



Constitution of the Portuguese Republic (extracts)

Article 23 (Ombudsman)

1. Citizens may submit complaints against actions or omissions by the public authorities to the Ombudsman, who shall assess them without the power to take decisions and shall send the competent bodies such recommendations as may be necessary in order to prevent or make good any injustices.

2. The Ombudsman's work shall be independent of any acts of grace or legal remedies provided for in this Constitution or the law.

3. The Ombudsman's office shall be an independent body and the Assembly of the Republic shall appoint the Ombudsman for such time as the law may determine.

4. The bodies and agents of the Public Administration shall cooperate with the Ombudsman in the fulfilment of his mission.

Article 142 (Composition)

The Council of State shall be chaired by the President of the Republic and shall also be composed of the following members:

(...)

d) The Ombudsman;

(...)

Article 163 (Responsibilities in relation to other bodies)

In relation to other bodies the Assembly of the Republic shall be responsible for:

(...)



h) By a majority that is at least equal to two thirds of all Members present and greater than an absolute majority of all the Members in full exercise of their office, electing ten judges to the Constitutional Court, the Ombudsman, the President of the Economic and Social Council, seven members of the Supreme Judicial Council, the members of the media regulatory body and the members of all other constitutional bodies, appointments to which are the responsibility of the Assembly of the Republic by law;

(...)

Article 164

(Exclusive responsibility to legislate)

The Assembly of the Republic shall possess exclusive responsibility to legislate on the following matters:

(...)

m) The status and role of the officeholders of bodies that exercise sovereign power and local government officeholders, as well as of the officeholders of the remaining constitutional bodies and of all those who are elected by direct, universal suffrage;

(...)

Article 281

(Abstract review of constitutionality and legality)

(...)

2. The following may ask the Constitutional Court for a declaration of unconstitutionality or illegality with generally binding force:

(...)

d) The Ombudsman;

(...)



PROVEDOR DE JUSTIÇA

Na defesa do Cidadão: perceber para prover

Article 283

(Unconstitutionality by omission)

1. At the request of the President of the Republic, the Ombudsman, or, on the grounds of the breach of one or more rights of the autonomous regions, presidents of Legislative Assemblies of the autonomous regions, the Constitutional Court shall review and verify any failure to comply with this Constitution by means of the omission of legislative measures needed to make constitutional rules executable.

(...)