicable legal regime in labor, trade union, strike and collective bargaining in its various manifestations, social security and social security.
- ñ). Create lotteries and bets.
- o). Regulate those matters that the Constitution indicates as laws of necessary presidential concurrence .
- p). Regulate the other matters that the Constitution requires to be established by statute.

- Power to declare/approve war

- Head of state decree power

Article 265

1. The President of the Republic may request authorization from the Congress of Deputies to issue decrees with the force of law for a period not exceeding one year.
2. This delegation may not extend to fundamental rights, nationality, citizenship, elections and plebiscites, or to the organization, powers and regime of officials of the National System of Justice, the Congress of Deputies, of the Chamber of the Regions, of the Constitutional Court or of the Office of the Comptroller General of the Republic.
3. The delegatory law shall indicate the precise matters on which the delegation shall fall and may establish such limitations and formalities as may be deemed appropriate.
4. Notwithstanding to the provisions of the preceding paragraphs, whoever exercises the Presidency of the Republic shall be authorized to fix the consolidated, coordinated and systematized text of the laws when it is convenient for its better execution. In the exercise of this power, it may introduce the changes in such a way that they are indispensable, without altering, in any case, their true meaning and scope.
5. The Office of the Comptroller General of the Republic shall be responsible for taking account of these decrees with the force of law, and must reject them when they exceed or contravene the aforementioned authorization.
6. Decrees with the force of law shall be subject, in terms of their publication, validity and effects, to the same rules that govern the law.
7. The statute delegating powers that correspond to laws of regional agreement is law of regional agreement.

Article 266

The following are statutes of necessary presidential concurrence:

- Spending bills
- Budget bills

- Tax bills

- Finance bills

1. Those that directly incur expenses to the State.
2. Statutes related to the budgetary administration of the State, including amendments to the Budget Act.
3. Those that alter the political or administrative division of the country.
4. Those that impose, suppress, reduce or condone taxes of any kind or nature, establish exemptions or modify existing ones and determine their form, proportionality or progression.
5. Those that contract or authorize to contract loans or celebrate any other type of operations that may compromise the patrimonial responsibility of the State, of the autonomous organs and to forgive, reduce or modify obligations, interests or other financial charges of any kind imposed in favour of the Treasury or the bodies or entities referred to in question notwithstanding to point (c)Article 264.
6. Regulate national defense capabilities, allow the entry of foreign troops into the territory of the republic and authorize the departure of national troops out of it.

- Budget bills
- Finance bills
- Spending bills
- Tax bills

Article 267

1. Necessary presidential concurrence laws may have their origin in a message or a motion.
2. The motion shall be sponsored by not less than a quarter and not more than one third of the Members or, where appropriate, of the regional representatives in office, and must declare that it is a bill of necessary concurrence of the Presidency.
3. These motions must be accompanied by a technical financial report from the Secretariat of Budgets that includes an estimate of expenses and origin of the financing.
4. These laws may only be approved if the President of the Republic gives his sponsorship during the processing of the project. It may sponsor it at any time until fifteen days have elapsed since it has been dispatched for a vote in general by the respective committee, and in any case, before it. Once this period has elapsed without the corresponding sponsorship, the project will be considered discarded and its processing cannot be insisted upon.
5. Whoever exercises the Presidency of the Republic may always withdraw his sponsorship. In this case, the processing of the project cannot continue.

Article 268

- Constitution amendment procedure

- Tax bills

- Budget bills

1. They are only statutes of regional agreement:
 - a). Those that reform the Constitution.
 - b). b) Those that regulate the organization, powers and functioning of the Justice Systems, the Legislative Power and the constitutional autonomous bodies.
 - c). c) Those that regulate states of constitutional exception.
 - d). d) Those that create, modify or eliminate taxes or exemptions and determine their progression and proportionality.
 - e). e) Those that directly irrogate to the State expenses whose execution corresponds to the territorial entities.
 - f). f) Those that implement the right to health, the right to education and the right to housing.
 - g). The Budget.
 - h). Those that approve the regional statutes.
 - i). Those governing the election, appointment, powers, powers and procedures of the bodies and authorities of territorial entities.
 - j). Those that establish or alter the political-administrative division of the country.
 - k). Those that establish the mechanisms of fiscal and budgetary distribution and other mechanisms of economic compensation between the different territorial entities.
 - l). Those that authorize the conclusion of operations that compromise the patrimonial responsibility of the territorial entities.

1.
 - m). Those that authorize territorial entities to create public companies.
 - n). Those that delegate legislative powers to the autonomous regions in accordance with the Constitution.
 - ñ). Those that regulate territorial and urban planning and its execution.
 - o). Those that regulate the protection of the environment.
 - p). Those that regulate popular votes and counts.
 - q). Those that regulate political organizations.
 - r). The others that this Constitution qualifies as a regional agreement.
2. If a conflict of competence is generated between the Chamber of the Regions and the Congress of Deputies in relation to whether one or more matters provided for in this article should be reviewed by the Chamber of the Regions, it will approve its competence by a majority of its members and the Congress will ratify it by majority. In the event that Congress rejects the revision approved by the Chamber of the Regions, it may appeal to the Constitutional Court by majority agreement.

- Division of labor between chambers

Legislative procedure

Article 269

- Initiation of general legislation
- Legislative initiatives by citizens

- Second chamber reserved policy areas

1. Bills may be initiated by message of the President or the President of the Republic or by motion of not less than ten percent and not more than fifteen percent of deputies or regional representatives. Additionally, they may have their origin in popular initiative or indigenous initiative of law.
2. One or more regional assemblies may submit initiatives to the Chamber of the Regions on matters of regional interest. If it sponsors them, they will be entered as an ordinary motion in Congress.
3. All bills, whatever the form of their initiative, will begin their processing in the Congress of Deputies.
4. Any bill may be subject to additions or corrections in the corresponding procedures, both in the Congress of Deputies and in the Chamber of the Regions, if it intervenes in accordance with the provisions of this Constitution. In no case will those that are not directly related to the matrix or fundamental ideas of the bill be admitted.

Article 270

1. Statutes must be approved, modified or repealed by a majority of the members present in the Congress of Deputies at the time of their vote.
2. In the case of a regional agreement statute, the Presidency of Congress will send the approved project to the Chamber of the Regions to continue with its processing.
3. Once the processing of the project in the Congress of Deputies has been completed, it will be sent to the President or the President of the Republic for the purposes of its promulgation or return.

Article 271

Statutes relating to the organization, functioning and procedures of the Legislative Branch and Justice Systems; to electoral and plebiscitary processes; to the regulation of states of constitutional exception; to the regulation of political organizations; and those that regulate the Office of the Comptroller General of the Republic, the Ombudsman's Office, the Ombudsman's Office, the Electoral Service, the Court Constitutional and the Central Bank must be approved by the favorable vote of the majority of the members in office of the Congress of Deputies and the Chamber of the Regions.

Article 272

1. Once the Chamber of the Regions has received a bill on a regional agreement approved by the Congress of Deputies, the Chamber of the Regions will pronounce itself, approving or rejecting it. If approved, the bill will be sent to Congress for dispatch to the President or the President of the Republic for

1. enactment as law. If it rejects it, it will process it and propose to Congress the amendments it deems pertinent.
2. If Congress rejects one or more of those amendments or observations, a joint committee shall be convened to propose further amendments to resolve the discrepancy. These amendments will be voted on by the House and then by Congress. If all of them are approved, the bill will be dispatched for enactment.
3. The Joint Committee shall be made up of an equal number of Members of Parliament and regional representatives. The law shall establish the mechanism for appointing the members of the commission and shall establish the period within which it shall report. If it does not issue its report within the deadline, it will be understood that the mixed commission maintains the observations originally formulated by the House and rejected by Congress and the provisions of the previous paragraph will be applied.

Article 273

1. In the session following its dispatch by the Congress of Deputies and with the favorable vote of the majority, the Chamber of the Regions may require to hear a bill that is not of regional agreement.
2. The House will have sixty days from the time it receives the bill to formulate amendments and send them to Congress. The latter may approve them or insist on the original draft with the favorable vote of the majority. If within the indicated period the Chamber does not evacuate its report, the project will be in a position to be dispatched by Congress.

- Approval or veto of general legislation

Article 274

1. If the President of the Republic approves the bill sent by the Congress of Deputies, he or she shall order its promulgation as law. Otherwise, it will return it within thirty days with the observations it deems pertinent or communicating its total rejection of the project.
2. In no case will comments that are not directly related to the main or fundamental ideas of the bill be accepted, unless they have been considered in the respective message.
3. Partial observations may be adopted by a majority. With the same quorum, Congress will be able to insist on the original draft.
4. If the President totally rejects the bill, Congress must reject it, unless it is insisted on by three-fifths of its members in office.
5. In the event that the President of the Republic does not return the bill within thirty days, counted from the date of its referral, it will be understood that she approves it and it will be promulgated as law. The promulgation must always be made within a period of ten days, counted from when it is appropriate. The publication will be made within five working days following the date on which the promulgatory decree is fully processed.
6. The project that is rejected in general by the Congress of Deputies may not be renewed until after one year.

Article 275

1. The statute that regulates the functioning of the Congress of Deputies must establish the mechanisms to determine the order in which the bills will be known, and must distinguish between simple urgency, extreme urgency and immediate discussion.
2. The law shall specify the cases in which the urgency shall be fixed by the President of the Republic and by the Congress of Deputies. The law shall specify the cases and conditions of popular urgency.
3. Only whoever holds the Presidency of the Republic will have the power to determine the immediate discussion of a bill.

- Second chamber reserved policy areas

Article 276

1. The Chamber of the Regions shall hear proposals for regional statutes approved by a regional assembly, for the creation of regional enterprises carried out by one

1. or more regional assemblies in accordance with the provisions of the Constitution and for the delegation of legislative powers made by them.
2. Upon receipt of a proposal, the House may approve the bill or make such amendments as it deems necessary. If the amendments are accepted by the respective regional assembly, the project will be in a state of being sent to the Congress of Deputies for processing as a statute of regional agreement. For the knowledge of a regional statute, the Congress and the Chamber will have a period of six months.
3. Delegations may not extend to areas of necessary presidential attendance; nationality, citizenship and elections; to the areas which are subject to general codification, nor to the organization, powers and regime of national bodies or justice systems.
4. The law that delegates powers will indicate the precise matters on which the delegation will fall and may establish the limitations, restrictions and formalities that are deemed appropriate.
5. The Office of the Comptroller General of the Republic shall take account of the regional laws issued in accordance with this article, and shall reject them when they exceed or contravene the aforementioned authorization.

- Budget bills

Article 277

1. The Budget Bill must be presented by whoever holds the Presidency of the Republic at least three months before the date on which it must begin to govern.
2. If the project is not dispatched within ninety days of submission, the project initially sent by the President or the President shall govern.
3. The bill will begin its processing in a special budget committee composed of an equal number of deputies and regional representatives. The special committee may not increase or decrease the estimate of revenue, but may reduce expenditure contained in the Budget Bill, except those established by permanent law.
4. Once the bill has been approved by the special budget committee, it will be sent to the Congress of Deputies for processing as a regional agreement law .
5. The estimation of the performance of the resources consulted by the Budget bill and of the new ones established by any other bill will correspond to the person who exercises the Presidency of the Republic, after a report from the respective technical bodies, notwithstanding to the powers of the Budget Secretariat of the Congress and the Chamber.
6. No new expenditure may be approved from the public purse without indicating, at the same time, the sources of resources necessary to meet such expenditure. The Budget Law cannot create taxes or tax benefits.
7. If the source of resources granted by the Congress of Deputies is insufficient to finance any new expenditure that is approved, whoever exercises the Presidency of the Republic, when promulgating the law, after a favorable report from the service or the institution through which the new income is collected, endorsed by the Office of the Comptroller General of the Republic, it shall proportionately reduce all costs, whatever their nature.
8. In the processing of the Budget bill, as well as with respect to regional and communal budgets, popular participation must be guaranteed .

Article 278

1. The Congress of Deputies and the Chamber of the Regions will have a Technical Unit administratively dependent on the Congress.
2. Its Legislative Secretariat will be responsible for advising on the legal aspects of the laws they process. It may also issue reports on areas of legislation which have fallen into disuse or which present technical problems.
3. Its Budget Secretariat will be responsible for studying the budgetary and fiscal effect of draft laws and for advising deputies, deputies and regional representatives during the processing of the Budget Bill.

CHAPTER VIII EXECUTIVE POWER

Article 279

- Name/structure of executive(s)
- Legislative oversight of the executive
- Joint meetings of legislative chambers
- Eligibility for head of state

1. The government and administration of the State correspond to the President of the Republic, who exercises the head of State and the head of Government.
2. On July 5 of each year, it will report to the country on the administrative and political state of the republic before the Congress of Deputies and the Chamber of the Regions, in joint session.

Article 280

- Minimum age of head of state

1. For a person to be elected President or President of the Republic, it is necessary to have Chilean nationality and to have reached thirty years of age on the day of the election.
2. Likewise, he must have effective residence in the national territory for the four years prior to the election. This requirement shall not be required when the absence from the country is due to the fact that the person, his spouse or his civil cohabitant fulfills diplomatic mission, works in international organizations or there are other circumstances that justify it well-founded. Such circumstances shall be qualified by the Election Qualification Tribunal.
3. When registering the candidacy , you must present a program, in accordance with the law.

Article 281

- Head of state selection
- Scheduling of elections
- Claim of universal suffrage
- Head of state replacement

1. The President shall be elected by universal and direct suffrage by an absolute majority of the votes validly cast. The election will be held on the third Sunday of November of the year preceding the year in which the person in office must cease to hold office.
2. If more than two candidates are put before the election and none of them obtains more than half of the votes validly cast, a second vote shall be held among the candidates who have obtained the two highest majorities. This vote will take place on the fourth Sunday after the first. The candidacy that obtains the quorum established in the previous paragraph will be elected. In the event of the second ballot, the candidatures may make modifications to their agenda up to one week before it.
3. The day of the presidential election will be an inalienable holiday.
4. In the event of the death of one or more of the persons referred to in paragraph 2, the person holding the Presidency of the Republic shall call for a new election within ten days from the date of death. The choice will be held ninety days after the call if that day corresponds to a Sunday. Otherwise, it will be held the following Sunday.

Article 282

1. The qualification process for the election of the President shall be concluded within fifteen days of the first ballot and within thirty days of the second.
2. The Election Qualification Tribunal shall immediately inform the Congress of Deputies and the Chamber of the Regions of the proclamation of the President or the President-elect.

- Joint meetings of legislative chambers

3. The Congress of Deputies and the Chamber of the Regions, meeting in joint session on the day on which the person in office must cease to hold office , and with the members who attend, shall take cognizance of the resolution of the Election Qualification Tribunal that proclaims the person who has been elected.

- Oaths to abide by constitution

4. In the same act, the President or the President-elect shall give a promise or oath to faithfully perform his office, to preserve the independence of the republic, to keep and enforce the Constitution and the laws, and shall immediately assume his functions.

- Head of state replacement

Article 283

1. If the President-elect prevented from taking office, he or she shall assume, provisionally and with the title of Vice President or Vice-President of the Republic, who presides over the Congress of Deputies, the Chamber of the Regions or the Supreme Court, in that order.

2. If the impediment is absolute or lasts indefinitely, the Vice President within ten days following the agreement of the Congress of Deputies, shall call a new presidential election to be held ninety days later if that day corresponds to a Sunday, or the Sunday immediately following, in accordance with the general rules. Whoever is so elected will assume their functions at the time indicated by statute and will last in them for the rest of the period already begun.

- Head of state term length
- Head of state term limits

Article 284

1. The President shall remain for four years in the exercise of his or her duties, after which she may be re-elected, immediately or subsequently, only once .

2. If you running for immediate re-election, from the day of registration of your candidacy, she/he will not be able to execute expenditure that is not of mere administration or carry out public activities that involve propaganda to campaign for the reelection. The Office of the Comptroller General of the Republic shall issue an instruction regulating the situations described in this article.

Article 285

When due to illness, absence from the territory of the republic or other serious reason, the President is unable to exercise his office, he shall subrogate him, with the title of Vice President of the Republic, the corresponding Minister of State, according to the order of legal precedence.

- Head of state replacement

Article 286

- Head of state removal

1. The following are definitive impediments to the exercise of the office of President of the Republic and cause their vacancy: death; serious illness, duly accredited, which makes it impossible to perform the office for the rest of the period, and so qualified by the Election Qualification Tribunal; the resignation accepted by the Congress of Deputies, and the dismissal by constitutional accusation, in accordance with the rules established in this Constitution.

2. In case of definitive impediment, the minister or the minister of State indicated in the previous article will assume as subrogator and will proceed in accordance with the following paragraphs.

- Joint meetings of legislative chambers

3. If the vacancy occurs less than two years before the next presidential election, the President or the President will be elected by the Congress of Deputies and the Chamber of the Regions, in joint session. The appointment will be made within ten days of the date of the vacancy and whoever is elected will assume his position within the following thirty days. For the purposes of his re-election, this presidential term shall be considered as a full one.

4. If the vacancy occurs two years or more before the next presidential election, the Vice President, within the first ten days of her subrogation, shall call a presidential election for one hundred and twenty days after the convocation, if that day corresponds to a Sunday, or the following Sunday, according to the general rules. Whoever is elected will assume his office on the tenth day after his proclamation, and until the end of the remaining term to the one who is replaced.
5. The Vice-President who subrogates and the President who is appointed in accordance with the provisions of the previous paragraph shall have all the powers that this Constitution confers on the President of the Republic.

- Head of state powers

Article 287

The following are the powers of the person who Holds the Presidency of the Republic:

- International law

a). Comply with and enforce the Constitution, laws and international treaties, in accordance with their powers and powers.

b). Direct the State Administration.

- Cabinet selection
- Cabinet removal

c). Appoint and remove the ministers of State, the undersecretaries and undersecretaries and the other corresponding officials , in accordance with the Constitution and the law. These positions are of your exclusive confidence and those who hold them will remain in their positions as long as they have it.

- Foreign affairs representative
- International law

d). Conduct foreign relations, sign and ratify international treaties, conventions or agreements, appoint and remove ambassadors and heads of diplomatic missions.

- Treaty ratification provisions

e). Declare states of constitutional emergency in the cases and forms indicated in the Constitution and the law.

f). Attend the formation of laws and promulgate them, in accordance with the provisions of the Constitution.

- Head of state decree power

g). Issue decrees with the force of law, after delegation from the Congress of Deputies, in accordance with the provisions of the Constitution.

h). Exercise regulatory power in accordance with the Constitution and the law.

- Designation of commander in chief

i). Permanently exercise the supreme leadership of the Armed Forces, arrange, organize and distribute them for their development and joint use.

- Selection of active-duty commanders

j). Designate and remove the chairman of the Joint Chiefs of Staff, the commanders- in-chief of the Armed Forces, and arrange for the appointments, promotions and retirements of officers of the Armed Forces.

k). Conduct public safety and appoint and remove members of the police high command.

l). Appoint the Comptroller or Comptroller General in accordance with the provisions of the Constitution.

m). Participate in the appointments of other authorities in accordance with the provisions of the Constitution.

- Power to pardon

n). Grant private pardons, except for war crimes and crimes against humanity.

ñ). Ensure the collection of public revenues and decree their investment in accordance with the law. The President or the President of the Republic, with signature of all ministers of State, may decree payments not authorized by statute, to meet urgent needs arising from public calamities, external aggression, internal commotion, serious damage or danger to the security of the country or the exhaustion of resources intended to maintain services that cannot be paralyzed without serious prejudice to the country. The total of the transfers made with these objects may not exceed annually two percent (2%) of the

ñ). amount of expenses authorized by the Budget Act. Employees may be hired under this same law, but without the respective item being increased or decreased through transfers. Ministers of State or officials who authorize or give effect to expenses that contravene the provisions of this letter shall be responsible, jointly and severally and personally, for their reinstatement, and guilty of the crime of embezzlement of public funds.

- Referenda

o). Convene referendums, plebiscites and consultations in the cases provided for in this Constitution.

- Budget bills

p). Submit annually the Budget Bill.

q). Request, indicating the reasons, that a special session be summoned to the Congress of Deputies or the Chamber of the Regions. In such a case, the meeting shall be held as soon as possible.

r). The others established in the Constitution and the law.

- Head of state decree power

Article 288

1. Whoever exercises the Presidency of the Republic has the power to issue those regulations, decrees and instructions that he deems necessary for the execution of the laws.

2. Likewise, it can exercise the regulatory power in all those matters that are not reserved exclusively to the law. When rules of legal and regulatory rank are applicable, the law will prevail in case of contradiction.

- Legislative oversight of the executive

3. The President shall report monthly to Congress on the regulations, decrees and instructions issued under the preceding paragraph .

- International law
- Treaty ratification

Article 289

1. The President of the Republic has the power to negotiate, conclude, sign and ratify international treaties.

2. In those cases in which international treaties refer to matters of law, they must be approved by the Legislative Power. This approval shall not be required by those concluded in compliance with a statute.

3. The Legislative Branch shall be informed of the conclusion of international treaties that do not require its approval.

4. The process of approving an international treaty shall be subject, as appropriate, to the formalities of a regional agreement law .

5. The President of the Republic shall send the draft to the Congress of Deputies and shall report on the negotiation process, the content and scope of the treaty, as well as the reservations it intends. confirm or formulate.

6. Once received, the Congress of Deputies may suggest the formulation of reservations and interpretative declarations to an international treaty, in the course of the process of its approval, provided that they proceed in accordance with the provisions of the treaty itself or the general rules of international law.

7. Once the treaty has been approved by the Congress of Deputies, it will be sent to the Chamber of the Regions for processing.

8. The measures adopted by the Executive or the agreements it concludes for the fulfillment of a treaty in force will not require new approval of the Legislative Power, unless they are matters of law.

9. The agreement approving a treaty may authorize the President of the Republic to issue, during the term of the treaty, the provisions with the force of law that it

9. deems necessary for its fullness. compliance, except in the case of fundamental rights, nationality, citizenship, elections and plebiscites.
10. The agreement of the Legislative Branch will be necessary for the withdrawal or denunciation of a treaty that it has approved and for the withdrawal of a reservation that it has considered when approving it. The law shall fix the deadline for its pronouncement.
11. Facts relating to the international treaty, including its negotiations, its entry into force, the formulation and withdrawal of reservations, interpretative declarations, objections to a reservation and its withdrawal, denunciation or withdrawal from the treaty, suspension, termination and nullity.
12. When negotiating international investment treaties or instruments or similar, whoever exercises the Presidency of the Republic shall ensure that the dispute resolution bodies are impartial, independent and preferably permanent.
13. Those who inhabit the territory or Chileans who are abroad and have reached the age of sixteen will have the initiative to request the President or the President of the Republic the signing of international human rights treaties in accordance with requirements established by law, which shall define the period within which the President shall respond to the aforementioned request.

- Establishment of cabinet/ministers

article 290

1. Ministers of State are direct and immediate collaborators of the President of the Republic in the government and administration of the State.
2. They are responsible for the conduct of their respective portfolios, for the acts that they sign and jointly and severally of those who subscribe or agree with holders of other ministries.
3. The law shall determine the number and organization of the ministries, as well as the order of precedence of the ministers and the titular ministers.
4. The President of the Republic may entrust one or more ministers with the coordination of the work of the Secretaries of State and the relations of the Government with Congress of Deputies and the Chamber of the Regions.

Article 291

- Eligibility for cabinet

1. To be appointed minister of State, it is necessary to be a citizen with the right to vote and to meet the general requirements for entry into the Public Administration.
2. They will be subrogated or replaced, in case of absence, impediment, resignation or when for another reason the vacancy of the position occurs, in accordance with what is established by law.

- Powers of cabinet

Article 292

1. The regulations and decrees of the President of the Republic shall be signed by the minister or the minister of State concerned and shall not be obeyed without this requirement.
2. Decrees and instructions may be issued with the sole signature of the respective Minister of State, by order of the President of the Republic, as established by law.

Article 293

1. Ministers may attend the sessions of the Congress of Deputies and the Chamber of the Regions and take part in their debates, preferably to take the floor.

2. Notwithstanding to the foregoing, they will attend personally and obligatorily to the special sessions convened by the Congress or the Chamber to be informed on matters which, falling within the scope of the powers of the corresponding Secretariats of State, they agree to deal with.

Article 294

The appointment of those who represent the ministries and public services with a presence in the autonomous region shall be the decision of the Presidency of the Republic.

Article 295

1. The State has a non-delegable monopoly on the legitimate use of force, which it exercises through the competent institutions, in accordance with this Constitution, the laws and with respect for human rights.
2. The law shall regulate the use of force and weapons that may be used in the exercise of the functions of the institutions authorized by this Constitution.
3. No person, group or organization may possess, possess or carry weapons or other similar elements, except in the cases indicated by law, which shall establish the requirements, authorizations and controls on the use, carrying and possession of weapons.

Article 296

1. The President of the Republic is responsible for the conduct of public security through the corresponding ministry.
2. The disposition, organization and criteria for the distribution of the police shall be established in the National Public Security Policy. The law shall regulate the validity, scope and mechanisms for the elaboration and approval of this policy, which shall include the gender and intercultural perspective and full respect for international law and fundamental rights.

Article 297

1. The police depend on the ministry in charge of public security and are police, non-military institutions, of a centralized nature, with competence throughout the territory of Chile, and are intended to guarantee public security, giving effect to the law and safeguarding fundamental rights, within the framework of its powers.
2. Police officers should incorporate a gender perspective in the performance of their duties and promote parity in decision-making spaces. In the use of force, they must act in compliance with the principles of legality, necessity, precaution, proportionality, non-discrimination and surrender of with respect for international law and the fundamental rights guaranteed in this Constitution.
3. They are professional, hierarchical, disciplined, obedient and non-deliberative institutions.
4. The Police and their members shall be subject to controls on probity and transparency in the manner and conditions determined by the Constitution and the law. Its members may not belong to political parties; associate in political, trade union or trade union organizations; exercise the right to strike, or run for elected office.
5. Admission to and training in the police shall be free and non-discriminatory, as established by statute. Police education and training is based on respect for human rights .

- Designation of commander in chief

Article 298

1. The President of the Republic is responsible for the leadership of national defense and serves as the supreme head of the Armed Forces. He will exercise command through the ministry in charge of national defense.
2. The disposition, organization and criteria for the distribution of the Armed Forces shall be established in the National Defence Policy and the Military Policy. The law shall regulate the validity, scope and mechanisms for the elaboration and approval of such policies, which shall incorporate the principles of international cooperation, gender equality and interculturality and full respect for international law and fundamental rights.

- International law

Article 299

1. The Armed Forces are composed solely and exclusively of the Army, Navy and Air Force. They depend on the ministry in charge of national defense and are institutions destined to the protection of the sovereignty, independence and territorial integrity of the republic against aggressions of an external nature, as established in the Charter of the United Nations. They collaborate with international peace and security, in accordance with the National Defense Policy .
2. They must incorporate a gender perspective in the performance of their functions, promote parity in decision-making spaces and act with respect for international law and the fundamental rights guaranteed in the Constitution.
3. They are professional, hierarchical, disciplined, obedient and non-deliberative institutions.
4. Military institutions and their members are subject to controls on probity and transparency. They cannot belong to political parties; associate in political, trade union or trade union organizations; exercise the right to strike, or run for elected office.
5. Admission to and training in the Armed Forces shall be free and non-discriminatory, in the manner established by statute. Military education is based on respect for human rights.
6. The law shall regulate the organization of the defense, its institutionality, its structure and joint employment, its leadership, its command and the military career.

- International law

- Restrictions on the armed forces

Article 300

1. The exercise of the rights and guarantees that the Constitution guarantees to all persons under the following situations of exception may only be suspended or limited: international armed conflict, internal armed conflict as established by international law or public calamity. They may not be restricted or suspended except the rights and guarantees expressly indicated in the Constitution.
2. The declaration and renewal of states of constitutional emergency shall respect the principles of proportionality and necessity and shall be limited, with respect to their duration, extent and means employed, to what is strictly necessary for the earliest restoration of constitutional normality.

- International law

- Emergency provisions

Article 301

1. The state of assembly, in case of international armed conflict, and the state of siege, in case of internal armed conflict, shall be declared by the President of the Republic with the authorization of the Congress of Deputies and the Chamber of

- Joint meetings of legislative chambers

- Joint meetings of legislative chambers

1. Deputies of the Regions, in joint session. The declaration shall identify the areas affected by the relevant state of emergency.
2. The Congress of Deputies and the Chamber of the Regions, in joint session, within a period of twenty-four hours from the moment in which the President of the Republic submits the declaration of state of assembly or siege to its consideration, shall be pronounced by the majority of its members accepting or rejecting the proposal. In their request and subsequent declaration, the grounds that justify the extreme need for the declaration must be specified, and congress and the Chamber may only introduce modifications with respect to its territorial extension. If the Congress and the House do not approved within that period, they will be summoned by the ministry of the Constitution alone to special daily sessions, until they pronounce on the declaration.
3. However, the President of the Republic, in circumstances of urgent necessity, and only with the signature of all her ministers, may immediately apply the state of assembly or siege, as long as the Congress of Deputies and the Chamber of the Regions pronounce on the declaration. In this case, only the exercise of the right of assembly may be restricted.
4. By the declaration of the state of assembly, the President of the Republic shall be empowered to restrict personal freedom, the right of assembly, freedom of work, the exercise of the right of association; intercept, open or record documents and all communications; provide for requisitions of property, and establish limitations on the exercise of the right to property.
5. The declaration of a state of siege may not be extended for more than fifteen days, notwithstanding to the President or the President of the Republic requesting its extension, for which it will require the pronouncement of four sevenths of the deputies, deputies and regional representatives in office for the first extension, three-fifths for the second and two-thirds for the third and following.
6. By declaring a state of siege, the President of the Republic may restrict freedom of movement and the right of association. It may also suspend or restrict the exercise of the right of assembly.
7. The state of assembly shall remain in force for as long as the situation of international armed conflict is extended , unless the President of the Republic provides for its termination in advance or the Congress of Deputies and the Chamber of Deputies the Regions withdraw their authorization.

- Emergency provisions

Article 302

1. The state of catastrophe, in case of public calamity, shall be declared by the President of the Republic. The declaration must establish the scope of application and the period of duration, which may not exceed thirty days. Only with the agreement of the Congress of Deputies may it be extended beyond this period. The aforementioned agreement will be processed in the manner established in paragraph 2 of the previous article.
2. The President of the Republic shall be obliged to inform the Congress of Deputies of the measures taken.
3. Once a state of disaster has been declared, the respective areas shall be under the immediate dependence of the head of the state of emergency, who shall be a civil authority. appointed by the person holding the Presidency of the Republic. This authority will assume the direction and super vigilance of those areas with the powers and duties that the law indicates.
4. The President of the Republic may request the extension of the state of catastrophe, for which it shall require the approval, in joint session, of the majority of members in office of the Congress of Deputies and the Chamber of regions.

5. By declaring a state of disaster, the President of the Republic may restrict freedom of movement and the right of assembly. It may also order requisitions of property, establish limitations on the exercise of the right to property and adopt all extraordinary measures of a legal and administrative nature that are necessary for the prompt restoration of normalcy in the affected area.

- Emergency provisions

Article 303

1. Acts of the President of the Republic or of the head of a state of emergency which are based on the declaration of a state of constitutional emergency shall expressly indicate the constitutional rights which they suspend or restrict.
2. The decree of declaration must specifically indicate the measures to be adopted by reason of the exception, which must be proportionate to the purposes established in the declaration of exception and not excessively limit or totally impede the legitimate exercise of any right established in this Constitution. States of constitutional emergency shall permit the President of the Republic to exercise powers and powers ordinarily reserved to the regional or communal level when the restoration of normality so requires.
3. All declarations of a state of constitutional emergency shall be well founded and shall specify the rights to be suspended, as well as their territorial and temporal extension.
4. The Armed Forces and police must strictly comply with the orders of the head of state of emergency in charge.
5. Measures taken during states of emergency may not, under any circumstances, be extended beyond their validity.

- Emergency provisions

Article 304

1. The law shall regulate states of emergency, their declaration and the application of the legal and administrative measures that may be adopted under them, in everything not regulated by this Constitution. Such a statute may not affect the powers and functioning of constitutional bodies, nor the rights or immunities of their respective holders.
2. Likewise, this law shall regulate the manner in which the President of the Republic and the authorities entrusted thereto shall render a detailed, truthful and timely account to the Congress of Deputies of the measures adopted and of the plans for overcoming the situation of exception, as well as of the serious facts that would have arisen on the occasion of the constitutional state of emergency. Failure to comply with this duty of accountability shall be considered a violation of the Constitution.

- Emergency provisions

Article 305

1. Once the state of emergency has been declared, an Oversight Commission will be constituted under the Congress of Deputies, of equal and plurinational composition, composed of deputies, by regional representatives and by representatives of the Ombudsman's Office, in the manner established by statute. This body must supervise the measures adopted under the state of emergency, for which it will issue periodic reports containing an analysis of them, their proportionality and the observance of human rights and will have the others. powers entrusted to it by law.
2. The organs of the State must collaborate and provide all the background information required by the Commission for the performance of its functions. In the event that it becomes aware of violations of the provisions of this Constitution or the law, it must make the pertinent complaints, which will be

2. sent and known by the competent bodies. The law shall regulate its integration and operation.

- Emergency provisions

Article 306

Measures taken in the exercise of the powers conferred in states of constitutional emergency may be reviewed by the courts of justice both on their merits and in form. Requisitions that are made will give rise to compensation in accordance with the law.

Chapter IX judicial systems

Article 307

- Guarantee of due process
- International law

1. Jurisdiction is a public function that is exercised in the name of the peoples and that consists of knowing and judging, through due process, conflicts of legal relevance and enforcing what has been resolved, in accordance with the Constitution and laws, as well as international human rights treaties and instruments to which Chile is a party.
2. It is exercised exclusively by the courts of justice and the authorities of indigenous peoples and nations recognized by the Constitution, or the laws enacted under it.
3. The exercise of jurisdiction must ensure the protection and promotion of human rights and nature, the democratic system and the principle of jurisdiction.

Article 308

Courts of justice are structured according to the principle of judicial unity as the basis for their organization and functioning and are subject to the same legal status and principles.

Article 309

- International law

1. The State recognizes the legal systems of indigenous peoples and nations, which by virtue of their right to self-determination coexist in coordination on an equal footing with the National Justice System. They must respect the fundamental rights established by this Constitution and the international human rights treaties and instruments to which Chile is a party.
2. The law shall determine the mechanisms for coordination, cooperation and resolution of conflicts of competence between indigenous legal systems and State entities.

Article 310

- Judicial independence

1. Judges exercising jurisdiction are independent of each other and of any other power or authority, and shall act and rule impartially. In their providences, they are only subject to the rule of law.
2. The judicial function is exercised exclusively by the courts established by statute. No other organ of the State, person or group of persons, may exercise the judicial function, hear pending cases, modify the grounds or content of judicial decisions or reopen concluded proceedings.
3. Judges may not perform any other function or employment, except academic activities in the terms established by law.

4. Judges shall only exercise the judicial function, and may not perform any administrative or legislative function.
5. Judges may not serve in political parties.

Article 311

- International law

1. The jurisdictional function should be exercised under an intersectional approach and should ensure substantive equality and compliance with international human rights obligations in this area.
2. This duty extends to all judicial and auxiliary bodies, to officials of the National Justice System, throughout the course of the process and in all the actions they carry out.

Article 312

1. The judicial function shall be governed by the principles of parity and a gender perspective. All bodies and persons involved in the judicial function must ensure substantive equality .
2. The State guarantees that appointments to the National Justice System respect the principle of parity in all organs of jurisdiction, including the appointment of presidencies.
3. The courts, whatever their competence, must rule with a gender perspective.
4. Justice systems must adopt all measures to prevent, punish and eradicate violence against women, sexual and gender dissidents , in all its manifestations and areas.

Article 313

Judges may not be charged or deprived of their liberty, except in cases of *flagrante delicto*, if the proper court of appeal does not declare one or more chapters of the respective indictment admissible. The decision that is pronounced on the complaint of chapters will be appealable to the Supreme Court. Once the decision accepting the complaint is final, the criminal proceedings will continue in accordance with the general rules and the judge will be suspended from the exercise of her functions.

- Supreme/ordinary court judge removal

Article 314

Judges are immovable. They may not be suspended, transferred or removed, except in accordance with the grounds and procedures established by the Constitution and the laws.

Article 315

Judges are personally liable for the offences of bribery, failure to comply with the laws governing the procedure in substance and, in general, for any prevarication, refusal or crooked administration of justice. The law shall determine the cases and the manner in which this responsibility is to be enforced.

- Mandatory retirement age for judges
- Supreme/ordinary court judge removal

Article 316

Judges cease to hold office for reaching the age of seventy, for resignation, for a finding of supervening legal incapacity or for removal.

Article 317

1. Once their intervention has been requested in the legal form and on matters within their jurisdiction, the courts may not excuse themselves from exercising their function in a reasonable time or even in the absence of an express legal norm that resolves the matter submitted to their decision.
2. The exercise of jurisdiction is non-delegable.

Article 318

1. In order to enforce decisions and to carry out or have practiced the proceedings determined by law, the courts of justice may issue direct orders or instructions to the security forces. These must comply with the mandate quickly and expeditiously, without being able to qualify its basis, timeliness or legality.
2. The sentences handed down against the State of Chile by international human rights tribunals whose jurisdiction has been recognized by it shall be complied with by the courts of justice. in accordance with the procedure established by statute, even if they contravene a final judgment pronounced by them.

Article 319

1. Opinions should always be substantiated and written in clear and inclusive language. The law may provide for exceptions to the duty to substantiate judicial decisions.
2. All stages of proceedings and court decisions are public. Exceptionally, the law may establish its reservation or secrecy in qualified cases.

- Right to public trial

Article 320

1. Access to the judicial function shall be free of charge, notwithstanding to the judicial proceedings and procedural sanctions established by statute.
2. Arbitral justice will always be voluntary. The law may not provide for forced arbitration.

Article 321

The jurisdictional function is based on the guiding principles of open justice, which is manifested in transparency, participation and collaboration, in order to guarantee the rule of law, promote social peace and strengthen democracy.

Article 322

1. The judicial function is defined in its structure, integration and procedures in accordance with the principles of plurinationality, legal pluralism and interculturality.
2. In the case of indigenous persons, the courts and their officials shall adopt an intercultural perspective in the treatment and resolution of matters within their competence, taking due account of the customs, traditions, protocols and normative systems of indigenous peoples, in accordance with international treaties and instruments. of human rights to which Chile is a party.

- Indigenous right to illegal activities

Article 323

1. It is the duty of the State to promote and implement collaborative conflict resolution mechanisms that guarantee active participation and dialogue.
2. Only the law may determine the requirements and effects of alternative dispute resolution mechanisms.

Article 324

1. Persons who exercise jurisdiction in single-member or collegiate bodies are called judges. There will be no hierarchy among those who exercise jurisdiction and they will only be differentiated by the function they play. In addition, they will not receive any honorary treatment.
2. Only the law may establish positions of judges. The Supreme Court and the courts of appeals may only be composed of persons who have the status of judges or titular judges, interim, alternate or subrogant.
3. The staff and internal administrative organization of the courts shall be established by statute.

- Protection of judges' salaries

Article 325

The National Justice System shall enjoy financial autonomy. Annually, the necessary funds for its proper functioning will be allocated in the Budget Act.

Article 326

Courts must comply with the principle of proximity and roaming. In order to guarantee access to justice and effective judicial protection, they may operate in localities located outside their place of residence, always within the territory of their competence.

- Structure of the courts

Article 327

The National Justice System is composed of the neighborhood justice, the courts of instance, the courts of appeals and the Supreme Court.

Article 328

1. The Supreme Court is a collegiate body with jurisdiction throughout the country whose function is to ensure the correct application of the law and standardize its interpretation, as well as the other powers established by this Constitution. and the law.
2. It shall be composed of twenty-one judges and shall function in full or specialized chambers.
3. Its judges will last in their positions for a maximum of fourteen years, without the possibility of re-election.
4. The presidency of the Supreme Court shall be exercised by a person elected by his peers. He will remain in office for two years without the possibility of holding office again. Whoever holds the Presidency may not be members of any of the Chambers.

- Supreme court term length
- Supreme court term limits

Article 329

The Supreme Court will hear and resolve remedies filed against the decisions of the indigenous jurisdiction, it will do so in a specialized room and assisted by a technical counsel composed of experts in their culture and own law, in the form that establish the law.

- Right to appeal judicial decisions

Article 330

1. Courts of appeal are collegiate bodies with jurisdiction over a region or part thereof. Its main function is to resolve the challenges of decisions issued by the courts of instance, as well as the other powers established by the Constitution and the law.
2. They will operate in full or in preferably specialized rooms.
3. The presidency of each court of appeals shall be exercised by a person elected by his peers. It will last in its functions two years.

- Establishment of administrative courts
- Establishment of labor courts

Article 331

1. Courts of instance are civil, criminal, family, labor, common or mixed jurisdiction, administrative, environmental, neighborhood, execution of sentence and others established by the Constitution and law.
2. The organization, powers, competence and number of judges who make up these courts are determined by statute.

- Establishment of administrative courts

Article 332

1. The administrative courts hear and resolve actions directed against the State Administration or promoted by it and the other matters established by statute.
2. For its knowledge and resolution, the law will establish a unified, simple and expeditious procedure.
3. There will be at least one administrative court in each region of the country and they will be able to function in specialized chambers.
4. Matters within the jurisdiction of these courts may not be submitted to arbitration.

- Protection of environment

Article 333

1. The environmental courts will hear and decide on the legality of administrative acts in environmental matters, the action to protect the rights of nature and environmental rights, reparation for environmental damage and the others indicated by the Constitution and the law.
2. There will be at least one environmental court in each region of the country.
3. The law shall regulate the integration, competence and other aspects that are necessary for its proper functioning.
4. Actions to challenge the legality of administrative acts that rule on environmental matters and the request for precautionary measures may be filed directly before the environmental courts, without the prior exhaustion of the administrative remedy being required.

- Municipal government

Article 334

1. Neighborhood justice is made up of neighborhood courts and neighborhood justice centers .
2. In each commune of the country that is the seat of a municipality, there will be at least one neighborhood court that will exercise the jurisdictional function with respect to all those legal controversies that arise at the communal level that do not fall within the jurisdiction of another court and of the other matters entrusted to them by law, in accordance with a short, oral, simple and expeditious procedure.

Article 335

1. Neighborhood justice centers are bodies responsible for promoting the resolution of neighborhood and small disputes within a community determined by statute, on the basis of social dialogue, peace and participation of the parties involved. Priority should be given to its installation in rural areas and places far from urban areas.
2. The neighborhood justice centers must guide and inform the public in legal matters, making the necessary referrals, as well as exercising the other functions that the law entrusts to them.
3. The organization, powers, matters and procedures that correspond to the neighborhood justice centers will be governed by the respective law.

Article 336

• International law

1. The courts for the enforcement of sentences shall ensure the fundamental rights of persons convicted or subject to security measures, as recognized in this Constitution and international human rights treaties and instruments, seeking their integration and social integration.
2. They shall exercise judicial functions in matters of execution of sentences and security measures, judicial control of the disciplinary power of the penitentiary authorities, protection of the rights and benefits of inmates in penitentiary establishments and others that it indicates. the law.

Article 337

• International law

1. The system for the enforcement of criminal sanctions and security measures shall be organized on the basis of respect for human rights and shall have as its objectives the execution of the sentence and the integration and social integration of the person serving a judicial sentence.
2. It is the duty of the State, in its special position as guarantor vis-à-vis persons deprived of liberty, to ensure the protection and effective exercise of their fundamental rights enshrined in this Constitution and in international human rights treaties and instruments.

Article 338

1. Only the State can execute the execution of sentences and measures depriving of liberty, through public institutions specially established for these purposes. This function may not be fulfilled by private individuals.
2. For the insertion, integration and reparation of persons deprived of liberty, penitentiary establishments must have spaces for study, work, sport, arts and cultures.

3. In the case of women and pregnant persons and mothers of infants, the State shall adopt the necessary measures, such as infrastructure and equipment, in the closed, open and post-penitentiary control regimes.

- Electoral court powers

Article 339

1. The Election Qualification Tribunal shall hear the general count and the qualification of the elections of the authorities elected by popular vote at the national level, resolve the complaints that arise and proclaim those who are elected and elected.
2. In addition, it will hear and resolve administrative complaints against acts of the Electoral Service and decisions issued by supreme courts or equivalent bodies of political organizations.
3. It will also know and decide on the inabilities, incompatibilities and causes of cessation in the position of deputies or regional representatives. In the same way, it will qualify the resignation of these when they are affected by a serious illness, duly accredited, that prevents them from performing the position.
4. This Court shall also hear national plebiscites and shall have the other powers determined by statute.
5. The Court will evaluate the evidence according to the rules of sound criticism.
6. It will be constituted by five judges, appointed by the Council of Justice, who must apply in the form and opportunity determined by the respective law. They will last six years in their functions.
7. A statute shall regulate the organization and functioning of the Election Qualification Tribunal, its staff, remuneration and staff regulations.

- Electoral court selection
- Electoral court term length

Article 340

1. The regional electoral tribunals are responsible for hearing the general count and qualification of elections at the regional level, communal and civil society organizations and other organizations recognized by this Constitution or by statute, as well as to resolve the claims to which they give rise and to proclaim the candidacies that are elected.
2. They shall also be aware of regional and communal plebiscites, notwithstanding to the other powers determined by statute.
3. Its resolutions will be appealable and its knowledge will correspond to the Election Qualification Tribunal in the manner determined by law. Likewise, they will be responsible for knowing the qualification of the elections of a union nature and those that take place in those organizations that the law indicates.
4. The regional electoral tribunals shall consist of three judges, appointed by the Council of Justice, who shall apply in the manner and at the time determined by the respective law. They will last six years in their functions.
5. These courts will evaluate the evidence according to the rules of sound criticism.
6. A statute shall regulate the organization and functioning of regional electoral tribunals, plants, remuneration and staff regulations.

Article 341

The administrative management and the directive and correctional superintendence of the Electoral Qualification Tribunal and the regional electoral tribunals shall correspond to the Council of Justice.

- Establishment of judicial council

Council of Justice

Article 342

1. The Council of Justice is an autonomous, technical, parity and plurinational body, with legal personality and its own assets, whose purpose is to strengthen judicial independence. He is in charge of appointments, governance, management, training and discipline in the National Justice System.
2. In the exercise of its powers, it must consider the principle of non-discrimination, inclusion, gender parity, territorial equity and plurinationality.

Article 343

The powers of the Council of Justice are:

- Supreme court selection
- Ordinary court selection
- Supreme/ordinary court judge removal

1. Appoint, after public competition and by reasoned resolution, all judges, officials and officials of the National Justice System.
2. Adopt disciplinary measures against judges, officials and officials of the National Justice System, including their removal, in accordance with the provisions of this Constitution and the law.
3. Carry out a comprehensive review of the management of all the courts of the National Justice System, at least every five years, which will include public hearings to determine their proper functioning, in accordance with the provisions of the Constitution and the law. This review shall in no case include judicial decisions.
4. Evaluate and qualify, periodically, the performance of judges, officials and officials of the National Justice System.
5. Decide on promotions, transfers, swaps and cessation of functions of members of the National Justice System.
6. Define budgetary needs, execute and manage resources for the proper functioning of the National Justice System.
7. To pronounce on any legal modification in the organization and powers of the National System of Justice. The Congress of Deputies must officiate to the Council, which must respond within thirty days from its receipt.
8. Propose to the competent authority the creation, modification or abolition of courts.
9. Ensure the empowerment, training and continuous improvement of those who make up the National Justice System. For these purposes, the Judicial Academy shall be subject to the direction of the Council.
10. Ensure the initial education and continuous training of all officials and auxiliaries of the administration of justice, in order to eliminate gender stereotypes and ensure the incorporation of the gender approach, the intersectional approach and human rights.
11. Issue instructions regarding the organization and administrative management of the courts. These instructions may be national, regional or local in scope.
12. The other powers entrusted to this Constitution and the law.

Article 344

1. The Council of Justice is composed of seventeen members, according to the following composition:
 - a). Eight full judges elected by their peers.
 - b). Two officials, officials or professionals of the National Justice System elected by their peers.
 - c). Two members elected by indigenous peoples and nations in the manner determined by the Constitution and the law. They must be persons of proven suitability for the exercise of the position and who have excelled in the public or social function.
 - d). Five people elected by the Congress of Deputies and the Chamber of the Regions in joint session, after determining the corresponding shortlists by public tender, by the Council of Senior Public Management. They must be professionals with at least ten years of the corresponding degree, who have excelled in the professional, academic or public service.

- Indigenous right to representation

1. e). They will last six years in office and will not be able to be re-elected. They will be renewed for partialities every three years in accordance with the provisions of the law.
- f). Its members will be elected according to criteria of gender parity, plurinationality and territorial equity.

Article 345

1. The Council of Justice may function in plenary or in committees. In both cases, it will make its decisions for the majority of its members in office.
2. The Council will be organized in a concentrated manner. The law shall determine the organization, operation, procedures for electing members of the Council and shall determine the staff, the remuneration system and the statute of its staff.

Article 346

1. Members of the Council may not exercise any other function or employment, whether remunerated or unpaid, to the exclusion of academic activities. The law may establish other incompatibilities in the exercise of the office.
2. Those referred to in points (a) and (b) of the Article on the composition of the Council shall be suspended from the performance of their duties for the duration of their duties.
3. They may not compete to be appointed to judicial positions until one year has elapsed since they cease to hold office.

Article 347

1. Members of the Council shall cease to hold office at the end of their term, on reaching seventy years of age, on removal, resignation, supervening physical or mental incapacity or conviction for an offence punishable by affliction.
2. Both the resignation and the supervening incapacity must be accepted or verified, as appropriate, by the Council.
3. The removal process shall be determined by statute, respecting all the guarantees of due process.

Article 348

1. The Council shall make appointments through public tenders regulated by law, which shall include public hearings.
2. To access a position of judge within the National System of Justice, it will be required to have passed the course of habilitation of the Judicial Academy for the exercise of the jurisdictional function; to have three years of practice of the profession of lawyer or lawyer for the case of courts of instance; with five years for the case of the courts of appeals, and with twenty years for the case of the Supreme Court, and the other requirements established by the Constitution and the law.

Article 349

1. The disciplinary procedures will be known and resolved by a commission composed of five members of the Council that will be chosen by lot, a decision that will be reviewable by its plenary at the request of the affected party.
2. The resolution of the Council terminating the procedure shall be open to challenge before the Constitutional Court.
3. Decisions taken in accordance with the preceding paragraphs may not be reviewed or challenged before other organs of the National Justice System.

CHAPTER X. constitutional autonomous entities

Article 350

All autonomous entities are governed by the principle of parity. It promotes the implementation of affirmative action measures, ensuring that at least fifty percent of its members are women.

Office of the Comptroller General of the Republic

Article 351

1. The Office of the Comptroller General of the Republic is a technical, autonomous body with legal personality and its own assets, responsible for ensuring compliance with the principle of probity in the public service, exercising control of constitutionality and legality of the acts of the State Administration, including governments, regional, communal and other entities, agencies and services determined by statute.
2. It is responsible for auditing and auditing the income, investment and expenditure of public funds.
3. In the exercise of its functions, it may not assess the merit or expediency of political or administrative decisions.
4. The statute shall establish the organization, operation, plant, procedures and other powers of the Office of the Comptroller General of the Republic.

Article 352

1. In the exercise of the control of constitutionality and legality, the Office of the Comptroller General will take account of decrees, resolutions and other administrative acts or represent their illegality. It must follow up on them when the President of the Republic insists with the signature of all its ministers, and will send a copy of the respective decrees to the Congress of Deputies.
2. In no case shall it give effect to the decrees of expenses that exceed the limit indicated in the Constitution or the law and will send a full copy of the antecedents to the Congress of Deputies.
3. In the case of representation for unconstitutionality, the insistence will not proceed and the pronouncement of the Comptroller's Office will be claimable before the Constitutional Court.
4. In addition, it will be up to him to take reason of the decrees with the force of law, and must represent them when they exceed or contravene the respective delegatory law.
5. With respect to decrees, resolutions and other administrative acts of territorial entities that, in accordance with the law, must be processed by the Comptroller's Office, the reasoning will correspond to the respective regional comptroller's office. The background that should be sent, where appropriate, will be sent to the corresponding regional assembly.

Article 353

1. The direction of the Office of the Comptroller General of the Republic is in charge of a comptroller or a comptroller general, who will be appointed by the President or the President of the Republic, with the agreement of the Congress of Deputies and the Chamber of the Regions in joint session, by the majority of its members in office.
2. The comptroller or comptroller general shall serve for a term of eight years, with no possibility of re-election.

3. A Council of the Comptroller's Office, whose composition and operation will be determined by statute, will annually approve the program of control and audit of public services, determining the services or programs that, in its opinion, must necessarily be included in the aforementioned program.
4. Opinions amending the administrative jurisprudence of the Office of the Comptroller shall be consulted by the Council.

Article 354

1. The Office of the Comptroller General of the Republic may issue binding opinions for any authority, official or worker of any body that is part of the Administration of the State, the regions and the communes, including the directors of public enterprises or companies in which the State has a stake.
2. The organs of the State Administration, regional and communal governments, autonomous bodies, public enterprises, companies in which the State has a stake, legal persons that have fiscal resources or administer public goods and the others defined by statute shall be subject to the supervision and audits of the Office of the Comptroller General of the Republic. The law shall regulate the exercise of these supervisory and auditing powers.

Article 355

1. The Office of the Comptroller General of the Republic shall operate in a decentralized manner in each of the regions of the country through regional comptrollers.
2. The direction of each regional comptroller's office shall be in charge of a comptroller or a regional comptroller, who shall appoint the comptroller or the comptroller general of the republic.
3. In the exercise of their functions, they shall maintain unity of action in order to apply a uniform approach throughout the territory of the country.
4. The law shall determine the other powers of the regional comptrollers and shall regulate their organization and operation.
5. The regional comptrollers control the legality of the financial activity of the territorial entities, the management and the results of the administration of public resources.

Article 356

The treasury of the State may not make any payment except by virtue of a decree or resolution issued by a competent authority, in which the law or the part of the budget authorizing that expenditure is expressed. Payments shall also be made in accordance with the chronological order laid down therein and after budgetary endorsement of the document ordering payment.

- Central bank

Central Bank

Article 357

1. The Central Bank is an autonomous body with legal personality and its own assets, of a technical nature, responsible for formulating and conducting monetary policy.
2. The law shall regulate its organization, powers and control systems, as well as the determination of coordination bodies between the Bank and the Government.

Article 358

1. In particular, it is the responsibility of the Central Bank, in order to contribute to the well-being of the population, to ensure price stability and the normal functioning of internal and external payments.
2. For the fulfillment of its purpose, the Central Bank must consider financial stability, exchange rate volatility, the protection of employment, the care of the

2. environment and the natural heritage and the principles indicated by the Constitution and the law.
3. The Bank, in taking its decisions, shall bear in mind the general orientation of the Government's economic policy.

Article 359

The Central Bank is responsible for regulating the amount of money and credit in circulation, for the execution of credit operations and international exchanges, and for the power to issue rules on monetary matters, credit, financial and international exchanges, and the others established by statute.

Article 360

1. The Central Bank may only carry out operations with financial institutions, whether public or private. In no way may it grant them its guarantee or acquire documents issued by the State, its organs or companies.
2. No public expenditure or loan may be financed by direct and indirect credits from the Central Bank.
3. Notwithstanding the foregoing, in exceptional and transitory situations in which the preservation of the normal functioning of internal and external payments so requires, the Central Bank may buy for a specified period and sell on the open secondary market, debt instruments issued by the Treasury, in accordance with the law.

Article 361

- Joint meetings of legislative chambers

The Central Bank shall report periodically to the Congress of Deputies and the Chamber of the Regions in joint session on the implementation of the policies under its charge, the measures and general rules it adopts in the exercise of its functions and powers. and other matters requested, through reports or other mechanisms determined by statute.

Article 362

1. The direction and superior administration of the Central Bank will be in charge of a council, which will be responsible for fulfilling the functions and exercising the powers indicated by the Constitution and the law.
2. The Council shall be composed of seven counselors appointed by the President of the Republic, with the agreement of the Congress of Deputies and the Chamber of the Regions in joint session, by the majority of its members in practice.
3. They shall serve a term of ten years, shall not be re-eligible, and shall be renewed for partialities in accordance with the law.
4. The directors of the Central Bank must be professionals of proven suitability and trajectory in matters related to the powers of the institution. The law will determine your requirements, responsibilities, inabilities and incompatibilities.
5. The President or the President of the Council, who shall also be president of the Central Bank, shall be appointed by the President or the President of the Republic from among those who make up the Council, and shall last five years in this position or the shorter time remaining as a director, and may be re-elected for a new term.

Article 363

1. Those who make up the Council may be removed from their positions by resolution of the majority of the members of the plenary session of the Supreme Court, upon request of the majority of those who serve as councilors, of the President or the President of the Republic or by the majority of deputies or regional representatives in office, in accordance with the procedure established by law.
2. Removal may only be based on the fact that the director has carried out serious acts contrary to public probity, or has incurred in any of the prohibitions or incompatibilities established in the Constitution or the law, or has concurred with its vote to decisions that seriously affect the achievement of the object of the Central Bank.

3. The dismissed person may not be reappointed as a director, nor be an official of the Central Bank or provide services, notwithstanding to the other sanctions established by law.

Article 364

1. The Board may not be composed of those who in the twelve months prior to their appointment have participated in the ownership or exercised as director, manager or principal executive of a banking company, fund administrator, or any other that provides financial intermediation services, notwithstanding to the others disabilities established by law.
2. Once they cease to hold office, those who have been members of the Council will have the same incapacity for a period of twelve months.

- Attorney general

Public Prosecutor's Office

Article 365

1. The Public Prosecutor's Office is an autonomous and hierarchical body, whose function is to exclusively direct the investigation of the facts that could constitute a crime, those that determine the punishable participation and those that prove the innocence of the accused. It exercises public criminal proceedings on behalf of society, in the manner provided for by statute.
2. In these functions, it must ensure respect for and promotion of human rights, also taking into account the interests of the victims, in respect of whom it must adopt all the measures necessary to protect them, just like the witnesses.
3. The exclusive power of certain organs of the administration to file complaints and complaints does not prevent the Public Prosecutor's Office from investigating and exercising public criminal proceedings in the case of crimes that violate probity, public assets or injure collective legal assets.
4. In any case, it may exercise jurisdictional functions.
5. The victim of the crime and other persons determined by statute may also bring criminal proceedings.
6. The Public Prosecutor's Office may issue direct orders to the Forces of Order and Public Security for the exercise of their functions, in which case it may also participate both in the setting of goals and objectives and in the evaluation of compliance with all of them. The requested police authority must comply without further formality with these orders and may not qualify their basis, timeliness, justice or legality, except to require the exhibition, unless it is oral, of the authorization judicial.
7. Actions that threaten, deprive or disturb the accused or third parties of the exercise of the rights that this Constitution ensures will always require prior and reasoned judicial authorization.

Article 366

1. A statute shall determine the organization and powers of the Public Prosecutor's Office, shall indicate the qualities and requirements to be met by those who serve as prosecutors and their grounds for removal.
2. The higher authorities of the Public Prosecutor's Office must always base the orders and instructions addressed to prosecutors that may affect an investigation or the exercise of criminal proceedings.
3. Prosecutors and civil servants shall have a system of promotion and promotion that guarantees a career that allows them to promote technical excellence and the accumulation of experience in the functions they perform. They will cease in office when they turn seventy.

Article 367

1. There will be a regional prosecutor's office in each region of the country, notwithstanding to the fact that the law may establish more than one per region.
2. Those who serve as regional prosecutors must have served as deputy prosecutors for five or more years, not have served as a regional

2. prosecutor, have passed specialized training courses and possess the others qualities established by law.
3. They will last four years in office and, once their work is finished, they will be able to return to the function they exercised in the Public Prosecutor's Office. They may not be re-elected or run again for the post of regional prosecutor.

Article 368

1. The superior direction of the Public Prosecutor's Office resides in the national prosecutor, who will last six years in office, without re-election.
2. It shall be appointed in a joint session of the Congress of Deputies and the Chamber of the Regions, by the majority of its members in office from a shortlist proposed by the President of the Republic, who will have the technical assistance of the Council of the Senior Public Management, in accordance with the procedure determined by law.
3. You must have at least fifteen years of law or lawyer degree, have citizenship with the right to vote and have proven competencies for the position.
4. The person holding the post of national prosecutor shall be responsible for:
 - a). Chair the Public Prosecutor's Committee and direct its ordinary and extraordinary sessions.
 - b). Represent the institution before the other organs of the State.
 - c). Promote in the country the execution of the policy of criminal prosecution set by the Committee of the Public Prosecutor's Office.
 - d). Determine the professional management policy of the officials of the Public Prosecutor's Office.
 - e). Appoint regional prosecutors, based on a shortlist prepared by the respective regional assembly.
 - f). Appoint deputy prosecutors, based on a shortlist prepared by the Public Prosecutor's Committee .
 - g). The other powers established by the Constitution and the law.

Article 369

1. There shall be a Committee of the Public Prosecutor's Office, composed of the regional prosecutors and the national prosecutor, who shall preside over it.
2. The Committee shall establish the policy of criminal prosecution and the criteria for action for the fulfillment of its objectives, ensuring the transparency, objectivity, the interests of society and respect for human rights .
3. The following are the powers of the Public Prosecutor's Committee:
 - a). Advise the national prosecutor in the direction of the agency, ensuring the fulfillment of its objectives.
 - b). Evaluate and permanently qualify the performance of prosecutors and officials of the Public Ministry.
 - c). Exercise disciplinary power over officials of the Public Prosecutor's Office, in accordance with the law.
 - d). Appoint the national executive director.
 - e). Propose to the national prosecutor the shortlists for the appointment of deputy prosecutors.
 - f). The other powers established by the Constitution and the law.

Article 370

There will be deputy prosecutors of the Public Prosecutor's Office, who will exercise their function in the specific cases assigned to them, in accordance with the provisions of the Constitution and the laws.

Article 371

Whoever acts as a national prosecutor and those who serve as regional prosecutors must annually render a public account of their management. In the first case, the account will be rendered before the Congress of Deputies and the Chamber of the Regions, in joint session and, in the second, before the respective regional assembly.

Article 372

1. Whoever serves as national prosecutor and the regional prosecutors shall be removed by the Supreme Court, at the request of the President of the Republic, the Congress of Deputies, or ten of its members. members, due to incapacity, serious lack of probity or manifest negligence in the exercise of their functions. The Court shall hear the matter in a plenary session specially convened for that purpose. To agree to the removal, it must gather the concurring vote of the majority of its members in office.
2. The removal of regional prosecutors may also be requested by the person serving as a national prosecutor.

Public Defender's Office

Article 373

1. The Public Defender's Office is an autonomous body, with legal personality and its own assets, whose function is to provide criminal defense to those accused of acts that could be constituting a crime, simple crime or misdemeanours, which must be known by the courts with jurisdiction in criminal matters, from the first action of the investigation directed against him and until the full execution of the sentence that has been imposed, and that lack legal defense.
2. The Public Defender's Office may, in the cases in which it intervenes, appear before international human rights organizations .
3. The law shall determine the organization and powers of the Public Defender's Office, and its external independence must be guaranteed.

- International organizations

Article 374

1. The function of public criminal defense shall be exercised by public criminal defenders.
2. The legal defense services provided by the Public Criminal Defender's Office may not be tendered or delegated to private lawyers, notwithstanding to the exceptional contracting that may be carried out in the cases and form established by law.

Article 375

1. The superior direction of the Public Criminal Defender's Office will be exercised by the defender or the national defender, who will last six years in his position, without re- election.
2. It shall be appointed in a joint session of the Congress of Deputies and the Chamber of the Regions, by the majority of its members in office, from a shortlist proposed by the President or the President of the Republic, in accordance with the procedure and requirements determined by statute.

- Joint meetings of legislative chambers

National Data Protection Agency

Article 376

There will be an autonomous body called the National Data Protection Agency, which will ensure the promotion and protection of personal data, with powers to regulate, investigate, supervise and sanction public and private entities, which will have the powers, composition and functions determined by law.

- Establishment of constitutional court

Constitutional Court

- Constitutional interpretation

Article 377

The Constitutional Court is an autonomous, technical and professional body, charged with exercising constitutional justice to guarantee the supremacy of the Constitution, in accordance with the principles of deference to the legislative body, presumption of constitutionality of the law and search for an interpretation in accordance with the Constitution. Its decisions are based solely on grounds of law.

Article 378

- Constitutional court term length
- Constitutional court term limits
- Constitutional court selection
- Joint meetings of legislative chambers
- Eligibility for const court judges

1. The Constitutional Court will be made up of eleven members, one of whom will preside over it. He shall be elected by his peers and shall serve for two years.
2. The judges of the Constitutional Court last nine years in their positions, are not re-eligible and are renewed for partialities every three years in the manner established the law.
3. Their appointment is made on the basis of technical criteria and professional as follows:
 - a). Four members elected in joint session of the Congress of Deputies and the Chamber of the Regions, by the majority of its members in office.
 - b). Three members elected by the President of the Republic.
 - c). Four members elected by the Council of Justice from public tenders. If judges of the National Justice System have been appointed, they shall be suspended from their judicial positions of origin as long as their function in the Constitutional Court is extended.
- 4). Those who apply for the position of judge of the Constitutional Court must be lawyers with more than fifteen years of professional practice, with recognized and proven competence and professional or academic suitability and, preferably, of different specialties of law.
- 5). A statute shall determine the organization, operation, procedures and shall determine the staff, remuneration system and staff status of the Constitutional Court.

Article 379

- Constitutional court removal
- Eligibility for const court judges

Those who make up the Constitutional Court are independent of all other powers and enjoy irremovability. They cease in their positions for having completed their period, for supervening legal incapacity, for resignation, for sentence criminal conviction, for removal, for illness incompatible with the exercise of the function or for another cause established by law.

Article 380

1. The exercise of the office of judge of the Constitutional Court is of exclusive dedication.
2. Judges of the Constitutional Court may not be those who have served in positions of popular election, who have held the position of minister or minister of State or other positions of exclusive confidence of the Government, during the two years prior to their appointment. Likewise, those who make up the Constitutional Court will have the disabilities and incompatibilities contemplated for the judges of the National Justice System.
3. At the end of their term, and during the following eighteen months, they may not apply for any office of popular election or of exclusive confidence of any public authority.
4. The law will determine the other incompatibilities and inabilities for the performance of this position.

- Constitutional court powers
- Constitutionality of legislation

Article 381

The Constitutional Court shall have the following powers:

- a). Hear and resolve the inapplicability of a statutory law whose effects are contrary to the Constitution. The court hearing a pending proceeding, ex officio or at the request of a party, may raise a question of constitutionality with respect to a

- a). legal provision for the resolution of that matter. The judge's pronouncement in this matter will not disqualify him from continuing to hear the specific case. This request will not proceed if the matter is submitted to the Supreme Court. The Constitutional Court shall decide the question of inapplicability by a majority of its members.
 - b). Hear and decide on the unconstitutionality of a statutory law. If there are two or more declarations of inapplicability of a legal provision in accordance with letter a) of this article, there shall be public action to request the Court to declare unconstitutionality, notwithstanding to the power of the latter to declare it ex officio. This declaration of unconstitutionality shall be made with the concurring vote of three-fifths of the members in office of the Constitutional Court. Likewise, the Constitutional Court may declare the unconstitutionality of a legal precept, which had been previously declared inapplicable. in accordance with letter a) of this article, at the request of the President of the Republic, one third of those who make up the Congress of Deputies or the Chamber of the Regions, a governor or a regional governor, or at least half of the members of a regional assembly. This unconstitutionality will be declared by a quorum of four-fifths of its members in office.
 - c). Hear and decide on the unconstitutionality of one or more precepts of regional statutes, indigenous territorial autonomies and any other territorial entity. The question may be raised by the President or the President of the Republic or one third of those who make up the Chamber of the Regions.
 - d). Hear and resolve the claims in case the President of the Republic does not promulgate a statute when it must do so or promulgates a text different from the one that constitutionally corresponds. The same authority shall apply to the promulgation of regional legislation. These may be promoted by any of the organs of the Legislative Power or by a quarter of its members in office, within thirty days of the publication of the contested text or within sixty days following the date on which the President or the President of the Republic should have promulgated the law. If the Court accepts the claim, it will enact in its judgment the law that has not been or will rectify the incorrect promulgation.
 - e). Hear and decide on the constitutionality of a decree or resolution of the President or the President of the Republic that the Office of the Comptroller General of the Republic has represented for considering it unconstitutional, when required by whoever exercises the Presidency of the Republic.
 - f). Hear and decide on the constitutionality of the regulations and decrees of the President or the President of the Republic, issued in exercise of the regulatory power in those matters that are not of law. The Court may hear the matter at the request of the Congress of Deputies or the Chamber of the Regions, or one third of its members, within thirty days of publication or notification of the contested text.
 - g). Resolve conflicts of competence or powers that arise between organs of the State, between territorial entities, or between them with any other organ of the State, at the request of any of the aforementioned .
 - h). Resolve conflicts of jurisdiction that arise between political or administrative authorities and courts of law.
 - i). Resolve conflicts of competence between the Congress of Deputies and the Chamber of the Regions, or between them and the President of the Republic.
 - j). The others provided for in this Constitution.
2. In the case of conflicts of jurisdiction referred to in points (h) and (i) may be filed by any of the authorities or courts in dispute.
 3. Otherwise, the procedure, quorum and standing to exercise each power shall be determined by law.

- Constitutionality of legislation
- Constitutional interpretation

Article 382

1. Opinions of the Constitutional Court shall be adopted, in court or in plenary, by the majority of its members, notwithstanding to the exceptions established by the Constitution or the law.
2. The Constitutional Court may only accept the unconstitutionality or inapplicability of a precept when it is not possible to interpret it in order to avoid unconstitutional effects.
3. Once the inapplicability of a legal precept has been declared, it cannot be applied in the judicial management in which the question of constitutionality originated.
4. The judgment declaring the unconstitutionality of a precept will cause its invalidation, excluding it from the legal system from the day following the publication of the judgment in the Official Journal. It is binding, binding on any institution, person or group, and there is no appeal against it.

CHAPTER XI AMENDMENT AND REPLACEMENT OF THE CONSTITUTION

- Constitution amendment procedure

Constitutional amendment

Article 383

1. Bills to amend the Constitution may be initiated by presidential message, motion of deputies or regional representatives, by popular initiative or indigenous initiative.
2. For its approval, the amendment bill will need the concurring vote of the four sevenths of the members in office of the Congress of Deputies and the Chamber of the Regions.
3. Constitutional amendment bills initiated by citizens must be sponsored in the terms indicated in the Constitution.
4. Any draft constitutional reform must expressly indicate how a rule of the Constitution is added, modified, replaced or repealed.
5. In matters not provided for in this chapter, the provisions governing the procedure for the formation of the law shall be applicable to the processing of constitutional amendment bills, and the quorum indicated in this article must always be respected.

Article 384

1. The President of the Republic shall call a ratification referendum in the case of constitutional amendment bills approved by the Congress of Deputies and the Chamber of the Regions, which substantially alter the political regime and the presidential term; the design of the Congress of Deputies or the Chamber of the Regions and the duration of its members; the form of Regional State; the principles and fundamental rights; and the chapter on reform and replacement of the Constitution.
2. If the constitutional amendment bill is approved by two-thirds of deputies and regional representatives in office, it will not be submitted to a ratification referendum.
3. The referendum shall be held in the manner established by the Constitution and the law.
4. Once the constitutional amendment bill has been approved by the Congress of Deputies and the Chamber of the Regions, the Congress will send it to the President or the President who, within a period of thirty calendar days, must submit it to a ratification referendum.

5. The constitutional amendment approved by the Congress of Deputies and the Chamber of the Regions shall be deemed ratified if it reaches a majority of the votes validly cast in the referendum.
6. It is the duty of the State to give adequate publicity to the reform proposal that will be submitted to a referendum, in accordance with the Constitution and the law.

Article 385

1. A minimum equivalent to ten percent of the citizenship corresponding to the last electoral roll may present a proposal for constitutional reform to be voted by national referendum together with the next one election.
2. There will be a period of one hundred and eighty days from its registration so that the proposal is known by the citizens and can meet the required sponsorships.
3. The proposal for constitutional reform shall be deemed to have been approved if it reaches a majority in the respective vote.
4. It is the duty of the Legislative Power and of the organs of the State that correspond to give adequate publicity to the reform proposal or proposals that will be submitted to a referendum.

Procedure for enacting a new Constitution

Article 386

1. The total replacement of the Constitution can only be carried out through a Constituent Assembly convened by means of a referendum.
2. The constituent referendum may be called by popular initiative. A group of eligible persons must sponsor the convocation with at least twenty-five percent signatures corresponding to twenty-five percent of the electoral roll that has been established for the last election.
3. It will also be up to the President or the President of the Republic, by means of a decree, to call the referendum, which must have the approval, in joint session, of the Congress of Deputies and the Chamber of the Regions, by three-fifths of its members in practice.
4. Likewise, the convocation will correspond to the Congress of Deputies and the Chamber of the Regions, in joint session, by means of a statute approved by two-thirds of its members in office.
5. The call for the installation of the Constituent Assembly will be approved if in the referendum it is voted favorably by a majority of the votes validly cast.

• Joint meetings of legislative chambers

Article 387

1. The sole function of the Constituent Assembly shall be to draft a proposal for a new Constitution. It will be integrated equally and with territorial equity, with participation on equal terms between independents and members of political parties and with seats reserved for indigenous peoples and nations.
2. A statute shall regulate their integration; the election system; its duration, which shall not be less than eighteen months; its minimum organization; the mechanisms of popular participation and indigenous consultation of the process, and other general aspects that allow its installation and regular operation.
3. Once the proposal for a new Constitution has been drafted and delivered to the competent authority, the Constituent Assembly shall be dissolved as of right.

Article 388

1. Once the proposal for a new Constitution has been submitted, a referendum must be called for its approval or rejection. For the proposal to be approved, it must obtain the favorable vote of more than half of the votes validly cast.
2. If the proposal for a new Constitution is approved in the plebiscite, it will be promulgated and published.

- Transitional provisions

TRANSITORY PROVISIONS

First

This Constitution shall enter into force from the date of its publication in the Official Gazette within ten days of its promulgation. As of this date, the Political Constitution of the Republic of 1980, promulgated by Decree-Law No. 3,464 of 1980, the consolidated, coordinated and systematized text of which is established in Supreme Decree No. 100 of 17 September 2005, its constitutional amendments, will be repealed. subsequent and their interpretative laws, notwithstanding to the rules contained in these transitional provisions.

Second

All current regulations shall remain in force as long as they are not repealed, modified or replaced, or as long as they are not declared contrary to the Constitution by the Constitutional Court in accordance with the procedure established in this Constitution. As soon as the Constitution is published, the heads of service of the organs of the State must adapt their internal regulations in accordance with the principle of constitutional supremacy. Within four years of the entry into force of this Constitution, the initiative to repeal the law contained in article 158 shall also proceed with respect to laws enacted prior to it.

Third

1. The President of the Republic shall initiate the legislative process to bring electoral legislation into line with this Constitution within one year of its entry into force.
2. If, one year before the date of elections for collegiate bodies provided for in this Constitution, electoral legislation has not been adapted for territorial determination, as well as for the equal integration of gender and seats reserved for indigenous peoples and nations; the elections shall be governed, for the only time, by the following rules:
 - a). The Congress of Deputies will be composed of 155 representatives, plus representatives of seats reserved for indigenous peoples and nations. For the definition of electoral districts, the provisions of articles 187 and 188 of Law No. 18,700 will be followed, whose consolidated, coordinated and systematized text was established by Decree with the force of law No. 2, of 2017, of the Ministry General Secretariat of the Presidency.
 - b). The regional assemblies shall be integrated in accordance with the provisions of articles 29 and 29 bis of Law No. 19,175, the consolidated, coordinated text of which This Constitution shall enter into force from the date of its publication in the Official Gazette within ten days of its promulgation. As of this date, the Political Constitution of the Republic of 1980, promulgated by Decree-Law No. 3,464 of 1980, the consolidated, coordinated and systematized text of which is established in Supreme Decree No. 100 of 17 September 2005, its constitutional amendments, will be repealed. subsequent and their interpretative laws, notwithstanding to the rules contained in these transitional provisions. 143 and systematized was established by decree with the force of law No. 1-19.175 of 2005 of the Ministry of the Interior. In the case of communal councils, the provisions of article 72 of Law No. 18,695 shall apply, the consolidated, coordinated and systematized text of which was established by Decree no . 1 of 2006 of the Ministry of the Interior.

2.
 - c). The Chamber of the Regions shall be composed of 3 representatives per region, who shall be elected in accordance with the constituencies established in article 190 of Law No. 18,700, the consolidated, coordinated and systematized text of which was established by decree with the force of law No. 2, of 2017, of the Ministry General Secretariat of the Presidency.
 - d). To ensure gender balance, the provisions of the thirtieth transitional provision of the previous Constitution shall apply to the declaration of candidacies for the elections of the organs of popular representation, in accordance with the provisions of article 161. Likewise, in order to guarantee the equal integration of gender in the elections of each district, region and commune, the provisions of number 4 of the thirty-first transitional provision of the Previous constitution, following the mandate contained in article 6 paragraph 2. Only in the case of the Chamber of the Regions, this regulation will be applied when its national composition does not comply with the parity integration, in which case the gender correction will be applied starting with the region in which it has been assigned. one seat to the least voted percentage candidate from the least voted list.
 - e). For the fulfillment of the integration of reserved seats of indigenous peoples and nations in these bodies, the rules established in the forty-third and following transitional provisions of the previous Constitution shall be applied, as appropriate and necessary. The Electoral Service will determine the origin and, where appropriate, the number of reserved seats that correspond to each body. In case of the integration of reserved seats, these will be considered above the number of representatives previously established with criteria of proportionality, parity and representativeness.
3. The President of the Republic, within a period of one year from the entry into force of this Constitution, shall initiate the legislative process to regulate the creation and updating of the Indigenous Electoral Registry to referred to in Article 162 of this Constitution. The Electoral Service shall ensure the dissemination and logistical means necessary to facilitate the registration of indigenous voters.

Fourth

1. The present authorities in exercise of the autonomous organs of the Constitution or special courts shall continue in their functions by the 144 period that corresponds to them in accordance with the rules in force at the time of their appointment, unless otherwise provided for in the transitional provisions of this Constitution.
2. Until March 11, 2026, appointments related to the bodies created by this Constitution will be made in accordance with the requirements and procedures established in this Constitution by the Plenary Congress when it refers to the joint session of the Legislative Power. In other cases, the requirements and procedures provided for in the previous Constitution shall remain in force.

Fifth

1. The rules of disabilities, incompatibilities and limits to re-election provided for in this Constitution shall govern for the authorities elected in the first electoral process held since the entry into force of this Constitution. Exceptionally, the authorities elected by popular vote that are in office will be subject to the re-election rules in force prior to the new Constitution. For these purposes, for the candidates for deputy, regional assemblyman, regional governor, mayor and councilor, the periods they have served as deputy or deputy, regional councilor, regional governor or governor, mayor or councilor or mayor and

1. councillor, respectively. These authorities, until the end of their current period, shall not be subject to any supervening incapacities or incompatibilities.
2. The President of the Republic elected for the period 2022-2026 may not stand for re-election for the following period and shall continue in office with the constitutional powers for which he or she was elected.

Sixth

1. The rule of gender parity referred to in Article 6 shall be applicable to the collegiate bodies of popular election from the national, regional and local electoral process that is carried out immediately after the entry into force of this Constitution, as appropriate. To this end, the Legislative Power must dictate or adapt the electoral law, considering the provisions of article 161.
2. For collegiate bodies that are not renewed through electoral processes, as well as for the boards of directors of public and semi-public companies, the parity rule must be implemented in order to progressively from the new appointments and appointments that correspond, in accordance with the law.
3. This form of implementation will not include the higher collegiate or managerial bodies of the Administration whose conformation is determined by a statute by reason of the position of the persons who compose them. The law shall establish the mechanisms that allow such superior collegiate or managerial bodies of the Administration to achieve parity in their composition.
4. The integration of the new collegiate bodies and autonomous bodies must comply with the parity rule from their installation.
5. It shall be the responsibility of the Office of the Comptroller General of the Republic to ensure compliance with gender parity in the governing and superior organs of the State Administration.

Seventh

Until March 11, 2026, the approval of the constitutional reform projects will require the favorable vote of four sevenths of the members of the Chamber of Deputies and the Senate. Constitutional amendment bills approved by the National Congress that substantially alter the matters indicated in article 384, paragraph 1, of this Constitution or the chapters on Nature and Environment and Transitional Provisions must be submitted to the ratification referendum on constitutional reform established in article 384. If the reform bill is approved by two-thirds of the members of both Houses, it will not be submitted to such a referendum.

Eighth

1. The legislative procedure regulated in this Constitution will enter into regime on March 11, 2026. Until then, the legislative process will be governed by the legislative procedure in force prior to the publication of this Constitution, except as provided in articles 270 paragraph 1 and 271, and the initiative popular and indigenous referred to in article 269, paragraph 1, which shall enter into force together with this Constitution. For the purposes of calculating the quorum, it will be understood that the reference to the Congress of Deputies and the Chamber of the Regions is to the Chamber of Deputies and the Senate, respectively.
2. The processing of bills that deal with the matters of regional agreement indicated in article 268 of this Constitution and that have not been dispatched by March 11, 2026 will continue in accordance with the new rules. With respect to the remaining bills that are being processed in the Senate, it will be presumed that the Chamber of the Regions has requested their revision in accordance with the provisions of Article 273.

Ninth

The assets, rights and obligations of the Chamber of Deputies will be transferred to the Congress of Deputies, without a solution of continuity. 145 146 and Deputies. The same shall apply to the assets, rights and obligations of the Senate, which shall be transferred to the Chamber of the Regions.

Tenth

The competent bodies must make within one year the necessary modifications to enable the exercise of the right to vote for Chileans abroad in the terms established in this Constitution.

Eleventh

1. As long as the respective laws on the Armed Forces regulating the procedure for the appointment and duration of their institutional authorities are not issued or modified , the commanders-in-chief of the Army, Navy and Air Force shall be appointed by the President of the Republic from among the five most senior general officers, considering the other requirements laid down in the relevant institutional statutes. They will last four years in their functions, they may not be appointed for a new term and they may be removed by the President of the Republic in the terms established by this Constitution.
2. As long as the laws that adapt the functions of the Armed Forces are not issued, the legal precepts that establish the State powers of maritime control and air navigation will remain in force.

Twelfth

1. As long as the respective law of the Carabineros de Chile that regulates the procedure for the appointment and duration of the general director of the Carabineros is not issued or modified, he will be appointed by the President of the Republic from among the five most senior general officers, considering the other requirements established in the corresponding institutional statute. He shall remain in office for four years, may not be appointed for a new term and may be removed by the President of the Republic under the terms established by this Constitution.
2. As long as the laws that adapt the functions of the police are not enacted , the legal precepts that establish the State powers of maritime control and air navigation will remain in force.

Thirteenth

1. The presidential term that began in March 2022 will end on March 11 , 2026, the day on which the next presidential term will begin. This election will be held in November 2025, as contemplated in article 281 of this Constitution.
2. The ordinary legislature beginning on March 11, 2022 will end on March 11 , 2026. The current members of the Senate will end their terms on March 11, 2026 and may run for election to the Congress of Deputies and the Chamber of the Regions to be held in November 2025, where the deputies and regional representatives who will exercise their functions from March 11, 2026 will be elected. If they are elected in the elections held in 2025 to serve as regional representatives in the Chamber of Regions, this legislature will be considered as its first period in office. The regional representatives that make up the Chamber of Regions will be elected, for this one time, to exercise their positions for a term of three years.

3. Regional governors who began their term in 2021 and regional councillors who began their term in 2022 will end their terms on 6 January 2025. The election of regional governors and regional assemblymen will be held in October 2024 and their terms will begin on January 6, 2025.
4. The term of mayors and councillors starting in 2021 will end on December 6, 2024, the day on which the term of office of elected mayors and councillors will begin in October 2024.

Fourteenth

As long as the legislator does not determine the urgency with which the popular initiatives of law contained in article 157 of this Constitution will be processed, the urgency will be applied, simple indicated in article 27 of Law No. 18,918. Likewise, the Electoral Service, within a maximum period of three months, will dictate the instructions and guidelines necessary for the implementation of this mechanism of popular participation and the initiative to repeal the law contemplated in the article 158.

Fifteenth

The legislator and the organs of the State Administration must adapt the content of the regulations relating to the organization, operation and integration of the organs of the regional State and its territorial entities, transfers of powers and the general minimums for communal statutes in no less than six months before the election of their authorities. The regional social council and the communal social assembly will be installed and will become operational once their respective laws of organization, functioning and powers are issued.

Sixteenth

1. The autonomous region and the autonomous commune will be the continuation and legal successor of the regional government and the municipality, respectively, passing their officials to perform in those without a solution of continuity, for the purposes of their statutory norms, rights and obligations. Likewise, the assets and the rights or obligations that the regional government or the municipality owns or any other title will pass to the autonomous region or the autonomous commune, as appropriate, under the same legal regime.
2. In the autonomous regions, the regional governors, from their investiture, will be functional continuators of the governors of the respective region, in relation to the powers that the current legislation attributes to them, all notwithstanding to subsequent legislative amendments. The mayors and municipal councils of the autonomous communes will be functional continuators in what is compatible, from their investiture, of the mayors and councils in relation to the functions and powers that the law entrusts to them, all notwithstanding to subsequent legislative modifications.
3. Notwithstanding to the foregoing, the current regional or communal authorities will be responsible for decisions that may seriously compromise the heritage of the autonomous regions or communes in the future.

Seventeenth

Within two years of the entry into force of this Constitution, the President of the Republic, after a process of indigenous participation and consultation, shall send to the Legislative Branch the bill that regulate the procedures of creation, forms of territorial delimitation, statutes of operation, powers, resolution of disputes between territorial entities and other matters related to indigenous territorial autonomies. Once the project has been entered, the Legislative Power will have a maximum period of three years for its processing and dispatch.

Eighteenth

Within one year of the entry into force of the Constitution, the State shall initiate a process of consultation and indigenous participation with the Rapanui people to determine the procedure, integration and term for the creation of the Rapa Nui Territorial Assembly, which shall be constituted in order to elaborate the statute that will regulate the exercise of the autonomy of the territory. The statute must also regulate the coordination mechanisms with the State and the rest of the territorial entities and the way of implementing the special laws that govern Rapa Nui. The statute and its elaboration process are limited by what is indicated in this Constitution. 149

Nineteenth

Within a period of two years from the entry into force of the Constitution, the legal bodies for the creation of the Statute of Administration and Government of the special territory of Juan Fernández must be issued.

Twentieth

1. Within one year of the entry into force of this Constitution, two binding and independent consultations shall be convened, one in the communes belonging to the province of Chiloé and the other in the communes belonging to the provinces of San Felipe, Los Andes and Petorca, in order to ratify by the citizens the creation of the Autonomous Region of Chiloé and the Autonomous Region of Aconcagua.
2. The ballot will contain the question: "Do you approve of the creation of the Autonomous Region of Chiloé?" and "Do you approve the creation of the Autonomous Region of Aconcagua?" Each with two options: "I approve" or "Reject".
3. The consultations will be organized by the competent electoral body and their qualification will be carried out by the electoral tribunal.
4. If the question raised in each of these consultations is approved by a majority of the votes validly cast, the Legislative Power shall issue, within two years, a statute for the implementation of the Autonomous Regions of Aconcagua and Chiloé, after consideration of the criteria established in paragraph 3 of article 187, on the creation of territorial entities.

Twenty-first

Within three months of the entry into force of this Constitution, the President of the Republic shall convene all regional governors to the first session of the Council of Governors, in order to organize and progressively develop the powers that this Constitution confers on it.

Twenty-second

1. The legal provisions that establish taxes of affectation for the benefit of the territorial entities will remain in force as long as they are not modified or repealed.
2. Notwithstanding the foregoing, within two years of the entry into force of this Constitution, the National Congress shall process bills that establish taxes of territorial affectation.

Twenty-third

1. Within a period not exceeding two years from the entry into force of this Constitution, the Legislative Power shall progressively approve the legal norms that regulate the different aspects of financial autonomy and fiscal decentralization of entities. Territorial.
2. Financial autonomy will be implemented gradually once the new regional and communal authorities take over, notwithstanding to the measures of budgetary decentralization and transfer of powers that are carried out in accordance with the regulations applicable to the current regional governments and municipalities.
3. Within six months of the entry into force of this Constitution, the President of the Republic shall submit the bill referred to in article 248, paragraph 2, of this Constitution. This body will suggest the formula for the distribution of tax revenues between the State and the territorial entities from the discussion of the Budget Law of the year 2025.

Twenty-fourth

1. Officials of the services or organs of the State whose name, organization, functions or powers are modified by this Constitution, or those of those who are modified or transformed, shall continue to carry out their duties, without solution of continuity, in the new public services or bodies established by this Constitution, as appropriate. The personnel of such services or bodies shall maintain the same rights and obligations recognized by law and its statutes at the effective date of this Constitution.
2. The provisions of the preceding paragraph shall not apply in any case to authorities elected by popular vote.

Twenty-fifth

Associations of civil servants governed by statute No. 19,296 and trade unions of workers providing services to the State under the Labour Code of state services or bodies whose name, organization, functions or powers are modified by it Constitution, or those of those that are modified or transformed, will remain in force, without solution of continuity, in the new services or public bodies established by this Constitution, as appropriate.

Twenty-sixth

Within four years of the entry into force of this Constitution, the President of the Republic shall submit a draft 151 of the framework law on territorial planning in accordance with the provisions of article 197. The Legislative Branch must process the project within two years of its presentation.

Twenty-seventh

1. The President of the Republic shall submit bills aimed at the creation, adaptation and implementation of the following systems: Social Security System and Care System, within twelve months; National Health System, within eighteen months; and National Education System, Public Education System and Integrated System of Public Lands, in twenty-four months. The aforementioned periods shall be counted from the entry into force of this Constitution.
2. The Legislative Power must complete the processing of these projects within a period not exceeding twenty-four months from the date of their presentation.

Twenty-eighth

1. Within one year of the entry into force of this Constitution, the President of the Republic shall convene an Indigenous Territorial Commission, which shall determine cadastres, elaborate plans, policies, programs and present proposals for agreements between the State and the peoples and nations. indigenous people for the regularization, titling, demarcation, reparation and restitution of indigenous lands. Its progress will be sent periodically to the competent bodies for its progressive implementation, obliging them to report semiannually on their progress in the matter.
2. The Commission shall be composed of representatives of all indigenous peoples and nations, determined by their representative organizations, through a process of indigenous participation convened in accordance with article 7 of Convention 169 of the International Labour Organization. This commission shall also be composed of representatives of the State and persons of recognized suitability, who shall be appointed by the President of the Republic. The State must guarantee its due financing, infrastructure, access to the necessary information, technical and administrative assistance and, in addition, may convene international organizations to serve as observers guaranteeing the process. The Commission shall operate for four years, extendable for a further two years.

Twenty-ninth

Within a period of eighteen months, the President of the Republic shall submit a bill amending Law No. 21,430 on Guarantees and Comprehensive Protection of the Rights of the Child and Adolescence to incorporate in this the mechanisms for the prevention, prohibition and punishment of violence against children and the corresponding adaptations in accordance with the provisions of this Constitution.

Thirtieth

1. Within eighteen months of the entry into force of this Constitution, the President of the Republic shall submit a bill adapting labour legislation in accordance with the provisions of article 47 of the chapter on Fundamental Rights and Guarantees.
2. Within twenty-four months of the entry into force of this Constitution, the President of the Republic shall submit a bill adapting the labour legislation, in accordance with the provisions of articles 46 and 48 of the chapter on Fundamental Rights and Guarantees.

Thirty-first

1. The law that creates the National Education System must contemplate the regulation of the basal financing of the institutions that are part of the Public Education System and the financing of those institutions that meet the requirements established by law and are part of the System. National Education, according to the provisions of article 36 of the chapter on Fundamental Rights and Guarantees. Likewise, it must regulate the progressive financing of free higher education, in accordance with the provisions of article 37 of the chapter on Fundamental Rights and Guarantees.
2. The law creating the National Education System shall guarantee the participation of educational communities in the process of adapting the educational system, in accordance with the provisions of articles 42 and 43 of the chapter on Fundamental Rights and Guarantees.

Thirty-second

1. Within twenty-four months of the entry into force of this Constitution, the President of the Republic shall submit a comprehensive bill on decent housing and the city, which adapts the housing regulations in force and regulates the aspects contemplated in articles 51 and 52. The legislator will have a period of two years from the entry of the bill to dispatch said norm for its promulgation.
2. The executive, through the Ministry of Housing and Urbanism, in coordination with other ministries and the corresponding decentralized agencies, shall, within a period of eighteen months, design and initiate the implementation of a comprehensive emergency plan for the implementation of shelters for victims of gender violence and other forms of violation of rights and the establishment of informal settlements.
3. As long as the legislator does not regulate the Integrated System of Public Land referred to in Article 51, any public body that is going to dispose of or acquire public or fiscal real estate or promise the celebration of one of these contracts must inform the Ministry of Housing and Urban Planning of the respective operation and its conditions at least forty-five days before their conclusion in order to exercise the powers allowed by statute No. 21,450 regarding the execution of a housing or urban project. aimed at addressing the housing deficit .

Thirty-third

Within a maximum period of three years from the entry into force of this Constitution, the President of the Republic shall implement the Policy for the Restoration of Soils and Native Forest. This policy shall be implemented through an extended process of participation and deliberation at regional and local level and shall contain the relevant regulatory adjustments and other necessary instruments in accordance with the provisions of the Article. 136 of this Constitution.

Thirty-fourth

1. Within twelve months, the President of the Republic must send a bill for the creation of the National Water Agency and the regulatory adaptation of water use authorizations. It must also regulate the creation, composition and functioning of the basin councils and the adequacy of statutes and participation of water user organizations in that instance.
2. Until this law enters into force, the functions of the National Water Agency will be assumed, with regard to its powers, by the General Directorate of Water of the Ministry of Public Works, which will act in coordination with the competent public bodies and with the support of the regional governments.
3. In the event that this law is not issued within two years, the Legislative Branch will process the bill according to the rules of immediate discussion in force upon compliance with said period.

Thirty-fifth

1. With the entry into force of this Constitution all water use rights previously granted shall be considered, for all legal purposes, authorizations for the use of water as established in this Constitution. As long as the legislation ordered in the previous transitional provision is not issued, the rules prescribed by the Water Code regarding the constitution and extinction of authorizations in accordance with this Constitution will be applied, notwithstanding to the review processes 154 and adjustment of the flows to be redistributed in each basin. In no case may the rules relating to the constitution of these authorizations by auction be applied.

2. The rights of use granted, regularized, recognized or constituted by act of competent authority before April 6, 2022 will be subject to the provisions of the transitional provisions of Law No. 21,435, which reforms the Water Code. The provisions of the first and fourth paragraphs of the second transitory article of said legal body shall not apply to the rights of use constituted by an act of authority, recognized, acquired or granted to persons, associations and indigenous communities, in accordance with articles 2, 9 and 36 of Law No. 19,253, which shall be automatically registered as authorization for traditional use in the respective registry. As long as the relevant regulations are not issued, or within a maximum period of three years from the entry into force of this Constitution, the following shall apply: rules:
 - a). Only with the prior authorization of the General Directorate of Water , or its legal successor, may changes of ownership be authorized in the administrative authorizations of water use or legal acts that imply that a a person other than the holder exercises them, provided that they are based on the satisfaction of the human right to water and sanitation or the effective availability of water in accordance with the provisions of articles 57 and 142 of this Constitution. This administrative act must be founded and must be registered in the Public Water Cadastre referred to in article 112 of the Water Code.
 - b). The taxes constituted in accordance with article 113 of the Water Code before the date of publication of this Constitution will remain in force in the terms established by their registration, until the regulation of this matter in the law ordered in the previous transitory provision.
 - c). Authorizations for the use of waters granted, constituted, regularized or recognized before the entry into force of this Constitution shall be subject to the rules of common law for the purposes of their transmissibility due to death, until the regulation of this matter in the law ordered in the previous transitional provision.
- 3). In order to ensure the continuity of the service and the fulfillment of the human right to water and sanitation established in article 57, and as long as the law indicated in the previous transitional provision is not issued, the legal acts that aim to have water to supply urban sectors, rural settlements, shall remain in force , cooperatives and rural drinking water committees, intended exclusively for human consumption or sanitation, signed with holders of water authorizations or with organizations of water users, notwithstanding to the review and authorization of the General Directorate of Water. Water-related materials, drinking and sanitation will be regulated in the law ordered in the previous transitional provision. Once the deadlines contemplated in the second transitory article of Law No. 21,435 have expired, the water records of real estate conservators will be transferred to the National Water Agency or the General Directorate of Waters in case it is not yet implemented.

Thirty-sixth

1. The General Directorate of Water or the National Water Agency, as appropriate, gradually, progressively and with a sense of urgency, will carry out the process of redistribution of the flows of the basins with the respective support of regional governments, to guarantee the priority uses recognized in the Constitution.
2. This process includes the preparation of diagnostic and evaluation reports at the regional level, which will be developed in stages and prioritizing those basins in water crisis and with over-granting of water use rights. Within six months, the first regional process will be initiated. This redistribution will not apply to small farmers; indigenous communities, associations and individuals, community managers of rural drinking water and other authorized small farmers.

Thirty-seventh

Within one year of the entry into force of the Constitution, the President of the Republic shall convene the constitution of an ecological transition commission. It will depend on the Ministry of the Environment and will be responsible for designing proposals for legislation, regulatory adaptation and public policies aimed at the implementation of the constitutional norms of the nature section . and environment. This commission will be composed of academics, civil society organizations, representatives of indigenous peoples and relevant public bodies.

Thirty-eighth

The National Copper Corporation of Chile will continue to exercise the rights acquired by the State over copper mining by virtue of the nationalization prescribed in the seventeenth transitional provision of the Political Constitution of 1925, and ratified in the transitional provision third of the 1980 Constitution, and will continue to be governed by the aforementioned transitional constitutional regulations and their complementary legislation.

Thirty-ninth

Forced arbitrations that at the time of the entry into force of this Constitution are located in arbitral tribunals will continue their processing until their conclusion.

Forty

1. The cessation of functions at seventy years of age shall not be applicable to judges who, on the date of entry into force of this Constitution, are part of the primary echelon of the Judicial Power regulated in the Organic Code of Courts, who shall cease in their functions upon completion of the seventy-five years of age. For those who serve as judges of the Supreme Court, the term of article 328, paragraph 3, shall be computed from the entry into force of this Constitution.
2. The procedure for the appointment of member lawyers regulated in article 219 of the Organic Code of Courts, as well as their incorporation into the courts of appeals and the Supreme Court established in articles 215 and 217 of the same body It will remain in force until the new regulations are established, which must be issued within a maximum period of five years from the entry into force of this Constitution.

Forty-first

The rule established in article 374 , paragraph 2 , shall enter into force when the law is enacted to allow the expansion of the staff of the Criminal Defender's Office. Public, a process that must be concluded within five years of the entry into force of this Constitution. At the end of this period, no new tenders may be made, notwithstanding to the exceptions established by statute. The law may establish different dates for the start of the exclusive public benefit, being able to determine the gradual application of it in different regions of the country.

Forty-second

Until the law regulating the procedure for actions for the protection of rights contemplated in articles 119 and 120 is promulgated, the orders agreed upon by the Supreme Court on processing and ruling will remain in force. of the relevant constitutional actions. The competent court to hear such actions shall be the respective court of appeals and its decisions shall be appealable to the Supreme Court.

Forty-third

1. Within a period of six months, the President of the Republic shall submit the bill referred to in the transitional provision. 157 forty-second and must make present the respective urgency for its dispatch and promulgation.
2. If, within a period of six years from the entry into force of this Constitution, the respective procedural law is not enacted, the courts established by this Constitution shall be competent to hear the actions for protection, in accordance with the law of protection. to the procedures referred to in the forty-second transitional provision. Guardianship actions that are already filed in the courts of appeals or the Supreme Court once the aforementioned period has expired will continue their processing in accordance with the rule of the forty-second transitional provision.

Forty-fourth

1. Within three years of the entry into force of this Constitution, the President of the Republic shall submit the bill or bills necessary to establish the administrative courts referred to in article 332, merging the tax and customs courts, the Court of Accounts, the Court of Public Procurement and the Industrial Property Court in the new administrative courts for their integration into the National Justice System. If the bill is not dispatched within four years of the entry into force of this Constitution, the courts indicated shall be integrated directly into the National Justice System.
2. This law must establish the administrative process that establishes the bases of its jurisdictional order and determines a procedure of general application and the corresponding special procedures. Until this law is enacted, the courts identified in this article shall continue to hear the cases that correspond to them in accordance with their jurisdiction and procedures.
3. The law should progressively create the new environmental courts provided for in the Constitution, and as long as this does not happen, the environmental courts will maintain their territorial jurisdiction and will continue to hear in accordance with the procedural rules in force.

Forty-fifth

1. The Constitutional Court will not be able to hear new cases. All requests for inapplicability already filed in the Constitutional Court must be known, processed and ruled by this body within six months of the entry into force of this Constitution. In the exercise of these powers, the Constitutional Court shall rule in accordance with the rules established in the previous Constitution and in Law No. 17,997 on the Constitutional Court, the consolidated, coordinated and systematized text of which was established by the decree with force of 158 Law No. 5 of 2010 on the Ministry of the General Secretariat of the Presidency. At the end of the period indicated or after the processing of such cases, the Constitutional Court shall cease to hold office and shall be dissolved as of right. At that time, the assets, rights and obligations of the Constitutional Court will be transferred to the Constitutional Court, without a solution of continuity.
2. Actions of inapplicability that at the date of entry into force of this Constitution are filed in the Constitutional Court may be withdrawn by those who have promoted them until before the hearing of the case and will be considered as not Presented. Questions of inapplicability due to unconstitutionality of article 381 letter a) that are promoted between the entry into force of this Constitution and the beginning of functions of the Constitutional Court shall not be referred to the Constitutional Court until its installation. Exceptionally, those inapplicabilities relating to criminal cases in which the personal freedom of the appellant is at risk will be known by five judges of the Supreme Court, chosen by lot by the same Court for each request raised.

3. The Constitutional Court shall be installed within six months of the entry into force of this Constitution. The bill regulating the Constitutional Court and its procedures shall be forwarded by the President of the Republic to the Legislative Branch within sixty days. following from the entry into force of this Constitution and will have priority in the implementation of the new institutionality. As long as it is not promulgated, its organization and operation shall be subject to the provisions of this Constitution and in a supplementary manner by Law No. 17,997..., Constitutional Organization of the Court Constitutional.
4. The judges of the Constitutional Court shall be provided in accordance with the rules established in article 378 of this Constitution. Dismissed ministers who have served less than half of their term may be appointed to the Constitutional Court. The appointments that correspond to the Legislative Power will be made by the Plenary Congress and those that correspond to the Council of Justice will be appointed by the Supreme Court, after public competitions. To comply with the appointments staggered over time as established in article 378, paragraph 2, a draw shall be made only once, for each body empowered to appoint judges, at the time of make your appointment in the following terms:
 - a). Of the four appointments to be made by the National Congress, one will last three years, two will last six years and one will last nine years.
 - b). Of the three appointments that correspond to the President of the Republic, one will last three years, a second will last six years and a third will last nine years.
 - c). Of the four appointments to be appointed by the Council of Justice or the Supreme Court, as appropriate, two shall last three years, a third shall last six years and a fourth shall last nine years.

Forty-sixth

1. As long as the law that contemplates the general procedure indicated in the article on administrative litigation is not issued, and provided that there is no special procedure, the nullity of an administrative act, as well as the declaration of illegality of an omission, may be claimed jurisdictionally before the judge of letters in civil matters of the domicile of the claimed authority.
2. The term of this claim will be ninety calendar days, counted from the moment the contested act is known.
3. The court may, at the request of a party, order the provisional suspension of the effects of the contested act in order to ensure the effectiveness of the decision which may be taken, if any. sufficient elements of judgment for this.

Forty-seventh

The constitutional norms relating to the new constitutional bodies shall enter into force, in each case, with the enactment of their laws on organization, functioning and competence.

Forty-eighth

1. The President of the Republic, within a period of five years following the entry into force of this Constitution, shall submit the draft law regulating the organization, operation and procedures of the neighbourhood justice system, as well as the determination of the plant, the remuneration system and the status of its staff.
2. This law will provide for the way in which the local police courts will transit for the formation of the neighborhood justice, being able to establish different dates for the entry into force of its provisions, as well as determine its gradual application

2. in the various subjects and regions of the country. The same law shall provide for the terms in which judges , secretaries , lawyers and officials of the local police courts may serve in the agencies that make up the neighborhood justice. 160

Forty-ninth

The President of the Republic shall submit, within one year of the entry into force of this Constitution, a bill relating to the Council of Justice in accordance with the provisions of article 345. Until this law is enacted, the system of appointments, as well as the government and administration of the courts of justice under the terms of article 343, shall be shall be governed by the rules in force at the time of the entry into force of this Constitution. The constitution of the Council of Justice will have priority in the implementation of the new institutionality.

Fiftieth

Until the law is issued that incorporates the new powers of the national prosecutor and creates the Committee of the Public Prosecutor's Office with its new powers, the national prosecutor and the General Council of the Public Prosecutor's Office continue to exercise the powers and powers in force upon the entry into force of this Constitution.

Fifty-first

Since the entry into force of this Constitution and as long as the legal provisions that comply with the constitutional norms relating to the regional comptrollers are not issued, the Law on the Organization and Powers of the Office of the Comptroller General of the Republic, the consolidated text of which was established by Decree No. 2421 of 1964 of the Ministry of Finance, and the rules on organization and powers of the regional comptrollers established in the relevant resolutions of the Comptroller General of the Republic. During this period, the Comptroller General may modify these resolutions, guaranteeing the existence of at least one regional comptroller's office in each region of the country.

Fifty-second

If compliance with a judgment handed down against the State of Chile by international human rights tribunals recognized by it contravenes a final judicial judgment, the Supreme Court may extraordinarily review that judgment in accordance with the procedure established in articles 473 et seq. of the Code of Criminal Procedure, within one year of notification of the international judgment and having as a ground for review the aforementioned contravention. All this, until a statute regulates a different procedure of general compliance with the aforementioned sentences .

Fifty-third

Within two years of the entry into force of this Constitution, the President of the Republic shall submit a bill regulating the organization, financing and powers of the Office of the Ombudsman and the Office of the Ombudsman of the Nature. From its entry, the Legislative Power will have a period of eighteen months for processing and dispatch to promulgation. For all purposes, it shall be understood that the Ombudsman's Office created by this Constitution is the legal successor and successor in all the assets, rights and obligations of the National Institute of Human Rights.

Fifty-fourth

By virtue of the provisions of article 24 of this Constitution and as long as criminal legislation is not in conformity with it, article 103 of the Criminal Code shall not be

applicable to acts which, in accordance with the international treaties and instruments ratified by Chile, constitute of serious human rights violations.

Fifty-fifth

The organs that prior to the issuance of this Constitution had legal status and that by virtue of this have been elevated to constitutional rank will carry out their transition in accordance with the provisions of their own regulations, the law and this Constitution.

Fifty-sixth

1. Persons shall be exempt from criminal liability for the offence set forth in article 62 of Decree-Law No. 211, the consolidated, coordinated and systematized text of which was established by Decree no. 1 of 2004 of the Ministry of Economy, Development and Reconstruction. referred to in the first paragraph of Article 63 of the same body of law, without the need for a declaration by the Court for the Defence of Free Competition referred to in the first paragraph of that article, while the legislator does not regulate the manner and conditions of obtaining the benefits of articles 39 bis and 63, first paragraph, of the aforementioned decree law, in accordance with the provisions of article 365, paragraph 3 of the Constitution.
2. Likewise, the penalty determined shall be reduced by one degree, in accordance with the provisions of the third paragraph of article 62 of Decree-Law No. 211, the consolidated, coordinated and systematized text of which is consolidated, coordinated and systematized. was established by Decree with the force of law No. 1 of 2004 of the Ministry of Economy, Development and Reconstruction to the persons referred to in the fourth paragraph of article 63 of the same body. legal, without the need for the declaration of the Court for the Defense of FreeCompetition referred to in that paragraph, as long as the legislator does not regulate the 161 the manner and conditions for obtaining the benefits of articles 39 bis and 63, fourth paragraph, of the aforementioned decree-law, in accordance with the provisions of article 365, paragraph 3, of the Constitution.

Fifty-seventh

Within a period of three years from the entry into force of this Constitution, the President of the Republic shall enter into a comprehensive law on assets that addresses the institutionality and regulation of the cultural, natural and indigenous heritage, in compliance with articles 24 paragraph 5, 93, 101, 102 and 202 letter h) and i).

Topic index

A

Access to higher education	17, 18
Approval or veto of general legislation	74
Attorney general	97

B

Binding effect of const rights	11
Budget bills	72, 75, 78

C

Cabinet removal	66, 68, 78
Cabinet selection	78
Central bank	95
Civil service recruitment	49
Claim of universal suffrage	44, 76
Compensation of legislators	47
Compulsory education	16
Compulsory voting	44
Conditions for revoking citizenship	35
Constitution amendment procedure	72, 102
Constitutional court powers	100
Constitutional court removal	100
Constitutional court selection	100
Constitutional court term length	100
Constitutional court term limits	100
Constitutional interpretation	99, 101
Constitutionality of legislation	100, 101
Customary international law	11

D

Designation of commander in chief	78, 82
Division of labor between chambers	73
Duty to pay taxes	50

E

Electoral court powers	91
Electoral court selection	91
Electoral court term length	91
Eligibility for cabinet	80
Eligibility for const court judges	100
Eligibility for first chamber	68
Eligibility for head of state	76
Eligibility for second chamber	68
Emergency provisions	70, 78, 82, 83, 84, 85
Equality for persons with disabilities	13, 14
Equality regardless of age	13, 16

Equality regardless of creed or belief	13
Equality regardless of financial status	13
Equality regardless of gender	10, 13
Equality regardless of language	31
Equality regardless of nationality	13
Equality regardless of parentage	13
Equality regardless of political party	13
Equality regardless of race	13
Equality regardless of religion	13
Equality regardless of sexual orientation	10, 13
Equality regardless of social status	13
Establishment of administrative courts	89
Establishment of cabinet/ministers	80
Establishment of constitutional court	99
Establishment of judicial council	92
Establishment of labor courts	89

F

Finance bills	72
First chamber representation quotas	66
First chamber selection	66
Foreign affairs representative	78
Free education	16, 17
Freedom of assembly	26
Freedom of association	26
Freedom of expression	27
Freedom of movement	25
Freedom of opinion/thought/conscience	25, 27
Freedom of press	28
Freedom of religion	10, 25

G

General guarantee of equality	9, 13
Guarantee of due process	85

H

Head of state decree power	71, 78, 79
Head of state powers	78
Head of state removal	66, 68, 77
Head of state replacement	70, 76, 77
Head of state selection	76
Head of state term length	77
Head of state term limits	77
Human dignity	9

I

Immunity of legislators	69
Indigenous right to illegal activities	87
Indigenous right to representation	9, 24, 45, 66, 92
Indigenous right to self governance	16, 51, 62

Initiation of general legislation 44, 73
 Integration of ethnic communities 9, 10
 International law 11, 14, 15, 16, 31, 33, 38, 39, 78, 79, 82, 85, 86, 90
 International organizations 99

J

Joint meetings of legislative chambers 38, 45, 70, 76, 77, 82, 96, 99, 100, 103
 Judicial independence 85

L

Legislative initiatives by citizens 44, 73
 Legislative oversight of the executive 66, 70, 76, 79

M

Mandatory retirement age for judges 86
 Mentions of social class 22
 Minimum age of head of state 76
 Municipal government 54, 64, 89

N

Name/structure of executive(s) 76
 National anthem 11
 National flag 11

O

Oaths to abide by constitution 76
 Official or national languages 11
 Ombudsman 37
 Ordinary court selection 92
 Outside professions of legislators 69
 Ownership of natural resources 27, 39, 41

P

Power to declare/approve war 70
 Power to pardon 78
 Powers of cabinet 80
 Preamble 9
 Presumption of innocence in trials 33
 Principle of no punishment without law 34
 Privileges for juveniles in criminal process 32, 33
 Prohibition of capital punishment 12
 Prohibition of cruel treatment 12, 15
 Prohibition of double jeopardy 33
 Prohibition of slavery 13, 15, 24
 Prohibition of torture 12, 15
 Protection from ex post facto laws 34
 Protection from expropriation 27
 Protection from false imprisonment 36, 37
 Protection from self-incrimination 33
 Protection from unjustified restraint 33

Protection of consumers	27
Protection of environment	10, 12, 18, 22, 30, 31, 32, 38, 39, 40, 42, 50, 52, 53, 54, 58, 89
Protection of judges' salaries	88
Protection of language use	11, 16, 31
Protection of stateless persons	25
Protection of victim's rights	13, 14
Provisions for intellectual property	30
Provisions for wealth redistribution	13, 14

Q

Quorum for legislative sessions	68
---------------------------------------	----

R

Radio	28
Reference to art	16, 29, 58
Reference to fraternity/solidarity	10, 11, 16, 18, 19, 31, 38, 39, 49, 50, 51, 53
Reference to science	16, 24, 30, 31, 38, 40, 48, 58
Referenda	44, 78
Regional group(s)	11
Regulation of evidence collection	25
Removal of individual legislators	69
Replacement of legislators	69
Requirements for birthright citizenship	34, 35
Requirements for naturalization	34, 35
Restrictions on the armed forces	82
Restrictions on voting	44
Right of petition	26
Right to academic freedom	17, 18
Right to appeal judicial decisions	89
Right to choose occupation	20
Right to competitive marketplace	49
Right to counsel	32, 33
Right to culture	11, 16, 24, 29, 30, 31
Right to development of personality	24
Right to enjoy the benefits of science	24
Right to establish a business	27
Right to fair trial	33
Right to found a family	10, 24
Right to health care	15, 18
Right to information	26, 43, 46
Right to join trade unions	20
Right to just remuneration	20
Right to life	12
Right to own property	27
Right to pre-trial release	36
Right to privacy	25
Right to protect one's reputation	28
Right to public trial	87
Right to reasonable standard of living	10

Right to renounce citizenship 35
 Right to rest and leisure 20, 29
 Right to safe work environment 20
 Right to self determination 9, 11, 16, 63
 Right to shelter 21
 Right to speedy trial 33
 Right to strike 20
 Right to work 20
 Rights of children 14
 Rights of debtors 33

S

Scheduling of elections 76
 Second chamber reserved policy areas 73, 74
 Secret ballot 44
 Selection of active-duty commanders 78
 Separation of church and state 10
 Size of first chamber 66
 Size of second chamber 67
 Source of constitutional authority 9
 Spending bills 72
 State operation of the media 28
 State support for children 14, 21, 29, 32, 38
 State support for the disabled 16, 19, 21
 State support for the elderly 16, 19, 21
 State support for the unemployed 19
 Structure of legislative chamber(s) 66
 Structure of the courts 88
 Subsidiary unit government 57, 58, 63, 64
 Supreme court powers 38, 45
 Supreme court selection 92
 Supreme court term length 88
 Supreme court term limits 88
 Supreme/ordinary court judge removal 66, 68, 86, 92

T

Tax bills 72
 Telecommunications 28
 Term length for first chamber 70
 Term length of second chamber 70
 Term limits for first chamber 70
 Term limits of second chamber 70
 Transitional provisions 104
 Treaty ratification 78, 79
 Trial in native language of accused 32
 Type of government envisioned 9

U

Ultra-vires administrative actions 48