



Strasbourg, 4 August 2008

Study no. 469 / 2008

CDL(2008)086add2
Engl. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

STUDY

**CONSTITUTIONAL PROVISIONS
FOR AMENDING THE CONSTITUTION**

RULES OF PARLIAMENTARY PROCEDURE

**This document has been classified restricted on the date of issue. Unless the Venice Commission decides otherwise, it will be declassified a year after its issue according to the rules set up in Resolution CM/Res(2001)6 on access to Council of Europe documents.*

*This document will not be distributed at the meeting. Please bring this copy.
www.venice.coe.int*

TABLE OF CONTENTS

1.	The Constitution of Albania	3
2.	The Constitution of the Principality of Andorra.....	3
3.	The Austrian Federal Constitutional Law	3
4.	The Constitution of the Republic of Azerbaijan	4
5.	The Belgian Constitution	5
6.	The Constitution of Bosnia and Herzegovina.....	6
7.	The Constitution of the Republic of Bulgaria.....	6
8.	The Constitution of Canada	7
9.	The Constitution of the Republic of Croatia	10
10.	The Constitutional Act of Denmark	10
11.	The Constitution of the Republic of Estonia	10
12.	The Constitution of Finland.....	11
13.	The French Constitution	11
14.	The Constitution of Georgia.....	12
15.	The Basic Law of the Federal Republic of Germany.....	12
16.	The Constitution of Greece.....	12
17.	The Constitution of the Republic of Hungary.....	13
18.	The Constitution of the Republic of Iceland	13
19.	The Constitution of Ireland.....	13
20.	The Constitution of the Italian Republic	14
21.	The Constitution of Japan.....	14
22.	The Constitution of Kazakhstan.....	14
23.	The Constitution of the Republic of Korea	15
24.	The Constitution of Kyrgyzstan.....	15
25.	The Constitution of the Republic of Latvia	16
26.	The Constitution of the Principality of Liechtenstein.....	16
27.	The Constitution of the Republic of Lithuania.....	18
28.	The Constitution of Mexico	18
29.	The Constitution of the Republic of Moldova.....	19
30.	The Constitution of Montenegro.....	19
31.	The Constitution of the Netherlands	20
32.	The Constitution of the Kingdom of Norway.....	20
33.	The Constitution of the Republic of Poland.....	21
34.	The Constitution of the Portuguese Republic.....	21
35.	The Constitution of Romania	22
36.	The Constitution of the Russian Federation.....	22
37.	The Declaration of Citizens' Rights and of the fundamental principles of the San Marinese legal order	23
38.	The Constitution of Serbia	23
39.	The Constitution of the Slovak Republic	24
40.	The Constitution of Slovenia.....	24
41.	The Constitution of the Republic of South Africa.....	25
42.	The Constitution of Spain	25
43.	The Federal Constitution of the Swiss Confederation	26
44.	The Constitution of the Republic of Turkey	27
45.	The Constitution of Ukraine	27
46.	The Constitution of the United States of America	28
47.	The Constitution of "the former Yugoslav Republic of Macedonia"	28

1. The Constitution of Albania

“Article 177

1. An initiative for amending the Constitution may be taken by not less than one-fifth of the members of the Assembly.
2. No amendment to the Constitution may take place when extraordinary measures are in effect.
3. A proposed amendment is approved by not less than two-thirds of all members of the Assembly.
4. The Assembly may decide, by two-thirds of all its members, that the proposed constitutional amendments be voted on in a referendum. The proposed constitutional amendment becomes effective after ratification by referendum, which takes place not later than 60 days after its approval by the Assembly.
5. An approved constitutional amendment is submitted to referendum when one-fifth of the members of the Assembly request it.
6. The President of the Republic cannot return for re-consideration a constitutional amendment approved by the Assembly.
7. An amendment approved by referendum is promulgated by the President of the Republic and becomes effective on the date provided for in it.
8. An amendment of the Constitution cannot be made unless a year has passed since the rejection by the Assembly of a proposed amendment on the same issue or three years have passed from its rejection by referendum.”

2. The Constitution of the Principality of Andorra

“Article 105

The right to initiate the revisions of the Constitution shall lie with the Coprínceps jointly or a third part of the members of the Conseil General.

Article 106

The revision of the Constitution shall require the approval of the Consell General by a majority of two-thirds of the members of the Chamber. Immediately after its approval the proposal shall be submitted to ratification in a referendum.”

3. The Austrian Federal Constitutional Law

“Article 44

(1) Constitutional laws or constitutional provisions contained in simple laws can be passed by the National Council only in the presence of at least half the members and by a two thirds majority of the votes cast; they shall be explicitly specified as such ("constitutional law", "constitutional provision").

(2) Constitutional laws or constitutional provisions contained in simple laws restricting the competence of the Laender in legislation or execution require furthermore the approval of the Federal Council which must be imparted in the presence of at least half the members and by a two thirds majority of the votes cast.

(3) Any total revision of the Federal Constitution shall upon conclusion of the procedure pursuant to Art. 42 above but before its authentication by the Federal President be submitted to a referendum by the entire nation, whereas any partial revision requires this only if one third of the members of the National Council or the Federal Council so demands.”

4. The Constitution of the Republic of Azerbaijan

“CHAPTER XI.

Changes in Constitution of the Azerbaijan Republic

Article 152.

Procedure of introduction of changes into Constitution of the Azerbaijan Republic.

Changes in the text of the Constitution of the Azerbaijan Republic may be made only by way of referendum.

Article 153.

Procedure of submit of proposals on changes in the text of Constitution of the Azerbaijan Republic

If proposals about changes in the text of Constitution of the Azerbaijan Republic are presented by Milli Majlis of the Azerbaijan Republic or the President of the Azerbaijan Republic, then Constitutional Court of the Azerbaijan Republic should give its conclusion beforehand.

Article 154.

Limitations on authority of Constitutional Court of the Azerbaijan Republic

Constitutional Court of the Azerbaijan Republic shall not take decisions concerning changes in the text of Constitution of the Azerbaijan Republic made by way of referendum.

Article 155.

Limitations on initiative on introduction of changes into Constitution of the Azerbaijan Republic

Proposals about changes or abolition in Articles 1, 2, 6, 7, 8 and 21, about restriction or abolition of human and citizen's rights and freedoms envisaged in Chapter III of the present Constitution or to higher degree than it is specified in international treaties Azerbaijan Republic is a party too.

CHAPTER XII.

Amendments to the Constitution of the Azerbaijan Republic

Article 156.

Procedure of introduction of amendments to the Constitution of the Azerbaijan Republic

I. Amendments to the Constitution of the Azerbaijan Republic are taken in the form of Constitutional laws in Milli Majlis of the Azerbaijan Republic, by majority of 95 votes.

II. Constitutional laws on amendments to Constitution of the Azerbaijan Republic are put to the vote in Milli Majlis of the Azerbaijan Republic twice. The second voting shall be held 6 months after the first one.

III. Constitutional laws on amendments to Constitution of the Azerbaijan Republic are submitted to the President of the Azerbaijan Republic for signing in an order envisaged in the present Constitution for laws, both after the first and after the second voting.

IV. Constitutional laws and amendments to the Constitution of the Azerbaijan Republic become valid after they have been signed by the President of the Azerbaijan Republic after the second voting.

V. Constitutional laws on amendments are integral part of Constitution of the Azerbaijan Republic and should not contradict main text of Constitution of the Azerbaijan Republic.”

Article 157.

Initiative on introduction of amendments to Constitution of the Azerbaijan Republic
Amendments to Constitution of the Azerbaijan Republic may be proposed by the President of the Azerbaijan Republic or at least by 63 deputies of Milli Majlis of the Azerbaijan Republic.

Article 158.

Limitation on initiative on introduction of additions to the
Constitution of Azerbaijan Republic

There cannot be proposed the introduction of additions to the Constitution of Azerbaijan Republic with respect to provisions envisaged in Chapter I of the present Constitution.”

5. The Belgian Constitution

“Article 195

The Federal legislative power has the right to declare a warranted constitutional revision of those matters which it determines. Following such a declaration, the two Houses are dissolved by full right. Two new Houses are then convened, in keeping with the terms of article 46. These Houses statute, by mutual agreement, with the King, on those points submitted for revision. In this case, the Houses may debate only provided that two-thirds of the members composing each House are present; and no change may be adopted unless voted upon by a two-thirds majority.”

“Article 198

In agreement with the King, the Constituting Houses may adapt the numerical order of articles and of sub-articles of the Constitution, in addition to sub-divisions of the latter into titles, sections, and chapters, modify the terminology of provisions not submitted for revision in order for them to be in keeping with the terminology of new provisions, and ensure the concordance of French, Dutch, and German constitutional texts.

In this case, the Houses may debate only provided that two-thirds of the members composing each House are present; and no change may be adopted unless voted upon by a two-thirds majority.”

6. The Constitution of Bosnia and Herzegovina

“Article X

Amendment Procedure. This Constitution may be amended by a decision of the Parliamentary Assembly, including a two-thirds majority of those present and voting in the House of Representatives.”

7. The Constitution of the Republic of Bulgaria

“Article 153

The National Assembly shall be free to amend all provisions of the Constitution except those within the prerogatives of the Grand National Assembly.

Article 154

1. The initiative to introduce a constitutional amendment bill shall belong to one-fourth of the Members of the National Assembly and to the President.
2. An amendment bill shall be debated by the National Assembly not earlier than one month and not later than three months from the date on which it is introduced.

Article 155

1. A constitutional amendment shall require a majority of three-fourths of the votes of all Members of the National Assembly in three ballots on three different days.
2. A bill which has received less than three-fourths but more than two-thirds of the votes of all Members shall be eligible for reintroduction after not fewer than two months and not more than five months. To be passed at this new reading, the bill shall require a majority of two-thirds of the votes of all Members.

Article 156

An amendment to the Constitution shall be signed and promulgated in Durzhaven Vestnik by the Chairman of the Grand National Assembly within seven days following its passage.

Article 157

A Grand National Assembly shall consist of 400 Members elected by the generally established procedure.

Article 158

A Grand National Assembly shall:

- i adopt a new Constitution;
- ii resolve on any changes in the territory of the Republic of Bulgaria and ratify any international instrument envisaging such a change.
- iii resolve on any changes in the form of state structure or form of government;
- iv resolve on any amendment to Article 5 paragraphs 2 and 4 and Article 57 paragraphs 1 and 3 of this Constitution;
- v resolve on any amendment to Chapter Nine of the Constitution.

Article 159

1. The initiative to introduce an amendment bill pursuant to the preceding Article shall belong to one-third of the Members of the National Assembly and to the President.
2. The draft of a new constitution or a proposed amendment to the existing Constitution, and any bill to introduce a change in the territory of the country pursuant to Article 158 shall be debated by the National Assembly not earlier than two months and not later than five months from the date on which it is introduced.

Article 160

1. A resolution by the National Assembly announcing elections for a Grand National Assembly shall require a majority of two-thirds of the votes of all Members.
2. The President shall schedule the elections for a Grand National Assembly within three months from the passage of the National Assembly's resolution.
3. The mandate of the National Assembly shall expire with the holding of the elections for a Grand National Assembly.

Article 161

To pass a bill, the Grand National Assembly shall require a majority of two-thirds of the votes of all Members, in three ballots on three different days.

Article 162

1. A Grand National Assembly shall resolve only on the constitutional amendment bills for which it has been elected.
2. In an emergency, a Grand National Assembly shall further perform the functions of a National Assembly.
3. The prerogatives of a Grand National Assembly shall expire after it resolves on all matters for which it has been elected. The President shall then schedule elections by a procedure established by a law.

Article 163

An act of the Grand National Assembly shall be signed and promulgated in Durzhaven Vestnik by the Assembly's Chairman within seven days following its passage."

8. The Constitution of Canada

"38. General procedure for amending Constitution of Canada

(1) An amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by

(a) resolutions of the Senate and House of Commons; and

(b) resolutions of the legislative assemblies of at least two-thirds of the provinces that have, in the aggregate, according to the then latest general census, at least fifty per cent of the population of all the provinces.

Majority of members

(2) An amendment made under subsection (1) that derogates from the legislative powers, the proprietary rights or any other rights or privileges of the legislature or government of a province

shall require a resolution supported by a majority of the members of each of the Senate, the House of Commons and the legislative assemblies required under subsection (1).

Expression of dissent

(3) An amendment referred to in subsection (2) shall not have effect in a province the legislative assembly of which has expressed its dissent thereto by resolution supported by a majority of its members prior to the issue of the proclamation to which the amendment relates unless that legislative assembly, subsequently, by resolution supported by a majority of its members, revokes its dissent and authorizes the amendment.

Revocation of dissent

(4) A resolution of dissent made for the purposes of subsection (3) may be revoked at any time before or after the issue of the proclamation to which it relates.

39. Restriction on proclamation

(1) A proclamation shall not be issued under subsection 38(1) before the expiration of one year from the adoption of the resolution initiating the amendment procedure thereunder, unless the legislative assembly of each province has previously adopted a resolution of assent or dissent.

Idem

(2) A proclamation shall not be issued under subsection 38(1) after the expiration of three years from the adoption of the resolution initiating the amendment procedure thereunder.

40. Compensation

Where an amendment is made under subsection 38(1) that transfers provincial legislative powers relating to education or other cultural matters from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

41. Amendment by unanimous consent

An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a)

the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b)

the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province is entitled to be represented at the time this Part comes into force;

(c)

subject to section 43, the use of the English or the French language;

(d)

the composition of the Supreme Court of Canada; and

(e)

an amendment to this Part.

42. Amendment by general procedure

(1) An amendment to the Constitution of Canada in relation to the following matters may be made only in accordance with subsection 38(1):

(a)

the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(b)

the powers of the Senate and the method of selecting Senators;

(c)

the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d)

subject to paragraph 41(d), the Supreme Court of Canada;

(e)

the extension of existing provinces into the territories; and

(f)

notwithstanding any other law or practice, the establishment of new provinces.

Exception

(2) Subsections 38(2) to (4) do not apply in respect of amendments in relation to matters referred to in subsection (1).

43. Amendment of provisions relating to some but not all provinces

An amendment to the Constitution of Canada in relation to any provision that applies to one or more, but not all, provinces, including

(a)

any alteration to boundaries between provinces, and

(b)

any amendment to any provision that relates to the use of the English or the French language within a province,

may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies.

44. Amendments by Parliament

Subject to sections 41 and 42, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.

45. Amendments by provincial legislatures

Subject to section 41, the legislature of each province may exclusively make laws amending the constitution of the province.

46. Initiation of amendment procedures

(1) The procedures for amendment under sections 38, 41, 42 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.

Revocation of authorization

(2) A resolution of assent made for the purposes of this Part may be revoked at any time before the issue of a proclamation authorized by it.

47. Amendments without Senate resolution

(1) An amendment to the Constitution of Canada made by proclamation under sections 38, 41, 42 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.

Computation of period

(2) Any period when Parliament is prorogued or dissolved shall not be counted in computing the one hundred and eighty day period referred to in subsection (1)."

9. The Constitution of the Republic of Croatia

"Article 136

Amendment of the Constitution of the Republic of Croatia may be proposed by at least one fifth of the representatives in the Croatian Parliament, the President of the Republic, and the Government of the Republic of Croatia.

Article 137

The Croatian Parliament shall decide by a majority vote of all representatives whether or not to start proceedings for the amendment of the Constitution. A draft amendment of the Constitution shall require a majority vote of all representatives.

Article 138

The Croatian parliament shall decide on the amendment to the Constitution by a two-third majority vote of all representatives.

Article 139

Amendment of the Constitution shall be promulgated by the Croatian Parliament."

10. The Constitutional Act of Denmark

"Part X

Should the Folketing pass a Bill for the purposes of a new constitutional provision, and the Government wish to proceed with the matter, writs shall be issued for the election of members of a new Folketing. If the Bill is passed unamended by the Folketing assembling after the election, the Bill shall, within six months after its final passage, be submitted to the electors for approval or rejection by direct voting. Rules for this voting shall be laid down by statute. If a majority of the persons taking part in the voting, and at least 40 per cent of the electorate, have voted in favour of the Bill as passed by the Folketing, and if the Bill receives the Royal Assent, it shall form an integral part of the Constitutional Act."

11. The Constitution of the Republic of Estonia

"Article 163

The Constitution may be amended by a law which is adopted by:

- 1) referendum;
- 2) two successive memberships of the Riigikogu;
- 3) the Riigikogu, in matters of urgency.

A draft law to amend the Constitution shall be considered during three readings in the Riigikogu, whereby the interval between the first and second readings shall be at least three months, and the interval between the second and third readings shall be at least one month. The manner in which the Constitution is amended shall be decided at the third reading.

Article 164

In order to put a proposed amendment to the Constitution to referendum, the approval of a three-fifths majority of the membership of the Riigikogu shall be mandatory. The referendum shall not be held earlier than three months from the time that such a resolution is adopted in the Riigikogu.

Article 165

In order to amend the Constitution by two successive memberships of the Riigikogu, the draft law to amend the Constitution must receive the support of the majority of the membership of the Riigikogu.

If the next membership of the Riigikogu adopts the draft which received the support of the majority of the previous membership, without amendment, on its first reading and with a three-fifths majority of its membership, the law to amend the Constitution shall be adopted.

Article 166

A proposal to consider a proposed amendment to the Constitution as a matter of urgency shall be adopted by the Riigikogu by a four-fifths majority. In such a case the law to amend the Constitution shall be adopted by a two-thirds majority of the membership of the Riigikogu.

Article 167

The law to amend the Constitution shall be proclaimed by the President of the Republic and it shall enter into force on the date determined by the same law, but not earlier than three months after its proclamation.

An amendment to the Constitution dealing with the same issue may not be re-introduced within one year of the rejection of the respective draft by referendum or by the Riigikogu.”

12. The Constitution of Finland

“Section 73

A proposal on the enactment, amendment or repeal of the Constitution or on the enactment of a limited derogation of the Constitution shall in the second reading be left in abeyance, by a majority of the votes cast, until the first parliamentary session following parliamentary elections. The proposal shall then, once the Committee has issued its report, be adopted without material alterations in one reading in a plenary session by a decision supported by at least two thirds of the votes cast.

However, the proposal may be declared urgent by a decision that has been supported by at least five sixths of the votes cast. In this event, the proposal is not left in abeyance and it can be adopted by a decision supported by at least two thirds of the votes cast.”

13. The French Constitution

“Article 89

The President of the Republic, on the recommendation of the Prime Minister, and Members of Parliament alike shall have the right to initiate amendments to the Constitution.

A Government or a Private Member's Bill to amend the Constitution shall be passed by the two Houses in identical terms. The amendment shall take effect after approval by referendum.

However, a Government Bill to amend the Constitution shall not be submitted to referendum where the President of the Republic decides to submit it to Parliament convened in Congress; the Government Bill to amend the Constitution shall then be approved only if it is passed by a three-fifths majority of the votes cast. The Bureau of the Congress shall be that of the National Assembly. ...”

14. The Constitution of Georgia

“Article 102

1. The following shall be entitled to submit a draft law on general or partial revision of the Constitution:

- a. the President;
- b. more than half of the total number of the members of the Parliament;
- c. not less than 200,000 electors.

2. A draft law on the revision of the Constitution shall be submitted to the Parliament, which shall promulgate the former for the public discussion. The Parliament shall begin the discussion of the draft law after a month from its promulgation.

3. The draft law on the revision of the Constitution shall be deemed to be adopted if it is supported by at least two thirds of the total number of the members of the Parliament of Georgia.

4. The law on the revision of the Constitution shall be signed and promulgated by the President of Georgia in accordance with a procedure provided for by Article 68 of the Constitution.”

15. The Basic Law of the Federal Republic of Germany

“Article 79

(1) This Basic Law may be amended only by a law expressly modifying or supplementing its text. In respect of international treaties concerning a peace settlement, the preparation of a peace settlement, or the phasing out of an occupation regime, or serving the defence of the Federal Republic, it shall be sufficient, in order to make clear that the provisions of this Basic Law do not preclude the conclusion and entry into force of such treaties, to supplement the text of this Basic Law and to confine the supplement to such clarification.

(2) Such law must be carried by two thirds of the Members of the Bundestag and two thirds of the votes of the Bundesrat.

...”

16. The Constitution of Greece

“Article 110

...

2. The need for revision of the Constitution shall be ascertained by a resolution of Parliament adopted, on the proposal of not less than fifty Members of Parliament, by a three-fifths majority of the total number of its members in two ballots, held at least one month apart. This resolution shall define specifically the provisions to be revised.

3. Upon a resolution by Parliament on the revision of the Constitution, the next Parliament shall, in the course of its opening session, decide on the provisions to be revised by an absolute majority of the total number of its members.

4. Should a proposal for revision of the Constitution receive the majority of the votes of the total number of members but not the three-fifths majority specified in paragraph 2, the next Parliament may, in its opening session, decide on the provisions to be revised by a three-fifths majority of the total number of its members.

5. Every duly voted revision of provisions of the Constitution shall be published in the Government Gazette within ten days of its adoption by Parliament and shall come into force through a special parliamentary resolution.”

17. The Constitution of the Republic of Hungary

“Article 24.

(1) The Parliament has a quorum if more than half of its members are present.

(2) The Parliament shall pass its decisions with a majority of more than half of the votes of its Members present.

(3) A majority of two-thirds of the votes of the Members of Parliament is required to amend the Constitution and for certain decisions specified therein.

(4) The Parliament shall establish its rules of procedure and order of debate in its Standing Orders, to be adopted with a majority of two-thirds of the votes of the Members of Parliament present.

(5) A majority of four-fifths of the votes of the Members of Parliament is required to pass the Parliamentary resolution on the detailed rules on the preparation of the new Constitution.”

18. The Constitution of the Republic of Iceland

“Article 79

Proposals to amend or supplement this Constitution may be introduced at a regular as well as an extraordinary session of the Althingi. If the proposal is adopted, the Althingi shall forthwith be dissolved and general elections be held. If the Althingi then passes the resolution unchanged, it shall be confirmed by the President of the Republic and shall thereupon come into force as constitutional law.

If the Althingi adopts an amendment to the status of the Church pursuant to Article 62, the matter shall be submitted by referendum to a vote of all those eligible to vote in the country, for approval or rejection by secret ballot.”

19. The Constitution of Ireland

“Article 46

1. Any provision of this Constitution may be amended, whether by way of variation, addition, or repeal, in the manner provided by this Article.

2. Every proposal for an amendment of this Constitution shall be initiated in Dáil Éireann as a Bill, and shall upon having been passed or deemed to have been passed by both Houses of the Oireachtas, be submitted by Referendum to the decision of the people in accordance with the law for the time being in force relating to the Referendum.

3. Every such Bill shall be expressed to be “An Act to amend the Constitution”.

4. A Bill containing a proposal or proposals for the amendment of this Constitution shall not contain any other proposal.

5. A Bill containing a proposal for the amendment of this Constitution shall be signed by the President forthwith upon his being satisfied that the provisions of this Article have been

complied with in respect thereof and that such proposal has been duly approved by the people in accordance with the provisions of section 1 of Article 47 of this Constitution and shall be duly promulgated by the President as a law.

Article 47

1. Every proposal for an amendment of this Constitution which is submitted by Referendum to the decision of the people shall, for the purpose of Article 46 of this Constitution, be held to have been approved by the people, if, upon having been so submitted, a majority of the votes cast at such Referendum shall have been cast in favour of its enactment into law.”

20. The Constitution of the Italian Republic

“Article 138

Laws amending the Constitution and other constitutional laws shall be adopted by each House after two successive debates at intervals of not less than three months, and shall be approved by an absolute majority of the members of each House in the second voting.

The said laws are submitted to a popular referendum when, within three months of their publication, such request is made by one fifth of the members of a House or five hundred thousand electors or five region councils. The law submitted to referendum shall not be promulgated if not approved by a majority of valid votes.

A referendum shall not be held if the law has been approved in the second voting by each of the Houses by a majority of two-thirds of the member.”

21. The Constitution of Japan

“Article 96

Amendments to this Constitution shall be initiated by the Diet, through a concurring vote of two-thirds or more of all the members of each House and shall thereupon be submitted to the people for ratification, which shall require the affirmative vote of a majority of all votes cast thereon, at a special referendum or at such election as the Diet shall specify. 2) Amendments when so ratified shall immediately be promulgated by the Emperor in the name of the people, as an integral part of this Constitution.”

22. The Constitution of Kazakhstan

“Article 91

1. Amendments and additions to the Constitution of the Republic of Kazakhstan may be introduced only by an all-nation referendum held by the decision of the President of the Republic made on his own initiative, at the recommendation of Parliament or the Government. The draft of amendments and additions to the Constitution shall not be submitted to an all-nation referendum if the President decides to pass it to the consideration of Parliament. In this case, Parliament's decision shall be adopted according to the procedure established by this Constitution. In case the President of the Republic refuses the proposal of the Parliament on submission of amendments and additions to the Constitution for the consideration of the Republican referendum, the Parliament has the right by majority of not less than four-fifths of votes of the total number of deputies of each Chamber of the Parliament to adopt the law on making of these amendments and additions to the Constitution. In such case the President of the Republic shall sign this law or submit it for the consideration of the Republican referendum which shall be deemed valid if more than half of the Republican citizens, possessing the right to participate in the Republican referendum, take part in it. Amendments and additions to the Constitution, which are submitted for the

consideration of the Republican referendum, shall be deemed adopted, if more than half of citizens, taking part in it, vote for it.

2. The unitary status and territorial integrity of the Republic, the forms of government may not be changed.”

23. The Constitution of the Republic of Korea

“Article 128

(1) A proposal to amend the Constitution can be introduced either by a majority of the total members of the National Assembly or by the President.

(2) Amendments to the Constitution for the extension of the term of office of the President or for a change allowing for the re-election of the President are not effective for the President in office at the time of the proposal for such amendments to the Constitution.

...”

“Article 130

(1) The National Assembly decides upon the proposed amendments within sixty days of the public announcement, and passage by the National Assembly requires the concurrent vote of two-thirds or more of the total members of the National Assembly.

(2) The proposed amendments to the Constitution are submitted to a national referendum not later than thirty days after passage by the National Assembly, and are confirmed by more than one half of all votes cast by more than one half of voters eligible to vote in elections for members of the National Assembly.

(3) When the proposed amendments to the Constitution receive the concurrence prescribed in Paragraph (2), the amendments to the Constitution is finalized, and the President promulgates it without delay.”

24. The Constitution of Kyrgyzstan

“Article 96

1. Amendments and supplements to the present Constitution are adopted by referendum called by the President of the Kyrgyz Republic.

2. Amendments and supplements may be adopted in the houses of the Jogorku Kenesh after a proposal by the President of the Kyrgyz Republic, by a majority of the total number of deputies of the Legislative Assembly and Assembly of People’s Representatives, or by no fewer than 300,000 voters.

3. Proposals on introducing amendments and supplements to the Constitution of the Kyrgyz Republic shall be considered by the Legislative Assembly and Assembly of People’s Representatives, taking into account the ruling of the Constitutional Court of the Kyrgyz Republic, no earlier than three months and no later than six months from the day of submission of the proposal to the Legislative Assembly and Assembly of People’s Representatives.

4. The text of a draft law on introducing amendments and supplements to the Constitution of the Kyrgyz Republic may not be altered during discussion on it in the Legislative Assembly and Assembly of People’s Representatives.

Article 97

1. Amendments and supplements to the present Constitution shall be considered adopted by the Jogorku Kenesh if no fewer than two-thirds of the total number of deputies of each of its houses have voted for them.
2. An unsuccessful proposal may be re-submitted to the Jogorku Kenesh no earlier than one year after (its rejection)."

25. The Constitution of the Republic of Latvia

"Article 76

The Saeima may amend the Constitution in sittings at which at least two-thirds of the members of the Saeima participate. The amendments shall be passed in three readings by a majority of not less than two-thirds of the members present.

Article 77

If the Saeima has amended the first, second, third, fourth, sixth or seventy-seventh Article of the Constitution, such amendments, in order to come into force as law, shall be submitted to a national referendum."

"Article 1

Latvia is an independent democratic republic.

Article 2

The sovereign power of the State of Latvia is vested in the people of Latvia.

Article 3

The territory of the State of Latvia, within the borders established by international agreements, consists of Vidzeme, Latgale, Kurzeme and Zemgale.

Article 4

The Latvian language is the official language in the Republic of Latvia. The national flag of Latvia shall be red with a band of white."

"Article 6

The Saeima shall be elected in general, equal and direct elections, and by secret ballot based on proportional representation."

26. The Constitution of the Principality of Liechtenstein

"Article 112

...

2) Any amendments to or universally binding interpretations of this fundamental law may be proposed either by the Government or by the Diet or through the initiative procedure (Art. 64). These shall require the approval of the Diet, either by the unanimous vote of the members present or by a majority of three-quarters of the members present at two successive sittings of the Diet, where appropriate a referendum (Art. 66) and in any event the subsequent assent of the Prince Regnant, with the exception of the procedure to abolish the Monarchy (Art. 113).

“Article 64

1) The right of initiative with regard to legislation, that is to say, the right of introducing bills, shall appertain to:

- a) the Prince Regnant, in the form of Government bills;
- b) the Diet itself;
- c) citizens with the right to vote, subject to the following provisions.

2) If not less than 1,000 citizens entitled to vote, whose signatures and qualification to vote are duly certified by the authorities of the commune in which they reside, submit a petition in writing or if at least three communes do so in the form of resolutions of the communal assembly in similar terms requesting the enactment, amendment or revocation of a law, such petition must be debated at the next session of the Diet.¹²

3) If a petition from one of the organs referred to under a) to c) above concerns the enactment of a law which has not already been provided for in the present Constitution and the adoption of which would involve public expenditure, whether in a single sum not provided for in the Finance Bill or in payments extending over a longer period, such petition shall only be discussed by the Diet if it is accompanied by proposals for providing the necessary funds.

4) A petition submitted under the right of initiative and concerning the Constitution may only be brought by not less than 1,500 citizens entitled to vote or by at least four communes. ...”

“Article 66

1) Every law passed by the Diet which it does not declare to be urgent or any financial resolution which it does not declare urgent, if it involves a new non-recurrent expenditure of not less than 300,000 francs or a new annual expenditure of 150,000 francs, shall be submitted to a referendum if the Diet so decides or if not less than 1,000 citizens with the right to vote or not less than three communes submit a petition to that effect, according to the procedure prescribed in Art. 64, within 30 days of the official publication of the resolution of the Diet.¹⁴

2) If the issue affects the Constitution as a whole or in part, the demand for a referendum must be made by not less than 1,500 citizens with the right to vote or by not less than four communes.¹⁵

3) The Diet is authorized to call for a referendum on the adoption of any of the principles embodied in a proposed law.

4) The referendum shall be held by communes; the acceptance or rejection of the resolution on the enactment of the law shall be decided by an absolute majority of the valid votes recorded in the whole of the country.

5) Resolutions on the enactment of laws subject to a referendum shall not be submitted to the Prince Regnant for sanction until the referendum has been held or until the statutory period of thirty days within which a petition for a referendum may be submitted has expired without any such action.¹⁶

6) If the Diet rejects a bill drawn up in due form and accompanied if necessary by proposals for providing the necessary funds and which has been submitted to it through the procedure of the popular initiative (Art. 64 Para. 1 lit. c), the said bill shall be submitted to a referendum. The acceptance of the bill by the citizens entitled to vote shall then have the same force as a resolution of the Diet otherwise necessary for the adoption of a law.

7) Further detailed regulations regarding the referendum shall be issued in the form of a law.”

“Article 113

1) Not less than 1,500 citizens as a minimum requirement have the right to introduce an initiative to abolish the Monarchy. In the event of this proposal being accepted by the People, the Diet shall draw up a new, republican Constitution and submit it to a referendum after one year at the earliest and two years at the latest. The Prince Regnant has the right to

submit a new Constitution for the same referendum. The procedure specified in the following therefore replaces the procedure to amend the Constitution laid down in Art. 112 Para. 2.

2) If only one draft has been submitted, an absolute majority is sufficient for its adoption (Art. 66 Para. 4). If two drafts have been submitted, the citizens entitled to vote may choose between them and the existing Constitution. In this case, the citizens have two votes in the first ballot and shall award them to the two alternative Constitutions that they wish to go through to the second ballot. The two alternatives with the most first and second votes shall go through to the second ballot. In the second ballot, which must be held 14 days after the first, the citizens shall each have one vote. The Constitution that obtains an absolute majority is then adopted (Art. 66 Para. 4)."

27. The Constitution of the Republic of Lithuania

"Article 147

In order to amend or append the Constitution of the Republic of Lithuania, a proposal must be submitted to the Seimas by either no less than one-fourth of the members of the Seimas, or by at least 300,000 voters.

During a state of emergency or martial law, amendments to the Constitution may not be made.

Article 148

The provision of Article 1 of the Constitution that the State of Lithuania is an independent democratic republic may only be amended by a referendum in which at least three-fourths of the electorate of Lithuania vote in favour thereof.

The provisions of Chapter 1 ("The State of Lithuania") and Chapter 14 ("Amending the Constitution") may be amended only by referendum.

Amendments of other chapters of the Constitution must be considered and voted upon in the Seimas twice. There must be a lapse of at least three months between each vote. Bills for constitutional amendments shall be deemed adopted by the Seimas if, in each of the votes, at least two-thirds of all the members of the Seimas vote in favour of the enactment.

An amendment to the Constitution which is rejected by the Seimas may not be submitted to the Seimas for reconsideration for the period of one year.

Article 149

The adopted law on an amendment to the Constitution shall be signed by the President of the Republic of Lithuania and officially promulgated within 5 days.

If the President of the Republic of Lithuania does not sign and promulgate such a law in due time, this law shall become effective when the Chairperson of the Seimas signs and promulgates it.

The law on an amendment to the Constitution shall become effective no earlier than one month after the adoption thereof."

28. The Constitution of Mexico

"Article 135

The present Constitution may be added to, or changed. For the additions or changes to become part of it, it is required that the Congress of the Union, by vote of two thirds of the members present, agrees to the changes or additions, and these will be approved by the majority of the legislatures of the states. The Congress of the Union, or the Permanent Commission in its case, will make the count of the votes of the legislature, and the declaration of approval of the additions or changes."

29. The Constitution of the Republic of Moldova

“Article 141

Initiatives for Constitutional Revision

(1) The revision of the Constitution may be initiated by:

a) at least 200,000 voting citizens of the Republic of Moldova. The citizens initiating the revision of the Constitution must come from at least half of the nation's level 2 administrative and territorial districts, and in each of these districts at least 20,000 signatures must have been registered in support of this initiative;

b) no less than a third of the members of Parliament;

c) the Government.

(2) Constitutional law projects shall be submitted to Parliament on condition that the Constitutional Court issues the appropriate recommendation supported by at least 4 judges.

...

“Article 143

The Law on Constitutional Revision

(1) Parliament has the right to pass a law for revising the Constitution after no less than 6 months from the date when the revising initiative was submitted. This law has to be passed on a two-thirds majority.

(2) If within one year from the date when the revising initiative was submitted Parliament has not passed the appropriate constitutional law, the initiative shall be considered null and void.”

30. The Constitution of Montenegro

“Proposal for the change of the constitution

Article 155

The proposal to change the Constitution may be submitted by the President of Montenegro, the Government or minimum 25 Members of the Parliament.

With the Proposal to change the Constitution it may be proposed to change or amend individual provisions of the Constitution or to adopt the new Constitution.

The Proposal to change individual provisions of the Constitution shall contain the indication of the provisions for which change is demanded and the justification.

The Proposal to change the Constitution shall be adopted in the Parliament if two thirds of the total number of Members of the Parliament vote in favor of it.

If the proposal to change the Constitution has not been adopted, the same proposal shall not be repeated prior to the expiry of one year from the day when the proposal was rejected.”

Act on the change of the constitution

Article 156

Change of the individual provisions of the Constitution shall be made through amendments. Draft act on the change of the Constitution shall be prepared by the responsible working body of the Parliament.

Draft act on the change of the Constitution shall be adopted in the Parliament if two thirds of all the Members of the Parliaments vote in favor of it.

The Parliament shall submit the adopted Draft act on the change of the Constitution for public hearing, which shall not last less than one month.

After the end of the public hearing, the responsible working body of the Parliament shall define the Proposal of the act on the change of the Constitution.

The act on the change of the Constitution shall be adopted in the Parliament if two thirds of all the Members of the Parliament vote in favor of it.

Change of the Constitution shall not take place during the state of war and the state of emergency.

Article 157

Change of Articles 1, 2, 3, 4, 12, 13, 15, 45 and 157 shall be final if minimum three fifths of all the voters support the change in the national referendum.”

31. The Constitution of the Netherlands

“Article 137

1. An Act of Parliament shall be passed stating that an amendment to the Constitution in the form proposed shall be considered.

2. The Lower House may divide a Bill presented for this purpose into a number of separate Bills, either upon a proposal presented by or on behalf of the King or otherwise.

3. The Lower House shall be dissolved after the Bill referred to in the first paragraph has been published.

4. After the new Lower House has assembled, the two Houses of the States General shall consider, at second reading, the Bill referred to in the first paragraph. The Bill shall be passed only if at least two thirds of the votes cast are in favour.

5. The Lower House may divide a Bill for the amendment of the Constitution into a number of separate Bills, either upon a proposal presented by or on behalf of the King or otherwise, if at least two-thirds of the votes cast are in favour.

Article 138

1. Before Bills to amend the Constitution which have been given a second reading have been ratified by the King, provisions may be introduced by Act of Parliament whereby:

(a) the proposals adopted and the unamended provisions of the Constitution are adjusted to each other as required;

(b) the division into chapters, sections and articles and the headings and numbering thereof are modified.

2. A Bill containing provisions as referred to under paragraph 1(a) shall be passed by the two Houses only if at least two-thirds of the votes cast are in favour.”

32. The Constitution of the Kingdom of Norway

“Article 112

If experience shows that any part of this Constitution of the Kingdom of Norway ought to be amended, the proposal to this effect shall be submitted to the first, second or third Storting after a new General Election and be publicly announced in print. But it shall be left to the first, second or third Storting after the following General Election to decide whether or not the proposed amendment shall be adopted.

Such amendment must never, however, contradict the principles embodied in this Constitution, but solely relate to modifications of particular provisions which do not alter the spirit of the Constitution, and such amendment requires that two thirds of the Storting agree

thereto.

An amendment to the Constitution adopted in the manner aforesaid shall be signed by the President and the Secretary of the Storting, and shall be sent to the King for public announcement in print, as an applicable provision of the Constitution of the Kingdom of Norway.”

33. The Constitution of the Republic of Poland

“Article 235

1. A bill to amend the Constitution may be submitted by the following: at least one-fifth of the statutory number of Deputies; the Senate; or the President of the Republic.
2. Amendments to the Constitution shall be made by means of a statute adopted by the Sejm and, thereafter, adopted in the same wording by the Senate within a period of 60 days.
3. The first reading of a bill to amend the Constitution may take place no sooner than 30 days after the submission of the bill to the Sejm.
4. A bill to amend the Constitution shall be adopted by the Sejm by a majority of at least two-thirds of votes in the presence of at least half of the statutory number of Deputies, and by the Senate by an absolute majority of votes in the presence of at least half of the statutory number of Senators.
5. The adoption by the Sejm of a bill amending the provisions of Chapters I, II or XII of the Constitution shall take place no sooner than 60 days after the first reading of the bill.
6. If a bill to amend the Constitution relates to the provisions of Chapters I, II or XII, the subjects specified in para. 1 above may require, within 45 days of the adoption of the bill by the Senate, the holding of a confirmatory referendum. Such subjects shall make application in the matter to the Marshal of the Sejm, who shall order the holding of a referendum within 60 days of the day of receipt of the application. The amendment to the Constitution shall be deemed accepted if the majority of those voting express support for such amendment.
7. After conclusion of the procedures specified in paras 4 and 6 above, the Marshal of the Sejm shall submit the adopted statute to the President of the Republic for signature. The President of the Republic shall sign the statute within 21 days of its submission and order its promulgation in the Journal of Laws of the Republic of Poland (Dziennik Ustaw).”

34. The Constitution of the Portuguese Republic

”Article 284

Competence and time of revision

1. The Assembly of the Republic may revise this Constitution after 5 years have elapsed since the last occasion on which an ordinary law revising the Constitution was published.
2. However, the Assembly of the Republic may, by a majority of four-fifths of the Deputies entitled to vote, assume special powers to revise this Constitution at some other time.

Article 285

Power to initiate constitutional revision

1. Revision of this Constitution may be initiated by Deputies.
2. On the tabling of proposals for constitutional revision, any other proposals for that purpose shall be tabled within 30 days.

Article 286

Approval and promulgation

1. Amendments to this Constitution must be approved by a majority of two-thirds of the Deputies entitled to vote.

2. Amendments to this Constitution, once approved, shall be incorporated into a single revision law.
3. The President of the Republic has no power to refuse to promulgate a revision law.”

35. The Constitution of Romania

“Article 150 – Initiative of Revision

- (1) Revision of the Constitution may be initiated by the President of Romania on proposal of the Government, by at least one quarter of the number of Deputies or Senators, as well as by at least 500,000 citizens with the right to vote.
- (2) The citizens who initiate the revision of the Constitution must belong to at least half the number of the counties in the country, and in each of the respective counties or in the Municipality of Bucharest, at least 20,000 signatures must be recorded in support of this initiative.

“Article 151 – Procedure of Revision

- (1) The draft or proposal of revision must be adopted by the Chamber of Deputies and the Senate, by a majority of at least two thirds of the members of each Chamber.
- (2) If no agreement can be reached by a mediation procedure, the Chamber of Deputies and the Senate shall decide thereupon, in joint session, by the vote of at least three quarters of the number of Deputies and Senators.
- (3) The revision shall be final after approval by a referendum held within thirty days at the most from the date of passing the draft or proposal of revision.”

36. The Constitution of the Russian Federation

”Article 134

Proposals on amendments to and revision of provisions of the Constitution of the Russian Federation may be put forward by the President of the Russian Federation, the Council of the Federation, the State Duma, the Government of the Russian Federation, legislative (representative) bodies of subjects of the Russian Federation as well as by a deputies group of not less than one fifth of the total number of deputies of one of the chambers of the Federal Assembly.

Article 135

1. Provisions of Chapters I, 2 and 9 of the Constitution of the Russian Federation shall be not subject to revision by the Federal Assembly.
2. In case a proposal to change provisions of Chapters 1, 2 and 9 of the Constitution of the Russian Federation has been supported by three fifth of votes of the total number of deputies of the chambers of the Federal Assembly, in conformity with federal constitutional law the Constitutional Assembly shall be convened.
3. The Constitutional Assembly shall either confirm the immutability of the Constitution of the Russian Federation or elaborate a draft of a new Constitution of the Russian Federation which is adopted by the Constitutional Assembly by a vote of two thirds of the total number of its members or is submitted to a nation-wide vote. In case of a nation-wide vote the Constitution of the Russian Federation shall be considered adopted when approved by a majority of voters casting their votes, provided that more than one half of voters have cast their votes.

Article 136

Amendments to Chapters 3 - 8 of the Constitution of the Russian Federation shall be adopted following the procedure envisaged for the adoption of federal constitutional law and shall come into effect after their approval by the bodies of legislative power of not less than two thirds of the subjects of the Russian Federation.”

37. The Declaration of Citizens' Rights and of the fundamental principles of the San Marinese legal order

“Article 16

The provisions of this declaration may be amended by the Great and General Council solely with a majority of two-thirds of its members.”

38. The Constitution of Serbia

“Article 203 – of the amendment to the Constitution

A proposal to amend the Constitution may be submitted by at least one third of the total number of deputies, the President of the Republic, the Government and at least 150,000 voters.

The National Assembly shall decide on amending the Constitution.

A proposal to amend the Constitution shall be adopted by a two-third majority of the total number of deputies.

If the required majority of votes has not been achieved, the amending of the Constitution according to the issues contained in the submitted proposal which has not been adopted shall not be considered in the following twelve months.

In case the National Assembly adopts the proposal for amending the Constitution, an act on amending the Constitution shall be drafted, that is, considered.

The National Assembly shall adopt an act on amending the Constitution by a two-third majority of the total number of deputies and may decide to have it endorsed in the republic referendum by the citizens.

The National Assembly shall be obliged to put forward the act on amending the Constitution in the republic referendum to have it endorsed, in cases when the amendment of the Constitution pertains to the preamble of the Constitution, principles of the Constitution, human and minority rights and freedoms, the system of authority, proclamation the state of war and emergency, derogation from human and minority rights in the state of emergency or war or the proceedings of amending the Constitution.

When the act on amending the Constitution is put forward for endorsement, the citizens shall vote in the referendum within no later than 60 days from the day of adopting the act on amending the Constitution. The amendment to the Constitution shall be adopted if the majority of voters who participated in the referendum voted in favour of the amendment.

The act on amending the Constitution endorsed in the republic referendum shall come into force once promulgated by the National Assembly.

If the National Assembly does not decide to put forward the act on amending the Constitution for endorsement, the amendment of the Constitution shall be adopted by voting in the National Assembly, and the act on amending the Constitution shall come into force once promulgated by the National Assembly.

...”

“Article 205 – Constitutional law

A constitutional law shall be enacted for the enforcement of the amendments to the Constitution.

A constitutional law shall be adopted by a two-third majority of the total number of deputies.”

39. The Constitution of the Slovak Republic

“Article 84

- (1) The National Council of the Slovak Republic has a quorum, if more than half of all Members of Parliament are present.
- (2) For a valid resolution, the consent of more than half of Members of Parliament present shall be required, save this Constitution provides otherwise.
- (3) In approving an international treaty according to Art. 7 paras. 3 and 4, and in adopting a law returned by the President of the Slovak Republic according to Art. 102 letter o), the consent of the absolute majority of all Members of Parliament shall be required.
- (4) For the purpose of adopting or amending the Constitution, a constitutional law, in approving an international treaty according to Art. 7, para. 2, for the adoption of a resolution on plebiscite on the recall of the President of the Slovak Republic, for bringing a prosecution of the President and for the declaration of war on another state, the consent of a three-fifths majority of all Members of Parliament shall be required.”

40. The Constitution of Slovenia

“Article 168

Proposal for the Initiation of Amendment

A proposal to amend this Constitution may be initiated by no less than twenty Deputies of the National Assembly, by the Government or by no less than thirty thousand voters. Any such proposal shall only proceed for determination in the National Assembly upon the vote of a two-thirds majority of those Deputies of the National Assembly present and voting.”

Article 169

Amendment of This Constitution

The National Assembly may only enact legislation to amend this Constitution upon the vote of a two-thirds majority of all elected Deputies.

Article 170

Ratification of Constitutional Amendment by Referendum.

Any proposal for the amendment of this Constitution before the National Assembly must be presented to the electorate at a referendum if the same is demanded by no less than thirty of its Deputies.

An amendment shall be deemed to have been carried at such a referendum if a majority of all voters eligible to vote, voted at the referendum and a majority of those voters who were voting voted in favour of same.”

41. The Constitution of the Republic of South Africa

74. Bills amending the Constitution

- (1) Section 1 and this subsection may be amended by a Bill passed by-
 - (a) the National Assembly, with a supporting vote of at least 75 per cent of its members; and
 - (b) the National Council of Provinces, with a supporting vote of at least six provinces.
- (2) Chapter 2 may be amended by a Bill passed by-
 - (a) the National Assembly, with a supporting vote of at least two thirds of its members; and
 - (b) the National Council of Provinces, with a supporting vote of at least six provinces.
- (3) Any other provision of the Constitution may be amended by a Bill passed-
 - (a) by the National Assembly, with a supporting vote of at least two thirds of its members; and
 - (b) also by the National Council of Provinces, with a supporting vote of at least six provinces, if the amendment-
 - (i) relates to a matter that affects the Council;
 - (ii) alters provincial boundaries, powers, functions or institutions; or
 - (iii) amends a provision that deals specifically with a provincial matter.
- (4) A Bill amending the Constitution may not include provisions other than constitutional amendments and matters connected with the amendments.
- (5) At least 30 days before a Bill amending the Constitution is introduced in terms of section 73 (2), the person or committee intending to introduce the Bill must-
 - (a) publish in the national Government Gazette, and in accordance with the rules and orders of the National Assembly, particulars of the proposed amendment for public comment;
 - (b) submit, in accordance with the rules and orders of the Assembly, those particulars to the provincial legislatures for their views; and
 - (c) submit, in accordance with the rules and orders of the National Council of Provinces, those particulars to the Council for a public debate, if the proposed amendment is not an amendment that is required to be passed by the Council.”

42. The Constitution of Spain

“Article 167

1. Bills on Constitutional amendment must be approved by a majority of three-fifths of the members of each House. If there is no agreement between the Houses, an effort to reach it shall be made by setting up a joint Commission of Deputies and Senators which shall submit a text to be voted on by the Congress and the Senate.
2. If approval is not obtained by means of the procedure outlined in the foregoing clause, and provided that the text has been passed by an absolute majority of the members of the Senate, Congress may pass the amendment by a two-thirds vote in favour.
3. Once the amendment has been passed by the Cortes Generales, it shall be submitted to ratification by referendum, if so requested by one tenth of the members, of either House within fifteen days after its passage.

Article 168

1. If a total revision of the Constitution is proposed, or a partial revision thereof, affecting the Preliminary Title, Chapter Two, Section 1 of Title 1, or Title 11, the principle shall be approved

by a two-thirds majority of the members of each House, and the Cortes shall immediately be dissolved.

2. The Houses elected must ratify the decision and proceed to examine the new Constitutional text, which must be approved by a two-thirds majority of the members of both Houses.

3. Once the amendment has been passed by the Cortes Generales, it shall be submitted to ratification by referendum.”

43. The Federal Constitution of the Swiss Confederation

“Art. 192 Principle

1 The Federal Constitution may be subjected to a total or a partial revision at any time.

2 Where the Federal Constitution and implementing legislation do not provide otherwise, the revision shall follow the legislative process.

Art. 193 Total Revision

1 A total revision of the Federal Constitution may be proposed by the People or by one of the Chambers, or may be decreed by the Federal Parliament.

2 If the initiative emanates from the People or if the Chambers disagree, the People shall decide whether a total revision shall be undertaken.

3 Should the People accept a total revision, both Chambers shall be newly elected.

4 The mandatory provisions of international law may not be violated.

Art. 194 Partial Revision

1 A partial revision of the Federal Constitution may be requested by the People, or be decreed by the Federal Parliament.

2 A partial revision must respect the principle of the unity of subject matter; it may not violate the mandatory provisions of international law.

3 A popular initiative for partial revision must, moreover, respect the principle of the unity of form.”

“Art. 156 Separate Deliberation

1 The House of Representatives and the Senate shall deliberate separately.

2 Decisions of the Federal Parliament shall require the approval of both Chambers.

Art. 159 Quorum and Majority

1 The Chambers may deliberate validly if the majority of its members are present.

2 The decisions are taken in both Chambers and in the Federal Parliament in Joint Session by the majority of those voting.

...”

44. The Constitution of the Republic of Turkey

“Article 175

The constitutional amendment shall be proposed in writing by at least one-third of the total number of members of the Turkish Grand National Assembly. Proposals to amend the Constitution shall be debated twice in the plenary session. The adoption of a proposal for an amendment shall require a three-fifths majority of the total number of members of the Assembly by a secret ballot.

The consideration and adopting of proposals for the amendment of the Constitution shall be subject to the provisions governing the consideration and adoption of legislation, with the exception of the conditions set forth in this article.

The President of the Republic may refer the laws related to the Constitutional amendments for further consideration. If the Assembly adopts the draft law referred by the President by a two-thirds majority, the President may submit the law to referendum.

If a law is adopted by a three-fifths or less than two-thirds majority of the total number of votes of the Assembly and is not referred by the President for further consideration, it will be published in the Official Gazette and shall be submitted to referendum.

A law on the Constitutional amendment adopted by a two-thirds majority of the total number of members of the Turkish Grand National Assembly directly or if referred by the President for further consideration, or its articles as considered necessary may be submitted to a referendum by the President. Laws or related articles of the Constitutional amendment not submitted to referendum shall be promulgated in the Official Gazette.

Laws related to Constitutional amendment which are submitted for referendum shall require the approval of more than half of the valid votes casted.

The Turkish Grand National Assembly, in adopting the laws related to the Constitutional amendment, shall also decide on which provisions shall be submitted to referendum together and which shall be submitted individually.”

45. The Constitution of Ukraine

“Article 154

A draft law on introducing amendments to the Constitution of Ukraine may be submitted to the Verkhovna Rada of Ukraine by the President of Ukraine, or by no fewer National Deputies of Ukraine than one-third of the constitutional composition of the Verkhovna Rada of Ukraine.

Article 155

A draft law on introducing amendments to the Constitution of Ukraine, with the exception of Chapter I - "General Principles," Chapter III - "Elections. Referendum," and Chapter XIII - "Introducing Amendments to the Constitution of Ukraine," previously adopted by the majority of the constitutional composition of the Verkhovna Rada of Ukraine, is deemed to be adopted, if at the next regular session of the Verkhovna Rada of Ukraine, no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine have voted in favour thereof.

Article 156

A draft law on introducing amendments to Chapter I - "General Principles," Chapter III - "Elections. Referendum," and Chapter XIII - "Introducing Amendments to the Constitution of Ukraine," is submitted to the Verkhovna Rada of Ukraine by the President of Ukraine, or by

no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine, and on the condition that it is adopted by no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine, and is approved by an All-Ukrainian referendum designated by the President of Ukraine.

The repeat submission of a draft law on introducing amendments to Chapters I, III and XIII of this Constitution on one and the same issue is possible only to the Verkhovna Rada of Ukraine of the next convocation.

Article 157

The Constitution of Ukraine shall not be amended, if the amendments foresee the abolition or restriction of human and citizens' rights and freedoms, or if they are oriented toward the liquidation of the independence or violation of the territorial indivisibility of Ukraine.

The Constitution of Ukraine shall not be amended in conditions of martial law or a state of emergency.

Article 158

The draft law on introducing amendments to the Constitution of Ukraine, considered by the Verkhovna Rada of Ukraine and not adopted, may be submitted to the Verkhovna Rada of Ukraine no sooner than one year from the day of the adoption of the decision on this draft law.

Within the term of its authority, the Verkhovna Rada of Ukraine shall not amend twice the same provisions of the Constitution.

Article 159

A draft law on introducing amendments to the Constitution of Ukraine is considered by the Verkhovna Rada of Ukraine upon the availability of an opinion of the Constitutional Court of Ukraine on the conformity of the draft law with the requirements of Articles 157 and 158 of this Constitution.”

46. The Constitution of the United States of America

“Article V

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.”

47. The Constitution of “the former Yugoslav Republic of Macedonia”

“Article 130

A proposal to initiate a change in the Constitution in the Republic of Macedonia may be made by the President of the Republic, by the Government, by at least thirty Representatives, or by 150 000 citizens.

Article 131

- (1) The decision to initiate a change in the Constitution is made by the Assembly by a two-thirds majority vote of the total number of Representatives.
- (2) The draft amendment to the Constitution is confirmed by the Assembly by a majority vote of the total number of Representatives and then submitted to public debate.
- (3) The decision to change the Constitution is made by the Assembly by a two-thirds majority vote of the total number of Representatives.
- (4) A decision to amend the Preamble, the articles on local self-government, Article 131, any provision relating to the rights of members of communities, including in particular Articles 7, 8, 9, 19, 48, 56, 69, 77, 78, 86, 104 and 109, as well as a decision to add any new provision relating to the subject matter of such provisions and articles, shall require a two-thirds majority vote of the total number of Representatives, within which there must be a majority of the votes of the total number of Representatives claiming to belong to the communities not in the majority in the population of Macedonia.”