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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES
AT DIFFERENT LEVELS OF POWER**

COMPARATIVE TABLE

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1. Member States

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
1	Albania	Yes			Article 89 The President of the Republic may not hold any other public position, may not be a member of a party and may not carry out other private activity.	Yes			Article 70 2. <u>Deputies may not simultaneously exercise any other public duty with the exception of that of a member of the Council of Ministers.</u> Other cases of incompatibility are specified by law.
2	Algeria			N/P		Yes			Article 105 The mandate of the deputy and the member of the Council of Nation is national. <u>It can</u> be renewed and <u>not concurrent with other mandate or function.</u>
3	Andorra	Yes			Article 78 2. <u>Membership of the Govern is incompatible with membership of the Consell General, or with the exercise of any public office</u> not derived from the said membership of the Govern.			N/P	
4	Armenia	Yes			Article 88 <u>A member of the Government may not</u> engage in entrepreneurial activities, <u>hold office in state and local self-government bodies</u> or in commercial organisations not connected with his duties, or be involved in another paid work, except for academic, pedagogical and creative activities.	Yes			Article 65 <u>A Deputy may not</u> be engaged in entrepreneurial activities, <u>hold office in state and local self-government bodies</u> or in commercial organisations, neither engage in any other paid occupation, except for scientific, pedagogic and creative work.
5	Austria	Yes			Article 61 (1) <u>During his tenure of office the Federal President may not belong to any general representative body nor exercise any other occupation.</u>	Yes			Article 598 <u>No member of the National Council, the Federal Council or the European Parliament can simultaneously belong to one of the two other representatives bodies.</u> <u>NOTE:</u> However, see Article 59a and 59b of the Constitution of Austria that allows public employees to keep their job and to be paid for it, when they were elected to hold a public office.

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6	Azerbaijan	Yes			<p>Article 122. Requirements to <u>members of Cabinet of Ministers</u> of the Azerbaijan Republic</p> <p><u>Prime-minister</u> of the Azerbaijan Republic, <u>his deputies, ministers, heads of other central bodies of executive power may not occupy any posts</u>, irrespective of the procedure of election or appointment, <u>may not be involved in business, commercial and other payable activity except scientific, pedagogical and creative activity, may not get remuneration other than their wages and money</u> for scientific, pedagogical and creative activity.</p> <p><u>NOTE:</u> There is no provision about this topic for the charge of President of the Republic of Azerbaijan.</p>	Yes			<p>Article 89 Deprivation of <u>deputies of Milli Majlis of the Azerbaijan Republic</u> of their mandates and loss of powers by the deputy of Milli Majlis of the Azerbaijan Republic.</p> <p>1. The deputy Milli Majlis of the Azerbaijan Republic loses his/her mandate in the following cases: (...)</p> <p>4. on taking position in state bodies, post in religious organisations, involvement in business, commercial or other paid activity (except scientific, pedagogical and creative activity); (...)</p>
7	Belgium			N/P		Yes			<p>Article 49 <u>One cannot be a member of both Houses as the same time.</u></p> <p>Article 50 <u>Any member of either House</u> appointed by the King as minister and <u>who accept this appointment ceases to sit in Parliament</u> and takes up his mandate again when the King has terminated his office as minister. The law determines the rules for his replacement in the House concerned.</p> <p>Article 51 <u>Any member of either House appointed by the Federal Government</u> to any salaried position other than that of minister and <u>who accepts the appointment immediately ceases to sit in Parliament and only takes his seat again after having been re-elected.</u></p>

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8	Bosnia and Herzegovina			N/P				N/P	
9	Brazil	Yes			Article 14 (...) Paragraph 6. In order to run for other offices, <u>the President of the Republic, the State and Federal District Governors and the Mayors have to resign from their respective offices at least six months in advance of the election.</u>	Yes			Article 54 <u>Deputies and Senators may not:</u> I – after the issuance of their <u>certificate of electoral victory:</u> a) sign or maintain a contract with a <u>public legal entity, autonomous Government agency, public company, mixed-capital company or public utility company,</u> unless the contract is in accordance with uniform clauses; b) <u>accept or hold a paid office, function or position</u> including those from which they may be dismissed ad nutum in the entities mentioned in the preceding subitem; <u>II - after taking office:</u> a) be the owners, controllers or directors of a company which enjoys benefits arising from a contract with a public legal entity or perform a remunerated position therein; b) <u>hold an office or function from which they may be dismissed ad nutum, in the entities mentioned in item I, a;</u> c) act as lawyer in a cause in which any of the entities referred to in item I, a, has an interest; d) <u>be the holders of more than one public elective position or office.</u>
10	Bulgaria	Yes			Article 95	Yes			Article 68

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					<p>(...)</p> <p>2. <u>The President and the Vice President shall not serve as Members of the National Assembly or engage in any other state, public or economic activity</u>, nor shall they participate in the leadership of any political party.</p> <p>Article 113</p> <p>1. <u>A member of the Council of Ministers shall not hold a post or engage in any activity incompatible with the status of a Member of the National Assembly.</u></p> <p>2. The National Assembly shall be free to determine any other post or activity which a member of the Council of Ministers shall not hold or engage in.</p>				<p>1. <u>A Member of the National Assembly shall not occupy another state post</u>, nor shall engage in any other activity which the law defines as incompatible with the status of a Member of the National Assembly.</p> <p>2. <u>A Member of the National Assembly elected as a minister shall cease to serve as a Member during his term of office as a minister.</u> During that period, he shall be substituted in the National Assembly in a manner established by a law.</p>

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11	Chile* *There is no English version of Chile's Constitution in Codices. The version reviewed is available in: http://www.camara.cl/camara/media/docs/constitucion_politica.pdf .			N/P		Yes			<p>Artículo 55. <u>Los cargos de diputados y senadores son incompatibles entre sí y con todo empleo o comisión retribuidos con fondos del Fisco, de las municipalidades, de las entidades fiscales autónomas, semifiscales o de las empresas del Estado o en las que el Fisco tenga intervención por aportes de capital, y con toda otra función o comisión de la misma naturaleza.</u> Se exceptúan los empleos docentes y las funciones o comisiones de igual carácter de la enseñanza superior, media y especial.</p> <p>Asimismo, <u>los cargos de diputados y senadores son incompatibles con las funciones de directores o consejeros, aun cuando sean ad honorem, en las entidades fiscales autónomas, semifiscales o en las empresas estatales, o en las que el Estado tenga participación por aporte de capital.</u></p> <p>(...).</p> <p>In short: the members of both Chambers of Parliament cannot be employed by the public sector, including in (partly) publically funded entities nor be their directors or councillors.</p> <p>NOTE: See Articles 56 and 57 of Chile's Constitution that establish other limits to the deputies and senators in the exercise of other mandates.</p>

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12	Croatia	Yes			<p>Article 96 The President of the Republic shall not perform any other public or professional duty. After the election, the President of the Republic shall resign from membership in a political party and notify the Croatian Parliament thereof.</p> <p>Article 108 The Government of the Republic of Croatia shall consist of a Prime Minister, one or more Deputy Prime Ministers and Ministers. The Prime Minister and other members of the Government may not perform any other public or professional duty without the consent of the Government.</p> <p><u>NOTE:</u> (applicable for Parliamentary Officials too): In the CODICES database there is a decision of the Constitutional Court of the Republic of Croatia (CRO-1998-3-012 20-05-1998 U-I-952/1996) which provides that the constitutional principle guaranteeing the right of every citizen to take part, under equal conditions, in the conduct of public affairs and to have access to public service (Article 44 of the Constitution) is not violated by laws which introduce incompatibility between positions in different branches of the legislative, executive and judicial powers and also between positions of employees in bodies and services of local self-government and administration units and positions of members of a representative body of that unit. The Court did not accept the proposal to review the constitutionality of the Law on the Election of Members of Representative Bodies of Local Self-Government and Administration Units, holding that apart from the incompatibilities prescribed by the Constitution there are incompatibilities which may be introduced by laws.</p>			N/P	<p><u>Elections of Representatives to the Croatian Parliament Act</u> Article 9.1 A representative, parallel with performing the duty of a representative cannot perform the following offices: a judge of the Constitutional Court of the Republic of Croatia, Attorney General, Deputy of the Attorney General, the People's Ombudsman, Deputy of the People's Ombudsman, Prime Minister or Deputy Prime Minister, a Minister or other member of the Government of the Republic of Croatia, State Secretary, Assistant Minister, Director of a State Administrative Institution, Deputy Director of a State Administrative Institution, Assistant Director of a State Administrative Institution, Secretary General of the Government of the Republic of Croatia, Secretary General of a Ministry, Director of a Government's Office or Government's Agency, the Prime Minister's Chief of Staff, Director of the Office of the Council for National Security, ambassador, general consul, county head /župan/ or deputy county head /podžupan/, the mayor of Zagreb or the deputy mayor of Zagreb, an active military person, a senior or junior employee in the military forces, a member of a board of directors of a company, institution or non-budget fund which is predominantly in the state ownership, and a director of a legal person that is according to the law obliged to submit reports to the Parliament.</p> <p>NOTE: See column F.</p>

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13	Cyprus	Yes			<p>Article 41</p> <p>1. <u>The office of the President and of the Vice-President of the Republic shall be incompatible with that of a Minister or of a Representative or of a member of a Communal Chamber or of a member of any municipal council including a Mayor or of a member of the armed or security forces of the Republic or with a public or municipal office.</u></p> <p>For the purposes of this Article "<u>public office</u>" means <u>any office of profit in the public service of the Republic or of a Communal Chamber, the emoluments</u> of which are under the control either of the Republic or of a Communal Chamber, <u>and includes any office in any public corporation or public utility body.</u></p> <p>2. <u>The President and the Vice-President of the Republic shall not</u>, during their term of office, <u>engage</u> either directly or indirectly, either for their own account or for the account of any other person, in the exercise of any profit or non-profit <u>making business or profession.</u></p> <p>NOTE: See Article 59.2 of the Constitution of Cyprus. It establishes a similar restriction to the office of Minister.</p>	Yes			<p>Article 70</p> <p><u>The office of a Representative shall be incompatible with that of a Minister or of a member of a Communal Chamber or of a member of any municipal council including a Mayor or of a member of the armed or security forces of the Republic or with a public or municipal office or, in the case of a Representative elected by the Turkish Community, of a religious functionary</u> (din adami). (...)</p> <p>Article 101</p> <p>1. The office of a member of a Communal Chamber <u>shall be incompatible with that of a Minister or of a Representative or of a member of any municipal council including a Mayor or of a member of the armed or security forces of the Republic or with a public or municipal office and, in the case of that of a member of the Turkish Communal Chamber, with that of a religious functionary</u> (din adam). (...).</p>

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14	Czech Republic	Yes			<p>Article 70 Members of the government may not engage in activities which are by their nature incompatible with the performance of a minister's duties. Detailed provisions shall be set down in a statute.</p> <p>NOTE: There is no provision in this topic about the office of President of Republic..</p>	Yes			<p>Article 21 <u>No person may be at the same time a member of both chambers of Parliament.</u></p> <p>Article 22 (1) <u>The office of a Deputy or Senator is incompatible with holding the office of the President of the Republic, the office of a judge, and with other offices to be designated by statute.</u> (2) A Deputy or Senator's mandate shall lapse on the day she assumes the office of President of the Republic, the office of a judge, or other offices incompatible with the office of Deputy or Senator.</p> <p>Article 32 A Deputy or a Senator who is a member of the government may not serve as the Chairperson or a Vice-Chairperson of the Assembly of Deputies or the Senate or as a member of a parliamentary committee, investigating commission, or commission.</p>
15	Denmark			N/P			No		<p>§30 (1) Any person who is entitled to vote at Folketing elections shall be eligible for membership of the Folketing, unless he has been convicted of an act which in the eyes of the public makes him unworthy to be a member of the Folketing. (2) Civil servants who are elected members of the Folketing shall not require permission from the Government to accept election.</p>
16	Estonia	Yes			Article 84	Yes			Article 63

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					<p><u>Upon assuming office, the authority and duties of the President of the Republic in all elected and appointed offices shall cease, and he or she shall suspend his or her membership in political parties.</u></p> <p>Article 99 Members of the Government of the Republic may not hold any other public office or belong to the leadership or council of a commercial enterprise.</p>				<p><u>A member of the Riigikogu may not hold any other state office.</u> (...).</p> <p>Article 64 The authority of a member of the Riigikogu shall be suspended on his or her appointment as a member of the Government of the Republic, and shall be restored on his or her being released from the duties as a member of government. <u>The authority of a member of the Riigikogu shall be prematurely terminated:</u> 1) <u>on he or she assuming another public office;</u></p>
17	Finland	Yes			<p>Section 63 - Ministers' personal interests <u>While holding the office of a Minister, a member of the Government shall not hold any other public office or undertake any other task which may obstruct the performance of his or her ministerial duties or compromise the credibility of his or her actions as a Minister.</u></p> <p>A Minister shall, without delay after being appointed, present to the Parliament an account of his or her commercial activities, shareholdings and other significant assets, as well as of any duties outside the official duties of a Minister and of other interests which may be of relevance when his or her performance as a member of the Government is being evaluated.</p> <p>NOTE: There is no provision on this topic about the office of President of Republic.</p>				<p>Section 27 - Eligibility and qualifications for the office of Representative (...) <u>The Chancellor of Justice of the Government, the Parliamentary Ombudsman, a Justice of the Supreme Court or the Supreme Administrative Court, and the Prosecutor-General cannot serve as representatives.</u> If a Representative is elected President of the Republic or appointed or elected to one of the aforesaid offices, he or she shall cease to be a Representative from the date of appointment or election. The office of a Representative shall cease also if the Representative forfeits his or her eligibility.</p>
18	France	Yes			<p>Article 23 Membership of the Government shall be incompatible</p>			N/P	

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					with the holding of any Parliamentary office, any position of professional representation at national level, any public employment or any professional activity. NOTE: There is no provision on this topic about the office of President of Republic. There is no provision either about incompatibilities with belonging to local or regional elected bodies. The government plans to introduce such incompatibilities.				
19	Georgia	Yes			<p>Article 72 The President of Georgia may not hold any other position except for a party position, engage in entrepreneurial activity, receive salary or another permanent remuneration for any other activity.</p> <p>NOTE: According to a constitutional amendment which will enter into force in 2013, after the presidential election, the President of Georgia will not have any more the right to hold a party position.</p> <p>Article 81.2 (...) . 4. A member of the Government shall not have the right to hold any position, except for a party position, either establish an enterprise, engage in entrepreneurial activity or receive a salary from any other activity, with the exception of scientific and pedagogical activity. (...) .</p>	Yes			<p>Article 53 1. A member of the Parliament shall not be entitled to hold any position in public office or engage in an entrepreneurial activity. The conflict of interests shall be determined by law. 2. In case of a violation of the requirements set out in the preceding paragraph, the office of a member of the Parliament shall be terminated. (...) .</p>

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20	Germany	Yes			<p>Article 55 Debarment from other office (1) <u>The Federal President may not be a member of the government nor of a legislative body of the Federation or a Land.</u> (2) <u>The Federal President may not hold any other salaried office</u> nor practise a trade or profession nor belong to the management or supervisory board of an enterprise.</p> <p>Article 66 Debarment from other office <u>The Federal Chancellor and the Federal Ministers may not hold any other salaried office</u> nor practise a trade or profession nor belong to the management or, <u>without the consent of the Bundestag</u>, the supervisory board of an enterprise.</p>			N/P	
21	Greece				<p>CHAPTER ONE Election of the President Article 30 (...) 2. <u>The office of the President shall be incompatible with any other office, position or function.</u> (...).</p>				<p>Article 57 1. The duties of Member of Parliament shall be incompatible with the duties or the capacity of owner or partner or shareholder or governor or administrator or member of the board of directors or general manager or of their deputies, of an enterprise that: a) Undertakes Public works or studies or supplies or the provision of services to the Public Sector or concludes with the Public Sector similar contracts of a development or investment nature. b) Enjoys special privileges. c) Owns or manages a radio or television station or publishes a newspaper of country-wide circulation in Greece. d) Exercises through concession public service or public enterprise or public utility enterprise. e) Rents for commercial purposes real estate owned by the State.</p> <p>For the purposes of applying this paragraph, local government agencies, other legal entities of public law, state legal entities of private law, public enterprises, enterprises of local government agencies and other enterprises whose management the State appoints</p>

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									<p>directly or indirectly by administrative act or as shareholder, are put in the same category as the Public Sector. Shareholders of an enterprise falling within the restrictions of this paragraph are all persons possessing a percentage of more than one percent of the share capital. The duties of Member of Parliament are also incompatible with the exercise of any profession. Activities compatible with parliamentary office, as well as matters relating to insurance and pension issues and to the manner in which Members of Parliament return to their profession after loss of the capacity of Member of Parliament, shall be specified by law. Under no circumstances may the activities of the previous section include the capacity of employee or legal or other advisor of enterprises under cases (a) to (d) of this paragraph. Violation of the provisions of the present paragraph shall result in forfeiture from parliamentary office and shall render the related acts null and void, as specified by law.</p> <p>1. Members of Parliament falling within the provisions of the first section of the preceding paragraph must, within eight days of the day on which their election becomes final, state their choice between their parliamentary office and the above stated duties or capacities. Failing to make the said statement within the set limit, they shall forfeit their parliamentary office ipso jure.</p> <p>3. Members of Parliament who accept any of the capacities or duties mentioned in this or in the preceding article and designated as impediments for parliamentary candidature or as incompatible with parliamentary office, shall forfeit that office ipso jure.</p> <p>4. The manner of continuation or transfer or dissolution of contracts mentioned in paragraph 1 and undertaken by a Member of Parliament or by an enterprise to which</p>

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									he participated before his election, or undertaken in a capacity incompatible with his office, shall be specified by law.
22	Hungary* *There is no version of the new Constitution of Hungary in Codices. The version reviewed is available in the website of NGO "Hungarian Civil Liberties Union": http://tasz.hu/files/tasz/imce/alternative_translation_of_the_draft_constituion.pdf	Yes			Article 12 (...) (2) The office of President of the Republic shall be incompatible with all other state, social, economic or political offices or mandates. The President of the Republic may not pursue any other gainful occupation and may not accept remuneration for other activities, with the exception of activities falling under the protection of intellectual property law. Article 20 (...) (2) The Prime Minister's mandate shall terminate (...) f) upon the occurrence of conflict of interest, or (...) (4) A two-thirds majority of the votes of all Members of Parliament shall be needed to establish the applicability of Points f) and g) of Paragraph (2).	Yes			Article 4 (...) (2) Members of Parliament shall be entitled to immunity and to adequate remuneration ensuring their independence. A cardinal Act of Parliament shall define the public offices which may not be held by Members of Parliament, and may specify other cases of conflict of interest. (3) The mandate of a Member of Parliament shall terminate: (...) c) upon the declaration of a conflict of interest, (...) (4) The Parliament shall decide upon the declaration of a conflict of interest, and the assertion of cases of termination of the mandate pursuant to Points e) and f) of Paragraph (3), with a majority of two-thirds of the votes of the Members of Parliament present.
23	Iceland	Yes			Article 9 The President of the Republic may not be a Member of the Althingi or accept salaried employment in the interest of any public institution or private enterprise.			N/P	

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24	Ireland	Yes			<p>Article 12 (...) 6. 1o <u>The President shall not be a member of either House of the Oireachtas.</u> 2o If a member of either House of the Oireachtas be elected President, he shall be deemed to have vacated his seat in that House. 3o <u>The President shall not hold any other office or position of emolument.</u></p>	Yes			<p>Article 15 (...) 14. <u>No person may be at the same time a member of both Houses of the Oireachtas,</u> and, if any person who is already a member of either House becomes a member of the other House, he shall forthwith be deemed to have vacated his first seat.</p>
25	Israel	Yes Yes			<p>Basic Law: The President of the State (...) 17. <u>President to hold no other office</u> (a) Save with the sanction of the House Committee of the Knesset, <u>the President of the State shall not hold any post, or exercise any function, other than the post and functions of President of the State.</u> (...).</p> <p>Basic Law: The Government (2001) Unofficial Translation (...) 5. Composition. (a) The Government consists of the Prime Minister and other Ministers. (b) <u>The Prime Minister shall be a member of the Knesset. A Minister need not be a member of the Knesset.</u> (...).</p>			N/P	
26	Italy	Yes			Article 84	Yes			Article 65

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					(...) <u>The office of president of the republic is incompatible with any other office.</u>				(...) <u>No one may be a member of both Houses at the same time.</u>
27	Korea, Republic	Yes				Yes			Article 43 <u>Members of the National Assembly may not concurrently hold any other office prescribed by law.</u> Article 46 (...) (3) <u>Members of the National Assembly may not acquire, through abuse of their positions, rights, and interests in property or positions, or assist other persons to acquire the same, by means of contracts with or dispositions by the State, public organizations, or industries.</u>
28	Kyrgyzstan	Yes			Article 63 (...) 3. <u>During the period in office the President shall suspend his membership in political parties and terminate any actions related to the activity of political parties.</u>	Yes			Article 73 (...) 3. In addition to the ground envisaged in paragraph 2 of the present article the powers of the deputy of the Jogorku Kenesh shall be subject to early termination in the following cases: (...) 3) <u>Acceptance of a job or failure to abandon work incompatible with the exercise of their powers as a deputy;</u>

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29	Latvia	Yes			<p>32. Members of the Saeima may not, either personally or in the name of another person, receive government contracts or concessions. The provisions of this Article shall apply to Ministers even if they are not members of the Saeima.</p> <p>38. The office of the President shall not be held concurrently with any other office. If the person elected as President is a member of the Saeima, he or she shall resign his or her mandate as a member of the Saeima.</p>	Yes			<p>32. Members of the Saeima may not, either personally or in the name of another person, receive government contracts or concessions. The provisions of this Article shall apply to Ministers even if they are not members of the Saeima.</p>
30	Liechtenstein			N/P		Yes			<p>Article 46 (...) 4) The members of the Government and the Courts may not be members of the Diet at the same time.</p>

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
31	Lithuania	Yes			<p>Article 83 <u>The President of the Republic may not be a member of the Seimas or hold any other office</u>, and may not receive any remuneration other than the salary established for the President as well as compensation for creative activities.</p> <p><u>A person elected President of the Republic must suspend his or her activities in political parties and political organisations</u> until a new presidential election campaign begins.</p> <p>Article 99 <u>The Prime Minister and Ministers may not hold any other office subject to nomination or election, may not be employed in business, commercial or other private institutions or companies</u>, and may not receive any remuneration other than the salary established for their respective Government offices and compensation for creative activities.</p>				<p>Article 60 (...) The service of a Seimas member shall be remunerated, and all expenses incurred from parliamentary activities shall be reimbursed with funds from the State budget. <u>A Seimas member may not receive any other salary, with the exception of payment for creative activities.</u> The duties, rights and guarantees of the activities of Seimas members shall be established by law.</p>

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
32	Luxembourg* *There is no English version of Luxembourg's Constitution in Codices. The version reviewed is available in the website of Gouvernement du Grand-Duché de Luxembourg: http://www.legilux.public.lu/leg/textescordonnes/recueils/constitution_droits_de_lhomme/CONST1.pdf			N/P					Article 58 <u>Le député, nommé par le Gouvernement à un emploi salarié qu'il accepte, cesse immédiatement de siéger et ne reprend ses fonctions qu'en vertu d'une nouvelle élection.</u>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
33	Malta			N/P	<p>Article 48(2)</p> <p>A person shall not be qualified to be appointed to the office of President if</p> <p>(...)</p> <p>(b) he holds or has held the office of Chief Justice or other judge of the Superior Courts</p>				<p>Article 55</p> <p>(1) The seat of a member of Parliament shall become vacant –</p> <p>(...)</p> <p>(c) <u>if he becomes a party to a contract with the Government of Malta being a contract of works or a contract for the supply of merchandise to be used in the service of the public</u>, or if any partnership in which he is a partner with unlimited liability or a company of which he is a director or manager becomes a party to any such contract or if he becomes a partner with unlimited liability in a partnership or a director or manager of a company that is a party to any such contract.</p> <p>Provided that he shall not vacate his seat under the provisions of this paragraph if before becoming a party to the contract or before, or as soon as practicable after becoming otherwise interested in the contract (whether as a partner with unlimited liability in a partnership or as a director or manager of a company) he discloses to the Speaker the nature of the contract and his interest or the interest of the partnership or company therein and the House of Representatives by resolution exempts him from the provisions of this paragraph.</p>
34	Mexico	Yes			<p>Article 82, IV. Impossibility for the President to hold office as Secretary or Deputy Secretary of State, General Prosecutor of the Republic, governor of any State or Mayor of Mexico City, at least six months before the date of the election.</p>	Yes			<p>Article 62</p> <p><u>During his term in office, no incumbent deputy or senator shall hold any other commission or employment of the Federation or the States for which a salary is paid, without previous authorization from his respective House</u>; but his functions as representative shall thereupon cease during the term he holds the new office. The same rule shall apply to alternate deputies and senators when serving as incumbents. Failure to comply with this provision shall be punishable by removal from the office of deputy or senator.</p>

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
35	Moldova	Yes			<p>Article 81 Incompatibilities and Immunities (1) <u>The office of the President of the Republic of Moldova is incompatible with holding another remunerated position.</u></p> <p>Article 99 Incompatibilities (1) <u>The office of government member is incompatible with the holding of another remunerated position.</u> (2) Other incompatibilities will be specified by organic law.</p> <p>Law nr. 64 as from May 31, 1990 on the Government, Art. 29: A Minister has not the right to: 1) hold any other remunerated position in the central or local bodies; 2) act in the management bodies of the commercial unities; 3) practice entrepreneurial activities personally or via third party; 4) hold any other remunerated position, except didactic or scientific activities.</p> <p>Law nr. 30 as from April 4, 1994, on the statute of the deputy in the Parliament</p>	Yes			<p>Article 69 Mandate of Parliament members (...) (2) <u>The powers ascribed to any member of Parliament cease with the lawful assembly of the newly-elected Parliament</u>, on resignation on the part of that member, on mandate suspension, also <u>in cases of incompatibility</u> or death.</p> <p>Article 70 Incompatibilities and Immunities (1) <u>The office of the Parliament member shall be incompatible with the holding of any other remunerated position, except for didactic and scientific activities.</u> (2) Other possible incompatibilities shall be established by organic law.</p> <p>Law nr. 30 as from April 4, 1994, on the statute of the deputy in the Parliament Art.3. – The mandate of the deputy is incompatible with: a) position of the President of the Republic of Moldova; b) position of the member of the Government; c) position of the Ombudsmen; d) exercise of any other remunerated function, including function provided by a foreign state or international organization, except for didactic and scientific activities exercised outside the program established by the Parliamentary Rules.</p> <p>Art.4. – Persons mandated by the Parliament with temporary missions in central bodies of the state administration, can cumulate exercise of this mission with mandate of the deputy, for a period not longer than 6 months.</p>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
36	Monaco* *There is no complete version of Monaco's Constitution in Codices. The version reviewed is available in the website of Law firm "Rivera Lawyers Monaco": http://www.riviera-lawyers.com/en-lawyer-attorneys-avocat-constitution-monaco-en-titre-1.html	Yes			Article 75 (...) <u>The offices of Minister of State and Government Councillor are incompatible with those of President or member of the Crown Council.</u>	Yes			Article 54 (...) <u>Law determines which offices are incompatible with the National Councillor's mandate.</u> Article 60 (...) A mayor's office is incompatible with that of the National Council's President and vice-president. <u>NOTE:</u> There is not prohibition in the case of Communal Councillor's mandate (see Art. 80 of Monaco's Constitution). Article 80 The Communal Council is composed of 15 members elected for a term of four years by universal direct suffrage by the list system. <u>There is no incompatibility between the Communal Councillor's mandate and that of National Councillor.</u>
37	Montenegro	Yes			Article 97 - Mandate (...) <u>The President of Montenegro shall not perform any other public duty.</u> Article 104 - Incompatibility of duties <u>The Prime Minister and the member of the Government shall not discharge duties of a Member of the Parliament or other public duties or professionally perform some other activity.</u>			N/P	
38	Morocco	Yes			Article 87 (...) <u>The organic law shall also determine cases of incompatibility with the duties of a Government member, as well as rules limiting the number of offices that may be held</u> and the rules for dispatching current business by the Government whose term of office has been terminated.	Yes			Article 62 (...) The number of representatives, the electoral system, the principles of redistricting, the eligibility requirements, <u>the rules governing incompatibility, the rules restricting the number of offices that may be held concurrently,</u> and rules for lodging electoral complaints <u>shall be specified by an organic law.</u>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
39	Netherlands	Yes			<p>Article 57 (...) A member of the States General may not be a Minister, State Secretary, member of the Council of State, member of the Court of Audit (Algemene Rekenkamer), member of the Supreme Court (Hoge Raad) or Procurator General or Advocate General at the Supreme Court.</p> <p>Notwithstanding the above, <u>a Minister or State Secretary who has offered to tender his resignation may combine the said office with membership of the States General until such time as a decision is taken on such resignation.</u></p> <p>Other public functions which may not be held simultaneously by a person who is a member of the States General or of one of the Houses may be designated by Act of Parliament.</p>	Yes			<p>Article 57 <u>No one may be a member of both Houses. A member of the States General may not be a Minister, State Secretary, member of the Council of State, member of the Court of Audit (Algemene Rekenkamer), member of the Supreme Court (Hoge Raad) or Procurator General or Advocate General at the Supreme Court.</u></p> <p>(...) Other public functions which may not be held simultaneously by a person who is a member of the States General or of one of the Houses may be designated by Act of Parliament.</p>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
40	Norway	Yes			Constitution, Article 62, Paragraph 1 Officials who are employed in government ministries, except however State Secretaries and political advisers, may not be elected as representatives. The same applies to Members of the Supreme Court and officials employed in the diplomatic or consular services.	Yes			Constitution, Article 62, Paragraph 2 Members of the Council of State may not attend meetings of the Storting as representatives while holding a seat in the Council of State. Nor may State Secretaries attend as representatives while holding their appointments, and political advisers in government ministries may not attend meetings of the Storting as long as they hold their positions.

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
41	Peru	Yes			<p>Article 126 (...) Ministers shall not hold any other public office, except legislative function. Ministers shall neither be manager of their own interests or of third parties, nor engage in profitable activities, nor be involved in the administration or management of private enterprises or associations.</p> <p>NOTE: There is no explicit provision on this topic about the offices of President of the Republic or the President of the Council of Ministers.</p>	Yes			<p>Article 92 The function of Members of Congress is a full-time job. Therefore, the Members are prohibited from holding any other office or performing any profession or occupation during the time in which the Congress operates. The term of office of Members of Congress is incompatible with any other public office, except that of Minister and, prior authorization of Congress, the participation in select committees on international affairs. Furthermore, the function of Members of Congress is incompatible with the positions such as manager, proxy, representative, trustee, attorney, majority shareholder or members of the Board of Directors of enterprises which have work, supply or provision contracts with the State, or which manage public revenues or render public services. The function is also incompatible with similar positions in enterprises which, during the term of office of Members of Congress, obtain concessions from the State, or those of the financial credit system supervised by the Superintendency of Banking, Insurance and Private Pension Fund Management Companies</p>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
42	Poland	Yes			<p>Article 150 <u>A member of the Council of Ministers shall not perform any activity inconsistent with his public duties.</u></p> <p><u>NOTE:</u> There is no provision on this topic about the office of President of Republic.</p>	Yes			<p>Article 102 <u>No one may be a Deputy and Senator at the same time.</u> <u>Article 103</u> 1. <u>The mandate of a Deputy shall not be held jointly with the office of the President of the National Bank of Poland, the President of the Supreme Chamber of Control, the Commissioner for Citizens' Rights, the Commissioner for Children's Rights or their deputies, a member of the Council for Monetary Policy, a member of the National Council of Radio Broadcasting and Television, ambassador, or with employment in the Chancellery of the Sejm, Chancellery of the Senate, Chancellery of the President of the Republic, or with employment in government administration.</u> This prohibition shall not apply to members of the Council of Ministers and secretaries of state in government administration. 2. No judge, public prosecutor, officer of the civil service, soldier on active military service or functionary of the police or of the services of State protection shall exercise the mandate of a Deputy. 3. <u>Other instances prohibiting the holding of a mandate of a Deputy or prohibiting the exercise of a mandate jointly with other public functions may be specified by statute.</u></p>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
43	Portugal			N/P		Yes			<p>Article 154 (Incompatibilities and disqualifications)</p> <p>1. <u>Members of the Assembly of the Republic who are appointed to be members of the Government may not exercise their mandate until the latter functions end</u>, and shall be substituted in accordance with the previous Article.</p> <p>2. <u>The law shall lay down any other incompatibilities.</u></p> <p>3. The law shall regulate the cases and circumstances in which Members require the Assembly of the Republic's authorisation in order to be jurors, arbiters, experts or witnesses.</p> <p>Article 160 (Loss and resignation of seat)</p> <p>1. Members of the Assembly of the Republic shall lose their seat in the event that:</p> <p>a) <u>They become subject to any of the disqualifications or incompatibilities provided for by law;</u></p>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
44	Romania	Yes			<p>Article 84 – Incompatibilities and Immunities (1) During his term of office, <u>the President of Romania may not be a member of any political party, nor may he perform any other public or private office.</u></p> <p>Article 105 – Incompatibilities (1) Membership of the Government shall be <u>incompatible with the exercise of any other public office in authority, except that of a Deputy or Senator. Likewise, it shall be incompatible with the exercise of any office of professional representation paid by a trading organization.</u> (2) <u>Other incompatibilities shall be established by an organic law.</u></p>	Yes			<p>Article 71 – Incompatibilities (1) <u>No one may be a Deputy and a Senator at one and the same time.</u> (2) <u>The capacity as a Deputy or Senator is incompatible with the exercise of any public office in authority, with the exception of Government membership.</u> (3) <u>Other incompatibilities shall be established by an organic law.</u></p>
45	Russia			N/P		Yes			<p>Article 97 (...) 2. <u>No single person shall simultaneously be a deputy to the Council of the Federation and the State Duma. A deputy of the State Duma cannot be a deputy of any other representative bodies of state power and bodies of local self-government.</u> 3. Deputies of the State Duma shall function on a professional permanent basis. <u>Deputies of the State Duma cannot hold a government post, or be engaged in paid activity other than lecturing, research or any other creative activities.</u></p>
46	San Marino			N/P				N/P	

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
47	Serbia	Yes			<p>Article 6 – <u>Prohibition of the conflict of interests</u> <u>No person may perform a state or public function in conflict with their other functions, occupation or private interests.</u> The presence of conflict of interest and liability for its resolution shall be regulated by the Constitution and Law.</p> <p>Article 115 – Incompatibility of positions <u>The President of the Republic may not perform another public function or professional duty.</u></p> <p>Article 126 – Incompatibility of functions <u>Member of the Government may not be a deputy in the National Assembly, deputy in the Assembly of the autonomous province and representative in the Assembly of the local self-government units, nor may he or she be a member of the executive council of the autonomous province or executive body of the local self-government unit.</u> <u>Other functions</u>, actions or private interests which are incompatible with the position of a member of the Government <u>shall be stipulated by the Law.</u></p>	Yes			<p>Article 6 – Prohibition of the conflict of interests <u>No person may perform a state or public function in conflict with their other functions, occupation or private interests.</u> The presence of conflict of interest and liability for its resolution shall be regulated by the Constitution and Law.</p> <p>Article 102 – Status of Deputies (...) <u>Deputy may not be a deputy in the Assembly of the autonomous province, nor an official in bodies of executive government and judiciary, nor may he or she perform other functions, affairs and duties, which represent a conflict of interest,</u> according to the Law.</p>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
48	Slovakia	Yes			<p>Article 103 (5) <u>The President shall hold no other paid position in any profession, business or shall not be a member of executive board of a legal entity conducting entrepreneurial activity.</u></p> <p>Article 109 (1) The Government shall consist of the Prime Minister, Deputy Prime Ministers and Ministers. (2) The discharge of <u>the post of a member of the Government shall be incompatible with discharge of a Member's of Parliament mandate, with discharge of a post in another public authority, with public service relationship, with employment or with a similar labour relation, with an entrepreneurial activity, with membership in governing or control body of a legal person, which pursues an entrepreneurial activity or with another economic or gainful activities apart from the administration of his or her own property and scientific, pedagogical, literary or artistic activity.</u></p>	Yes			<p>Article 77 (1) <u>The mandate of a Member of Parliament is incompatible with offices of the judge, public prosecutor, Public Defender of Rights, member of the armed forces and member of the armed corps and European Parliament.</u> (2) If a Member of Parliament has been appointed member of the Government, his mandate shall not terminate within this period but shall not be exercised.</p> <p>Article 81a A Member's of Parliament mandate terminates (...), e) by the occurrence of <u>incompatibility according to Art. 77, para. 1,</u></p>

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
49	Slovenia	Yes			Article 105 Incompatibility of Offices <u>The office of the President of the Republic shall be incompatible with other public offices or other employment.</u>	Yes			Article 82 Deputies of the National Assembly (...) The eligibility of persons to be elected as Deputies shall be regulated by statute. <u>Statute may also determine that the office of Deputy shall be incompatible with the pursuit of other vocations or activities.</u> Article 100 Incompatibility of Office and Immunities <u>A Councillor of the National Council may not be simultaneously a Deputy of the National Assembly.</u>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
50	Spain	Yes			<p>Article 98 (...)</p> <p>3. Members of the Government may not perform <u>representative functions other than those derived from their Parliamentary mandate, nor any other public function not derived from their office, nor engage in any professional or commercial activity whatsoever.</u></p> <p>4. The status and <u>disabilities of the members of the Government shall be regulated by law.</u></p>	Yes			<p>Article 67</p> <p>1. No person may be a member of both Houses <u>simultaneously, or be a representative in the Assembly, of an Autonomous Community at the same time that he is a Deputy to Congress.</u></p> <p>Article 70</p> <p>1. <u>The electoral law shall establish grounds for ineligibility and disability for Deputies and Senators, which shall in any case include those who are:</u></p> <p>a) members of the Constitutional Court;</p> <p>b) the holders of high State Administrative offices, as may be laid down by law, with the exception of members of the Government;</p> <p>c) the Defender of the People;</p> <p>d) Magistrates, Judges and Public Prosecutors when in office;</p> <p>e) professional soldiers and members of the Security and Police Forces and Corps on active service;</p> <p>f) members of the Electoral Commissions.</p> <p>(...).</p>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
51	Sweden	Yes			<p>Chapter 5. The Head of State Article 2 No person who is not a Swedish citizen or who has not attained the age of eighteen may serve as Head of State. <u>The Head of State may not at the same time be a member of the Government or hold a mandate as Speaker or as a member of the Riksdag.</u></p> <p>Chapter 6. The Government Article 9 (...) <u>A minister may not have any other public or private employment. Neither may he hold any appointment or carry on any activity likely to impair public confidence in him.</u></p>		No		<p>Chapter 4. The work of the Riksdag Article 6 <u>A member of the Riksdag</u> or an alternate for such a member <u>may exercise his mandate</u> as a member <u>notwithstanding any official duty</u> or other similar obligation incumbent upon him.</p>
52	Switzerland	Yes			<p>Article 144 Incompatibilities</p> <p>1 <u>Members</u> of the House of Representatives, of the Senate, <u>of the Federal Government</u>, and Judges of the Federal Supreme Court <u>may not at the same time be members of another of these bodies.</u></p> <p>2 <u>The members of the Federal Government</u> and the full-time judges of the Federal Supreme Court <u>may not carry out another function of the Confederation or a Canton, nor may they exercise another gainful activity.</u></p> <p>3 <u>The statute may provide for other incompatibilities.</u></p>	Yes			<p>Article 144 Incompatibilities</p> <p>1 <u>Members of the House of Representatives, of the Senate</u>, of the Federal Government, and Judges of the Federal Supreme Court <u>may not at the same time be members of another of these bodies.</u></p> <p>(...)</p> <p>3 <u>The statute may provide for other incompatibilities.</u></p> <p>Federal Act on the Federal Assembly Chapter 2: Incompatibility rules</p>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
55	Turkey	Yes			<p>Article 101 (...) <u>The President-elect, if a member of a party, shall sever his relations with his party and his status as a member of the Turkish Grand National Assembly shall cease.</u></p>	Yes			<p>Article 82 <u>Members of the Turkish Grand National Assembly shall not hold office in</u> State departments and other public corporate bodies and their subsidiaries; in corporations and enterprises affiliated with the State and other public corporate bodies; in the executive or supervisory organs of enterprises and corporations where there is direct or indirect participation of the State and public corporate bodies; in the executive and supervisory organs of public benefit associations, whose special resources of revenue and privileges are provided by law; in the executive and supervisory organs of foundations which enjoy tax exemption and receive financial subsidies from the state; and in the executive and supervisory organs of labour unions and public professional organisations, and in the enterprises and corporations in which the above-mentioned unions and associations or their higher bodies have a share; nor can they be appointed as representatives of the above-mentioned bodies or be part to a business contract, directly or indirectly, and be arbitrators of representatives in their business transactions. <u>Members of the Turkish Grand National Assembly shall not be entrusted with any official or private duties involving recommendation, appointment, or approval by the executive organ.</u> Acceptance by a deputy of a temporary assignment given by the Council of Ministers on a specific matter, and not exceeding a period of six months, is subject to the approval of the Assembly. <u>Other functions and activities incompatible</u> with membership in the Turkish Grand National Assembly <u>shall be regulated by law.</u></p> <p>Article 84 (...) <u>The loss of membership of a deputy who insists on holding a position or continues an activity incompatible with membership according to Article 82,</u> shall be decided by a secret plenary vote, upon the submission of a report drawn up by the authorized commission setting out the factual situation.</p>

N°	Member States	POSSIBILITY TO SIMULTANEOUSLY HOLD MANDATES AT DIFFERENT LEVELS OF POWER				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
56	Ukraine	Yes			<p>Article 103 (...)</p> <p><u>The President of Ukraine shall not have another representative mandate, hold office in bodies of state power or in associations of citizens, and also perform any other paid or entrepreneurial activity, or be a member of an administrative body or board of supervisors of an enterprise that is aimed at making profit.</u></p> <p>Article 120</p> <p><u>Members of the Cabinet of Ministers of Ukraine and chief officers of central and local bodies of executive power do not have the right to combine their official activity with other work, except teaching, scholarly and creative activity outside of working hours, or to be members of an administrative body or board of supervisors of an enterprise that is aimed at making profit.</u></p>	Yes			<p>Article 78 (...)</p> <p><u>National Deputies of Ukraine shall not have another representative mandate or be in the civil service.</u></p> <p>· Requirements concerning the <u>incompatibility of the mandate of the deputy with other types of activity are established by law.</u></p>
57	United Kingdom* *There is no written Constitution in the United Kingdom.	Yes			<p>The issue is dealt with by the House of Commons Disqualification Act 1975, which bars certain categories of people from becoming Members of Parliament. The principal disqualifications are: those in whole or part-time employment in the civil service; members of the armed forces; police; members of a legislature of any country outside the Commonwealth; members of the European Parliament; senior judges; members of certain public bodies listed in the Act; holders of certain public offices listed in the Act.</p>	Yes			<p>The same rules apply as those mentioned in the previous section.</p>

2. States with other status

N°	States	Status	OFFICE FOR THE HIGHEST OFFICIALS OF THE EXECUTIVE BRANCH			PARLIAMENTARY OFFICE				
			YES	NO	No Provision (N/P)	Constitutional (legislative) provisions	YES	NO	No Provision (N/P)	Constitutional (legislative) provisions
1	Belarus	Associate State Member	Yes			<p>Article 86. <u>The President may not hold other offices or receive any monetary remuneration other than his salary</u>, apart from royalties for works of science, literature and art.</p> <p>The President shall suspend his membership of political parties and other public associations that pursue political goals during the whole term in office.</p>	Yes			
2	Argentina	Observer State	Yes			<p>Section 105.- <u>The ministers shall be neither senators nor deputies without resigning their offices as ministers.</u></p>			N/P	
3	Canada	Observer State			N/P		Yes			
4	Japan	Observer State			N/P		Yes		N/P	
5	Kazakhstan	Observer State				<p>Article 43 1. <u>The President of the Republic of Kazakhstan shall not have the right to be a deputy of a representative body, hold other paid offices and engage in entrepreneurial activity.</u></p> <p>Article 68 (...) 2. <u>Members of the Government shall not have right to be deputies of a representative body, hold other paid offices except teaching, scientific and other creative activities, engage in entrepreneurial activity, enter a governing body or a supervisory board of a commercial organization, except for cases when it is their job responsibilities according to the legislation.</u></p>	Yes			

N°	States	Status	OFFICE FOR THE HIGHEST OFFICIALS OF THE EXECUTIVE BRANCH				PARLIAMENTARY OFFICE						
			YES	NO	No Provision (N/P)	Constitutional (legislative) provisions	YES	NO	No Provision (N/P)	Constitutional (legislative) provisions			
6	United States of America	Observer State			N/P					Yes			

N°	States	Status	OFFICE FOR THE HIGHEST OFFICIALS OF THE EXECUTIVE BRANCH				PARLIAMENTARY OFFICE				
			YES	NO	No Provision (N/P)	Constitutional (legislative) provisions	YES	NO	No Provision (N/P)	Constitutional (legislative) provisions	
7	Uruguay* *There is no English version of Uruguay's Constitution in Codices. The version reviewed is available on the official website of the Red Académica Uruguaya of the Universidad de la República: http://www.rau.edu.uy/uruguay/const97-1.6.htm#1	Observer State			N/P				Yes		<p>Artículo 91.</p> <p>No pueden ser Representantes:</p> <p>1) <u>El Presidente y el Vicepresidente de la República, los miembros del Poder Judicial, del Tribunal de Cuentas, del Tribunal de lo Contencioso Administrativo, de la Corte Electoral, de los Consejos o Directorios o los Directores de los Entes Autónomos y de los Servicios Descentralizados, de las Juntas Departamentales, de las Juntas Locales y los Intendentes.</u></p> <p>2) <u>Los empleados militares o civiles dependientes de los Poderes Legislativo, Ejecutivo con Judicial, de la Corte Electoral, del Tribunal de lo Contencioso Administrativo y del de Cuentas, de los Gobiernos Departamentales, de los Entes Autónomos y de los Servicios Descentralizados, por servicios a sueldo, con excepción de los retirados o jubilados.</u> Esta disposición no rige para los que desempeñen cargos universitarios docentes o universitarios técnicos con funciones docentes; pero si el elegido opta por continuar desempeñándolos, será con carácter honorario por el tiempo que dure su mandato. Los militares que renuncien al destino y al sueldo para ingresar al Cuerpo Legislativo, conservarán el grado, pero mientras duren sus funciones legislativas</p>

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			YES	NO	No Provision (N/P)	Constitutional (legislative) provisions	YES	NO	No Provision (N/P)	Constitutional (legislative) provisions
9	South Africa	Special co-operation status	Yes			<p>96 Conduct of Cabinet members and Deputy Ministers (...) (2) Members of the Cabinet and Deputy Ministers may not (a) undertake any other paid work; (b) act in any way that is inconsistent with their office, or expose themselves to any situation involving the risk of a conflict between their official responsibilities and private interests; or (c) use their position or any information entrusted to them, to enrich themselves or improperly benefit any other person.</p>	Yes			<p>47 Membership (1) Every citizen who is qualified to vote for the National Assembly is eligible to be a member of the Assembly, except- (a) anyone who is appointed by, or is in the service of, the state and receives remuneration for that appointment or service, other than- (i) the President, Deputy President, Ministers and Deputy Ministers; and (ii) other office-bearers whose functions are compatible with the functions of a member of the Assembly, and have been declared compatible with those functions by national legislation; (...) (3) A person loses membership of the National Assembly if that person- (a) ceases to be eligible;</p> <p>62 Permanent delegates -of the National Council of Provinces- (...) (2) If a person who is a member of a provincial legislature is appointed as a permanent delegate, that person ceases to be a member of the legislature. (...) (4) A person ceases to be a permanent delegate if that person- (...) (b) becomes a member of the Cabinet;</p>

