



Time Span Between Elections and the Taking of Office

Burma • English-Speaking Caribbean • Costa Rica
Ecuador • European Community • France • Gabon
Germany • Greece • Indonesia • Iran • Israel • Italy
Japan • Kenya • Republic of Korea • Malaysia
Mexico • Netherlands • Nigeria • Rwanda
Senegal • South Africa • Spain • Sweden
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BURMA

No specific interval is stipulated either by the Constitution or the laws of Burma for the time span between election of the President and the day that he is sworn into office.

Moreover, because the results of the last general elections, held in 1990, have not been honored by the ruling military junta (known as the State Law and Order Restoration Council, or SLORC), the issue is currently moot. The present head of state, General Saw Maung, Chairman of SLORC, was neither elected nor ever sworn into office.

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THE ENGLISH-SPEAKING CARIBBEAN

The independent English-speaking, and democratic states in the Caribbean region all have parliamentary forms of government since they were all at one time colonies of the United Kingdom. These countries include Antigua, The Bahamas, Barbados, Belize, Dominica, Guyana, Jamaica, St. Christopher-Nevis, St. Lucia, St. Vincent and Trinidad and Tobago. For most of these countries, there is no change in the procedure. As stated in the 1983 report, a prime minister who has been defeated in a general election is expected to follow the convention of resigning immediately. If a defeated prime minister fails to do so, he may be dismissed by the titular head of government (The Governor-General or President). The new prime minister is sworn into office after a very brief interval which generally does not exceed two weeks and is then responsible for advising the titular head as to when Parliament should be summoned. New members of Parliament are sworn in at the opening session.

The exceptions seem to be Trinidad and Tobago and the Bahamas. There has been a change. *The Laws of Trinidad and Tobago*, state "An election for President shall be held not more than one hundred and twenty days nor less than ninety days after the first sitting of the House of Representatives under this Constitution and the President who is so elected shall assume office on the expiration of thirty days next after his election." ... "Where the date for the assumption of office falls on a Sunday or public holiday the President shall assume office on the next following day that is not a Sunday or public holiday."¹

The Bahamas Independence Order 1973 states: "Any person holding the office of Prime Minister or other Minister by virtue of subsection (1) or(2) of this section who immediately before the appointed day was charged with responsibility for any matter or department of government shall, as from the appointed day, be deemed to have been charged with responsibility for the corresponding business or administration of the corresponding department of the Government under Article 77 of the Constitution."²

Apparently not every country has a constitutionally- established or traditional inauguration day. For the most part, neither the Constitutions nor the codes make mention of installment proceedings.

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¹ I Trin. and Tob. Rev. Laws, ch. 3:0 3, § 26 (1980).

² I 1973 S.I. No. 1080, § 6.

COSTA RICA

The election for president is held on the first Sunday in February of the appropriate year.³
The president assumes office on May 8⁴ and serves for a four-year term.⁵

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³ *Constitución Política de la República de Costa Rica, anotada y concordada* (Editorial Juriscentro, 1977), art. 133.

⁴ *Id.* art. 136.

⁵ *Id.* art. 134.

ECUADOR

According to sources available, no specific date for the swearing in of the president has been established under the laws of Ecuador. The transition is governed by customary practices according to the circumstances of each election. Rodrigo Borja Cevallos, the current President of Ecuador, was elected on May 9, 1988, and installed on August 10, 1988.*

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* B. Hunter, ed., *The Statesman's Year Book 1991-1992* (128th ed., New York, St. Martin's Press, 1991).

EUROPEAN COMMUNITY

The European Community's Commission serves as the executive arm of the Community. Members of the Commission, including its president, are appointed for a period of four years by mutual agreement of Community governments. However, in the course of their mission, they may not receive instructions from any national government and are subject to the supervision of the European Parliament which is the only body which can force them collectively to resign. As to the time for the taking of office, no specific schedule has been prescribed. In principle, this depends on whether a commissioner's mission is renewed so that he continues his functions in the office or whether it concerns a new appointment. For a new appointment, the new commissioner cannot take office before the mission of the commissioner in the same office expires.

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FRANCE

The political system of the Vth Republic of France is neither presidential nor parliamentary. It combines these two forms of democracy and its own unique way. The President of the Republic is the head of his party. According to article 6 of the Constitution, the President of the Republic is elected for 7 years by direct, universal vote.** There is no limit to the number of terms he can serve. According to article 7, the election of the new President shall take place no less than 20 days and no more than 35 days before the term of the incumbent President expires.*** In case of vacancy or incapacity, the election must take place no less than 20 days and no more than 35 days after the vacancy or incapacity. According to article 8 of the Constitution, the President shall appoint the Premier. He shall terminate the functions of the Premier when the latter presents the resignation of the government.****

From 1958 to 1986 the presidents of the French Republic were backed by a majority in Parliament. During this time, the role of the Prime Minister had no other purpose than to help the President implement his policy. However, in 1986 the French people elected to a right-wing majority to Parliament with Chirac as its main leader. President Mitterand remained as the leader of the Socialist Party. The nature of the regime swung in a parliamentary direction, and most powers were left in the hands of the Prime Minister. Although President Mitterand had the legal right to nominate another person from Chirac's party or another opposition party that had won the election, he decided to nominate Chirac without any unnecessary delays.

Although there is no law that mandates that the President shall appoint a Prime Minister within a certain time, there is an unbroken tradition which predates the Vth Republic that the Prime Minister should be appointed within a reasonable period of time.

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** French Constitution of October 4, 1958, in *Code Administratif* 2 (Paris, Dalloz, 1990).

*** *Id.*

**** *Id.*

GABON

Although many amendments modify the original text, no new constitution has been adopted in the Republic of Gabon since May 1975.* Since the legal system of Gabon is parliamentary with a very powerful President, both the President of the Republic and the Prime Minister serve as executives.

The constitution indicates that the election of the President of the Republic should take place 30 to 60 days before the expiration of the powers of the President in office (article 9). No specific provisions were found determining when the new President takes office.

The Prime Minister is the chief of the government and is appointed by the President of the Republic. The Prime Minister is responsible to both the President and Parliament. The Prime Minister can be appointed not only after a general election (presidential every seven years or legislative every five years), but he also can be replaced any time he loses the confidence of the Parliament or any time the President of the Republic chooses to release him (article 25 new). No specified time period between a general election and the installation of the Prime Minister is mentioned in the law.

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* "Gabon," in A.P. Blaustein, *comp.*, *Constitutions of the Countries of the World* (Dobbs Ferry, New York, Oceana Publications, 1971-) (looseleaf). Constitution of May 1975, last amended by Law No. 3/90 of July 26, 1990, in *Journal Officiel de la Republique Gabonaise*, No. 14, July 31, 1990, p. 253.

GERMANY

In Germany, executive authority rests with the Federal Chancellor who heads the cabinet. The Chancellor is appointed at the beginning of each legislative term of the Federal Diet (*Bundestag*, representative chamber of the bicameral Federal legislature). The time span between the general election and the appointment of the Chancellor is not prescribed by law, although some indirect limits are imposed through Constitutional provisions on the appointment process. In practice, the time span ranges from three weeks to two months. **

The Constitution provides that the Federal Diet must convene within 30 days after the election.*** The Constitution further provides that the Federal Chancellor is to be elected by the Federal Diet upon proposal of the Federal President.**** However, the President's right to propose is a mere formality.

No specific time limit is set for the initial vote to elect the Chancellor. Yet, this the first major business of a newly elected Federal Diet.***** The election and the subsequent appointment of the Federal Chancellor are usually carried out in the first or second session of the new Federal Diet, after this body has elected its own officials.*****

In the event that a Federal Chancellor is not elected by a majority of the Federal Diet in the first ballot, the Constitution provides a two week period during which the Federal Diet can continue its efforts to elect a Chancellor. If no conclusive vote is achieved within that period, the Federal President has seven days to either appoint the Federal Chancellor, even if he has not obtained a majority of the members' votes, or dissolve the Federal Diet.***** To date, these procedural rules have not attained any practical importance.

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** *Datenhandbuch zur Geschichte des Deutschen Bundestages 1980-1987* 94, 303 (Baden-Baden, 1988).

*** Grundgesetz für die Bundesrepublik Deutschland (GG), May 23, 1949, *Bundesgesetzblatt* (BGBl., official law gazette of the Federal Republic of Germany), p.1, art. 39, para. 2.

**** GG, art. 63.

***** G. Loewenberg, *Parliament in the German Political System* 219 (Ithaca, 1967).

***** *Supra* note 1; Geschäftsordnung des Deutschen Bundestages, repromulgated July 2, 1980, BGBl. I, p. 1237, as amended, § 1-4.

***** GG, art. 73.

GREECE

Neither the Greek Constitution nor any other laws prescribe a time limitation regarding an interim period between general elections and the swearing in of the Prime Minister, mainly because of the series of events that takes place between these two occurrences.

The leader of the party that has an absolute majority of seats in the Parliament is appointed Prime Minister by the President of the Republic. If no political party has an absolute majority, the President of the Republic assigns the leader of the party with a relative majority an exploratory mandate to ascertain the possibility of forming a government that has Parliament's confidence.

If this effort fails, the President of the Republic assigns the leader of the second largest party an explanatory mandate. If this also fails, he assigns the leader of the third party with this responsibility. Each exploratory mandate lasts for 3 days. Should these exploratory mandates be unsuccessful, the President of the Republic invites the leaders of all the parties to meet and explore the possibility of a coalition government. If this attempt also fails, the President of the Republic assigns to the President of the *Symboulion Epikrateias* (the highest administrative court) or to the President of the Supreme Court, or to the President of the Comptroller's Council the responsibility of forming an interim government which will then call new elections. *****

In addition to the Constitution, Law No. 1558/1985 on Government and Governmental Organs which deals with the composition and the function of the Cabinet provides for the oath that the Prime Minister has to take before the President of the Republic. This Law does not establish any time limit for the taking of the oath. *****

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***** Article 37 of the Greek constitution, E.V. Venizelos, *To Syntagma tes Ellados*, 1975/1986 (The Greek Constitution, 1975/1986) (Thessalonike, 1986).

***** P. Raptarchis, 1 *Diarkes Kodix Nomothesias* (Continuous Compilation of Laws), 84,315(d).

INDONESIA

The time span between the election of the President of the Republic and the subsequent taking of office is not provided for in the Indonesian Constitution nor in any Indonesian law, as far as can be ascertained.

While Indonesia's Constitution provides that the President is the Chief Executive and holds office for five years after being elected by the People's Consultative Assembly, it does not stipulate any time span or minimum or maximum interval to elapse between the election and the swearing in of the head of state.

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IRAN

According to the Constitution of the Islamic Republic of Iran:*

Article 119. The new President shall be elected at least one month before the termination of the office of the former President. Within the interval between election of the new President and termination of the office of the former President, the latter shall perform the presidential duties.

* * *

Article 121. The President-elect will take and sign the oath of office in the Islamic Legislative Assembly in a special session attended by the head of the Supreme Court and members of the Guardianship Council (Supervisory Legislative Assembly).

Iran has a presidential system of government and has no prime minister.

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* Constitution of the Islamic Republic of Iran of 1979, as amended, July 1989, *Qanuni Assasi'i Jumhuri'i Islami'i Iran, 1368* (Constitution of the Islamic Republic of Iran, 1989) (Tehran, Ministry of Culture and Islamic Guidance, 1990), at 68.

ISRAEL

The effective head of the Israeli government is the Prime Minister. The Israeli election system has recently been undergoing great changes. One of the most significant is that of the direct election of the Prime Minister. According to an amendment passed in March, which will not apply to the June 1992 elections, the Prime Minister-elect shall appear before Parliament (*Knesset*) and present his cabinet within 45 days of the publication of the results of the elections.**

According to the Basic Law: Government,** applicable at this time, after the election, the President will assign the task of forming a government to a member of the new Parliament. This person shall both form a Government and head it. The Law provides that "[t]he outgoing Government shall continue to carry out its functions until the new Government is constituted."**** The new Prime Minister will, therefore, take office only after his appointment by the President. The period in which new Prime Minister is able to work toward the formation of the new government is twenty-one days. The President may extend the period by additional periods in aggregates not exceeding twenty-one days. If one Member of Parliament has not been successful in forming a government, the President may reassign the task to another Member. The Law specifies that the President may repeat this process as often as the situation arises.

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** Unofficial English translation of an article on a new election law published in *Haarets* (The Country, Israeli newspaper printed in Hebrew) March 19, 1992 (text not yet received in LC).

*** 22 *Laws of the State of Israel* 258 (5728-1967/68).

**** Section 25(a).

ITALY

The chief executive of the government in Italy is the President of the Council of Ministers who is appointed, along with the ministers he chooses, by the President of the Republic. The Council is also known as the Government or the Cabinet. The Council and its President assumes office upon taking the oath before the President of the Republic. They must win a vote of confidence of the two Chambers.

The only time limit that the Constitution introduces is that the Council must present itself to the Chambers for the vote of confidence within ten days of its formation. However, the Constitution sets no time limit for the formation of the Government which in reality may be a lengthy process involving long negotiations and complex agreements among the various political parties participating in the government coalition.

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JAPAN

Under the Constitution,**** the Prime Minister is the chief executive, designated from among the members of both houses of the Diet (Japan's Parliament). Designation of the Prime Minister is the first order of business after the Diet is organized following a general election.***** On the same day that the designation is made, the Emperor formally appoints the Prime Minister, whose term begins immediately.

In theory, the Prime Minister may serve as long as four years, the same term of office as that for members of the lower house. Under the Constitution, however, the Cabinet must resign if the lower house passes a resolution of no confidence, or else the Cabinet must dissolve the lower house within ten days of such a resolution and call for a general election.***** A general election of members of the lower house is usually held within thirty days before the date on which the term of office of the incumbent members expires. If the lower house is dissolved, the government must call a general election within forty days.*****

When the post of Prime Minister becomes vacant due to death, disability, or resignation, or upon the first convocation of the Diet after a general election of members of the lower house, the Cabinet must resign en masse. However, until a new Prime Minister has been appointed, the Cabinet continuously carries out its duties.*****

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**** The Constitution of Japan, adopted on Nov. 3, 1946; entered into force on May 3, 1947.

***** *Id.*, art. 67.

***** *Id.*, art. 69.

***** Arts. 31 and 34, the Public Office Election Law, Law No. 100, Apr. 15, 1950, as last amended by Law No. 81, Dec. 19, 1989.

***** Arts. 70 and 71, *supra* note 1.

KENYA

According to section 7 of the 1969 Constitution of Kenya, as amended,***** the person elected to the presidency assumes the duties of the president as soon as he is declared elected to that office. Members of Parliament also assume office on being elected or appointed, according to the provisions of section 49 of the Kenyan Constitution.

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***** 1 *Laws of Kenya* (1969) (Supp. 1979); see also, "Kenya," in A.P. Blaustein, 1921-, *comp.*, *Constitutions of the Countries of the World* (Oceana Publications, Dobbs Ferry, New York, 1971) (looseleaf).

THE REPUBLIC OF KOREA

The present Constitution of the sixth Republic of Korea was enacted on October 29, 1987, and came into force on February 25, 1988. Under the Constitution, the President is the chief executive and is elected by universal, direct, and secret ballot by the people.***** The Constitution provides that the successor to the incumbent President shall be elected during the interval of seventy to forty days before his term expires.***** The Constitution also provides that the first presidential election shall be held not later than forty days before the Constitution enters into force and that the term of office of the first President shall commence on the date of its enforcement.*****

Thus, under the 1987 Constitution, the President's term began on February 25, 1988, the day the Constitution became effective. The present President will serve until February 24, 1993. Unless the Constitution is revised, the term of the President starts on February 25 every five years from 1988, which is the constitutionally-established inauguration day.

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***** Art. 66.

***** *Id.*

***** Art. 68 and art. 2 of the Supplemental Provisions.

MALAYSIA

The head of state in Malaysia is the Yang di-Pertuan Agong or Supreme Head. He is elected for a term of five years by the Conference of Rulers from among themselves. The Conference of Rulers consists of the Rulers or other heads of each of the constituent states of the Federation of Malaysia, and a principle of rotation is followed in the election of the Supreme Head from among the heads of each state.

Section 55 of the Malaysian Constitution provides that whenever Parliament is dissolved, a general election must be held within sixty days, and that the Parliament is to be summoned to meet on a date not later than 120 days from the date of the election. Thus, the maximum interval that can lapse between the election of Members of Parliament and their being sworn into office is 120 days.

However, no such limit is prescribed for the interval between the election and the swearing in of the Yang di-Pertuan Agong or Supreme Head.

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MEXICO

The presidential election is held on the third Sunday of August of the appropriate year.***** The president assumes the duties of the office on the first of December and serves for a six-year term.*****

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***** *Código Federal de Instituciones y Procedimientos Electorales, Diario Oficial* of August 15, 1990, art. 19.

***** *Constitución Política de los Estados Unidos Mexicanos, in Leyes y Códigos de México* (86a. ed., Mexico, Editorial Porrúa, S.A., 1989), art. 83.

THE NETHERLANDS

The Netherlands has a multi-party system, and general elections do not normally result in the emergence of a clear majority in Parliament. As a result, it is difficult for one party to form a government, and the resulting government is often based on a majority coalition. The formation of a government is generally a long and complicated process. No time limit is set for this procedure. After an agreement has been reached, the process of forming a government is ended by the official appointment of the prime minister and ministers through a Royal Decree.*

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* Constitution of the Kingdom of the Netherlands, Royal Decree of February 17, 1983, *Staatsblad* (official law gazette of the Netherlands) 70, art. 43.

NIGERIA

Under the provisions of articles 127 and 129 of the Constitution of the Federal Republic of Nigeria of 1979, as amended,* the person elected to the presidency begins performing the responsibilities of the president on being elected to that office. Members of the National Assembly, which consists of the Senate and the House of Representatives, also assume office on being elected to the National Assembly, according to article 70 of the 1979 Constitution.

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* Nigeria, *The Constitution of the Federal Republic of Nigeria* (Lagos, Federal Military Government, 1979), p. 120; *see also*, "Nigeria," in A.P. Blaustein, 1921-, *comp.*, *Constitutions of the Countries of the World* (Oceana Publications, Dobbs Ferry, New York, 1971-) (looseleaf).

RWANDA

In spite of the adoption of a new Constitution on May 30, 1991,** that maintains a parliamentary system with a strong President, no new provision provides any time span between election of the President of the Republic, the chief executive of the State, and his subsequent taking of office. The Prime Minister, as chief of the executive branch, is appointed as well as dismissed by the President. A Prime Minister can be nominated not only after a general election (presidential every five years or legislative every five years), but he can also be replaced any time he loses the confidence of the parliament or any time the president of the Republic chooses to do so. No specified time period between a general election and installation of the new Prime Minister into office is mentioned in the law.

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** Constitution of the Republic of Rwanda of May 30, 1991, *Journal Officiel de la Republique Rwandaise*, No. Special, June 10, 1991, pp. 615-636.

SENEGAL

Considering the unique nature of the Senegalese legal system, largely influenced by the French constitution of 1958, it can be defined as a parliamentary system with a strong President. Therefore, both the president of the Republic (chief executive of the State) and the Prime minister (chief of the government) can be regarded as executives.

The election for the President of the Republic must take place 30 to 45 days before the expiration of the term of the acting President of the Republic (article 26).^{*} Once elected, the President takes office after the final proclamation of the election results and upon the expiration of the term of office of his predecessor. The acting President remains in office until the installation of his successor (article 30). Consequently, the length of the interim period between the president's election and his actual installation into office lasts from 30 to 45 days before the expiration of the term of the incumbent President.

The Prime Minister is appointed as well as dismissed by the President. The incumbent Prime Minister and his cabinet continues to carry out the execution of the regular agenda until the new cabinet takes power (article 43). The Prime Minister can be nominated not only after a general election (presidential every five years or legislative every five years), but he also can be replaced any time he loses the confidence of the parliament or any time the President of the Republic chooses to do so. No specified time period between general election and installation of the Prime Minister into office is mentioned in the law.

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^{*} Constitution of the Republic of Senegal of March 7, 1963, as last amended in 1981 (Republique du Senegal, 1982).

SOUTH AFRICA

The South African Constitution does not provide for a specific period between the election and inauguration of the President. In practice, only a short time elapses between these two events since the incumbent President can only hold office until the new one is elected. **

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** Sec. 7 of Act. No. 110 of 1983 in 8 *Statutes of the Republic of South Africa Classified and Annotated from 1910*, 1307 (Durban 1967-).

SPAIN

The national Constitution provides that Spain is a parliamentary monarchy. Within that context, the King, in consultation with the designated representatives of the political groups as reflected in the legislature and through the President of the Congress (House of Representatives), proposes a candidate for the President of the Government. The candidate's acceptance is expressed through a legislative vote of confidence. This must take place within two months. Within this context it may be stated that the post of President of the Government is not electoral *lato sensu*. There is no fixed term for the assumption of office except the two month time frame provided by law.***

Concerning the assumption of duties by other elected officials as legislators, no specific reference to a date was found in the sources consulted. However, the Regulation of the Congress of Deputies provides that the Congress shall meet in two annual ordinary sessions: September to December, and February to June. It may only be implied that assumption of offices by newly elected members takes place before the ordinary session begins, following the general elections.****

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*** L. A. de Luque, et. al., comps., *Constitucion Espanola* (Madrid, Centro de Estudios Constitucionales, 1988), v. I, Art. 1, para. 3, and Art. 99, paras. 1, 2, and 5.

**** M. F. Clivilles, comp., *Codigo Constitucional 1773-1810* (Madrid, Editorial Trivium S. A., 1983), Art. 61.

SWEDEN

Sweden is a constitutional monarchy with a parliamentary system of government. The King of Sweden is the Head of State but holds no political power. Hence, the Prime Minister as a head of government is the chief executive of the country.

In conformity with the provisions of Article 6:2 of the Swedish Instrument of Government,^{*} it is the duty of the Speaker to propose a new Prime Minister. In the process of making such a proposal, the Speaker must confer with the leaders of the political parties represented in the Parliament (*Riksdag*) and the Vice Speakers. The Speaker's proposal shall then be submitted to Parliament for a vote. If not more than half of the total number of members of Parliament vote against the proposal it is approved. Otherwise it is rejected. The purpose of this negative voting approach is to find out whether more than half of the total number of the members lack confidence in the proposed Prime Minister.

If the Speaker's proposal is rejected, the Speaker has a duty to recommence the procedure and present a new proposal. If Parliament rejects the Speaker's proposal four times, the procedure must be discontinued until parliamentary elections have been held. In such a case, extra elections must be held within three months, unless ordinary elections are due within the same time period (Article 6:3)^{**}.

Once Parliament approves the new Prime Minister's nomination, he presents the members of his Cabinet to Parliament. Thereafter, the change of government officially takes place by a special meeting of the entire Cabinet in presence of the Head of State (Article 6:4).^{***}

Consequently, as can be observed, the taking of office is not prescribed by law to take place on a specific date, but it rather depends on the occurrence of certain events, namely the voting in Parliament and the special Council meeting held before the Head of State.

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^{*} *Sveriges Rikes Lag*, 1991.

^{**} *Id.*

^{***} *Id.*

SWITZERLAND

The Federal Assembly (the Swiss legislative branch) is composed of the National Council and the Council of States.* The Federal Assembly elects the Federal Council, the collegial body of government, consisting of seven members, each elected for a period of four years and eligible for re-election for an unlimited number of terms. The President of the Confederation is chosen each year from among the members of the Federal Council and serves as chairman of this collegial body.

By tradition, elections are always held in October and the newly elected Federal Assembly convenes some time in January.

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* F. Dessementet and T. Ansay, *Introduction to Swiss Law* 3-4 (Deventer, Kluwer, 1981).

THAILAND

Under the new Constitution of Thailand, promulgated on December 9, 1991, the Prime Minister of Thailand is in charge of the administration of the affairs of state, along with at most 48 ministers who form the members of his Cabinet. The Prime Minister is appointed by the King with the countersignature of the Speaker of the House of Representatives. (The legislature of Thailand is a bicameral National Assembly consisting of a Senate and a House of Representatives.) Although article 160 does mention that Cabinet members must take an oath before the King before taking office, there is no other provision in the Constitution establishing the date for their swearing-in after their appointment to office.

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TURKEY

In Turkey, the Prime Minister is the head of the executive branch. The Prime Minister is appointed by the President but must have a vote of confidence of the Parliament before taking office.

Under the provisions of the Turkish Constitution, the Prime Minister must submit a program of government to the Parliament within a week of the formation of the new cabinet, and the Parliament must begin its debate on the vote of confidence two days after the reading of the program. The vote of confidence is taken a day after the end of the debate.**** However, the length of the interim period between when the Prime Minister is appointed and takes office varies widely depending on the time it takes to form the cabinet and the time the debate on the vote of confidence lasts.

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**** Art. 110 of Law No. 2709 of 1982 in F. Çoker & F. Kazanci, *T.C. Kanunlari* 136-28 (Ankara, 1973-).

VENEZUELA

According to sources available, no specific date for the swearing in of the president has been established under Venezuelan law. As a result, the transition is governed by customary practices and according to the specific circumstances of each election. For example, the current President of Venezuela, Carlos Andrés Pérez Rodríguez, was elected on December 4, 1988, and installed on February 2, 1989.*****

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***** B. Hunter, ed., *The Statesman's Year Book 1991-1992* (128th ed., New York, St. Martin's Press, 1991).

ZAMBIA

Pursuant to the provisions of article 38 (8) of the Constitution of the Republic of Zambia of 1973, as amended,* a person assumes the duties of the president on being declared elected to that office. Members of Parliament also assume their official responsibilities on being elected or appointed to Parliament, in accordance with the provisions of articles 63-92 of the Constitution.

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* "Zambia," in A.P. Blaustein, 1921-, *comp.*, *Constitutions of the Countries of the World* (Oceana Publications, Dobbs Ferry, New York, 1971-) (looseleaf).

ZIMBABWE

According to the provisions of article 28 (6) of the Constitution of Zimbabwe of 1979, as amended,* the person elected to the presidency of the country assumes the duties of the president on the same day he is elected to that office. Members of Parliament also assume office on being elected or appointed to Parliament in accordance with the provisions of article 41 of the 1979 Constitution.

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* "Zimbabwe," in A.P. Blaustein, 1921-, *comp.*, *Constitutions of the Countries of the World* (Oceana Publications, Dobbs Ferry, New York, 1971-) (looseleaf).