



January 2007

La France à la loupe

Legislative elections

Legislative elections are held to elect deputies to the National Assembly. They are 577 deputies elected by direct universal suffrage for a renewable five-year term of office, except in the event the National Assembly is dissolved (Article 24 of the Constitution). **The National Assembly may not be dissolved in the year following the new elections.** Since 1958, it has been dissolved five times: in 1962, 1968, 1981, 1988 and 1997.

The next legislative elections will be held on 10 and 17 June 2007.

Deputies are elected in **a two-ballot majority poll**. To be elected, the candidate must obtain:

- On the first ballot, the absolute majority of votes cast, equal in number to 25% of registered voters;
- To stand on the second ballot, the candidate must have obtained a number of votes cast, equal at least to 12.5% of registered voters. On the second ballot, the candidate with the relative majority is elected, and in the event of a tie, the older candidate wins.

Elections are held in each constituency, which in turn corresponds to a seat.

BECOMING A DEPUTY

A candidate must be 23 years of age, of French nationality, have the right to vote and fulfil the eligibility requirements. **The conditions that make a person illegible** to stand for election or to be elected are related to the **person** (if they are placed under a guardianship, deprived of civic rights, or have declared personal bankruptcy) or the **office** (Ombudsman, prefects, magistrates, officers and directors who exercise their management and supervision duties in external, regional and Departmental services).

The Fifth Republic introduced **the incompatibility of the duties of a Minister** with the exercise of any parliamentary office.

This made it necessary to establish an alternate who may be required to replace the Member of Parliament who is called upon to become a member of Government.

The duties of a deputy are also incompatible with those of a senator or European deputy (the alternate is also concerned).

CONDUCTING THE CAMPAIGN

The official campaign is conducted on radio and television for political parties presenting candidates. In the first round, political parties and groups represented in the National Assembly are granted three hours of air time. It is divided into two equal parts, one for groups who are part of the majority and the other for those who are not.

Ninety minutes of air time is granted before the second round. The year prior to the election, funds for financing the campaign are registered in special accounts that are managed by a financial trustee (a person or an association). Candidates' campaign accounts keep track of their income and spending, as well as any payment in kind they are granted.

These campaign accounts are not allowed to be in the red and must be submitted to the National Campaign Accounts and Political Funding Commission two months after the election. Spending is capped: 38,000 euros in addition to 0.15 euro per person in the constituency. Businesses are not allowed to make campaign contributions and individual donations are capped. The State reimburses each candidate with over 5% of votes for their electioneering expenses (official leaflets, election posters on notice boards and ballots). It also gives them a lump sum for effective expenses, which may not exceed 50% of the cap on spending.

THE ROLE OF DEPUTIES

The main role of deputies is to **take part in drafting legislation instigated by the Prime Minister (government bill) or Members of Parliament (parliamentary bill)**.

Deputies likewise have the power to monitor the Government's action. This power is exercised in debates on the Government's statements, oral and written questions, commissions of inquiry, information measures that Standing Committees carry out. Deputies **can challenge the Government's political responsibility**: they can force the Government to resign with a majority vote for a motion of censure (Articles 49 and 50 of the Constitution).

During their term of office, deputies enjoy special protection, i.e. **immunity**:

- Parliamentary non-liability **prohibits any legal action to be taken against deputies with regard to opinions expressed or votes cast in the performance of their duties**,
- Parliamentary inviolability **makes it impossible for deputies to be prosecuted or arrested for acts they commit outside the performance of their duties and that would constitute felonies and misdemeanours (except when they are found in the act of committing an offence)**.

To find out more

WEBSITES

The national Assembly

- Elections for deputies

<http://www.assemblee-nationale.fr/connaissance/election-depute.asp>

Ministry of the Interior

- Practical guide for Candidates

http://www.interieur.gouv.fr/sections/a_votre_service/elections/les_candidatures/guide-candidat-legislatives/view

- **National Campaign Accounts and Political Funding Commission**

<http://www.cncfp.fr/index.php?art=721>

LEGISLATION

- **The Electoral Code** (Legislative Part) : Book I

<http://www.legifrance.gouv.fr/WAspad/UnCode?&commun=CELECT&code=CELECTOL.rcv>