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Chile's Constitution of 1925

Historical

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Translated by William C. Wells of the Pan American Union

CHAPTER I The State, Government and Sovereignty

- Type of government envisioned

Article 1

The State of Chile is unitary. Its government is republican and representatively democratic.

Art 2

The sovereignty is vested intrinsically in the nation, which delegates the exercise thereof to the authorities that this Constitution establishes.

Art 3

No person or assembly of persons has authority to arrogate the title or representation of the people, to usurp its rights, nor to make demands in its name. Violation of this article is sedition.

Art 4

No magistracy, nor person, nor assembly of persons, not even under the pretext of extraordinary circumstances, is empowered to assume any other authority or rights than those that may have been expressly conferred upon them by the laws. Every act in contravention of this article is void.

CHAPTER II. Nationality and Citizenship

- Requirements for birthright citizenship
- Requirements for naturalization

Art 5

Chileans are:

1st. Those born in the territory of Chile; excepting the children of foreigners who may happen to be in Chile in the service of their government and the children of transient foreigners, all of whom shall be empowered to choose between the nationality of their parents and that of Chile.

2nd. The children of Chilean father or mother, born in foreign territory, by the sole act of becoming resident in Chile. The children of Chileans born abroad, the father or mother being at that time in the service of the republic, are Chileans even for those purposes wherein the fundamental, or any other laws, may require birth within Chilean territory.

3rd. Foreigners who may obtain letters of naturalization in conformity to law, upon express renunciation of their former nationality.

4th. Those who have obtained a special grant of naturalization by law.

Naturalized persons will have the right to hold public office by popular election, only after five years of being in possession of letters of naturalization.

4th. The law will prescribe the procedure for choosing between Chilean and foreign nationality, for the granting, denial or cancellation of letters of naturalization, and for the keeping of a register of all these proceedings.

- Conditions for revoking citizenship

Art 6

Chilean nationality is lost:

- 1st.** By naturalization in a foreign country.
- 2nd.** By cancellation of the letters of naturalization.
- 3rd.** By lending aid during war to the enemies of Chile or of her allies.

Those who may have lost Chilean nationality for any of the reasons set out in this article cannot be rehabilitated except by law.

Art 7

Chileans who may have attained twenty-one years of age, who know how to read and write, and are inscribed in the electoral registers are citizens with the right of suffrage.

These registers are open to public inspection and are valid for such time as the law may determine.

Inscriptions will be permanent and be suspended only for the periods as by law indicated.

In popular elections voting shall always be by secret ballot.

- Minimum age for first chamber
- Restrictions on voting

- Secret ballot

- Restrictions on voting

Art 8

The exercise of the right of suffrage is suspended:

- 1st.** For physical or mental incapacity that may interfere with free and deliberative action.
- 2nd.** When the citizen shall be under indictment for an offense punishable corporally.

Art 9

The status of citizen with right of suffrage is lost:

- 1st.** For having lost Chilean nationality.
- 2nd.** Through condemnation to corporal punishment. Those who on this account may have lost the status of citizenship may petition for rehabilitation by the Senate.

CHAPTER III. Constitutional Guaranties

Art 10

The Constitution insures to all the inhabitants of the Republic:

- 1st.** Equality before the law. In Chile there is no privileged class.

In Chile there are no slaves, and he who sets foot upon its territory becomes free. Chileans cannot engage in the slave traffic. The foreigner who does so, cannot live in Chile nor be naturalized therein.

- Mentions of social class
- General guarantee of equality
- Prohibition of slavery

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

2nd. Practice of all beliefs, liberty of conscience and the free exercise of all religions that may not be contrary to morality, good usage and public order. Therefore, the respective religious bodies have the right to erect and maintain houses of worship and accessory property under the conditions of security and hygiene as fixed by the laws and regulations.

The churches, creeds and religious institutions of any ritual shall have those rights in respect to their property as the laws now in force may stipulate or recognize; but they will be subject, under the guaranties of this Constitution, to the common law in the exercise of ownership of their future acquired property.

Churches and accessory property intended for the service of any religious sect are exempt from taxation.

- Freedom of expression
- Freedom of press

3rd. Freedom to express, without prior censorship, opinions, orally or in writing, through the medium of the press or in any other form; yet without prejudice to the liability of answering for offenses and abuses that may be committed in the exercise of this liberty in the manner and in the cases as determined by law.

4th. The right of assembly without prior license and without arms. In plazas, streets and other places of public use, assemblies will be governed by the general police regulations.

5th. The right of association without prior license and in conformity with the law.

6th. The right of presenting petitions to the constituted authority upon any matter of public or private interest, without any other limitation than that of using respectful and suitable language.

7th. The freedom of teaching.

Public education is preferentially an affair of the State.

Primary education is obligatory.

There shall be a Bureau of Public Education in whose charge will be the inspection of national instruction and its direction under the authority of the Government.

8th. Admission to all public employments and offices without other conditions than those imposed by the law.

9th. The equal apportionment of imposts and taxes in proportion to property, or in graduation or form as fixed by law, and the equal apportionment of other public burdens.

Direct or indirect levies can be imposed only by law, and without such special authorization every State authority and every individual is prohibited from imposing such, even though it be under pretext of urgency, of being in voluntary form, or of any other nature.

No kind of personal service or contribution can be exacted except by virtue of an order from the proper authority founded upon a law that authorizes the said exaction.

No armed body can make requisitions or exact any kind of aid except through the civil authorities and by order of the latter.

A special law will prescribe the means for recruitment and re-emplacment of the sea and land forces.

- Duty to serve in the military

All Chileans able to bear arms, unless they be especially exempt by law, shall be inscribed in the military registers.

10th. Inviolability of all property, without any distinction.

No one can be deprived of property under his control, nor of any part thereof, nor of the right he may have therein, except by virtue of a judicial decree or a writ of expropriation on account of public interest, conformable to a law. In this case indemnification, as may be agreed on, or as may be fixed by a corresponding judicial sentence, shall be paid the owner in advance.

The exercise of the right of property is subject to the limitations or principles that the maintenance and advancement of social order demand, and, in this sense, the

- Right to own property
- Protection from ex post facto laws

10th. law may impose obligations or servitudes for public benefit in favor of the general interests of the State, of the health of the citizenry and of the public welfare.

- Provisions for intellectual property

11th. Exclusive property in every discovery or production, for such time as the law may concede. If the law shall exact expropriation, the author or inventor shall be given suitable indemnification.

- Right to privacy

12th. Inviolability of the home.

The house of any person living in Chilean territory can be forcibly entered only for a special purpose, determined by law, and by virtue of an order from the competent authority.

- Right to privacy
- Telecommunications

13th. Inviolability of epistolary and telegraphic correspondence. Documents or public securities shall not be opened, intercepted nor examined except in the cases expressly designated by the law.

- Right to reasonable standard of living

14th. Protection of labor, industry and the works of social providence, especially as referring to sanitary dwellings and economic conditions of living, so as to give to each inhabitant a minimum of comfort adequate for the satisfaction of his personal needs and those of his family. The law will regulate this operation.

The State shall incline towards the suitable partition of estates and the creation of family holdings.

No kind of labor or industry can be prohibited unless it be contrary to good usage, the public security or public health, or as the national interests may demand and a law so declare.

- Right to health care

It is the duty of the State to care for the public health and hygienic welfare of the country. It must provide each year a sufficient amount of money to maintain a national health service.

- Power to deport citizens
- Protection from unjustified restraint
- Freedom of movement

15th. Freedom to sojourn at any point of the Republic, to remove from one place to another or to depart from the territory, under the condition that police regulations be observed, and saving always prejudice to a third party; otherwise, no one can be detained, prosecuted, arrested or deported except in the manner as determined by the laws.

- Principle of no punishment without law
- Protection from ex post facto laws

Art 11

No one can be sentenced unless he be legally tried in accordance with a law promulgated prior to the act upon which the sentence rests.

Art 12

No one can be tried by special commissions, nor otherwise than by the tribunal the law appoints and has previously constituted.

- Protection from unjustified restraint

Art 13

No one can be arrested except by the order of a public functionary expressly empowered by law and after such order has been made known to him, in legal form; unless he be surprised in flagrante delicto, and in this case for the sole purpose of being brought before the proper judge.

Art 14

No one can be arrested, subjected to preventative detention or imprisoned except in his dwelling or in public places intended for this purpose.

- Prison registry

Those in charge of prisons cannot receive therein anyone in the character of arrested, indicted or imprisoned without transcribing in their registers the detention order issued by an authority having legal capacity. They may nevertheless receive within the precincts of the prison for detention those brought for the purpose of being presented

before the proper judge, but under obligation to render an account to the latter within twenty-four hours.

- Protection from unjustified restraint

Art 15

In case an authority orders the arrest of any person, it must, within the forty-eight hours following, make report thereof to the proper judge and place at his disposal the person detained.

- Protection from unjustified restraint

Art 16

Every individual who may be arrested, indicted or imprisoned contrary to the provisions of the foregoing articles may apply, for himself, or by any one in his name, to the judicial authority designated by law, petitioning that the legal requirements be observed. This judicial authority shall order the individual to be brought before it and its order shall be exactly obeyed by all those having charge of the prisons and places of detention. Informed of the antecedents, it shall declare his immediate release, or cause the legal defects to be corrected, or put the individual at the disposition of the proper judge; in all proceeding, briefly and summarily, itself correcting the defects or pointing them out to whomsoever it appertains to correct them.

Art 17

No order of incommunication shall prevent the official in charge of a house of detention from visiting the person detained, indicted or imprisoned therein.

This official is obliged, provided that the person arrested so requires, to transmit to the proper judge a copy of the order of arrest, or make demand that he be given a copy, or himself give a certificate that such a person is arrested, if at the time of his arrest the necessary order was overlooked.

Art 18

- Protection from self-incrimination

In criminal cases the accused shall not be obliged to testify under oath about his own actions, nor can his ascendants, descendants, spouse or relations, within the third degree of consanguinity or second of affinity, inclusive, be obliged so to testify.

- Prohibition of torture

Torture shall not be applied, nor in any case confiscation of property be imposed, except forfeiture in the cases established by law.

- Right to pre-trial release

Art 19

One, not answerable for an offense to which the law attaches corporal punishment, shall not be detained nor subjected to preventative imprisonment if he be sufficiently bonded personally, or in indemnification of the action, in the form and according to the nature of the cases as determined by law.

- Protection from false imprisonment

Art 20

Every person, in favor of whom sentence of acquittal is rendered, or prosecution finally abated, shall have the right to be indemnified in manner as determined by law, for the pecuniary or merely moral injuries that he may have unjustly suffered.

Art 21

The State treasuries shall not make any payments except by virtue of an order issued by competent authority in which shall be stated the law or the part of the budget authorizing said payment.

- Restrictions on the armed forces

Art 22

The public forces are essentially obedient. No armed body can deliberate.

Art 23

Every resolution the President of the Republic, the Chamber of Deputies, the Senate or the Courts of Justice may agree to in the presence of or on demand of an army, a commandant at the head of an armed force, or of any assembly of people, with or without arms and in disobedience of the authorities, is null in law and cannot produce any effect.

CHAPTER IV. The National Congress

- Structure of legislative chamber(s)

Art 24

The National Congress is composed of two branches—the Chamber of Deputies and the Senate.

- First chamber selection
- Second chamber selection

Art 25

In elections of Deputies and Senators a method shall be used, that, in practice, will result in giving an effective proportionality in representation to opinions and to political parties.

- Removal of individual legislators

Art 26

Determination of the elections of Deputies and Senators and cognizance of nullification protests that may be brought against them, belongs to the Qualification Court.

But both the Chamber of Deputies and the Senate are empowered exclusively to pass upon the disabilities of their members and to accept their resignations if the causes upon which the disability is founded be of such a nature as to unfit them physically or morally for the discharge of their duties. In order for a resignation to be accepted two-thirds of the Deputies or Senators present must concur.

- Minimum age for second chamber
- Eligibility for second chamber
- Eligibility for first chamber
- Minimum age for first chamber

Art 27

In order to be elected Deputy or Senator it is necessary to possess the requisites of citizenship with right of suffrage and never to have been sentenced for an offense punishable corporally.

Senators in addition must have attained thirty-five years of age.

Art 28

The following cannot be elected Deputies nor Senators:

- Eligibility for cabinet

1. Ministers of State.
2. Intendentes and Governors.
3. Magistrates of the Superior Courts of Justice, scholastic judges and officials of the Public Ministry.

4. Natural persons and the agents or administrators of juridical persons or companies who may have contracts with the State, or are sureties for the same.

- Outside professions of legislators

Art 29

The offices of Deputies and Senators are incompatible inter se and with those of Representatives and Municipal councilors.

They are likewise incompatible with every public employment paid from government or municipal funds and with every service or commission of the same kind, with the exception of employments, services or commissions of higher, secondary and special education, located in the city in which Congress holds its sessions.

The elected must choose between the office of Deputy or Senator and another office, employment, service or commission that he may be discharging, within fifteen days, if he be within the territory of the Republic, and within one hundred days if he be absent therefrom. These periods shall be counted from the approval of the election. In default of a choice declared within the period the elected shall cease holding his office of Deputy or Senator.

- Outside professions of legislators

Art 30

No Deputy or Senator, from the moment of his election and until six months after the termination of office, shall be named for any service, commission or public employment paid from government or municipal funds.

This provision does not control in case of foreign war, nor is it to be applied to the offices of President of the Republic, Ministers of State and diplomatic agents, but only those offices conferred in time of war are compatible with the functions of Deputy or Senator.

- Removal of individual legislators

Art 31

The Deputy or Senator who absents himself from the country for more than thirty days without permission of the Chamber to which he belongs, or in the recess thereof, of its President, shall cease from holding his office. Special laws alone can authorize an absence of more than a year.

Likewise the Deputy or Senator shall cease from holding his office who, during its exercise, enters into or becomes surety for contracts with the State; and one who acts as counsel or attorney in any kind of proceeding pending against the Treasury, or as solicitor or agent in personal negotiations of administrative character.

- Immunity of legislators

Art 32

Deputies and Senators are inviolable for the opinions they may express and the votes they may cast in the discharge of their offices.

- Supreme court powers
- Immunity of legislators

Art 33

No Deputy or Senator from the day of his election can be indicted, prosecuted or arrested, except in a case in flagrante delicto, unless the Court of Appeals of the respective jurisdiction, in open session, has previously authorized the indictment by declaring that there exist grounds for prosecution. From this decision an appeal may be taken to the Supreme Court.

Art 34

In case of any Deputy or Senator being arrested in flagrante delicto he shall be immediately placed at the disposition of the respective Court of Appeals with the summary information. The Court will then proceed conformably to the provisions of the foregoing article.

Art 35

From the moment in which is declared, by a signed decision, that there exist grounds for prosecution the accused Deputy or Senator becomes suspended from his office and at the disposal of the competent judge.

- Replacement of legislators

Art 36

If a Deputy or Senator die or ceases for any cause, before the last year of his term, to belong to the Chamber of Deputies or to the Senate, his replacement shall be proceeded with in the manner as determined by the electoral law, for the period that remains of his term.

The Deputy or Senator who may accept the position of Minister of State must be replaced within the period of thirty days.

The Chamber of Deputies

- First chamber selection

Art 37

The Chamber of Deputies is composed of members elected by the departments, or by groups of adjoining departments within each province, as the law may provide by direct vote and in the manner as determined by the electoral law.

One Deputy shall be elected for each thirty thousand inhabitants and for a fraction of not less than fifteen thousand.

- Term length for first chamber

Art 38

The Chamber of Deputies shall be renewed in the aggregate every four years.

Art 39

Exclusive attributes of the Chamber of Deputies are:

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

1st. To declare whether or not there be grounds for the accusations that ten, at the least, of its members may formulate against the following officials:

- a. The President of the Republic, for acts of his administration by which the honor or the security of the State may be gravely compromised, or the Constitution or the laws openly infringed. Such an accusation may be introduced while the President is in office and in the six months following the expiration of his term. During this latter period the President cannot absent himself from the Republic without permission of the Chamber.
- b. The Ministers of State, for the offenses of treason, extortion, misappropriation of public funds, bribery, violation of the Constitution, disregard of the laws in having failed to cause their execution, and for having gravely compromised the security or the honor of the nation. Such accusations may be introduced while the Minister is in office and in the three months following the expiration of his term. During this latter period the Minister cannot absent himself from the Republic without permission of the Chamber, or in its recess of its President.
- c. The Magistrates of the Superior Courts of Justice for flagrant neglect of duty.
- d. The Generals or Admirals of the armed forces for having compromised gravely the security or the honor of the Nation.
- e. Intendentes and Governors for the offenses of treason, sedition, infringement of the Constitution, misappropriation of public funds and extortion.

1st. In all of these cases the Chamber, after having heard the accused and the report of a committee of five Deputies, chosen by lot, excluding the accusers, shall declare within the period of ten days whether or not there be grounds for prosecution. The committee report must be presented within the period of six days, after which the Chamber shall proceed without it. If it declare affirmatively the Chamber will name three Deputies to formulate the declaration and prosecute it before the Senate. If the accused does not attend the session to which he is cited or does not send a written defense, the Chamber may renew the citation or proceed without his defense.

In order to declare that there be grounds for prosecution in the case of letter (a), the vote of the majority of the Deputies entitled to vote shall be necessary.

In other cases the accused will be suspended from office from the moment in which the Chamber declares that there be grounds for prosecution. The suspension will cease if the Senate rejects the accusation or does not pass upon it within the thirty days following.

2nd. To scrutinize the acts of the Government. In order to exercise this attribute the Chamber may, on vote of a majority of the Deputies present, adopt resolutions or make suggestions that shall be forwarded in writing to the President of the Republic. The resolutions or suggestions shall not affect the political responsibility of the Ministers and will be answered in writing by the President of the Republic or verbally by the appropriate Minister.

- Legislative oversight of the executive

The Senate

Art 40

The Senate is composed of members elected by direct ballot for the nine provincial groups, as fixed by law, with regard to the characteristics and interests of the several regions of the territory of the Republic. Each group is entitled to elect five Senators.

- Size of second chamber
- Second chamber selection

Art 41

The Senate will be renewed every four years by parts in the manner as determined by law. Each Senator will remain eight years in office.

- Second chamber selection
- Term length of second chamber

Art 42

Exclusive attributes of the Senate are:

1st. To take cognizance of accusations that the Chamber of Deputies may present in accordance with Article 39 after a prior hearing of the accused. If the latter does not attend the session to which he is cited or does, not send a written defense the Senate may renew the citation or proceed without his defense.

The Senate will act as a jury and be limited to declaring whether the accused is or is not guilty of the offense or abuse of power charged against him.

The declaration of guilt must be pronounced by a two-thirds part of the Senators entitled to vote when the matter is an accusation against the President of the Republic, and by a majority of the Senators entitled to vote in other cases.

Through the declaration of guilt the accused becomes deprived of his office.

The official found guilty will be tried in accordance with the laws by the ordinary tribunal having jurisdiction, both for the application of the penalty as prescribed for the offense committed as also to fix the civil liability for losses and injuries caused to the State or to private persons.

2nd. To decide whether there be or not grounds for the admission of accusations that any private individual may present against the Ministers on account of injuries he may have suffered unjustly from any act of theirs, will follow the same procedure as in the foregoing number.

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

3rd. To declare whether or not there be grounds for prosecution, as regards criminality, against Intendentes and Governors. Excepted therefrom is the case where the accusation is initiated by the Chamber of Deputies.

4th. To take cognizance of conflicts in jurisdiction that may arise between the political or administrative authorities and the Superior Courts of Justice.

5th. To grant rehabilitation referred to in Article 9.

6th. To extend or to deny its consent to the acts of the President of the Republic in cases in which the Constitution or the law may so require.

If the Senate shall not pass upon the matter within thirty days after call for exigency by the President of the Republic, its consent shall be taken for granted.

7th. To render an opinion to the President of the Republic in all cases in which he may consult it.

Attributes of Congress

Art 43

Exclusive attributes of Congress are:

1st. Annually to approve or disapprove the statement of disbursement of funds intended for the expenses of the public administration, which the Government must present.

2nd. To give its consent for the President of the Republic to leave the national territory.

3rd. To declare, when the President of the Republic tenders his resignation from office, whether or not the causes upon which he bases it do disable him from holding the office, and in consequence whether to accept or to refuse the resignation.

4th. To declare, when there may be occasion for doubts, whether the disability that debars the President from the exercise of his functions is of such a nature that a new election should be held.

5th. To approve or disapprove treaties that, before their ratification, the President of the Republic shall present to it.

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

Art 44

Only by virtue of a law is it possible:

1st. To impose taxes of any kind or nature, to repeal existing taxes, to fix their apportionment when necessary among the provinces or communes, and to determine their proportionality or progression.

2nd. To authorize the contraction of loans, or of any other kind of operations which may affect the credit and financial responsibility of the State.

3rd. To authorize the alienation of State or municipal property, or its lease, or concession for more than twenty years.

4th. Annually to approve the estimate of receipts and in the same law to fix the expenditures of the public administration. The budget law shall not alter expenditures or taxation prescribed in general or special laws. Only variable expenditures can be modified by it, but the initiative for increases therein or for changing the estimate of receipts belongs exclusively to the President of the Republic. The proposed budget law must be presented to Congress four months in advance of the date on which it should begin to be operative, and if at the

- Treaty ratification
- International law

- Budget bills

4th. expiration of this period it has not been approved, the bill as presented by the President of the Republic shall become effective. In case the proposed bill be not presented in time, the period of four months shall begin to count from the date of its presentation.

Congress cannot approve any new expenditure chargeable to the funds of the nation without at the same time creating or indicating the sources of revenue necessary to provide for this expenditure.

- Supermajority required for legislation

5th. To create or abolish public employments, to determine or to modify their attributes, to increase or diminish their salaries, to grant pensions and to decree public honors to those rendering distinguished services. Laws granting pensions must be passed by a vote of two-thirds of the members present in each Chamber.

- Compensation of legislators

6th. To fix the remuneration that Deputies and Senators shall receive. The remuneration cannot be changed during a legislative period except to take effect in the period following.

7th. To establish or to modify the political or the administrative division of the country; to habilitate ports of entry and to establish customs houses.

8th. To prescribe the weight, fineness, value, type and denomination of the coinage and the system of weights and measures.

9th. To fix the land and sea forces that should be maintained in service in time of peace and of war.

10th. To allow the entry of foreign troops into the territory of the Republic, with limitation of the time of their stay therein.

11th. To allow the departure of national troops from the territory of the Republic, prescribing the time of their return.

- Power to declare/approve war

12th. To approve or disapprove a declaration of war on the proposal of the President of the Republic.

- Emergency provisions

13th. To restrain personal liberty and freedom of the press, or suspend or restrict exercise of the right of assembly, when supreme need for the defense of the State, preservation of the constitutional regime or internal peace may so demand, and only for periods not to exceed six months.

If such laws prescribe penalties, infliction thereof shall always be made by the established tribunals. Aside from the cases prescribed in this number, no law shall be enacted to suspend or restrict the liberties or rights that the Constitution insures.

14th. To grant general pardons and amnesties.

15th. To select the city in which the President of the Republic must reside, the sessions of the National Congress be held and the Supreme Court function.

Enactment of the Laws

- Initiation of general legislation

Art 45

Laws may be originated in the Chamber of Deputies or in the Senate, through a message directed by the President of the Republic, or on motion of any of their members. Such motions cannot be signed by more than ten Deputies nor by more than five Senators.

- Budget bills

Amendments to sections or items of the general Budget Law can be proposed by the President of the Republic only.

- Tax bills
- First chamber reserved policy areas

Laws respecting taxation of any nature whatever, the budgets of the public administration and recruiting shall originate in the Chamber of Deputies only.

- Second chamber reserved policy areas

Laws respecting amnesty and general pardons shall originate in the Senate only.

Art 46

The President of the Republic may declare urgency of dispatch for a proposal, and in such a case the respective Chamber must pass upon the matter within the period of thirty days.

Declaration or urgency may be repeated in all constitutional steps of procedure on the proposal.

Art 47

The proposal which may be rejected in the Chamber of its origin cannot be reintroduced except after one year.

- Division of labor between chambers

Art 48

A proposal approved in the Chamber of its origin shall pass immediately to the other Chamber for its discussion.

- Division of labor between chambers

Art 49

The proposal that may be rejected in its totality by the revisory Chamber shall return to that of its origin where it will be taken in consideration anew, and if it be approved therein by a two-thirds part of the members present, it shall pass for a second time to the Chamber that rejected it. It will be understood that the latter disapproves it if two-thirds in number of the members present so agree.

- Division of labor between chambers

Art 50

The proposal that may be enlarged or amended by the revisory Chamber will return to that of its origin; and, in the latter it will be understood that, with the vote of the majority of the members present, the additions or amendments are approved.

But if the additions or amendments are disapproved the proposal will return a second time to the revisory Chamber, where, if the additions or amendments are approved anew by a majority of two-thirds of the members present, the proposal will return to the other Chamber. It will be understood that the latter disapproves the additions or amendments if two-thirds of the members present so agree.

- Legislative committees

Art 51

When on account of insistency, accord between the two Chambers on fundamental points of the proposal is not reached, or when one changes substantially the proposal of the other, mixed committees of an equal number of Deputies and Senators may be designated in order to suggest a form and method of resolving the difficulties arisen.

- Approval or veto of general legislation

Art 52

A proposal approved by both Chambers will be remitted to the President of the Republic, who, if he also approves, will cause it to be promulgated as law.

- Approval or veto of general legislation

Art 53

If the President of the Republic disapproves the proposal he will return it to the Chamber of origin with suitable suggestions within the period of thirty days.

- Approval or veto of general legislation
- Veto override procedure

Art 54

If the two Chambers approve the suggestions the proposal shall have the force of law and be returned to the President to be promulgated.

If the two Chambers reject all or any of the suggestions and insist, by two-thirds of the members present, on all or part of the proposal as approved by them, it shall be returned to the President to be promulgated.

- Approval or veto of general legislation

Art 55

If the President of the Republic should not return the proposal within thirty days counting from the date of its remission, it will be understood that he approves it and will promulgate it as law. If Congress should close its sessions before the thirty days in which to make the return shall have expired the President will make it within the first ten days of the following ordinary or extraordinary legislative term.

Sessions of Congress

Art 56

Congress will begin its ordinary sessions on the 21st of May and adjourn on the 18th of September of each year.

At the opening of each ordinary session the President of the Republic shall give an account to Congress in joint session of the administrative and political state of the Nation.

- Length of legislative sessions
- Legislative oversight of the executive
- Joint meetings of legislative chambers

Art 57

Congress will hold extraordinary sessions when called by the President of the Republic, and when called by the President of the Senate at the written request of a majority of the members of the Chamber of Deputies or of the Senate.

When called by the President of the Republic it cannot transact any other legislative business than that mentioned in the call, yet proposals of constitutional reform may be introduced, discussed and voted on, although they do not appear in the call.

When called by the President of the Senate, it may transact any business within its competency.

- Extraordinary legislative sessions

Art 58

The Chamber of Deputies shall not enter into session, nor pass resolutions without the concurrence of one-fifth of its membership, nor the Senate without the concurrence of one-fourth of its membership. Each one of the Chambers will provide in its internal regulations for closure of debate by simple majority.

- Quorum for legislative sessions

Art 59

The Chamber of Deputies and the Senate will open and close their ordinary and extraordinary legislative terms at the same time. Nevertheless, they may function separately for matters within their exclusive competency, in which case the call will be issued by the President of the respective Chamber.

- Leader of second chamber
- Leader of first chamber

CHAPTER V. The President of the Republic

Art 60

A citizen with the title President of the Republic of Chile conducts the State and is the Supreme Chief of the Nation.

- Name/structure of executive(s)

- Eligibility for head of state
- Minimum age of head of state

Art 61

In order to be chosen President of the Republic it is required to have been born in the territory of Chile, to be at least thirty years of age, and to possess the necessary qualifications for being a member of the Chamber of Deputies.

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

Art 62

The President of the Republic will remain in the exercise of his office for the term of six years, and cannot be re-elected for the ensuing term.

Art 63

The President shall be elected by a direct vote of the citizens of all the Republic having the right of suffrage, sixty days before the day on which the term of the incumbent should expire and in the manner as determined by law.

Cognizance of complaints that may occur in respect to the voting, rectifications and general scrutiny of the election belongs to the Qualification Court.

Art 64

The two branches of Congress, convened in public session, fifty days subsequent to the election, a majority of the total membership being present and under the direction of the President of the Senate, shall take into consideration the general scrutiny made by the Qualification Court and will proceed to proclaim as President of the Republic the citizen who may have obtained more than one-half of the votes validly cast.

If the scrutiny does not show this majority, the Joint Congress shall elect from among the citizens who may have received the two highest relative numbers of votes, but if two or more citizens shall have received a tie in the highest relative number, the election shall be made only as between them.

If on the day appointed in this article a majority of the total membership of Congress does not assemble, the session shall be held on the following day with the Deputies and Senators who may attend.

Art 65

The election appertaining to the Joint Congress shall be made by more than one-half of the votes in secret ballot.

If on taking the first ballot this absolute majority does not result, a second ballot shall be taken and at this the balloting shall be limited to the two persons who on the first ballot may have obtained the greatest number of votes, and the blank ballots shall be added to those of the one who may then obtain the largest plurality.

In case of a tie a third ballot in the same manner shall be taken on the day following.

If this results again in a tie the President of the Senate shall at once make the decision.

Art 66

When the President of the Republic in person commands the armed forces, or when from illness, absence from the territory of the Republic, or from any other weighty reason, he cannot exercise his office, the Minister, whom the order of precedence as fixed by law may designate, shall substitute for him, under the title of Vice President of the Republic. In default of such, the Minister who follows in the order of precedence, and in default of all the Ministers, the President of the Senate, the President of the Chamber of Deputies or the President of the Supreme Court successively.

- Head of state selection

- Scheduling of elections

- Electoral court powers

- Joint meetings of legislative chambers
- Head of state selection

- Head of state selection

- Designation of commander in chief
- Head of state replacement

In case of death, or declaration of there being cause for resignation, or other kind of absolute impossibility, or which cannot be ended before the completion of the time remaining of the constitutional period, the Vice President in the first ten days of his incumbency shall issue the proper orders to proceed, within the period of sixty days, to a new election of President in the manner prescribed by the Constitution and by the electoral law.

Art 67

The President cannot leave the territory of the Republic during the time of his incumbency, without the consent of Congress.

Art 68

The President shall vacate office on the same day that completes the six years for which the exercise of his powers lasts and the newly elected will succeed him.

Art 69

If the President-elect finds himself prevented from taking possession of the office he shall be substituted meanwhile, under the title of Vice President of the Republic, by the President of the Senate, and, in his default, by the President of the Chamber of Deputies, and, in his default, by the President of the Supreme Court.

But if the impediment of the President-elect be absolute or appears as if it would last indefinitely or for a longer period than that prescribed for the exercise of the Presidency, the Vice President, in the ten days following the declaration which Congress must make, shall issue the proper orders to proceed within the period of sixty days to a new election in the manner prescribed by the Constitution and by the electoral law.

Art 70

The President-elect on taking possession of the office in the presence of both branches of Congress shall make oath or promise before the President of the Senate faithfully to discharge the office of President of the Republic, to preserve the integrity and independence of the nation and to observe and cause to be observed the Constitution and the laws.

Art 71

To the President of the Republic is confided the administration and government of the State, and his authority is extended to all that has for its purpose the preservation of public order in the interior and the exterior security to the Republic, in accordance with the Constitution and the laws.

Art 72

Special attributes of the President are:

- 1st.** To concur in the making of the laws according to the Constitution, to approve and to promulgate the same.
- 2nd.** To prescribe regulations, decrees and instructions that he may deem suitable for the execution of the laws.
- 3rd.** To extend the ordinary sessions of Congress and to call extraordinary sessions.
- 4th.** To watch over the ministerial conduct of the judges and other employees of the judicial power, and for this purpose to request the Supreme Court that, if conformable, it may determine the fact of their bad conduct, or the office of the

- Head of state replacement

- Leader of first chamber
- Leader of second chamber

- Oaths to abide by constitution
- Joint meetings of legislative chambers

- Head of state powers

- Head of state decree power

- Extraordinary legislative sessions

- Supreme/ordinary court judge removal

4th. Public Minister that it institute disciplinary measures before the competent tribunal, or that, if there be sufficient grounds, it file the suitable accusation.

5th. To appoint at will the Ministers of State, officials of the Ministries, Diplomatic agents, Intendentes and Governors.

Appointment of Ambassadors and Diplomatic Ministers shall be submitted to the approval of the Senate, but they and other officials mentioned in this number are within the exclusive confidence of the President of the Republic and are to be kept in their positions while they enjoy the said confidence.

6th. To appoint the Magistrates of the Superior Courts of Justice and Scholastic Judges.

7th. To supply the other civil and military employees that the laws may determine, conformably to the Administrative Statute and to confer, with the approval of the Senate, the offices or grades of colonel, captain of the navy and other superior offices of the army and navy.

On the field of battle he may confer these superior military offices at his own instance.

8th. To dismiss employees designated by himself for incompetency or other cause that may render them useless or prejudicial to the service, with the approval of the Senate if they be heads of bureaus or superior employees, if they be subaltern employees in conformity with the organic laws of each service.

9th. To grant pensions, retirement pay and widow and orphan benefits according to the laws.

10th. To care for the collection of the public revenues and to decree their expenditure in accordance with law.

11th. To grant juridical personality to private corporations and to cancel the same, to approve their articles of government, to reject the same and to accept amendments.

12th. To grant private pardons. Officials accused by the Chamber of Deputies and tried by the Senate can be pardoned by Congress only.

13th. To dispose of the sea and land forces, to organize and distribute them as he may find convenient.

14th. To command in person the sea and land forces with the approval of the Senate. In this case the President of the Republic may reside at any place occupied by Chilean arms.

15th. To declare war with the prior authorization of law.

16th. To maintain political relations with foreign powers, receive their agents, admit their consuls, conduct negotiations, make preliminary stipulations, conclude and sign all treaties of peace, alliance, truce, neutrality, commerce, concord and other conventions. Treaties before their ratification must be presented to the approval of Congress. The discussion and deliberations on these matters shall be in secret if the President of the Republic so demands.

17th. To declare in a state of assembly one or more provinces invaded or menaced in case of foreign war, and in a state of siege one or several points of the Republic in case of foreign attack.

In case of interior disturbance the declaration of one or more places being in a state of siege belongs to Congress, but if Congress be not in session, the President may make it for a determined period.

If on the meeting of Congress the period named be not expired, the declaration made by the President of the Republic shall be understood as a proposal of law.

Through the declaration of a state of siege, there is conceded to the President of the Republic only the authority to transfer persons from one department to

- Cabinet selection
- Municipal government
- Subsidiary unit government
- Supreme court selection
- Ordinary court selection
- Selection of active-duty commanders
- State support for children
- Power to pardon
- Designation of commander in chief
- Power to declare/approve war
- Foreign affairs representative
- International law
- Treaty ratification
- Emergency provisions

17th. another and to confine them in their own houses, or in places other than jails, or intended for the confinement or imprisonment of ordinary criminals.

Measures taken on account of the state of siege shall have no greater duration than the siege, but thereby shall not be infringed the constitutional guaranties granted to Deputies and Senators.

- Establishment of cabinet/ministers

Ministers of State

Art 73

The number of the Ministers and their respective departments shall be determined by law.

- Eligibility for cabinet

Art 74

In order to be named Minister the qualifications exacted to be a Deputy are required.

Art 75

All orders of the President of the Republic must be signed by the Minister of the respective department, and are not to be obeyed if without this essential requisite.

- Head of state decree power
- Powers of cabinet

Art 76

Every Minister shall be personally responsible for the acts he may sign, and in solidum for those he may subscribe or agree to with other Ministers.

Art 77

As soon as Congress shall convene in ordinary session the Ministers must render an account to the President of the Republic of the state of the Nation in regard to the business of the department that each one has under his charge, in order that the President may in turn submit the same to Congress.

For the same purpose they are obliged to present to him the annual budget of the expenditures that should be made in their respective departments and render an account to him of the disbursement of the amounts decreed to meet the expenditures of the preceding year.

- Legislative oversight of the executive

Art 78

The Ministers may, when they deem it expedient, attend sessions of the Chamber of Deputies or of the Senate and take part in the debates, with preference in speaking, but without the right to vote.

- Electoral court term length
- Electoral court powers
- Electoral court selection
- Eligibility for electoral court judges

CHAPTER VI. The Electoral Qualification Court

Art 79

A special court to be called Qualification Court shall have cognizance of the election returns for President of the Republic, Deputies and Senators.

This court will act as a jury in the determination of facts and give judgment in accordance with law.

Its membership shall be five and are to be renewed every four years at least fifteen days prior to the date of the first election they must judge.

The same court will judge all the elections that take place during the four years.

The five members of the court shall be chosen by lot from among the following persons:

One from among the individuals who may have discharged the offices of President or Vice President of the Chamber of Deputies for more than one year;

One from among the individuals who may have discharged the offices of President or Vice President of the Senate for a like period;

Two from among the individuals who may discharge the offices of Ministers of the Supreme Court, and

One from among the individuals who may be in discharge of the offices of the Ministers of the Court of Appeals in the city where Congress hold its sessions.

The law will regulate the organization and procedure of the Qualification Court.

CHAPTER VII. The Judicial Power

Art 80

The office of judging civil and criminal causes belongs exclusively to the tribunals established by the law. Neither the President of the Republic nor Congress can in any case exercise judicial functions, remove pending cases from one court to another, or revive proceedings once terminated.

- Structure of the courts

Art 81

A special law will determine the organization and attributes of the courts that may be necessary for the speedy and full administration of justice in all the territory of the Republic.

Only by virtue of a law can a change be made in the attributes of the courts or in the number of its membership.

- Eligibility for supreme court judges
- Eligibility for ordinary court judges

Art 82

The law will determine the qualifications that the judges respectively must have and the number of years that persons appointed Ministers of the Courts or Scholastic Judges must have practiced the profession of attorney.

- Structure of the courts
- Right to appeal judicial decisions

Art 83

In respect to the appointment of judges the law will be adjusted to the following general principles:

Ministers and Fiscals of the Supreme Court will be chosen by the President of the Republic from a list of five persons proposed by the said court. The two Ministers of the Court of Appeals who have been longest in office shall occupy places on the list. The other three places will be filled in accordance with the merits of the candidates. Persons outside the administration of justice may figure in the list.

- Eligibility for supreme court judges
- Supreme court selection

Ministers and Fiscals of the Courts of Appeals shall be designated by the President of the Republic from a list of three proposed by the Supreme Court.

- Ordinary court selection

Scholastic Judges shall be designated by the President of the Republic from a list of three proposed by the Court of Appeals of the respective jurisdiction. For the preparation of the lists there shall be opened a competitive contest at which the persons interested must present their titles and antecedents.

- Ordinary court selection

- Eligibility for ordinary court judges

The Scholastic Judge longest on the bench of the court, or the Scholastic Judge longest in the position next below that to be filled, respectively, shall have a place in the corresponding list of three. The other two places will be filled in accordance with the merits of the candidates.

Art 84

Judges are personally responsible for bribery, failure to observe the laws governing procedure and in general for every betrayal of trust or tortuous administration of justice. The law will determine the cases and the method of making this responsibility effective.

- Supreme/ordinary court judge removal

Art 85

The judges will remain in office during good behavior, but inferior judges discharge their respective judgeships for such time as the law may determine.

Judges, whether of limited or unlimited tenure, may be deprived of their positions for cause legally determined.

Nevertheless, the President of the Republic on the proposal, or with the consent, of the Supreme Court may authorize exchanges, or order the transfer of judges from one post to another of equal rank.

In any case the Supreme Court, upon demand of the President of the Republic at the solicitation of the party interested, or ex-officio, may declare that judges have not been of good behavior, and upon prior statement from the accused and from the Court of Appeals, respectively, with a two-thirds vote of its membership, grant their removal from office.

These decisions will be communicated to the President of the Republic in order to be carried into effect.

- Constitutional interpretation
- Structure of the courts
- Supreme court powers

Art 86

The Supreme Court has direct supervision, correctional and economic, over all the tribunals of the Nation in accordance with the law determining its organization and attributes.

The Supreme Court, in private cases under its cognizance, or which may have been submitted to it on appeal interposed in a cause pending before another tribunal, may declare ineffective for that case, any legal ruling as contrary to the Constitution. This appeal may be taken at any stage of the cause without suspending the proceedings.

It shall have cognizance also of disputes of competence that may arise between political or administrative authorities and the tribunals of justice not under the control of the Senate.

- Eligibility for administrative judges
- Establishment of administrative courts
- Administrative court selection

Art 87

There shall be administrative tribunals with permanent membership to pass upon claims that may be interposed against arbitrary acts or measures of the political or administrative authorities and the disposition of which may not be entrusted by the Constitution or the laws to any other tribunals. Their organization and attributes are matters of law.

CHAPTER VIII. Interior Government of the State

Art 88

For the interior government of the State, the territory of the Republic is divided into provinces, the provinces into departments, the departments into sub-delegations and sub-delegations into districts.

Intendents

- Subsidiary unit government

Art 89

The chief governmental authority in each province is vested in an Intendente who exercises the office in conformity with the laws and orders and instructions from the President of the Republic, of whom he is the usual and immediate agent. His term of office will be for three years.

The Intendente within the province under him, as the representative of the President of the Republic, will have the prosecution of all public works and services of the provincial territory.

Governors

- Municipal government

Art 90

The governmental authority in each department is vested in a Governor, subordinate to the Intendente of the province. His term of office will be for three years.

The Intendente is also Governor of the department in whose capital he may reside.

The Governors are appointed by the President of the Republic on the recommendation of the respective Intendentes and may be removed by the latter with the approval of the President of the Republic.

Sub-delegates

- Municipal government

Art 91

The Sub-delegations are governed by a Sub-delegate, subordinate to the Governor of the department and appointed by him. Sub-delegates remain one year in office and may be removed by the Governor, who will give an account to the Intendente of the reasons therefor.

Inspectors

- Municipal government

Art 92

Districts are governed by an Inspector under the orders of the Sub-delegate, who will appoint and remove them on prior report to the Governor of the reasons therefor.

CHAPTER IX. Interior Administrative Regime

Art 93

For the interior administration the national territory is divided into provinces and the provinces into communes.

There shall be in each province the number of communes that the law may determine. Each communal territory will correspond to a complete sub-delegation.

The administrative division called Province will coincide with the political division of the same name, and the administrative division called Commune will coincide with the political division called Sub-delegation.

The law in creating new communes must always take care to establish the respective sub-delegations and to mark out for the former and for the latter the same limits.

- Subsidiary unit government

Provincial Administration

Art 94

The administration of each province is vested in the Intendente who will be advised, as determined in law, by a Provincial Assembly of which he will be the President.

Art 95

Each Provincial Assembly will be composed of Representatives designated by the municipalities of the province at their first session, by cumulative vote.

These offices are compulsory and unremunerative, and last for three years.

The Municipalities will designate the number of Representatives that the law may determine for each.

Art 96

In order to be designated a Representative the same qualifications are required as for being a Deputy and in addition to have resided in the province for more than one year.

Art 97

The Provincial Assemblies will hold their meetings in the capitals of the respective provinces, and will choose annually at their first session, by a majority of the members present, a person from their midst to exercise the office of Vice President.

Art 98

The Provincial Assemblies will hold sessions with a majority of their members at the time in office; they will have administrative attributes and will dispose of the revenues which the law may determine. The law may authorize them to impose determined taxes for local benefit.

They may be dissolved by the President of the Republic with the approval of the Senate.

When a Provincial Assembly is dissolved, the re-emplacment of its membership for the period to complete the term remaining shall be proceeded with in the manner as indicated in Article 95.

Art 99

The Provincial Assemblies must annually make known to the President of the Republic, through the intermediation of the Intendente, the needs of the province and indicate the amounts necessary to meet the same.

- National vs subnational laws
- Federal review of subnational legislation

Art 100

Ordinances or resolutions that a Provincial Assembly may pass must be brought to the attention of the Intendente, who within ten days, may suspend their execution if he deems them contrary to the Constitution or the laws, or prejudicial to the interests of the province or of the State.

The ordinance or resolution suspended by the Intendente will return for consideration to the Provincial Assembly.

If the Assembly insists on its previous action by a vote of two-thirds of the members present, the Intendente shall order the same to be promulgated and to take effect.

But when the suspensions be founded on the grounds that the ordinance or resolution is contrary to the Constitution or the laws, the Intendente must submit the facts to the Supreme Court in order that it may rule definitely.

- Municipal government

Communal Administration

Art 101

The local administration of each commune or group of communes established by law is vested in a Municipality.

Each Municipality on being organized will designate an Alcalde to preside over it and to execute its decisions.

In cities of more than one hundred thousand inhabitants and in others that may be designated by law, the Alcalde will be appointed by the President of the Republic and may be remunerated. The President of the Republic may remove him with the approval of the respective Provincial Assembly.

Art 102

The Municipalities shall have the Regidores that the law may fix for each one. Their number will not be less than five nor more than fifteen. These offices are compulsory and unremunerative and last for three years.

Art 103

In order to be elected Regidor the same qualifications are required as for being a Deputy and, in addition, to have resided in the commune for more than one year.

Art 104

The election of Regidores will be made by direct vote and in agreement with the special provisions prescribed by the law on Organization and Attributes of the Municipalities.

There shall be for this purpose special registers in each commune, and to be inscribed therein it is required to have attained the age of twenty-one years and to be able to read and write. Foreigners are required in addition to have resided five years in the country.

Qualification of the elections of Regidores, jurisdiction over protests of nullification that may occur in reference thereto, and the solution of matters that may subsequently arise belongs to such authority as the law may determine.

Art 105

The Municipalities will hold session with a majority of their members at the time in office; they will have, such administrative attributes and disburse such revenues as the law may determine.

Especially it belongs to them:

- 1st. To take care of hygienic police, public comfort, adornment and recreation.
- 2nd. To promote education, agriculture, industry and commerce.
- 3rd. To take care of primary schools and other educational services that may be supported by municipal funds.
- 4th. To take care of the construction and repair of the roads, walks, bridges and all works of necessity, utility or adornment paid for with municipal fund.
- 5th. To administer and disburse public property and taxes in conformity with the regulations as dictated by law.
- 6th. To enact municipal ordinances respecting these matters without prejudice to the attributes that the following article gives the respective Provincial Assembly.

The law may impose on each municipality a quota proportional to its annual revenues as a contribution to the general expenditures of the province.

The appointment of municipal employees will be made conformably to the statute that the law will establish.

Art 106

Municipalities will be submitted to the correctional and economic vigilance of the respective Provincial Assemblies, in accordance with law.

The powers that Article 100 grants to the Intendente in respect to the Provincial Assembly shall belong to the latter in respect to municipalities of its jurisdiction.

Municipalities may be dissolved by the Provincial Assembly, in virtue of grounds which the law may establish, on a vote of the majority of the Representatives specially cited for this purpose, and without prejudice to the provisions of Article 100.

Administrative Decentralization

Art 107

By degrees the laws will confer on provincial or communal organizations the administrative attributes and faculties at the present time exercised by other authorities with the purpose of proceeding to the decentralization of the interior administrative regime.

The general services of the nation will be decentralized through the formation of the zones that the law may fix.

In any case the supervision of the services of a province belongs to the Intendente and the paramount oversight of the provinces to the President of the Republic.

- Constitution amendment procedure

CHAPTER X. Reform of the Constitution

- Joint meetings of legislative chambers

Art 108

The reform of constitutional provisions will be submitted to the same procedure as a proposal of law, saving the exceptions hereinafter indicated.

The proposal of reform will need to be approved in each Chamber, the vote conforming to the majority of the Deputies or Senators then in office.

The two Chambers united in public session with the attendance of a majority of their total membership, sixty days after the approval of a proposal in the form indicated in the preceding paragraph, will take the proposal into consideration and proceed to vote thereon without further debate.

The proposal as approved by the Joint Congress will pass to the President of the Republic.

If on the day appointed a majority of the total membership does not meet together, the session shall be held on the following day with the Deputies and Senators who may attend.

- Referenda

Art 109

The proposal can be examined by the President of the Republic only to suggest modifications or corrections in the reforms agreed on by the Joint Congress.

If the modifications that the President of the Republic may suggest are approved by both Chambers the proposal will be returned to the President for promulgation.

If the two Chambers reject all or any of the suggestions of the President of the Republic and insist, by two-thirds of the membership present, on the whole or part of the proposal approved by them, it will be returned to the President for promulgation; or, in order that, if he deems it advisable, he may consult the nation within the period of thirty days on the points in disagreement by means of a plebiscite. The proposal approved by the plebiscite will be promulgated as a constitutional reform.

Art 110

When the proposal is promulgated, its provisions shall form a part of the Constitution and be incorporated therein.

- Transitional provisions

Transitory Provisions

First

The existing laws respecting the matters treated of in Article 30, Paragraph 3; Article 73, Paragraphs 8, 13 and 14, and Article 95, Paragraphs 3 and 4 of the Constitution of 1823 are abolished by this constitutional reform.

- Official religion

For five years the State will hand over to His Grace the Archbishop of Santiago the sum of two million five hundred thousand pesos annually, to be expended in the country on the ritual needs of the Catholic Church.

Second

Elections to choose the new President of the Republic will be held on October 24, 1925, in order to comply with the provisions of Article 63 and so that the President-elect may take office on December 23 of the same year.

Third

Proclamation of the new President of the Republic, or his selection in case no citizen obtains the necessary majority at the polls, will be made by the Deputies and Senators elected in conformity with the following provisions. For this sole purpose the Qualification Court will give special warrants to the candidates whom it may regard as having the best right in view of the antecedents as may be known.

- Census

The groups of adjoining departments mentioned in Article 37 will be fixed provisionally by the President of the Republic with reference to the general census taken on December 15, 1920.

Fourth

The general elections for the new Congress will be held on Sunday, November 22, 1925.

Fifth

Until the law shall fix the provincial groupings referred to in Article 40 the following are constituted:

- 1st. Tarapacá and Antofagasta;
- 2nd. Atacama and Coquimbo;
- 3rd. Aconcagua and Valparaíso;
- 4th. Santiago;
- 5th. O'Higgins, Colchagua and Curicó;
- 6th. Talca, Linares and Maule;
- 7th. Ñuble, Concepción and Bio-bio;
- 8th. Arauco, Malleco and Cautín;
- 9th. Valdivia, Llanquihue and Chiloé.

- Term length of second chamber

Sixth

The electoral law for the New Congress will determine the manner of selecting the Senators that in each group of provinces shall serve for a period of eight years and those who serve for a period of four years only, with the view of regulating the election of the Senate by parts in conformity with Article 41.

Seventh

The constitutional period for the new Congress will begin to count from May 21, 1926, without prejudice to its being called in extraordinary session as soon as the Qualification Court may finally approve the warrants of the Deputies and Senators.

- Legislative committees

Eighth

- Compensation of legislators

The salary to be paid Deputies and Senators, until the respective law is enacted, shall be two thousand pesos a month.

From this sum shall be deducted monthly the amount of fifty pesos for each session of the Chamber or of the Committee that is not held or which adjourns on account of the failure of the Deputy or Senator to attend, except in the case where two or more committees meet at the same time and he may have attended one of them.

Ninth

For the purposes of Article 79 it shall be considered that all persons who may have discharged the office of President or Vice President of the Chamber of Deputies or of the Senate prior to the promulgation of this reform of the Constitution, have had the one year of duration in office that the article exacts.

Tenth

The present constitutional reform shall come into operation thirty days after its publication in the Diario Oficial.

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