

LAW N^o 2026/004 OF 14 AVR 2026

TO AMEND AND SUPPLEMENT SOME PROVISIONS OF LAW No. 2004/004 OF 21 APRIL 2004 TO LAY DOWN THE ORGANIZATION AND FUNCTIONING OF THE CONSTITUTIONAL COUNCIL, AS AMENDED AND SUPPLEMENTED BY LAW No. 2012/015 OF 21 DECEMBER 2012.

PRESIDENCE DE LA REPUBLIQUE
PRESIDENCY OF THE REPUBLIC
SECRÉTARIAT GÉNÉRAL
SERVICE DU FICHIER LÉGISLATIF ET RÉGLEMENTAIRE
LEGISLATIVE AND STATUTORY AFFAIRS CARD INDEX SERVICE
COPIE CERTIFIÉE CONFORME
CERTIFIED TRUE COPY

*The Parliament deliberated and adopted,
the President of the Republic hereby
enacts the law set out below:*

SECTION 1: The provisions of Sections 38 and 39 of Law No. 2004/004 of 21 April 2004 to lay down the organization and functioning of the Constitutional Council, as amended and supplemented by Law No. 2012/015 of 21 December 2012, are amended and supplemented as follows:

“CHAPTER V
VACANCY OF THE OFFICE OF PRESIDENT OF THE REPUBLIC

SECTION 38 (new): (1) In the event of resignation, the President of the Republic shall tender his resignation to the President of the Constitutional Council and to the Vice-President of the Republic.

(2) In accordance with Article 6(5) of the Constitution, the Constitutional Council shall ascertain the permanent incapacity of the President of the Republic.

(3) The Vice-President of the Republic shall refer the matter to the Constitutional Council to that effect.

(4) The Constitutional Council shall rule on the case of permanent incapacity by a 2/3 (two-thirds) majority of its members.

SECTION 39 (new): Pursuant to Section 38 above, the Constitutional Council's ruling to ascertain the permanent incapacity of the President of the Republic shall be published according to the procedure of urgency and inserted in the Official Gazette in English and French.”

SECTION 2: This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French./-

