

Ve République Le Conseil Constitutionnel

Composition



Les membres

- **Président du Conseil constitutionnel**
nommé par le président de la République
- **Membres de droit et à vie**
il s'agit des anciens présidents de la République
- **Membre nommé**
nommés par des autorités politiques, pour neuf ans (renouvellement par tiers tous les 3 ans)
Conditions de nomination : être majeur, jouir de ses droits civils et politiques et avoir la nationalité française.

Le statut des membres

- **Leur mandat est irrévocable**
- **Régime d'incompatibilité rigoureux**
(en cas de non respect : démission d'office, impossibilité de siéger)
- **Obligation de réserve**
(secret des délibérations, de consultation, secret sur la position politique sur des sujets ayant fait ou pouvant faire l'objet d'une décision du Conseil)
- **Prêtent serment devant le Président de la République de respecter la Constitution**
(sauf les anciens présidents)

Attributions

1

Autorité constitutionnelle

Les ministres sont **responsables collectivement** devant l'**Assemblée Nationale** (article 20), cette responsabilité est encadrée (articles 49 et 50).

2

Juge constitutionnel

- incompatibilité avec **toute activité professionnelle** (article 23)
- incompatibilité avec l'exercice d'un **mandat parlementaire**

3

Juge des élections nationales

Les ministres font l'objet d'une **responsabilité pénale particulière** (cf. fiche)



Le Conseil constitutionnel est une des créations les plus originales de la Constitution du 4 octobre 1958. Devenu le gardien des droits et libertés à partir de sa célèbre décision Liberté d'association du 16 juillet 1971.

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ML Yell



Le Droit De La Publiciteacute:

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Le Droit De La Publiciteacute Introduction

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