

CONSTITUTION OF THE PROVINCE OF CÓRDOBA

Córdoba, September 14, 2001.

OFFICIAL GAZETTE, September 14, 2001.

Preamble

We, the representatives of the people of the Province of Córdoba, gathered in General Convention, with the purpose of highlighting the dignity of persons and to secure the full exercise of their rights; and reaffirming the values of freedom, equality and solidarity, consolidating the representative, republican and democratic system, assuring the rights of the Province in the Argentine federal system, assuring the municipal autonomy and the access of all persons to justice, education and culture; and promoting an economy to the service of mankind and social justice; for the final settlement of a pluralist and participative democracy and for the common welfare; invoking the protection of God, source of all reason and justice, hereby enact this Constitution.

PART ONE

Statements, rights, duties, guaranties and special policies

TITLE ONE

Representations, rights, duties and guaranties

SECTION ONE

Representations of political faith

Article 1: Form of State

The Province of Córdoba, with the limits attributed to it by law, is an integral part of the Republic of Argentina, and is organized as a Legal Social State, subject to the provisions of the Federal Constitution and of this Constitution.

Article 2: Form of government

The Province organizes its Government under the representative, republican and democratic form, as stated in this Constitution.

Article 3: Popular sovereignty

The sovereignty rests with the people, who exercise it through their representatives and other authorities legally created and, by themselves, according to the forms of participation stated in this Constitution.

Article 4: Inviolability of the person

The persons' lives, as from conception, their dignity and physical and moral integrity are inviolable. Respect to them and their protection is a duty of the community and, in particular, of the public branches.

Article 5: Freedom of thoughts and religion

The religious and conscience freedom, to its maximum extent, is inviolable within the territory of the Province. The exercise thereof is subject to the provisions of morality and public order. Nobody can be obliged to state their religion.

Article 6: Worships

The Province of Córdoba acknowledges and secures for the Catholic Apostolic and Roman Church the free and public exercise of worship. The relationships between such Church and the State are based on the principles of autonomy and cooperation. Likewise, it assures for other worships the free and public exercise, with no other limitation than those established by morality, good habits and public order.

Article 7: Freedom, equality and solidarity

All persons in the Province are free and equal before the law and no discriminations shall be admitted. Social cohabitation is based on solidarity and equal opportunities.

Article 8: Social organization

The Provincial State promotes a free, just, pluralist and participative society.

Article 9: Participation

The Provincial State promotes the conditions to make real and effective the full political, economic, social and cultural participation of all persons and associations.

Article 10: Free initiative

The Provincial State assures the private initiative and all lawful business activities, and harmonizes them with the rights of persons and of the community.

Article 11: Natural resources and environment

The Provincial State safeguards the ecological balance, protects the environment and preserves the natural resources.

Article 12: Capital city and seat of authorities

The authorities exercising the provincial government reside in the City of Córdoba, Capital City of the Province. Any instrumentalities of such government may be located in any other provinces, according to the principles of administrative decentralization. Pursuant to the law, the seat of the capital city or of any of the governmental bodies may be changed.

Article 13: Non-delegable functions

No justice or public officer may delegate his functions to any other person, and no Branch may delegate to another its constitutional authority, except in the cases set forth in this Constitution, and any act done in accordance with any such delegation shall be null and void and non-curable.

Article 14: Officers' responsibility

All public officers, including the Federal Interventor, take an oath to comply with this Constitution and shall be liable on civil, criminal, administrative and political basis. When taking and leaving their offices, they shall submit a property statement, pursuant to the law. The State is liable for the damages caused by facts and acts performed by all its officers and agents.

Article 15: Publicity of acts

The acts of the State are public, in particular those related to the income and property of the Provincial and Municipal State. The law determines the manner and opportunity of publication and the access of private parties to them.

Article 16: Federal clause

The Provincial Government shall:

1. Exercise the rights and attributions not delegated to the Federal Government.
2. Promote a consensual federalism with the Federal Government and among the Provinces, with the purpose of satisfying common interests and participating in consultation and decision entities, as well as establishing intergovernmental and interjurisdictional relationships, by means of treaties and conventions.
3. Exercise in the places transferred upon any title whatsoever to the Federal Government the provincial powers which do not hinder fulfillment of the national utility objectives.
4. Agree with the Federal Government upon tax sharing systems and the social security system decentralization.
5. Seek and manage the deconcentration and decentralization of the Federal Administration.

6. Conduct proceedings and enter into agreements at the international level, to satisfy its own interests, without prejudice to the powers of the Federal Government.

Article 17: Effectiveness of the constitutional order and defense of democracy

This Constitution shall remain in full force and effect even when due to a violent or any other act compliance therewith may be interrupted. Any persons ordering, consenting to or executing acts of such a nature shall be deemed infamous traitors to the constitutional order.

Any persons in this case exercising the duties provided for the authorities of this Constitution, shall be disqualified forever to hold any public office or have any public job whatsoever, in the Province or in the Municipalities.

Every citizen has the duty of contributing to reestablishing the effective constitutional order and the lawful authorities; the people of the Province have the right to resist, whenever no other remedy may be available.

Any decision made by the authorities in the presence or upon request of armed forces or seditious meeting that attribute themselves the rights of the people, shall be null and void and non-curable.

To all criminal and procedural effects, the exemptions, immunities and privileges of the officers directly elected by the people according to the constitutional provisions shall be in full force and effect, until the end of the term for which they were elected, even though they may be destroyed by acts or events not provided for in this Constitution. Consequently, any criminal convictions and any civil accessories which had been or may be issued in violation to these provisions shall be null and void and lack any legal validity.

SECTION TWO Rights

CHAPTER ONE Personal Rights

Article 18: Rights - Definitions

All the persons in the Province enjoy the rights and guaranties granted under the Federal Constitution and those acknowledged by the international treaties ratified by the Republic, and are subject to the duties and restrictions imposed by them.

Article 19: Listed rights

All the persons in the Province enjoy the following rights according to the laws that regulate the exercise thereof:

1. The right to life as from conception, to health, to psychophysical and moral integrity and to personal safety.
2. The right to honor, to intimacy and to one's own appearance.
3. The right to freedom and equal opportunities.
4. The right to learn and to teach, to intellectual freedom, to research, to artistic creativity and to participate in the benefits of culture.
5. The right to the freedom of worship and to any religious and ideological expression.
6. The right to choose and exercise their profession, crafts or employment.
7. The right to raise a family.
8. The right to associate with and meet others for useful and peaceful purposes.
9. The right to file requests before the authorities and to receive an answer, and to have access to the jurisdiction and to the defense of their rights.
10. The right to communicate, to express themselves and to be informed.
11. The right to enter, stay, travel around and leave the territory.
12. The right to the secrecy of private papers, correspondence, telegraphic and telephone communications and any other communications through any other means whatsoever.
13. The right to have access, free and equal, to the practice of sports.

Article 20: Non-listed rights

The rights listed and acknowledged by this Constitution do not entail the denial of any other rights deriving from the democratic form of government and from the natural condition of mankind.

Article 21: Foreigners

No law or regulations may be issued in the Province which establish that any foreigner holds a lower status than nationals. No law obliges foreigners to pay higher contributions than those borne by nationals, nor to pay any forced extraordinary contributions.

Article 22: Operation

The rights and guaranties established in this Constitution are operatively applicable, except when the legal regulation is indispensable.

CHAPTER TWO

Social Rights

Article 20: Workers

All persons in the Province are entitled:

1. To the free choice of their job and to equitable, dignifying, safe, healthy and moral working conditions.
2. To training, welfare and economic improvement.
3. To a limited work day, with a maximum of forty-eight hours weekly, with the appropriate rests and paid vacations, and to enjoy their free time.
4. To a fair compensation, to the same remuneration for the same job and to a minimum, vital and changeable salary.
5. To the non-attachment of the labor severance payment and of a substantial part of their salary and pension payments.
6. To the provision and assurance of the means required to take care of the needs in their lives and of the family under their charge, in the event of accident, disease, disability, maternity, old age, unemployment and death, aimed at an integral social security system.
7. To participate in the administration of social security entities in which they are beneficiaries.
8. To participate in the management of utilities companies, in the manner and with the limits established by law for the worker's social and economic improvement, in accordance with the production demands.
9. To the defense of professional interests.
10. Not to be charged for the prosecution of administrative or judicial actions regarding labor, social security or union matters.
11. To associate freely and democratically with others in the defense of their economic, social and professional interests in unions that may be federated or confederated in the same manner. The unions are hereby assured their right to enter into collective bargaining agreements, to resort to settlement and arbitration and to the right to strike.
12. To be executive officers or union representatives, with stability in their employment and assurances for the performance of their duties.
13. To the stability in career public offices, and not to be dismissed without a prior proceeding, based on a legal ground and with the appropriate right to defense. Any

dismissal which may violate the foregoing, shall be null and void with relevant redress. To the rank of an administrative career.

In the event of doubts as to the enforcement of labor rules, the rule most favorable to the worker shall prevail.

Article 24: Women

Women and men share the same rights as to cultural, economic, political and family issues, with respect for their relevant social and biological characteristics.

The mother enjoys a special protection as from pregnancy, and the working conditions must allow her to comply with her special family function.

Article 25: Children

Children have the right to receive from the State, through its preventative and alternate responsibility, the assurances for their growth, the harmonic development and the full enjoyment of their rights, specially when they are in a situation of lack of protection, in need or under any form of discrimination or the abusive exercise of family authority.

Article 26: Young people

Young people have the right to demand the State to promote their integral development, to make their perfection and their creative contribution possible, and to promote a full democratic, cultural and labor education that may develop the national consciousness in the construction of a just, helpful and modern society, to involve young people in their environment and to assure their actual participation in community and political activities.

Article 27: Handicapped persons

Handicapped persons have the right to receive the integral protection from the State, including the prevention, assistance, rehabilitation, education, training, insertion in social life, and the promotion of policies aimed at making the society aware of the solidarity duties.

Article 28: Elderly people

The Provincial State, the family and the society seek the protection of the elderly and their social and cultural integration, aiming at developing activities regarding free creativity, personal realization and service to society.

Article 29: Consumers

Consumers and users have the right to form groups to defend their interests. The State promotes their organization and operation.

CHAPTER THREE Political Rights

Article 30: Vote

All citizens have the right and duty to participate in political life. The universal, equal, secret and mandatory vote for the election of the authorities is the basis of democracy and the only way of expression of the political will of the people of the Province, save for the exceptions set forth in this Constitution.

The provincial electoral regime must assure the pluralist representation and the full freedom of the electors on the date of voting. This Constitution and the law shall determine in which cases foreigners may vote.

Article 31: Popular initiative

Citizens may propose to the Legislature bills of law and the repeal of the laws in force for consideration thereof. The request must be executed by the percentage of electors prescribed by the law.

This proceeding shall not apply to the bills of law regarding constitutional reforms, approval of treaties, taxes, budgets, creation and jurisdiction of courts.

Article 32: Popular consultation and referendum

Any business of general interest for the Province may be submitted to a popular consultation, according to the provisions of the law.

A referendum shall be authorized for the cases provided for in this Constitution.

Article 33: Political parties

All citizens are entitled to freely enroll in democratic and pluralist political parties.

The Province acknowledges and assures the existence and legal status of those sustaining and respecting republican, representative, federal and democratic principles established by the Federal and Provincial Constitutions.

They orient public opinion and contribute to the formation of the people's political will. The law establishes the regime of political parties acting in the Province and assures their free creation, democratic and pluralist organization, the State economic contribution for their

support and the statement of accounts regarding the origin of their funds. It assures the free spreading of their ideas and an equal access to the mass media.

Only political parties are entitled to present candidates for elective public positions.

The law guaranties the existence of a Political Parties Council, for consultation purposes.

CHAPTER FOUR Associations and Intermediate Organizations

Article 34: The family

The family is the fundamental core of society and must enjoy social, economic and cultural conditions aimed at its strengthening and integral development.

The State protects it and facilitates its creation and objectives.

The care and education of children is a right and obligation of the parents; the State undertakes to comply with such obligation.

The right to family property (*bien de familia*) is hereby acknowledged.

Article 35: Intermediate organizations

The community is based on solidarity. Business, professional, union, social and cultural organizations have all the facilities for their creation and the development of their activities; their members shall be entitled to the fullest freedom of speech, opinion and criticism, and to the non-restricted right to request before authorities and to receive an answer from them. Their internal structures must be democratic and pluralist and the main requirement is compliance with the duties of social solidarity.

Article 36: Cooperatives and benefit societies (*mutuales*)

The Provincial State encourages and promotes the organization and development of cooperatives and benefit societies. It assures them proper assistance, spreading and control, that guaranties their nature and objectives.

Article 37: Professional associations

The Province may delegate the regulation of professions and the control of their practice to entities that are organized with the consensus of all the professionals of the activity, in a democratic and pluralist manner pursuant to the terms and conditions established by the Legislature. They are in charge of defending and promoting their specific interests and enjoy the powers that the law deems necessary for the performance of their duties, according to the principles of loyal and reciprocal collaboration and subordination to the common welfare, without prejudice to the jurisdiction of the powers of the State.

SECTION THREE
Duties

Article 38

The following are the duties of all persons:

1. To comply with the Federal Constitution, this Constitution, the treaties between provinces and other laws, decrees and provisions that may be issued accordingly.
2. To honor and defend the Nation and the Province.
3. To participate in the political life whenever the law may determine.
4. To safeguard and protect the interests and cultural and material property of the Nation, the Province and the Municipalities.
5. To contribute to the expenses that may demand the social and political organization of the State.
6. To render civil services in the events that the law may so require.
7. To receive education and training to the extent of their calling and according to the social needs.
8. To avoid environmental contamination and to participate in the ecological defense.
9. To take care of their health as a social asset.
10. To work within the scope of their possibilities.
11. Not to abuse of the law.
12. To act with solidarity.

SECTION FOUR
Guaranties

Article 39: Due process

Nobody may be convicted but by virtue of a process conducted according to the provisions of this Constitution, nor can anybody be tried by other justices than those designated by law before the event of the case and according to this Constitution; and nobody shall be deemed guilty while not so declared by a final and conclusive judgment; and nobody shall be criminally prosecuted twice for the same crime. Every process must conclude within reasonable time.

Article 40: Defense in trial

The defense in trial of a person and of rights cannot be violated. Any person charged is entitled to a technical defense, even by the State, as from the first moment of criminal prosecution. Nobody may be obliged to make a statement against themselves in any criminal case, nor against their spouse, ascendants, descendants, siblings and side relatives up to a fourth degree of consanguinity or second degree of affinity, their guardian or pupil, or any person with whom they live in apparent matrimony.

The statement of a person charged, in the absence of his or her defender, shall not be used as evidence.

Article 41: Evidence

The evidence is public in all lawsuits, except in the cases in which publicity may affect the morality or public safety. This resolution must be legally founded.

Any letters or private papers which had been stolen shall not be admitted as evidence in a lawsuit.

Any acts violating guarantees acknowledged by this Constitution lack any effect whatsoever, and such lack of effectiveness extends to all such evidence that, according to the circumstances of the case, would not have been obtained without such violation and may be the necessary consequence of such a violation.

In the event of doubts regarding any matters of fact, the most favorable situation for the accused person shall prevail.

Article 42: Privation of freedom

The privation of freedom during the lawsuit shall be exceptional, and it may only be ordered within the limits set forth in this Constitution and provided that it may not exceed the term established in the law. The provisions authorizing such privation shall be restrictively interpreted.

In the event of dismissal or acquittal, the State may grant compensation for the time of the privation of freedom, according to the provisions of the law.

Except in the case of flagrancy, no one shall be deprived of freedom without a written order issued by a competent judicial authority, provided that there are elements which are convincingly sufficient to prove the participation in such crime, and it is absolutely indispensable in order to assure the investigation and the protection of the law. In the case of flagrancy, the judicial authority shall be immediately notified and the arrested person shall be placed at the disposal thereof, with evidence of their records and the information of the facts attributed to such arrested person, for the purposes set forth in the preceding paragraph.

Upon the privation of freedom, the arrested person shall be notified in such same act of the event causing such arrest and of his/her rights, and he/she may communicate their situation to any person they may deem advisable; the authority shall grant any means necessary to such end.

Article 43: Isolation

The isolation may only be ordered by the court to avoid that the accused person may hinder the investigation and may not exceed a 2-day term. Even in such a case, communication with the defense attorney is guaranteed immediately before the performance of any act requiring his or her personal intervention. To such respect, the provisions of the last paragraph of the preceding article shall apply.

Article 44: Custody or prisoners and prisons

Any officer responsible for the custody of prisoners, when taking them under his charge, must require and keep the detention or imprisonment order; he/she shall be exclusively liable for their custody, and shall be responsible for the undue arrest or imprisonment.

The regulations, of any prison, must take into account the protection of the physical and moral health of the prisoners, and facilitate their personal and effective development.

Torture or any other outrageous or degrading acts are prohibited, any the officer who participates in such acts, or who fails to report them, even though he/she is obliged to do so, or that in any manner may consent to them, shall be removed from his/her position and shall be disqualified to hold any other position for the term provided for by the law.

The accused persons and those convicted felons shall be accommodated in healthy and clean premises submitted to the treatment advised by any scientific, technical and criminological contributions that may be made in this respect.

Women shall be accommodated in special premises, and minors could not be accommodated in facilities designed for the detention of adults.

Article 45: Non-violation of the domicile - enter and search

The domicile shall not be violated and may only be searched with a grounded warrant, written and determined by the competent court, which may not be replaced by any other means. In the event of private homes, the search may not be performed at night, except in extremely serious and urgent cases.

Article 46: Private papers and communications

The secrecy of private papers, letters and any other form of personal communication through any means whatsoever shall not be violated. The law determines the cases in which such communications may be reviewed or intercepted by means of a grounded judicial order.

Article 47: Habeas corpus

Any persons who actually suffer or are threatened to suffer an arbitrary restriction of their freedom may resort through any means, directly or indirectly to the nearest court, so that it may be informed of the facts, and if admissible, it may order to protect their freedom or may determine the termination of the arrest within less than twenty-four hours.

This action may also be filed by any persons suffering an illegitimate aggravation of the form and conditions of their arrest, without prejudice to the powers inherent in the court hearing the case.

The violation by any justice of this provision shall result in his or her removal.

Article 48: Amparo action

Provided that there is any actual or threatened restriction, alteration or damage, with an evident arbitrariness and illegality, to any rights or guaranties acknowledged by this Constitution or by the Federal Constitution, and there is no other prompt and efficient way to avoid serious harm, the damaged person may request the protection (*amparo*) from the courts in the manner prescribed by the law.

Article 49: Access to justice

In no case may the access to justice be limited due to economic reasons. The law establishes a system of free counsel to such effect.

Article 50: Privacy

Any person has the right to know his or her record, the purpose for which such information is used, and to demand its rectification and update. Such information may not be recorded for discriminatory purposes of any nature whatsoever nor be given to third parties, except when they have a legitimate interest.

The law regulates the use of information in order to protect the honor, personal and family intimacy and the full exercise of rights.

Article 51: Right to information - Freedom of speech - Plurality

The exercise of the rights to information and to freedom of speech is not subject to prior censorship but only to subsequent liabilities specifically established by law and exclusively designed to guarantee the respect for the rights, reputation of persons and the protection of safety, morality and public order.

Social mass media must assure the principles of pluralism and respect for the cultures, beliefs, and currents of thought and opinion. The private or public monopoly or oligopoly, or any other similar form, is prohibited on mass media at provincial level. The law

guarantees the free access to public sources of public information and to journalistic professional secrets.

The Legislature shall not enact any laws restricting the freedom of press.

Whenever a publication is accused, which publication reports in decorous terms the conduct of an individual such as a justice or public figure, attributing faults or crimes the investigation and punishment of which are relevant for society, evidence must be admitted on the reported events and, if they turn out to be true, the accused party will be exempted from punishment.

Information and communication constitute social assets.

Article 52: Delay with respect to the *amparo* action

In the event that this Constitution, any law or rule may impose upon an officer, agency or administrative public entity a specific duty to comply within a certain term, any person damaged may judicially enforce such compliance and request the immediate execution of the acts that the officer, agency or administrative public entity failed to comply with. The court, after expeditious verification of the reported events, of the legal obligation and of the claimant's interest, may issue a judicial order for the prompt dispatch within the term to be reasonably determined by it.

Article 53: Protection of rights of general public interest (*intereses difusos*)

The law warrants to any person, without prejudice to the State's liability, the legitimate power to obtain from the authorities the protection of rights of general public interest, ecological or of any other nature, acknowledged in this Constitution.

TITLE TWO
State Special Policies

CHAPTER ONE
Labor, Social Security and Welfare

Article 54: Labor

Labor constitutes a right and a duty based on the principle of social solidarity. It is an activity and a means to enhance the spiritual and material values of the person and of the community; it is the basis of general prosperity.

The State is obliged to promote the full and productive occupation of all inhabitants in the Province. The law contemplates the special situations and conditions of labor to assure the effective protection of workers.

The Provincial State exercises the labor police power within the personal and territorial sphere, without prejudice to the Federal Government's powers regarding this matter.

Likewise, with respect to collective bargaining concerning mandatory settlement, optional and mandatory arbitration; and in this latter case, only in exceptional situations, and in all the stated events, with the same reserve on the Federal Government's powers.

Article 55: Social security

The Provincial State establishes and guarantees, within the sphere of its competence, the effective compliance with a social security system protecting all persons from and against social contingencies, based on the principles of contributive solidarity, distributive equality, accessible, integral and non-waivable nature of benefits and services. The social security entities are autonomous and administered by the interested parties with the participation of the State and in coordination with the Federal Government.

Article 56: Social interest activities

The Provincial State encourages social interest activities aiming at supplementing the welfare of the person and of the community, comprising sports, recreation, use of spare time and tourism.

Article 57: Retirement and pension system

The Provincial State, within the sphere of its competence, provides workers with the benefits of retirement and pension and assures that retirement and pension amounts shall be changeable, non-reducible and proportional to the remuneration of the active worker.

The retirement and pension system must be uniform and equitable and must seek coordination with other retirement and pension systems.

The law establishes a general retirement and pension system contemplating the different situations or working conditions, as set forth in Article 104, item 19, of this Constitution.

Resources which form part of the equity of retirement and pension schemes are intangible and must be used only to render the specific services.

Article 58: Household

All inhabitants are entitled to enjoy a dignified household, which, together with the services related to it and the land required for settlement, has a fundamental social value. The sole household shall not be attached, pursuant to the provisions set forth in the law.

The Provincial State promotes the conditions necessary to make this right effective. To such end, it plans and executes the housing policy and may coordinate it with the other jurisdictional levels, social institutions or with the solidarity contribution of the interested parties. The housing policy is governed by the following principles:

1. To rationally use the land and preserve the life quality, according to the general interest and cultural and regional standards of the community.

2. To prevent speculation.
3. To help families with no resources in order to facilitate their access to their own house.

Article 59: Health

Health is a natural and social asset which generates in the Province inhabitants the right to the fullest psychophysical, spiritual, environmental and social welfare.

The Government of the Province guaranties this right through actions and services promoting the participation of the individual and of the community. It establishes, regulates and controls the health system, it integrates all resources and coordinates the sanitary policy with the Federal Government, the Provincial Governments, municipalities and private and public social institutions.

Pursuant to the provisions of the Federal Constitution, the Province preserves and reaffirms for itself, the attribution of police power as to health legislation and administration.

The health system is based on the universal nature of coverage, with integral actions for the promotion, protection, recovery and rehabilitation of health, and includes control of social and environmental biological risks of all people, as from conception. It encourages the participation of which are sectors interested in the solution of sanitary issues. It assures access within the whole provincial territory, to the proper, equal and timely use of health technologies and therapeutic resources.

CHAPTER TWO Culture and Education

Article 60: Culture and Education

The Provincial State disseminates and encourages all manifestations of culture from a national perspective which is supplemented by the provincial and regional manifestations.

Culture and education constitute social functions, they provide foundations for national identity and unity, and they contribute to the Latin American integration with a spirit open to the other peoples.

The State assures the right to education and access to culture taking into account equal opportunities and possibilities, with no discrimination whatsoever.

Article 61: Education

The purpose of education is the integral, harmonic and permanent training of a person, with the reflexive and critical participation of students, which allows them to elaborate their values scale, aiming at complying with their personal realization, with a transcendental

destiny, their insertion in the social and cultural life and in the labor sphere, in order to form a democratic and fair society with a concern for the others.

Article 62: Education Policy

The provincial education policy is adjusted to the following principles and guidelines:

1. The provincial state shall exercise a mandatory educational function; establish the policy of the sector and supervise compliance.
2. Assure the right to learn and to teach; acknowledge the family as the primary and natural agent of education, and the education function of society.
3. Acknowledge the freedom of teaching and learning. The persons, associations and Municipalities are entitled to create educational institutions adjusted to the principles of this Constitution, which are acknowledged according to the law. It regulates the economic cooperation of the State with non-profit institutions.
4. Assure the mandatory nature of general and common basic education and guarantee equal opportunities and possibilities of access to such education.
5. Assure the free and helpful nature and lack of dogmatism of public state education. The parents have the right for their children to receive in state schools religious or moral education, according to their beliefs.
6. Promote access of inhabitants, according to their calling, capacity and merit, to the highest levels of education, research and creativity.
7. Generate and encourage several means for permanent education, literacy, cultural creativity, labor training or professional education according to the regional needs.
8. Satisfy requirements from the educational system, as to teachers' training and updating.
9. Assure within the provincial budget the sufficient resources for the proper provision of education services; integrate community and sector contributions and those from other jurisdictions.
10. Obligatorily incorporate in all education levels, the study of this Constitution, its provisions, spirit and institutes.

Article 63: Education Regulation

The Provincial State organizes and monitors the education system at all levels, with centralization as to politics and rules and an operating decentralization, according to the democratic principles of participation. It appoints the Government's representatives in collegiate bodies of teachers and of other institutional and social agents, at the levels of policy elaboration and execution, as and with the powers set forth by law.

Teaching and learning centers are education communities, the action of which is related to the democratic practice and to the participation of their members.

Article 64: Science and Technology

The Provincial State protects, encourages and directs the progress, use and incorporation of science and technology, provided that they reaffirm national sovereignty and regional development, do not alter the ecological balance and contribute to the general enhancement of mankind.

The participation of all persons in technological advances and equal use thereof is guaranteed under this Constitution; monopolies, anticipated obsolescence and distortion of the economy must be avoided.

Article 65: Cultural patrimony

The Provincial State is responsible for the preservation, enhancement and dissemination of the cultural heritage, in particular the archaeological, historical, artistic and landscape heritage and the assets which are part of it, whichever their legal system or ownership may be.

CHAPTER THREE Ecology

Article 66: Environment and life quality

Any person has the right to enjoy a healthy environment. This right includes the right to live in a physical and social environment free from any factors harmful to health, to the preservation of natural and cultural resources and to the aesthetical values allowing for dignified human settlements, and to the preservation of flora and fauna.

The water, soil and air, as vital elements for people, shall be specially protected by the Province.

The Provincial State protects the environment, preserves natural resources by ordering their use and exploitation, and safeguards the ecological system balance, with no discrimination of individuals or regions.

To such effect, it issues rules to assure:

1. The efficacy of the principles of harmony of the ecosystems and the integration, diversity, maintenance and recovery of resources.
2. The compatibility of the physical, economic and social planning of the Province, with the environment preservation and improvement.

3. A balanced distribution of urbanization within the territory.
4. The priority assignment of sufficient means to increase the life quality in human settlements.

CHAPTER FOUR Economy and Finance

Article 67: Economic principles

The economy is to the service of people and must satisfy their material and spiritual needs.

The capital performs a social function and orientates to the growth of economy.

The benefits of growth are equally and severally distributed. Businessmen, workers and the State are responsible for the efficiency, productivity and progress of economic organizations which participate in the productive process.

The free private initiative is hereby acknowledged and secured, and monopolies, usury and speculation shall be punished.

Private property shall be inviolable; nobody can be deprived of it but by virtue of a judgment grounded on the law, and its exercise is limited to the social function it must perform.

Article 68: Natural resources

The Provincial State defends both renewable and non-renewable natural resources, based on their rational and integral use, preserving the archaeological and landscape heritage and the environment protection.

The land is a permanent production asset; the law guaranties its preservation and recovery, it seeks to avoid the loss of fertility and erosion, and regulates the use of applicable technologies.

Waters of the public domain and the use thereof are subject to the general interest. The State regulates its rational use and takes the actions aiming at avoiding their contamination.

The Provincial State protects the survival and preservation of forests, encourages their rational exploitation and proper use, aims at the development and improvement of species and to their replacement through forestation and reforestation to safeguard the ecological stability.

The fields of mineral substances and fossils shall be the exclusive and inalienable property of the Province not subject to any statutes of limitation; their exploitation must be preserved for the benefit of present and future generations.

The Provincial State acknowledges the Federal Government's authority to issue mining provisions; it fosters the survey, exploration and benefit of mineral substances of the territory, performs the inventory of its resources and issues laws to protect such heritage in order to avoid the premature exhaustion through their irrational exploitation and use.

Article 69: Planning

The Provincial State directs the economic activities according to the principles stated in this Constitution; it elaborates plans to encourage the participation of the interested economic and social sectors, devoted to the regional development and to the provincial economic integration.

The budget of the Province and of the State-owned companies are prepared within the framework of such planning.

The Province agrees with other provinces and with the Federal Government upon its participation in federal or regional planning systems.

Article 70: Budget

The provincial budget provides for the relevant resources, authorizes investments and expenses and fixes the number of public agents; it specifies the objectives that must be quantified whenever their nature may allow so.

It may be projected for more than one fiscal year not exceeding the term of office of the person in charge of the Executive Branch.

Failure to enact the budget law as of January 1st each year implies the automatic extension of credits in force at the end of the immediately preceding fiscal year.

State-owned companies are governed by their own budgets.

Article 71: Taxes

The tax system and public charges are based on the principles of legality, equality, contributive ability, uniformity, simplicity and certainty.

The Provincial State and the Municipalities establish joint cooperation, administration and control systems for taxes.

Progressive structures of rates, exemptions and other provisions may be fixed with the purpose of graduating the fiscal burden in order to achieve the community's economic and social development.

No law may reduce the tax amount upon expiration of the general terms for payment thereof for the benefit of delinquent debtors or people evading tax obligations.

The law shall determine the manner and form for the admissibility of the legal action arguing the legality of taxes and rates payment.

Article 72: Provincial Treasury

The Provincial Treasury is formed with resources coming from:

1. Taxes directly collected and/or coming from tax sharing systems.
2. Income and proceeds from the sale of its assets and economic activity of the State.
3. Duties, assessments, interest, contributions or canons, deriving from the exploitation of its assets and natural resources.
4. Donations and legacies.
5. Loans and credit transactions.

Article 73: Public Credits

The Provincial State may assume loans on the general credit of the Province, issue government securities and perform any other credit transactions for the financing of public works, promotion of the economic and social growth, modernization of the State and other exceptional or extremely urgent needs. The law determines the resources used for payment of amortization and interest of authorized debts which cannot compromise more than twenty per cent of the provincial income, and to such effect the calculation basis shall be the lesser of ordinary annual income for the last three fiscal years, taken at constant values.

Article 74: Contracts

The sale of assets of the Province or of the Municipalities is performed under the terms to be set forth by laws or ordinances.

Any contract to which the Provincial State or the Municipalities may be a party shall be entered into according to their specific laws or ordinances on the matter, through the selection procedure.

Article 75: Public utilities

Public utilities originally correspond, according to their nature and characteristics, to the Province or the Municipalities; they may be supplied directly or through cooperatives of mixed-economy companies, and by private parties. The control of such supply shall be carried out by the consumers according to the relevant laws or ordinances.

Article 76: Remunerations

The Provincial State, with prior participation and by guild, shall fix the remuneration of its agents and seek homogeneity based on the principle that the same task must receive the same remuneration.

Remunerations of public agents of the Branches of the State shall not exceed that of the person in charge of the Executive Branch.

PART TWO
Authorities of the Province

TITLE ONE
Provincial Government

SECTION ONE
Legislative Branch

CHAPTER ONE
Provincial Legislature

Article 77: Composition

The Legislative Branch of the Province of Córdoba is under the charge of a Legislature with only one Chamber formed by seventy members.

Article 78: Integration

The Legislature of the Province of Córdoba is formed as follows:

1. Twenty-six legislators directly elected by the people, by plurality of votes and at the ratio of one legislator for each of the departments into which the Province is divided, which departments shall be deemed as a single constituency.
2. Forty-four legislators directly and proportionally elected by the people, taking the whole Province as a single constituency.

The distribution of these seats is made as follows:

- (a) The total votes obtained by each of the lists is divided by one, by two, by three and so on until reaching the total number of seats to be covered.
- (b) The resulting quotients, regardless of the list where they come from, are ordered from the highest to the lowest until reaching number forty-four.
- (c) In the event of two or more equal quotients, they are ordered in direct relation to the total votes obtained by the respective lists, and if they had obtained the same number of votes, the final order of equal quotients shall be decided by a lot to be carried out by the Electoral Court.

(d) Each list shall occupy as many seats as times their quotients appear in the order of the forty-four seats.

For each list of candidates to be legislators of a single constituency, the preference vote is established, according to the law regulating the exercise thereof.

Article 79: Proclamation

The proclaimed provincial legislators shall be those elected according to the electoral system set forth in this Chapter.

Article 80: Alternate Members - Incorporation

The alternate legislators shall be elected within the same election.

In the event of legislators elected pursuant to the provisions of Article 78, item 1, upon the occurrence of a vacancy, it will be covered by his or her alternate legislator.

In the event of legislators elected pursuant to the provisions of Article 78, item 2, upon the occurrence of a vacancy, it will be covered as follows:

1. First, by the regular candidates of the same gender who had not been elected, in the order set forth in the party list, and then by the alternate candidates of the same gender, in the order set forth in the party list.
2. Upon completion of replacements of the same gender, the succession continues according to the order of regular and alternate candidates of the other gender.

In all cases, if the list of regular and alternate candidates is exhausted, the Legislature shall inform the Executive Branch so that a new election, as applicable, may be immediately convened.

Article 81: Temporary replacement

In the event of a personal impediment or leave of absence of a legislator exceeding thirty days, the position is temporarily covered pursuant to the provisions of the preceding article.

Article 82: Requirements

The requirements to be legislator are the following:

1. To have attained the age of eighteen years old at the time of incorporation.
2. To have been a citizen in exercise, for at least five years in the case of naturalized citizens.

3. To immediately and continuously reside in the Province during the two-year period prior to the election. To such effect, such term shall not be interrupted by the absence due to the performance of political or technical duties for the Federal or Provincial Government.

The legislators of departments must be born in such departments or have a residence of at least three years in such department.

Article 83: Term of office

Legislators shall hold office for four years and may be reelected. The Legislature is constituted by itself.

Legislators shall commence and terminate their terms of office together with the Executive Branch.

Article 84: President

The Vice Governor is the President of the Legislature, but he casts no vote in case of a tie.

Article 85: Deputy President

The Provincial Legislature shall appoint, from among its members, a Deputy President who shall preside over it in the absence of the Vice Governor, or when he is exercising duties inherent in the Executive Branch. The Deputy President has say and vote and in the event of a tie, a double vote.

Article 86: Disqualifications

The following persons do not qualify to hold the position of legislator:

1. Persons convicted for a crime while they have not complied with their penalties.
2. Persons who fail to meet the requirements to be electors.
3. Persons who do not qualify to hold public positions.

Article 87: Incompatibilities

The position of legislator is incompatible with:

1. The exercise of a paid duty or job for the Federal Government, the Provinces or the Municipalities, except for teaching as a position of simple dedication, and any eventual honorary commissions in which case the prior authorization of the Legislature is required.
2. Any other national, provincial or municipal elective position, except the position as Member of a Constitutional Convention or Municipal Convention.

3. The exercise of executive or representation duties for awardees of concessions, licenses or permits granted by the State.

4. The exercise of duties for the Armed or Security Forces.

The agents of the Provincial or Municipal Administration who are elected as regular legislators, shall be automatically under an unpaid leave for the time while they hold office.

Article 88: Prohibitions

No legislator may pursue any actions of economic nature against the Federal State, the Province, or the Municipalities, except in the event he/she is acting on his or her own behalf.

Article 89: Immunity of opinion

No member of the Legislative Branch may be accused, judicially interrogated or bothered due to his or her expressions in mass media or in any other sphere, that he or she may state inside or outside the Legislature while holding office.

Upon expiration of the term of office, no legislator may be accused, judicially interrogated or bothered due to his or her opinion expressed while holding office.

The Court before which the legal action is brought against a legislator in relation to the foregoing shall declare it inadmissible, even though it may be filed after expiration of the term of office.

Article 90: Prerogatives of candidates

The candidates as from the time their respective lists become official and until they are proclaimed elected legislators, shall have the following prerogatives:

1. Not to be bothered by authorities or arrested for the opinions expressed due to the electoral campaign.
2. To request and receive information from the Executive Branch.

Article 91: Remuneration

Legislators receive for their job the pay set forth in the law. Such pay is effectively given according to their attendance at the sessions and the committees of the Legislature. Under no event does it correspond to traveling, representation or additional expenses for exclusive dedication or any similar costs.

Article 92: Judge of the elections

The Legislature shall be the exclusive judge of the validity of the election, of the rights and titles of its members.

When acting as judge or election body, it may not reconsider its own resolutions.

Article 93: Oath

At the act of their incorporation, legislators take an oath to duly perform their office and to fully act in accordance with the provisions of this Constitution and the Federal Constitution.

Article 94: Quorum

The Legislature begins its session with half plus one of its members, but any lesser number may compel the absent legislators to attend the sessions under the terms and subject to the sanctions established by such body.

Article 95: Publicity

Sessions shall be public, unless a serious interest declared by Legislature may demand otherwise.

Article 96: Ordinary sessions

The Legislature meets upon its own call in ordinary sessions every year, from February 1st until December 30. Ordinary sessions may be extended by the Executive Branch or by a decision of the Legislature itself. During the recess, any terms established in this section shall be suspended.

Article 97: Extraordinary sessions

The Legislature may be convened to hold extraordinary sessions by the Executive Branch, or by its President, upon the written request of one fourth of its members. In this case, it may only deal with the matter or matters for which it has been convened.

Article 98: Opening and closing of sessions

The Legislature opens the sessions and invites the Executive Branch to appear in order to account for the status of the administration.

The Legislature invites the Executive Branch for the closing of sessions, only for a greater solemnity of the act.

Article 99: Disciplinary authority

The Legislature shall issue its own regulations and it may, with the vote of two thirds of all its members, correct, exclude from itself any legislator due to misconduct in the exercise of their duties or due to indignity, and remove them for a physical or mental inability

subsequent to their incorporation. To decide on their voluntary resignation to the positions the vote of the majority of the members present shall be sufficient. In all cases, the right of defense and due process must be assured.

Article 100: Sanctions

The Legislature has powers to sanction any faults committed within or without its premises, that may affect the order of sessions. It may impose arrests or community services for third parties for a term not to exceed thirty days, without prejudice to the fact that they may be placed, if applicable, at the disposal of a competent court. In all cases, the right of defense and due process must be assured.

Article 101: Presence of Ministers

The Legislature may request the Ministers of the Executive Branch to appear in its premises or before its committees, to ask from them any reports or explanations as they may deem advisable, prior communication of the matters to be reported or explained. The Ministers are obliged to appear. In all cases, the notice to appear must be given within a term of at least five days, except that the matter may be extremely serious or urgent, and it may be so determined by the Legislature with the absolute majority of its members.

The person in charge of the Executive Branch may appear, whenever he may deem so advisable, to replace the Minister or Ministers called to appear.

Article 102: Reports

The Legislature or legislators individually may ask the Executive Branch for reports on public interest issues, for the better performance of their duties.

Reports so requested must be given within the term set forth by the Legislature.

Article 103: Investigation committees

The Legislature may appoint, out of its members, investigation committees for the sole purpose of compliance with its purposes, which committees must respect the personal rights and guaranties and the competence of the Judicial Branch.

In all cases, such committees must render an opinion to the Legislature, as to the results of the investigation conducted.

CHAPTER TWO

Powers

Article 104: Legislature's powers

The Provincial Legislature shall:

1. Issue all the laws that may be necessary to make effective the rights, duties and guaranties set forth in this Constitution, not altering their spirit.
2. Approve or reject the treaties or conventions stated in Article 144, item 4.
3. Admit or reject the resignations submitted by the Governor or Vice Governor.
4. Decide on the leaves of absence of the Governor and the Vice Governor to leave the Province, whenever their absence may last for a continuous period exceeding fifteen days.
5. Give instructions to National Senators for their performance with the vote of two thirds of the members, in the case of matters involving the interests of the Province.
6. Call for provincial elections if the Executive Branch fails to do so and with the anticipation determined by the Constitution or by the law.
7. Establish the limits of the regions of the Province that modify the present system of Departments, with two thirds of the votes of its members.
8. Authorize with two thirds of the votes of the members present the abandonment of jurisdiction of part of the provincial territory, for the purpose of public use; and authorize with the same higher majority (*mayoría agravada*) of its members the assignment of ownership of part of the territory of the Province for the same purpose. When the assignment may involve the dismemberment of the territory, the law that may so determine must be submitted to referendum by the citizens.
9. Issue general plans on any matter of regional interest, and delegate to the respective Municipalities or regional entities the application thereof.
10. Issue the municipal charter pursuant to the provisions of this Constitution. In the event of a merger, call the electors of the Municipalities involved for a referendum.
11. Issue special laws delegating competences of the Province upon the Municipalities.
12. Determine, with two thirds of all the members who form the Legislature, the intervention of the Municipalities according to the provisions of this Constitution.
13. Issue the Education Charter (*Ley Orgánica de Educación*), according to the principles set forth in this Constitution.
14. Legislate on the industrial and technological development, immigration and economic and social promotion.
15. Establish systems for the encouragement of settlement of new production activities.
16. Issue the Charter for the Registry of Vital Statistics (*Registro del Estado Civil y Capacidad de las Personas*).

17. Legislate on the use and disposition of the lands belonging to the Provincial State and issue colonization laws assuring a more productive and rational exploitation of agricultural resources.

18. Issue the law on expropriations and declare the public use to such effects.

19. Issue a general law on retirement and pensions, based on a mandatory discount on salaries for all positions. In no case of retirement, may pensions or grants be granted by special laws entailing a privilege different from the general regime.

20. Issue the charter for the Police of the Province and for the Provincial Penitentiary Service.

21. Issue general laws on the preservation of the urban soil resource, regarding the territorial order, and protecting the environment and the ecological balance.

22. Issue laws on elections and political parties contemplating open, simultaneous and mandatory internal elections for the selection of candidates of all political parties.

23. Issue laws establishing the proceedings of Impeachment and Trial Jury.

24. Issue procedural codes and laws.

25. Create and suppress jobs and legislate on all public instrumentalities, agencies, offices and establishments, with determination of the powers and duties of each officer. Such legislation must take into account the policy of administrative reform proposed by this Constitution.

26. Issue the by-laws, the remunerations system and regulate the personnel rank of the Branches and bodies of the Provincial State.

27. Legislate on the decentralization of services of the Administration and the creation of public companies, State companies, banks and other credit and savings institutions.

28. Issue the law on public works required due to the Province's interests.

29. Analyze the expenses general budget and resources calculation sent by the Executive Branch before November 15 for the following or a longer period, provided it does not exceed the term of office of the current Governor.

Determine its own budget, which is integrated in the general budget, and establish the rules regarding its personnel.

Determine the number and salary of agents of public instrumentalities, upon the proposal of the Executive Branch.

The execution of the laws enacted by the Legislature and entailing expenses shall take place as from the moment when there are available funds in the budget, or when the necessary resources to satisfy them are created.

30. Approve the annual budget based on the budget in force, if the Executive Branch fails to submit the project before the deadline set forth in this Constitution.

31. Approve or reject the investment accounts of the fiscal year ended, within the ordinary period in which they are issued. If not objected to within such period, they shall be approved.

32. Establish taxes to form the provincial treasury.

33. Authorize the Executive Branch, with the vote of two thirds of the members present, to take loans.

34. Issue the charter on the use of public credit and arrange payment of debts of the Provincial State.

35. Enact tax sharing laws for the Municipalities and approve grants for them.

36. Regulate the organization and operation of the position of Ombudsman (*Defensor del Pueblo*) and appoint such officer with the vote of two thirds of its members.

37. Grant general amnesties.

38. Grant honors and encouraging rewards for significant services rendered to the Province, which may not be determined in favor of officers while they are holding office.

39. Regulate the police power regarding authorization and repression of games of chance, the exercise of which is exclusively attributed to the Province, through the bodies it may determine.

40. Promote the general welfare, through laws on any matter of general interest which is not exclusively attributed to the Federal Government.

41. Issue all laws and regulations as may be advisable for the effective exercise of the preceding powers and all and any other powers granted by this Constitution to the Government of the Province.

42. Agree, at a public session, to the appointment of the Justices and Officers mentioned in this Constitution.

43. Declare the need of reform of this Constitution in accordance with the provisions of Articles 196 and 197.

CHAPTER THREE

Formation and enactment of laws

Article 105: Initiative

The laws are originated in the Legislature through bills submitted by one or more of its members, by the Executive Branch, or by the popular initiative in the cases as may be determined in this Constitution or by law.

Article 106: Double reading

The statement for the reform of this Constitution, the budget law, the tax code, the tax laws, and laws concerning loans, are approved by a double reading system as may be established in the Regulations.

The time interval existing between the first and the second reading may not exceed a 15-running-day term. Between the first and second reading there may be a public hearing, the regulation of which shall be made by law.

The Legislature with the absolute majority of its members may decide which other laws shall be subject to the double-reading system due to their nature and relevance.

Article 107: Rejection

No bill of law totally rejected by the Legislature may be repeated during the sessions of the same year.

Article 108: Formula

For the enactment of laws the following formula shall be used: "The Legislature of the Province of Córdoba hereby enacts with the force of Law."

Article 109: Promulgation and veto

Upon the enactment of a bill of law, it is sent to the Executive Branch to be reviewed, promulgated and published. Any bill enacted and not vetoed within ten business days upon receipt of the communication by the Executive Branch, shall become a law.

A totally vetoed bill returns to the Legislature. If the latter may agree, the bill shall be dismissed and it cannot be repeated during the sessions of such year. If the Legislature does not accept the veto, it may insist on the enactment thereof with the vote of two thirds of its members present, and therefore the bill becomes a law and is sent to the Executive Branch for promulgation.

In the event of a partial veto, the bill is returned to the Legislature. If the latter may agree, the bill becomes law with the amendments that caused such veto. If such amendments are rejected, the Legislature may insist on the enactment of the bill with the majority of two

thirds of the votes of its members present, and therefore the bill becomes law and is sent to the Executive Branch for promulgation.

In case of a law partially vetoed by the Executive Branch, it may only promulgate the non-vetoed portion, if it is autonomous as to rules and regulations and does not affect the unity of the bill, upon a prior favorable decision of the Legislature.

Article 110: Term

If a law is vetoed by the Executive Branch, the Legislature must discuss it within thirty days during the ordinary sessions.

Upon the lapse of such term, if the Legislature fails to discuss such bill, it shall be dismissed.

If the Legislature is under recess, the term to make a decision on the law shall be thirty days calculated as from the opening of the following period of ordinary sessions or the beginning of extraordinary sessions. The recess of the Legislature suspends any term that may be running, to be completed during the ordinary or extraordinary sessions.

Article 111: Effectiveness - Non-retroactivity

Laws shall be in force and effect as from the date of publication, unless a different date may be determined by such laws.

They shall not be retroactive, unless otherwise provided.

The retroactivity set forth by law may not affect rights protected by constitutional guaranties.

CHAPTER FOUR Impeachment

Article 112: Officers - Grounds for impeachment

The Governor, the Vice Governor, the members of the Superior Court of Justice and of the Surveillance Tribunal, the Ministers of the Executive Branch, the State's Attorney, the General Attorney and the Ombudsman may be subjected to impeachment on the grounds of malfeasance, commission of a crime while performing their duties, ordinary fraudulent crimes, a subsequent physical or mental inability, or indignity.

Article 113: Reporting

Any citizen may report, before the accusing chamber, for the purposes of prosecuting the above-stated officers on the grounds set forth in the preceding article.

Article 114: Composition

The Legislature, for the purposes of impeachment, in its first ordinary session, is divided into two chambers which are formed in proportion to the political representation of the members in the Legislature. This first one is in charge of the accusation and the second of the trial. The accusing chamber is presided over by a legislator elected out of the Legislature and the trial chamber is presided over by the Vice Governor; if the latter may be subject to impeachment or may have any impediment, it shall be presided over by the Deputy President of the Legislature.

Article 115: Accusing chamber and investigation committee

The accusing chamber appoints in the same session an investigation committee the purpose of which is to investigate the truth of the events on which the accusation is based and to such effect it shall have the broadest powers.

Article 116: Accusation procedure

The committee shall complete its assignment within twenty days and shall submit an opinion to the accusing chamber, that may only admit it with the vote of two thirds of its members present.

Article 117: Suspension

The accusing chamber notifies the interested party about the existence of such accusation, it may provisionally suspend him or her from duties, with no retribution whatsoever, and shall give notice of all the proceedings upon the trial chamber and send all the background information in its possession.

Article 118: Accusing Committee and Judgment Court

Upon admission of the accusation by the accusing chamber, it shall appoint a committee of three members so that such committee may sustain such accusation before the trial chamber which becomes a judgment court, prior oath of its members.

Article 119: Trial procedure

Upon filing of the accusation by the accusing chamber, the judgment court hears the case and must render a decision within thirty days. If upon lapsing of such term no decision has been rendered, the accused party returns to the performance of his or her duties.

Article 120: Defense Guaranty

The law establishes the procedure, guaranteeing the defense and answer of the accused person, who is entitled to all the guaranties and rights acknowledged by this Constitution and the Federal Constitution.

Article 121: Vote

An accused party may be held liable only with the vote of two thirds of all the members of the judgment court. The vote shall be nominal.

Article 122: Decision - Non-appealable nature

The only purpose of the decision is to remove the accused party and even to disqualify him or her to hold any public office for a certain time, and if applicable, the accused party shall be subject to trial before the ordinary courts, pursuant to the laws in force.

The decision rendered by the judgment court shall be non-appealable.

Article 123: Term

An impeachment may not last, in any case, more than four months. If upon expiration of such term no decision has been rendered, the process shall be ineffective.

CHAPTER FIVE Ombudsman and Social and Economic Council

Article 124: Ombudsman

The Legislature with the vote of two thirds of its members shall appoint the Ombudsman, as a commissioner for the defense of joint interests or rights of general public interest, the supervision over the efficacy of public utilities supply and the application within the administration of laws and other provisions, as prescribed by law.

The Ombudsman shall enjoy the immunities and privileges of legislators, he holds office for five years and may not be removed but based on the grounds and with the procedure established for impeachment.

Article 125: Social and Economic Council

The Social and Economic Council is formed by production, labor, unions, professionals and social and cultural sectors, in the manner to be determined by law. Such council is a consultation body for the Public Branches on this matter.

CHAPTER SIX
Surveillance Tribunal

Article 126: Integration

The Surveillance Tribunal is formed by three members; such number may be increased by law, and it must be an odd number not exceeding seven. The members must be Argentinean, lawyers or public accountants, with 10 years of practice, five years residing in the Province and at least 30 years old. They are elected by the people of the Province with representation of minorities and hold office for four years.

They shall have the same immunities and remunerations as justices of the court of appeals.

Article 127: Powers

The Surveillance Tribunal shall:

1. Approve or reject, originally, the investment of public funds made by the officers and administrators of the Province, and when so established, the collection of such funds; in particular with respect to the budget law and in general as determined by law.
2. Preventively intervene in all administrative acts determining expenses in the manner and with the scope established by law. Upon any objections, such acts may only be executed upon the insistence of the Executive Branch with the Agreement of Ministers. If such objection is maintained, the Tribunal shall make available to the Legislature, within fifteen days, the background information of the case.
3. Perform external audits in the administrative instrumentalities and institutions where the State may have any interests and conduct investigations upon the Legislature's request.
4. Inform the Legislature on the investment accounts of the previous budget, during the fourth month of ordinary sessions.
5. Act as requiring body in the trials of accounts and responsibility before judicial courts.
6. Prepare and propose its own budget to Executive Branch; appoint and dismiss its personnel.

SECTION TWO
Executive Branch

CHAPTER ONE
Nature and Term of Office

Article 128: Governor

The Executive Branch shall be under the charge of the citizen acting as Governor of the Province.

Article 129: Vice Governor

At the same time and for the same period, a Vice Governor shall be elected who presides over the Legislature, replaces the Governor in accordance with the provisions of this Constitution, is the Governor's direct collaborator and may attend the meetings of Ministers. The Vice Governor may not be the spouse or relative of the Governor up to the second degree.

Article 130: Conditions

The following shall be required to be elected Governor or Vice Governor:

1. To be thirty years old.
2. To be Argentinean, native or by option.
3. To have resided in the Province during the four years immediately before the election, except in the case of absence due to services to the Nation or to the Province, or in international entities of which the Nation is a member.

Article 131: Remuneration

The Governor and the Vice Governor receive a salary, that may not be altered during the term they hold office, except in the case of general changes. They may not be engaged in any other employment or receive any other public emolument whatsoever.

Article 132: Treatment

The official treatment of the Governor and Vice Governor, when performing their duties shall be "Mr. Governor" and "Mr. Vice Governor".

Article 133: Absence

The Governor and the Vice Governor may not leave the Province without the authorization of the Legislature, for a term exceeding fifteen days; if the Legislature is during a recess, it shall be informed when applicable.

Article 134: Acephalia

In the event of death of the Governor or in case of removal, resignation, absence or any other impediment, the duties under his charge shall be transferred to the Vice Governor, who shall perform such duties for the rest of the constitutional term, in the event of any of the first three cases or any other permanent impediment, and in the event of accusation, absence, suspension or any other temporary impediment, until termination of such impediment.

Article 135: Simultaneous acephalia

In the event of simultaneous separation or impediment of the Governor and Vice Governor, such office shall be held by the Deputy President of the Legislature, and he, within thirty days, shall call the Province for a new election to cover the current period, provided that there are at least two years left, and that the separation or impediment of the Governor or Vice Governor is permanent. In the case of a new election, the new elected Governor shall not be the person in charge of the Executive Branch at that moment.

Article 136: Reelection

The Governor and Vice Governor may be reelected or may succeed each other for a new current period. If they have been reelected or have succeeded each other, they may not be elected for any of both such offices but with the interval of one period.

Article 137: Immunities and incompatibilities

The Governor and Vice Governor have the same immunities, disqualifications and incompatibilities as legislators.

The immunity of opinion reaches the candidates to such offices, when they become official as such until the elected persons are proclaimed.

Article 138: Prohibition to perform any judicial duties

In no case shall the Governor of the Province nor any officer perform judicial duties, assume the hearing of pending cases or reinstitute any expired cases.

Article 139: Term

The Governor and Vice Governor shall hold office for four years and shall cease to hold them on the date such term expires; no event that might have interrupted such term may be the reason for them to stay for a longer period.

CHAPTER TWO Election

Article 140: Form

The Governor and Vice Governor are directly elected by the people of the Province, with the simple plurality of votes.

Article 141: Judgment

The election of Governor and Vice Governor is judged by the Legislature immediately after its constitution, which shall also decide in the event of a tie. The act must be completed in one session, which may not exceed five days.

Article 142: Oath

The Governor and Vice Governor shall take, in the act of their reception, under the charge of the President of the Legislature, before the people who have trusted them with their fates, the relevant oath which respects their religious convictions to: sustain and comply with the Constitution of the Province and of the Nation; defend the freedom and rights safeguarded by both Constitutions; execute and cause others to execute the laws enacted or to be enacted by the Federal Congress and the Legislature of the Province; respect and cause others to respect the authorities of the Province and of the Nation.

Article 143: Assumption

The elected Governor and Vice Governor must assume their positions on the date of commencement of their term of office, otherwise they shall be deemed to have resigned, except in a case of *force majeure* duly certified at the Legislature's discretion. If they are deemed to have resigned, the provisions of Articles 134 and 135 of this Constitution shall be applied.

CHAPTER THREE Powers

Article 144: Powers and duties

The Governor has the following powers and duties.

1. He is the chief of the Provincial State, which he represents, is in charge of its administration, prepares and directs policies and enforces the laws.
2. He participates in the formation of the laws pursuant to the provisions of this Constitution, promulgates and publishes them, and issues decrees, instructions or regulations for execution, not altering their spirit.

3. He initiates laws or proposes the amendment or repeal of existing laws through bills presented to the Legislature. The Governor shall have the exclusive initiative for the issue of the budget and ministries laws.

4. He enters into treaties and agreements for the management of provincial interests and the coordination and unification of similar services with the Federal State, the other Provinces, the Municipalities and public entities alien to the Province, with the approval of the Legislature and rendering accounts, when applicable, to the Federal Congress.

The Governor also enters into agreements, with the same requirements, with other nations, foreign public or private entities and international organizations, and fosters negotiations with them, not affecting the foreign policy under the charge of the Federal Government.

5. He exercises the right to veto and, if applicable, to partial promulgation, under the terms of Article 109.

6. He extends the ordinary sessions of the Legislature and calls for extraordinary sessions in the cases set forth in Articles 96 and 97.

7. He informs the Legislature on the condition of the Province at the opening of its ordinary sessions. The Governor may also inform on some specific subject when he may deem it advisable.

8. He is able to indult or commute penalties for crimes subject to provincial jurisdiction, after the final judgment and prior report to the relevant court; any crimes against the public administration committed by officers appointed by the Governor himself who exercises this power or his legal representative shall be excluded.

9. He designates, with prior agreement of the Legislature, the members of the Superior Court of Justice and other lower courts, and the members of the Public Ministry. In the event of recess of the Legislature, he appoints provisional justices or agents of the Public Ministry, who shall cease to hold office within thirty days of the opening of the Legislature. The Governor, the Vice Governor and the ministers, may not be proposed to be members of the Judicial Branch until six months after leaving such position.

10. He appoints and removes, directly, the Ministers, officers and agents of the Administration whose appointment is not under the charge of another authority, and provided that such power has not been delegated, subject to this Constitution and to the laws, and with the consent of the Legislature in the cases set forth therein.

11. He presents the bill of law of the budget, together with the resources plan, at least forty-five days in advance to the end of the period of ordinary sessions of the Legislature.

12. He sends the investments account of the fiscal year ended, during the second month of ordinary sessions of the Legislature.

13. He causes the collection of taxes and rates of the Province, and uses them according to the Budget Law. The Governor must send to the Legislature and publish on a quarterly basis the status of execution of the budget and of the Treasury.

14. He promotes systems for the encouragement of production activities.

15. He adopts the measures necessary to preserve the public peace and order.

16. He is the highest authority of the provincial security forces, and has the custody and inspection, according to the laws, of all objects of the security and surveillance police and all the public establishments of the Province.

The Governor has the duty to provide the help of the public force to the judicial courts, the Public Ministry and the President of the Legislature when they may request it, duly authorized by it and to the Municipalities and other authorities, pursuant to the provisions of the law.

17. He is in charge, pursuant to the provisions of the laws, of the labor police.

18. He organizes the Public Administration, based on the principles set forth in Article 174 and he may delegate expressly and limitedly, according to the law, certain administrative duties, which may be resumed at any time.

19. He directs the administrative reform, with the purpose of making the Administration more efficient and less onerous.

CHAPTER FOUR Ministers

Article 145: Conditions and immunities

To be appointed Minister the requirements are: to be twenty-five years old, and to fulfill the other conditions demanded by the Constitution to be elected legislator, with the same immunities.

Article 146: Remuneration

The Ministers receive a salary which may not be altered, except in case of general modifications.

Article 147: Appointment and competencies

The Governor appoints the Ministers, in the number and with the competence determined by law. Ministers approve and certify with their signature all the acts of the Governor, and without such requirement such acts shall be invalid. Ministers may directly take all the resolutions that may be authorized by law according to their competence and in such administrative matters that the Governors expressly delegate to them, according to the law.

Article 148: Report

Within the first month of the legislative period, the Ministers submit to the Legislature a detailed report on the status of the Administration of the Province as to the businesses of the respective departments.

Article 149: Collaboration with the Legislature

Ministers must attend the sessions of the Legislature, whenever they may be called by it, and may also attend such sessions when they deem it advisable.

CHAPTER FIVE Supervisory Bodies

Article 150: State Attorney

The State Attorney is in charge of the control of the administrative legality of the State and the defense of the Province's heritage. He must be a lawyer practicing for at least ten years. He is appointed and removed by the Executive Branch and may be subject to impeachment.

Article 151: General Accounting Office of the Province

The function of the General Accounting Office of the Province is the record and internal control of the economic, financial and heritage management in the administrative activity of the State branches. It conducts, in a decentralized manner, the preventive control of all payments, with authorization originated in the general budget law or laws approving expenses, without the intervention of which may not be executed. It is under the charge of a Public Accountant, practicing at least for ten years, appointed and removed by the Executive Branch. The law establishes the organization of the Accounting Office, its powers and responsibilities.

SECTION THREE Judicial Branch

CHAPTER ONE General Provisions

Article 152: Composition

The Judicial Branch of the Province is under the charge of a Superior Court of Justice and other lower courts, with the jurisdiction regarding matter, territory and degree established by this Constitution and the applicable law.

Article 153: Jurisdiction unity

The exercise of the judicial function exclusively corresponds to the Judicial Branch of the Province.

Article 154: Independence Guaranty

The justices and judicial officers cannot be removed and keep their positions as long as they behave properly.

They may be removed only due to malfeasance, gross negligence, default in the performance of their duties, a non-excusable ignorance of the law, an alleged commission of crimes or physical or mental disability. They enjoy the same immunity as to arrest as legislators.

For their services they receive a monthly compensation to be determined by the law and which may not be reduced by an act of authority or with discounts other than those applicable to such person for retirement and health insurance purposes.

Article 155: Duties

Justices and judicial officers are obliged to go to their offices during the working hours, for attention of the public.

They must decide on the cases within the peremptory terms established by procedural laws, with a logical and legal justification.

Article 156: Prohibitions

Justices and judicial officers may not participate in politics, nor can they practice any profession or be engaged in any employment, except teaching or research, according to the conditions to be set forth by the regulations, and they cannot perform any act that may compromise the impartial nature of their duties.

Article 157: Appointment

Justices and officers are appointed and removed in the manner set forth in this Constitution. Any proceedings followed or any judgments or decisions rendered by persons not appointed as prescribed herein shall be null and void and totally invalid.

The law determines the procedure favoring equal opportunities and selection according to suitability in the appointment of lower justices.

Article 158: Requirements

The following requirements must be met to be a member of the Superior Court of Justice: to have practiced as lawyer or justice for at least twelve years; in the case of a Member of Appellate Court (*Vocal de Cámara*), eight years; in the case of Justice, six years and in the case of Legal Counsel (*Asesor Letrado*), four years; to be a citizen exercising his or her

rights and to be thirty years old, for members of the Superior Court of Justice, and twenty-five years old for the other cases.

Article 159: Trial Jury

The justices and officers of the Judicial Branch mentioned in Article 144, item 9, not subject to impeachment, may be reported by any person before a Trial Jury, for the mere purpose of his or her removal, based on the grounds authorizing it, with the action of the Attorney General.

The Trial Jury shall be formed by one Member (*Vocal*) of the Superior Court of Justice, four legislators, lawyers if any, two for the majority and two for the minority. The accused party shall continue holding office if the Jury does not decide otherwise. The judgment must be rendered, under the penalty of expiration, within sixty days as from the accusation, which must be made within thirty days as from the report, under the responsibility of the personnel of the Attorney General.

Article 160: Competence

The Judicial Branch of the Province has the duties to hear and issue a decision on any cases concerning the issues governed by this Constitution, by the treaties entered into by the Province, by the provincial laws and other rules; any cases arising against employees or officers who are not subject to impeachment or trial before the Jury; and the enforcement of the provisions of item 12 of Article 75 of the Federal Constitution.

Article 161: Supremacy of rules

The tribunals and courts of the Province, when exercising their duties, shall apply this Constitution and the treaties by and between provinces as the supreme law, with respect to the laws that were or are to be enacted by the Legislature.

Article 162: Juries

The law may determine the cases in which collegiate courts also include juries.

Article 163: Judgment

Collegiate courts pronounce their judgments in public.

CHAPTER TWO Superior Court of Justice

Article 164: Integration

The Superior Court of Justice consists of seven members, and may be divided into parts (*salas*). A President is annually elected out of its members (*vocales*).

Article 165: Competence

The Superior Court of Justice has the following competence:

1. To hear and decide, originally and exclusively, en banc:
 - (a) The declaratory actions of the unconstitutionality of laws, decrees, regulations, resolutions, Charters and ordinances, stating provisions on the matter governed by this Constitution, and contested in a specific case by the interested party.
 - (b) Matters of competence between public branches of the Province and those arising among lower courts, except they may have another common superior body.
 - (c) The internal conflicts of Municipalities, of a Municipality with another, or of the Municipalities with authorities of the Province.
 - (d) The civil liability actions filed against justices and officers of the Judicial Branch, due to the performance of their duties, with no need of a prior removal.
2. To hear and decide, en banc, on the extraordinary motions for unconstitutionality.
3. To hear and decide, through their parts, on the motions granted under procedural laws.
4. To hear and decide on the challenge of its Members (*Vocales*) and on the complaints for denial or delay of justice according to procedural provisions.

Article 166: Powers

The Superior Court of Justice has the following powers:

1. To issue the internal regulations of the Judicial Branch of the Province which must take into account the principles of celerity, efficiency and decentralization.
2. To exercise the superintendency of the Administration of Justice without prejudice to the intervention of the Public Ministry and of the delegation to be established with respect to higher courts of each judicial circumscription or region.
3. To create the school for specialization and training for justices and employees, with regulation of its operation.

4. To prepare and submit the calculation of resources, expenses and investments of the Judicial Branch to the Governor to be considered by the Legislature within the general budget of the Province.
5. To submit to the Legislature, through the Executive Branch, bills of law on organization and operation of the Judicial Branch.
6. To apply disciplinary sanctions upon justices, and judicial officers and employees, pursuant to the regime and procedure to be established.
7. To appoint its personnel based on a procedure assuring equal opportunities and the selection according to suitability.
8. To remove judicial employees.
9. To report annually to the Legislative Branch on the activity of courts.
10. To supervise with the other justices the provincial prisons. The Superior Court of Justice may delegate to its President the powers set forth in item 2 of this Article.

CHAPTER THREE Justice of the Peace

Article 167: Characteristics

The law determines the number of justices of the peace, their term of office, their salaries, their territorial jurisdiction, according to the principle of decentralization of their seats, and jurisdiction over subject matter, in the settlement of petty and neighborhood manners and provincial misdemeanors or offences. The proceedings shall be oral, expeditious, for no charge and with arbitration characteristics.

Article 168: Requirements

The requirements to be justice of the peace are as follows: to be twenty-five years old, a citizen in exercise, a resident for three years in the district, to have obtained a degree in law (lawyer), if possible, and the other suitability conditions established by law.

Article 169: Appointment

The justices of the peace are appointed by the Executive Branch with the consent of the Legislature, which may not give such consent before fifteen days after publication of the relevant request. During their term of office, they may only be removed by the Superior Court of Justice if the grounds listed in Article 154 are verified.

CHAPTER FOUR
Electoral Justice

Article 170: Provincial Electoral Court

The electoral justice shall be under the charge of a court having the jurisdiction and powers established by a law issued to such effect.

CHAPTER FIVE
Public Ministry

Article 171: Organization

The Public Ministry shall be under the charge of an Attorney General and of the attorneys that may depend upon him as determined by the respective charter. He shall perform his duties according to the principles of legality, impartiality, unity of action and hierarchical dependency throughout the territory of the Province. The Attorney General establishes the polices for criminal prosecution and instructs lower attorneys on performance of their duties pursuant to the preceding paragraph and in accordance with the laws.

Article 172: Duties

The Public Ministry performs the following duties:

1. To prepare and prosecute the judicial action for the defense of public interest and the rights of persons.
2. To guard the jurisdiction and competence of provincial courts and the regular administration of justice and to seek before such courts the satisfaction of social interest.
3. To promote and exercise the public criminal action before the competent courts, without prejudice of the rights that the laws may grant to private parties.
4. To direct the Judicial Police.

Article 173: Composition

The Attorney General of the Province must meet the requirements to be a member of the Superior Court of Justice and has the same incompatibilities and immunities. He holds office for five years and may be appointed for a new term. The other members of the Public Ministry cannot be removed while they properly perform their duties, they enjoy all the immunities and have the same incompatibilities as justices. They are appointed and removed in the same manner and with the same requirements as the members of the Judicial Branch, according to their hierarchy.

SECTION FOUR
Provincial and municipal public administration

Article 174: Principles

The aim of the Public Administration must be to satisfy the needs of the community with efficacy, efficiency, economy and opportunity, and to such end it seeks to harmonize the principles of centralization of rules and regulations, territorial decentralization, operating deconcentration, hierarchy, coordination, impartiality, submission to juridical order and publicity of rules and acts. People are admitted to the Public Administration on the grounds of suitability, with an objective criterion based on a public bidding of candidates, assuring equal opportunities. The law sets forth the conditions for such bidding, and the positions in which, due to the nature of duties, such bidding shall not apply.

Article 175: Regionalization

A special law establishes the regionalization of the Province for the purposes of facilitating the administrative deconcentration, the more efficient supply of utilities, and the unification of several criteria of territorial division.

Article 176: Procedure

The Provincial and Municipal Administration subjects its actions to the determination of truth on its own motion, with rapid, economical and simple proceedings, the determination of terms to render a decision and participation of those whose rights may be damaged, through a public and informal procedure for private parties.

Article 177: Accumulation of jobs

The same person cannot perform two or more jobs in provincial instrumentalities, except for teaching and the practice of healing arts, the incompatibilities of which are determined by law. In the event of political positions, such job may be kept but no salaries shall be received.

Article 178: Complaints against the State

The State, the Municipalities and other public legal entities may be sued before ordinary courts with no need of prior formalities or authorization from the Legislature and without any privileges whatsoever during trial. The acts of the State, the Municipalities and other public legal entities during the performance of administrative duties are submitted to judicial control as determined by law on such matter and with no other requirement than the fact that the interested party has exhausted the administrative proceedings.

Article 179: Judgments against the State

The assets of the Provincial State or Municipality may not be subject of a pre-judgment attachment. The law determines the time for fulfillment of liability judgments against the Provincial State and the Municipalities.

TITLE TWO Municipalities and Communes

Article 180: Autonomy

This Constitution acknowledges the existence of the Municipality as a natural community based on life in common, and it assures the municipal regime based on its political, administrative, economic, financial and institutional autonomy. Municipalities are independent from any other branch in the exercise of their powers, pursuant to this Constitution and the laws that may be consequently issued.

Article 181: Municipality

Any population with a stable settlement of more than two thousand inhabitants shall be deemed a Municipality. Those that may be acknowledged by the law as cities may issue their Municipal Charters.

Article 182: Municipal charters

The Municipal Charters are enacted by conventions called by the local executive authority, by virtue of an ordinance passed to such effect. The Municipal Convention is formed by twice the number of Councilors, elected by direct vote and through the proportional representation system. To be a Member of the Convention the same requirements to be a Councilor shall apply.

Article 183: Requirements

Municipal Charters must assure:

1. The representative and republican system, with the direct election of authorities, and the universal, equal, secret and mandatory vote, and the vote of foreigners.
2. The election by the simple plurality of votes for the executive body, if any, and a proportional representation system for the Municipal Council (*Cuerpo Deliberante*), that assures the party with the largest number of votes half plus one of its representatives.
3. A Surveillance Tribunal with direct election and representation of the minority.
4. The rights to initiative, referendum and revocation.

5. The acknowledgement of Neighborhood Committees (*Comisiones de Vecinos*), with participation in municipal management and respecting the representative and republican system.

6. The other requirements set forth in this Constitution.

Article 184: Municipal organizational law

The Legislature shall enact the Municipal Organizational Law for the Municipalities lacking a Municipal Charter. They may establish different types of government, provided they assure the provisions of items 1, 2, 4 and 6 of the preceding Article.

The law assures the existence of a Surveillance Tribunal or a similar body, elected as prescribed in item 3 of the preceding Article.

Article 185: Territorial jurisdiction

The territorial jurisdiction comprises the zone to benefit from municipal services. The Legislature establishes the procedure to fix limits; and they may not exceed those corresponding to the respective Department.

By law the Provincial Government delegates to Municipalities the exercise of police power, concerning matters of municipal competence in the zones not subject to their territorial jurisdiction.

Article 186: Jurisdiction over subject-matter

The following are duties, powers and goals inherent in the municipal competence:

1. To rule and administer the local public interests directed to common welfare.
2. To politically judge the municipal authorities.
3. To create, determine and receive the economic and financial resources, to prepare budgets, to invest resources and the control thereof.
4. To administer and dispose of the assets that are part of the municipal property.
5. To appoint and remove municipal agents, with assurance of the administrative career and stability.
6. To execute public works and render utilities by itself or through private parties.
7. To take into account the following matters: sanitation; health and care centers; hygiene and public morality; old age, disability and lack of protection; graveyards and memorial services; building plans, road opening and construction, squares and promenades; design and aesthetics; roads, traffic and urban transportation; use of streets and underground;

control of constructions; environmental protection, landscape, ecological balance and environmental pollution; slaughter of animals for consumption; markets, products supply in the best quality and price conditions; elaboration and sale of foods; creation and fostering of entities of intellectual and physical culture and educational facilities governed by ordinances in accordance with the law on the matter; tourism; pension, social care and bank services.

8. To establish and foster policies for the support and dissemination of cultural, regional and national values; in general. To preserve and defend the historical and artistic heritage.

9. To regulate the administrative procedure and misdemeanors regime.

10. To establish restrictions, easements and qualify expropriation cases due to public use according to the laws governing such matter.

11. To regulate and coordinate urban and building plans.

12. To publish from time to time the statement of income and expenses and an annual report on the works and duties performed.

13. To exercise the powers delegated to it by the Federal or Provincial Government.

14. To exercise any other duty or power of a municipal interest which is not prohibited by this Constitution and is not incompatible with the duties of the State branches.

Article 187: Penalties regime and misdemeanors court

The municipal charters and the ordinances that may be consequently issued to authorize the authorities to impose fines; to determine the demolition of buildings, the closing and eviction of real estate; seizure, confiscation or destruction of objects, and to such end the Municipalities may require the aid of public force and obtain search warrants. They may also impose the arrest of up to fifteen days, with sufficient judicial remedy with suspensive effects before the court that may determine. The municipal charters may establish Courts of Misdemeanors.

Article 188: Resources

Municipalities have the following resources:

1. Municipal taxes established in the relevant jurisdiction, that may respect the constitutional principles regarding taxation and harmony with the provincial and federal tax system.

2. Municipal public prices, rates, duties, vehicle registrations, contributions for improvements, fines and any other capital income originated in acts of disposition, administration or exploitation of its property.

3. Resources coming from provincial and federal tax sharing, the percentages of which may not be less than twenty per cent. The resulting amount is distributed in the Municipalities and communes according to the law, based on principles concerning proportionality and redistribution for solidarity purposes.

4. Donations, legacies and other special contributions.

Article 189: Loans

Municipalities may take loans for public works or conversion of the existing debt; to such end, they allocate an amortization fund, that may not be used for any other purpose. The service of all loans must not compromise more than one fifth of the resources for the fiscal year.

Article 190: Inter-municipal agreements

Municipalities may enter into agreement among themselves, and organize inter-municipal entities for the supply of services, performance of public works, technical and financial cooperation or common interest activities that may be within their competence. They may enter into agreements with the Province, the Federal Government or decentralized entities, for the coordinated exercise of concurrent powers and common interests.

Article 191: Participation

Municipalities agree with the Province upon their participation in the administration, management and conduct of works and services supplied or executed within their jurisdiction, with the appropriation of applicable resources, to achieve greater efficiency and operating decentralization. They participate in the elaboration and execution of regional development plans, and agree upon their participation in the execution of works and supply of services that may correspond to them based on the zone. The Provincial Government is obliged to provide technical assistance.

Article 192: Cooperation

Municipalities must cooperate as required by the Government of the Province to enforce the Constitution and its laws. The Provincial Government must cooperate upon request from Municipalities for compliance with their specific duties.

Article 193: Acephalia

In the event of total acephalia of Municipalities, the Legislature, with two thirds of votes, shall declare the intervention, for a term no to exceed ninety days and shall authorize the Provincial Executive Branch to appoint a commissioner to call for new elections to complete such period.

The Commissioner has powers only to assure the operation of public utilities.

Article 194: Communes

In populations with less than two thousand inhabitants, Communes shall be established. The law determines the conditions for their existence, jurisdiction over subject-matter and territory, allocation of resources and form of government assuring a representative system with the direct election of authorities.

TITLE THREE Constitutional Power

Article 195

The Constitutional Power to reform this Constitution in whole or in part is exercised by the people of the Province in the manner to be determined by this Constitution.

Article 196: Need

The statement of need of reform, and the call for the Constitutional Convention that performs such reform, must be approved with the vote of two thirds of all members of the Legislature. The item or items to be taken into account by such Convention must be specifically determined, and it may not deal with other items.

Article 197: Publication

The statement of need of reform may not be started or vetoed by the Executive Branch. It must be published for thirty days in the main newspapers of the Province, together with the date of voting.

Article 198: Composition of the Convention – Number – Immunities

The Convention is formed with the same number of members as that of the Legislature, directly elected by the people, through the proportional system, and the Province shall be taken as a single constituency. The members of the convention must satisfy the requirements to be a provincial legislator and enjoy the same immunities.

The position of Member of the Convention is compatible with any other public position other than that of Governor, Vice Governor, justices or officers of the Judicial Branch.

Article 199: Term

The statement of need of reform cannot establish a term longer than one year for the Convention to comply with its purpose. Such Convention must be formed within thirty running days as from the date of proclamation of the elected members.

Article 200: Promulgation and publication

The Governor must promulgate, within ten days, the reform made and order the publication thereof. If he fails to do so, it shall be deemed implicitly promulgated.

Supplementary provision

Article 1

Any official edition of this Constitution must be accompanied with the texts of the "Universal Declaration of Human Rights", of the United Nations Organization of the year 1948 and the declaratory portion of the "American Convention on Human Rights" (Preamble and Part I), entered into in San José de Costa Rica, in 1969, approved by the Republic of Argentina through Law No. 23054, in 1984, to which this Province adhered through Law No. 7098, in 1984.

Temporary provisions

The following temporary provisions are issued by virtue of the supremacy inherent in the Constitutional Power, consequent to the Power of the people exercised through it and whose will arises from this Fundamental Law, that must be complied with the constitutional conventions in their respective conducts.

One. The expiration is hereby declared of the terms of office of representatives and senators elected on October 10, 1999, both of regular representatives and senators who are holding office at the time this reform is enacted and their respective alternate representatives and senators. The expiration hereby declared is effective by operation of law on December 10, 2001.

Whoever may deem themselves damaged may, within thirty running days as from the effective date of this Constitution, request a monetary compensation, if applicable.

Two. Sunday, October 14, 2001 is hereby fixed as the date to elect the provincial legislators within the Province of Córdoba.

Three. The people of the Departments of CALAMUCHITA, CAPITAL, CRUZ DEL EJE, COLON, GENERAL ROCA, GENERAL SAN MARTIN, ISCHILIN, JUAREZ CELMAN, MARCOS JUÁREZ, MINAS, POCHO, PRESIDENTE ROQUE SAENZ PEÑA, PUNILLA, RIO CUARTO, RIO PRIMERO, RIO SECO, RIO SEGUNDO, SAN ALBERTO, SAN JAVIER, SAN JUSTO, SANTA MARIA, SOBREMONTA, TERCERO ARRIBA, TOTORAL, TULUMBA and UNION are hereby convened with the purpose of electing in each Department and on the date fixed in clause two, one regular legislator and the respective alternate legislator. The elector may vote for an official ballot of a regular and alternate candidate, taking each of the Departments as a single constituency.

Four. The people of the Province of Córdoba are hereby convened to elect on the date fixed in clause two, forty-four regular provincial legislators and twenty-two alternate legislators.

Each elector votes for one official ballot containing forty-four regular provincial legislators and twenty-two alternate legislators, considering the Province as a single constituency.

Five. In the election convened in the preceding clauses and for the allocation of seats, the electoral system set forth in Article 78 shall be applied.

Six. The convened election is made simultaneously with the elections convened by Decree No. 1542/01 of the Provincial Executive Branch, dated July 12, 2001 and shall be governed by the provisions of Law No. 15262, Regulatory Decree No. 1265/59 and the Federal Electoral Code (Law No. 19945, as amended and supplemented).

Seven. The provisions of Articles 1, 2, 3, 4, 5 and 6 of Decree No. 1542/01 of the Provincial Executive Branch, dated July 12, 2001 are hereby repealed, and it is hereby established that for the elections convened in temporary clauses three and four, the electoral schedule set forth in clause eight shall govern.

Eight. The following electoral schedule is hereby established: 1. The lists of candidates for provincial legislators substituted those currently presented and made official to elect provincial senators may be registered until 1 p.m. on Monday, September 17, 2001. 2. Within the same term, the alliance requests and the agreements for the addition of votes must be submitted. 3. Within the following twenty-four hours, the Electoral Court shall issue a founded resolution with respect to the quality of candidates and shall notify it to the Federal Electoral Board. 4. Days and times shall be authorized and the electoral terms set forth in Article 41 and related provisions of Law No. 8767 shall be reduced to one third thereof. 5. Decree No. 1700/01, dated July 27, 2001 of the Provincial Executive Branch is hereby ratified. 6. The parties that are going to make candidates official for provincial legislators must submit the ballot models to the Federal Electoral Board in the terms of Article 62 of the Federal Electoral Code contemplating such presentation. 7. Taking into account their exceptional nature, political groups may determine the form and manner to select their candidates for provincial legislators by resolution of their respective party direction entities for the purposes of requesting their becoming official. 8. The Electoral Court adjusts and makes compatible the rest of the schedule under the terms of Article 8 and related provisions of Law No. 8947.

Nine. Provincial legislators resulting elected on October 14, 2001 shall hold office as from December 10, 2001, until December 10, 2003, on which date their term of office shall terminate by operation of law (corresponding to Article 83).

Ten. The term of office of the Governor and Vice Governor taking their positions on July 12, 2003, shall terminate on December 10, 2007 (corresponding to Article 139).

Eleven. The bills submitted to both Chambers of the Legislature before December 10, 2001, shall be deemed as such in the new unicameral Legislature, and they must be sent

again to the internal committees established by the regulations of the Legislature and shall be bills until the expiration of their terms.

Bills already approved by one of the Chambers and those vetoed by the Executive Branch shall continue the proceedings, and to be enacted they must be approved by the new unicameral Legislature in the manner and by the majorities set forth in this reformed Constitution.

Bills that have been sent by the Executive Branch with a request for urgent discussion and the enactment of which had not concluded as of December 10, 2001, shall continue the ordinary formalities, and the request for urgent discussion and the terms for approval that are running shall be rendered ineffective.

Twelve. The temporary provisions are hereby repealed of the Constitution of the Province of Córdoba enacted on April 26, 1987, except for clauses seven, nine and ten that respectively state the following:

Until enactment by the Legislature of a law on printing crimes, the relevant provisions of the Federal Criminal Code shall govern such matter. All Municipalities existing at the time of the enactment of this Constitution shall maintain such institutional hierarchy, even though they do not have two thousand inhabitants. The Municipal Conventions must be convened after the enactment of the future Municipal Charter, which shall replace Charter in force No. 3373, as supplemented.

Thirteen. The members of the Constitutional Convention take an oath on this Constitution before dissolving such body.

Fourteen. The Governor of the Province, the Presidents of the Legislative Chambers, all the members of the Superior Court of Justice and the Attorney General of the Province, take an oath before the Constitutional Convention.

Fifteen. The president of the Legislature and the provincial legislators elected next October 14, 2001, take their oath on December 10, 2001.

Sixteen. Each of the State Constituted Branches establish everything that may be required for officers that are part of them to take an oath on this Constitution.

Seventeen. The People of the Province of Córdoba are invited to take an oath of fidelity to this Constitution in public acts.

Eighteen. The new Legislature is hereby authorized to relocate in the other State branches the permanent personnel that may be required, pursuant to the new functional structure of the Legislative Branch.

The President of the Constitutional Convention is hereby authorized to make, if necessary, the applicable List of Errata for the official publication of this constitutional reform.

Nineteen. This reform shall become effective on December 10, 2001, except for Articles 78, 79, 80, 82, 86, 87, 90 and the preceding Temporary Clauses which shall become effective upon publication of this reform.

The repeal of Articles 94 –arrest immunity– and 95 –privation of privileges– of the Constitution in force is effective as from publication of this reform.

With the exceptions set forth in the preceding paragraphs, the clauses and articles of the Provincial Constitution enacted on April 26, 1987 shall govern until December 10, 2001.

Given in the Sessions Room of the Constitutional Convention of the Province, in Córdoba, on this 14th day of September of 2001.