

LAW

ACT No. 2000-493 of 6 June 2000 to promote equal access of women and men to electoral mandates and elective offices (1)

NOR: INTX9900134L

The National Assembly and the Senate deliberated,

The National Assembly adopted

Considering the decision of the Constitutional Council No. 2000-429 DC dated May 30, 2000;

The President of the Republic promulgates the following terms:

TITLE I

PROVISIONS RELATING TO ELECTIONS

HELD FOR THE VOTE OF LIST

Article 1

Provisions found not to be constitutional by the Constitutional Council decision No. 2000-429 DC of 30 May 2000.

Article 2

I. - The first paragraph of Article L. 264 of the Code is supplemented by two sentences:

"On each list, the gap between the number of candidates of each sex can not be greater than one. Within each group of six candidates in order of presentation of the list must contain an equal number of candidates of each sex. "

II. - The fourth paragraph (2o) of Article L. 265 of the Code reads:

"2o The full name, sex, date and place of birth, residence and occupation of each candidate. "

Article 3

The first paragraph of Article L. 300 of the Code is supplemented by two sentences:

"On each list, the gap between the number of candidates of each sex can not be greater than one. Each list is composed alternately of a candidate of each sex. "

Article 4

Provisions found not to be constitutional by the Constitutional Council decision No. 2000-429 DC of 30

May 2000.

Article 5

I. - The first paragraph of Article L. 346 of the Electoral Code is supplemented by two sentences:

"On each list, the gap between the number of candidates of each sex can not be greater than one. Within each group of six candidates in order of presentation of the list must contain an equal number of candidates of each sex. "

II. - The penultimate paragraph (2o) of Article L. 347 of the Code reads:

"2o The full name, sex, date and place of birth, residence and occupation of each candidate. "

Article 6

I. - The first paragraph of Article L. 370 of the Code is supplemented by two sentences:

"On each list, the gap between the number of candidates of each sex can not be greater than one. Within each group of six candidates in order of presentation of the list must contain an equal number of candidates of each sex. "

II. - In the last sentence of the first paragraph of Article L. 372 of the Code, after the reference "L. 340, "is inserted the reference" L. 347, ".

Article 7

Section 9 of Act No. 77-729 of 7 July 1977 on the election of representatives to the European Parliament is amended as follows:

1o The first paragraph is supplemented by two sentences:

"On each list, the gap between the number of candidates of each sex can not be greater than one. Each list is composed alternately of a candidate of each sex. ";

2o In the beginning of the second paragraph, the word "It" is replaced by the words: "The nomination";

3o The fifth paragraph (2o) reads:

"2o The full name, sex, date and place of birth, nationality, address and occupation of each candidate. "

Article 8

I. - The second paragraph of Article L. 331-2 of the Electoral Code is supplemented by two sentences:

"On each list, the gap between the number of candidates of each sex can not be greater than one. Within each group of six candidates in order of presentation of the list must contain an equal number of candidates of each sex. "

II. - The fourth paragraph (2o) of Article L. 332 of the Code reads:

"2o The full name, sex, date and place of birth, residence and occupation of each candidate. "

Article 9

Provisions found not to be constitutional by the Constitutional Council Decision No. 2000-429 DC of 30 May 2000.

Article 10

I. - Items Provisions declared not to be constitutional by the Constitutional Council decision No. 2000-429 DC of 30 May 2000 2 of this Act are applicable in New Caledonia and Mayotte.

II. - Section 7 of this Act is applicable in New Caledonia, French Polynesia, the islands Wallis and Futuna and Mayotte.

Article 11

The fourth paragraph (1o) of section 7 of Act No. 52-1175 of 21 October 1952 concerning the composition and the formation of the Territorial Assembly of French Polynesia is as follows:

"1o The full name, sex, date and place of birth, residence and occupation of the candidates."

Article 12

The second paragraph (1o) of Article 13-4 of Act No. 61-814 of 29 July 1961 giving the Wallis and Futuna Islands the status of overseas territory is as follows:

"1o The full name, sex, date and place of birth, residence and occupation of the candidates."

Article 13

The third paragraph (2o) of II of Article 14 of Law No. 99-210 of 19 March 1999 on New Caledonia is as follows:

"2o The full name, sex, date and place of birth, residence and occupation of each candidate. "

PART II

PROVISIONS

TO STATEMENTS OF APPLICATIONS

Article 14

I. - Article L. 154 of the Election Code provides:

"Art. L. 154. - Candidates are required to make a statement affixed their signatures, stating their full name, sex, date and place of birth, residence and occupation. "

II. - In the first paragraph of Article L. 155 of the Code, after the word "names," is inserted the word "sex".

III. - The first paragraph of Article L. 210-1 of the Code is amended as follows:

1o The words "before the first round," are replaced by the words "for each ballot";

2o This paragraph is supplemented by a sentence as follows:

"This statement, bearing the signature of the applicant, stating the name, given names, sex, date and place of birth, residence and occupation. "

IV. - Article L. 298 of the Election Code provides:

"Art. L. 298. - Candidates are required to make a statement affixed their signatures stating their full name, sex, date and place of birth, residence and occupation. "

V. - In the first paragraph of Article L. 299 of the Code, after the word "names," is inserted the word "sex".

PART III

PROVISIONS ON AID GRANTED

THE PARTIES AND POLITICAL GROUPS

Article 15

Article 9-1 of Act No. 88-227 of 11 March 1988 on the financial transparency of political reads:

"Art. 9-1. - If for any party or political group, the difference between the number of candidates of each gender reporting relate to the party or group, usually at the last renewal of the National Assembly, under the second paragraph of Article 9, exceeds 2% of the total number of such candidates, the amount of the first fraction allocated to it under sections 8 and 9 is reduced by a percentage equal to half of this difference to the total number of such candidates .

"This reduction is not applicable to political parties and groups which submitted overseas candidates only when the difference between the number of candidates of each sex who are attached to is not greater than one.

Provisions found not to be constitutional by the Constitutional Council decision No. 2000-429 DC of 30 May 2000.

"A report is presented annually to Parliament Provisions declared not to be constitutional by the Constitutional Council Decision No. 2000-429 DC of 30 May 2000 on the actions undertaken for political parity, especially in institutional campaigns to promote Gender and citizenship development. "

Article 16

An evaluation report of this Act is submitted by the Government to Parliament in 2002 and every three years. It also includes a detailed study of the evolution of the feminization of cantonal elections, senatorial and municipal elections are not affected by the law, legislative bodies of intercommunal structures and local executives.

PART IV

TRANSITIONAL

Article 17

I. - The provisions of Articles 1 to 14 of this Act come into force at the next renewal occurring at normal expiry of councils and assemblies to which they apply.

II. - The provisions of Article 15 shall come into force at the next renewal of the National Assembly.

TITLE V

MISCELLANEOUS

Article 18

Provisions found not to be constitutional by the Constitutional Council decision No. 2000-429 DC of 30 May 2000.

Article 19

Provisions found not to be constitutional by the Constitutional Council decision No. 2000-429 DC of 30 May 2000.

Article 20

Provisions found not to be constitutional by the Constitutional Council decision No. 2000-429 DC of 30 May 2000.

This Act shall be enforced as State law.

Done at Paris, June 6, 2000.

Jacques Chirac

By the President of the Republic:

Prime Minister,

Lionel Jospin

The Minister for Employment and Solidarity,

Martine Aubry

The interior minister,

Chevènement

Secretary of State for Overseas

Jean-Jack Queyranne

Secretary of State for Women's Rights

and vocational training,

Nicole Pery

(1) Act No. 2000-493.

- Preparatory work:

National Assembly:

Bill No. 2012;

Report by Mr. Roman Bernard, on behalf of the Law Committee, No. 2103;

Information Report Odette Casanova, on behalf of the Delegation for Women's Rights, 2074;

Discussion and adoption, after declaration of emergency on 25 January 2000.

Senate:

Bill, passed by the National Assembly, No. 192 (1999-2000);

Report by Mr Guy Cabanel, on behalf of the Law Committee, No. 231 (1999-2000);

Information Report Danièle Pourtaud, on behalf of the delegation of women's rights, No. 215 (1999-2000);

Discussion and adoption on March 1, 2000.

National Assembly:

Bill, as amended by the Senate, No. 2228;

Report by Mr. Roman Bernard, on behalf of the joint commission, No. 2240.

Senate:

Report by Mr Guy Cabanel, on behalf of the Joint Committee, No. 263 (1999-2000).

National Assembly:

Amended Bill No. 2228;

Report by Mr. Roman Bernard, on behalf of the Law Committee, No. 2268;

Discussion and adoption on 30 March 2000.

Senate:

Bill, adopted by the National Assembly in second reading, No. 295 (1999-2000);

Report by Mr Guy Cabanel, on behalf of the Law Committee, No. 299 (1999-2000);

Discussion and Adoption April 25, 2000.

National Assembly:

Bill, as amended by the Senate in second reading, No. 2336;

Report by Mr. Roman Bernard, on behalf of the Law Committee, No. 2337;

Discussion and adoption May 3, 2000.

- Constitutional Council:

Decision No. 2000-429 DC of 30 May 2000 published in Official Gazette of that day.