

REPUBLIC OF HONDURAS

**CONSTITUTION
OF THE REPUBLIC
OF HONDURAS**

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**CONSTITUTION OF THE
REPUBLIC OF HONDURAS**

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Preface to the edition of 2009

For this year we consider necessary to make a revised version of the Constitution, which include all interpretations and reforms duly ratified, implemented through various decrees issued from 1982 to the last term of the period 2009 for the Sovereign Congress as a constituent formed.

Between 1985 and 1988 proposed reforms, which were not ratified, and that some were later incorporated in some legislatures. Also, others were the subject of wide discussion in the beginning of this decade as the plebiscite and referendum as a response to changing circumstances, economic conditions, political and social conditions in our country, demanding a greater democratic opening dimensions to ensure the direct involvement of the community in its decisions in the management of the state. Similarly, the elimination of privileges with respect to the immunity of deputies and senior officials of the state and a new form of choice.

Even in this edition are still valid criteria of many scholars of constitutional law who appreciate that some reforms have been incomplete in not resuming the principles underlying the 1982 Constitution, situations such as: a) the principle of the primacy of the Constitution, Article 315 and now 320: b) On the elimination of the constitutional content of the Contentious Administrative Jurisdiction, 318 previous article now deleted. However, others argue that such reforms, especially the first case came to give a broader concept to validate their generality, and consolidated as a principle, and second, not now regarded as the top does not mean neglecting the existence of the rule of law, under which the tribunal there, and most recently during the first quarter of 2003, the gap that existed with regard to the lack of clear rules on competition, limits on the jurisdiction and control and protection of the guarantees proposals to create new constitutional law as the Justice Council.

Also in this edition reflects the ratifications by the reforms, Decree No. 276-2002 of the National Congress can interpret the Constitution in regular session, in a legislature with only two thirds (2 / 3) vote of all its members, this procedure can not be interpreted the Constitutional Articles 373 and 374, the creation of the Supreme Electoral Tribunal Decree No. 412-2002, 175-2003 reforms by decree and that ratification by repealing Article 200 paragraphs 1 5, 205 paragraph 15 and reform of Article 313 paragraph 2 on the removal

of immunity of State officials, dated October 28, 2003, ratification of the amendment of article 5 which creates the Referendum and Plebiscite under Decree 241-2003, figures that have polarized the understanding and implementation within the social classes, the consultation proposed by the executive branch of the so-called fourth box, in which the sovereign declare the establishment of a constituent that radically alter the current existing constitution. Similarly, the reforms were ratified at the end of 2005 to sections 112 and 116 concerning the institution of Marriage and the Family, also on November 20 of 2007 was adopted Decree 150-2007 that contains the reforms Superior Court of Auditors and the Public Ministry, which was never published or sanction, although the Congress ratified the 2009 start of the reform, it is unconstitutional for failing to meet the first requirement like this: (and its punishment publication). Equally necessary is the study of constitutional law the decision of the Supreme Court of Justice in relation to Article 240 paragraph 1., And Certification Office of the Supreme Court revoking the figure of Vice-Chairman and reinstating the figure Designated Presidential.

In this issue as in other editions will be maintained and increased its product content of a research paper, references to the various reforms ratified decrees, interpretations, and not ratified the reforms as a basis for comparative studies and analysis on Constitutional law and creates new approaches for making new contributions.

August 2009
Otto W. Martínez V.
María T. Flores

REPUBLIC OF HONDURAS

**CONSTITUTION
OF THE REPÚBLIC OF HONDURAS**

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Officially, the name of Honduras was given to the country by decree # 3 May 7, 1862 by the legislature that had its headquarters in Los Llanos de Santa Rosa, now known as Santa Rosa de Copan, in the years 1862 and 1863 when he served as the capital.

PREAMBLE

We Deputies elected by the sovereign will of the Honduran people gathered in the National Constituent Assembly, invoking the protection of God and the example of our heroes, our faith in the restoration of the Central American union and faithfully interpreting the aspirations of the people who gave us their mandate, decreed and ordain this Constitution to strengthen and perpetuate the rule of law to ensure a politically, economically and socially just claiming citizenship and foster the conditions for full realization of man as a human person, within the justice, freedom, security, stability, pluralism, peace, democracy and the common good.

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TITLE I

STATE

CHAPTER I

THE ORGANIZATION OF STATE

Article 1. Honduras is a rule of law, sovereign republic made up as free, democratic and independent to ensure its people the enjoyment of justice, freedom, culture and economic and social welfare.

Article 2. The sovereignty of the people from which emanate all the powers of the State are exercised by proxy.

Impersonation of popular sovereignty and the usurpation of the constituted powers are defined as crimes of treason. Liability in these cases is imprescriptible and may be deducted automatically or upon request by any citizen.

Article 3. No one owes obedience to a usurper government or to those who assume public office or employment by force of arms or by using means or procedures that violate or are unaware of what the Constitution and the laws. Verified by acts such authorities are zero. The people have the right to resort to insurrection in defense of constitutional order.

Article 4. The form of government is republican, democratic and representative. Is exercised by three powers, legislative, executive and judicial, and independent and complementary relationship of subordination.

Alternation in the presidency of the Republic is required.

Violation of this rule constitutes the crime of treason.

Article 5. The Government must be based on the principle of participatory democracy which is at the heart of national integration, which involves participation of all political sectors in government to

Article 5. Restored by Decree 242-2003 dated January 20, 2003 and published in the Official Gazette No.30, 553 dated November 23, 2004. Ratified by Decree No.177-2004 dated November 24, 2004, published in the Official Gazette No. 30.620 of February 11, 2005.

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ensure and enhance the progress of Honduras based on political stability and the national reconciliation.

In order to strengthen and operate instituting participatory democracy as a mechanism for consulting the public referendum and the plebiscite on issues of fundamental importance in national life. A special law approved by two (2/3) thirds of all Members of Congress, establish procedures, requirements and other aspects necessary for the exercise of popular consultations.

The referendum will be convened on a regular or a law or constitutional reform, approved for ratification or disapproval by the public, asking for the plebiscite was to convene a public pronouncement on the constitutional, legislative or administrative powers over which comprise not have taken any previous decision.

On the initiative of at least ten (10) Members of Congress, the President of the Republic in resolution of the Council of Secretaries of State or the six percent (6%) of citizens, registered in the electoral census, Congress National meet and discuss such requests, and if approved by an affirmative vote of two thirds (2 / 3) of all its members, adopted a decree that will determine the ends of the consultation, ordering the Supreme Electoral Tribunal, the citizens to call the referendum or plebiscite.

Relates only to the Supreme Electoral Tribunal, to convene, organize and conduct consultations with the people mentioned in the preceding paragraphs.

The exercise of suffrage in the city consultation is mandatory.

Shall not be subject to referendum or plebiscite projects to amend Article 374 of this Constitution. It also may not use those consultations for matters relating to tax matters, public credit, amnesty, national budgets, international treaties and conventions and social achievements.

It is for the Supreme Electoral Tribunal, in a report no later than ten (10) days to Congress the results of those consultations. The result of public consultation will be mandatory:

- a) If you are involved at least fifty-one percent (51%) of people enrolled in the National Election Survey conducted at the time of

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the consultation, and

b) If the vote succeeds most valid votes.

If the vote is affirmative, the consultation on these issues can not be achieved in the next period of government.

Congress ordered the entry into force of the rules arising from the consultation process through the constitutional validity of the law.

Not be a presidential veto in cases of consultation by referendum or plebiscite. Accordingly the President ordered the promulgation of the rules adopted.

Article 6. The official language of Honduras is Spanish. The State shall protect and increase its purity education.

Article 7. They are national symbols: the flag, the seal and anthem. The law shall establish and regulate their use.

Article 8. The cities of Tegucigalpa and Comayagua together, constitute the capital of the Republic.

CHAPTER II TERRITORY

Article 9. The territory of Honduras is between the Atlantic and Pacific Oceans and the Republics of Guatemala, El Salvador and Nicaragua. Its borders with these republics are:

1. With the Republic of Guatemala set out in the arbitration award issued in Washington, DC, United States of America, the twenty-third day of January one thousand nine hundred and thirty-three.
2. With the Republic of Nicaragua, the Joint Commission established by the Honduran-Nicaraguan Boundary in the years nineteen hundred and nineteen thousand one, according to descriptions of the first section of the line, which appears in the second twelve minutes June nineteen hundred and follow-up to the Portillo de Teotecacinte and the Atlantic Ocean to the place under the arbitration award by His Majesty the King of Spain, Alfonso XIII, the twenty-third day of December one thousand

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nine hundred six of which were declared valid by the International Court of Justice ruling on the eighteenth day of November, nineteen hundred sixty.

3. With the Republic of El Salvador in the articles sixteen and seventeen of the General Treaty of Peace signed at Lima, Peru October the thirtieth, nineteen hundred eighty, whose instruments of ratification were exchanged in Tegucigalpa, Central District, Honduras, the tenth day of December one thousand nine hundred and eighty. In the remaining sections of demarcation shall be governed by Articles of the Treaty of reference.

Article 10. Honduras belong to the territories situated on land within its territorial limits, and inland islands, cays and islets in the Gulf of Fonseca that historically, geographically and legally it has, and the Bay Islands, Swan Island (Swan Islands) or also called Santanilla Santillana, vicious, mysterious, and the keys Zapotillo, Pigs, Vivorillos Seal or Seal (or Calf) Caratasca, or Cajones Hobbies, Over False Cape, Cocorocuma, Palo de Campeche, The Netherlands, Pinchon Crescent, and the Gorda Banks Salmedina, Providence, De Coral, False Cape, and Rosalinda Serranilla and the other located in the Atlantic that historical, geographical and legal on it. The Gulf of Fonseca may be subject to special arrangements.

Article 11. Also belong to the State of Honduras:

1. The territorial sea, whose width is twelve (12) nautical miles measured from the lowest tide line along the coast;
2. The area contiguous to its territorial sea, which extends up to twenty-four (24) nautical miles measured from the baseline from which to measure the breadth of the territorial sea;
3. The exclusive economic zone, which extends up to (200) two hundred nautical miles from the baselines from which to measure the breadth of the territorial sea;
4. The continental shelf, including the seabed and subsoil of submarine areas that extend beyond its territorial sea and along the natural prolongation of its territory to the outer edge of the continental margin, or to a distance of two hundred (200) nautical miles from the baseline from which to measure the breadth of the territorial sea in cases where the outer edge of the continental margin does not reach that distance, and
5. As for the Pacific Ocean the previous steps are counted from the line of closure of the mouth of the Gulf of Fonseca, to the high seas.

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Article 12. The State exercises sovereignty and jurisdiction over the airspace and in the subsoil of its continental territory and islands, territorial sea, contiguous zone, exclusive economic zone and continental shelf.

This statement ignores legitimate sovereignty rights in other states on the basis of reciprocity or affect the rights of free navigation of all nations under international law nor the implementation of treaties or conventions ratified by the Republic.

Article 13. In the cases referred to in previous articles, the domain of the State is inalienable and inderogable.

Article 14. Foreign states can purchase only in the territory of the Republic, on a reciprocal basis, the properties required for its diplomatic headquarters, without prejudice to establish international treaties.

CHAPTER III OF TREATIES

Article 15. Honduras endorses the principles and practices of international law to promote human solidarity, respect for self-determination of peoples, non-intervention and the strengthening of peace and universal democracy.

Honduras proclaims the validity and binding inevitable enforcement of arbitral awards and court of international character.

Article 16. All international treaties must be approved by Congress before their ratification by the Executive.

International treaties concluded by Honduras with other states, once they enter into force, are part of domestic law.

Article 17. When an international treaty affects a constitutional provision must be approved by the same procedure governing the amendment of the Constitution before being ratified by the Executive.

Article 18. In case of conflict between the treaty or convention and the Law, the former shall prevail.

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Article 19. No authority may conclude or ratify treaties or granting concessions affecting the territorial integrity, sovereignty and independence of the Republic.

Whoever does so will be tried for the crime of treason. The responsibility here is imprescriptible.

Article 20. Any treaty or convention to hold the executive branch concerning the national territory, require the approval of Congress by a vote of not less than three quarters (3 / 4) of all its members.

Article 21. The Executive may, on matters within its exclusive competence to conclude or ratify international agreements with two foreign states or international organizations or accede to them without the requirement of congressional approval, which shall report immediately.

TITLE II OF NATIONALITY AND CITIZENSHIP

CHAPTER I OF HONDURAN

Article 22. Honduran nationality is acquired by birth and naturalization.

Article 23. Honduran by birth are:

- 1). Those born in national territory, except for children of diplomatic agents;
- 2). Those born abroad of a father or mother Honduran by birth;
- 3). Those born on board vessels or aircraft of war Honduran-born and merchant ships are in territorial waters of Honduras, and
- 4). The infant of unknown parents found in the territory of Honduras.

Article 23 paragraph 2. Portrayed by Decree 13-2001 dated February 23, 2001, published in the Official Gazette No.29, 423 of March 8, 2001, paragraph 2) of Article 23, in the sense that they are Hondurans by birth children born abroad of a parent Hondurans by birth:

- 1) When one of them was born in the territory of Honduras and is legally established at the time of the birth of his son, and
- 2) When one was born (1) of them abroad, attesting to their right of blood, such as Honduran by birth.

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Article 24. Are Hondurans by naturalization:

- 1). Central Americans by birth who have a (1) year of residency in the country;
- 2). The Spaniards and Latin Americans who are by birth (2) two consecutive years of residence in the country;
- 3). Other foreigners who have resided in the country more than three (3) consecutive years;
- 4). Those who obtain a certificate of naturalization enacted by Congress for extraordinary services rendered to Honduras;
- 5). Immigrants who are part of groups selected by the government brought in for scientific, agricultural and industrial after one (1) year of residence in the country meet the requirements of law, and
- 6). The foreigner married to Honduran by birth.

In the cases referred to in paragraphs 1, 2, 3, 5 and 6, the applicant must renounce their citizenship prior to and express their desire to choose the Honduran national to the competent authority.
buscar

Where there is a treaty on dual citizenship, the Honduran foreign chooses to not lose the Honduran.

En iguales circunstancias no se le exigirá al extranjero que renuncie a su nacionalidad de origen.

Article 25. While residing in Honduras Honduran by birth may not invoke the Honduran nationality.

Article 26. No naturalized Honduran can play in their country of origin, official functions on behalf of Honduras.

Article 27. Neither marriage nor its dissolution affect the citizenship of the spouses or their children.

Article 28. No Honduran by birth may be deprived of his nationality. This right is retained by Hondurans by birth even acquire another nationality.

Articles 28 and 29. Reformed by decree 345-2002 dated October 22, 2002, published in the Official Gazette No.29, 999 of January 30, 2003. Ratified by Decree No. 31-2003 of March 11, 2003, published in the Official Gazette No. 30.063 dated April 16, 2003.

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A special law called the Citizenship Act will regulate matters relating to the exercise of political rights and all that is deemed relevant in this matter.

Article 29. Honduran nationality by naturalization is lost:

- 1). By naturalization in a foreign country, and
- 2). For the cancellation of a certificate of naturalization under the Act.

CHAPTER II THE FOREIGN

Article 30. Foreigners are forced from their entry into the country to respect the authorities and obey laws.

Article 31. Foreigners enjoy the same civil rights of Hondurans with the restrictions on grounds of qualified public safety, convenience or social interest established by law.

Foreigners are also subject to the same regular and special taxes in general are obliged to Hondurans, in accordance with the law.

Article 32. Foreigners can not develop the country in political activities at national or international, under pain of punishment in accordance with the law.

Article 33. Foreigners can not make claims or seek compensation from the State but as and where it might do Hondurans.

May not resort to diplomatic channels, but in cases of miscarriage of justice. For this purpose does not mean denial of justice that a decision is unfavorable to the claimant. Those who contravene this provision will lose the right to live in the country.

Article 34. Foreigners may only be within the limits set by the Act, perform jobs in the teaching of science and the arts and provide the State technical services or advice, and when that Hondurans can not play those jobs or provide such services.

Article 35. Immigration will be conditional on the social, political, economic and demographic in the country. The law shall establish the requirements, fees and conditions for the entry of immigrants

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into the country, as well as prohibitions, restrictions and penalties that will be subject to foreign nationals.

CHAPTER III OF CITIZENS

Article 36. Citizens all over Honduras (18) eighteen years.

Article 37. These are rights of the citizen:

1. Elect and be elected;
2. Eligible for public office;
3. Associate to form political parties, join or withdraw from them, and
4. Others to recognize the Constitution and Laws.

People high in the Armed Forces and law enforcement agency may not exercise the vote, but will be eligible in cases not prohibited by law.

Article 38. Honduras everything is bound to defend the homeland, respect and contribute to the moral and material support of the nation.

Article 39. Honduras everything must be registered with the National Registry of Persons.

Article 40. The duties of the citizen:

1. Observe, uphold and ensure that they comply with the Constitution and laws;
2. Get your ID card;
3. Exercise the vote;
4. Play, unless excused for cause or resignation, elected offices;
5. Military service: and
6. The other set by the constitution and laws.

Article 41. The quality of the citizen is suspended:

1. By order of imprisonment ordered by a crime that deserves greater punishment;
2. By sentence, handed down because of crime, and
3. For judicial interdiction.

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Article 42. The quality of citizen is lost:

1. For service in wartime enemies of Honduras or its allies;
- 2). For assistance with the State of Honduras, an alien or a foreign government in any diplomatic claim or before an international tribunal;
- 3). To play in the country, without license from the National Congress, employment of foreign nation, or military branch of a political nature;
- 4). or the freedom to vote, electoral documents adulterate or use fraudulent means to circumvent the popular will;
- 5). Incite, encourage or support the continuity or re-election of President of the Republic, and
- 6). For Hondurans reside naturalized, over (2) two consecutive years abroad without prior approval of the Executive.

In the cases referred to in paragraphs 1) and 2) the declaration of loss of citizenship will file the National Congress through circumstances that formed for the purpose. For the cases of paragraphs 3) and 6) That the statement made by the Executive Government Agreement, and for the cases of subparagraphs 4) and 5) also by governmental agreement, after the sentence handed down by courts.

Article 43. The quality of people is restored:

1. Confirmed by definitive;
2. By sentence of acquittal;
3. By amnesty or pardon, and
4. On completion of sentence.

CHAPTER IV SUFFRAGE AND POLITICAL PARTIES

Article 44. Suffrage is a right and a public service.

The vote is universal, compulsory, equal, direct, free and secret.

Article 45. Shall be punishable by any act which prohibits or limits the participation of citizens in the country's political life.

Article 46. Adopting the proportional representation system or by a majority in the cases determined by law, declare elected to the

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positions of candidates to elected office.

Article 47. Legally registered political parties are institutions of public law, whose existence and free operation guaranteed by this Constitution and the Law, to achieve the effective involvement of the citizens.

Article 48. It prohibits political parties from attacking the republican, democratic and representative government.

Article 49. The state will finance the expenditure of political parties, in accordance with the law.

Article 50. Los partidos políticos no podrán recibir subvenciones o subsidios de gobiernos, organizaciones o instituciones extranjeras.

CHAPTER V THE ROLE OF ELECTORAL

Article 51. For everything related to the acts and election procedures will be a Supreme Electoral Tribunal, autonomous and independent, with legal personality, competence and jurisdiction throughout the Republic, whose organization and functioning shall be established by this Constitution and the Law, which also set As regards the other electoral bodies.

The law governing the election may only be amended or repealed by a qualified majority of two thirds (2 / 3) vote of all members of Congress, which must seek the opinion of the Supreme Electoral Tribunal, when the initiative does not originate from it.

Article 52. The Supreme Electoral Tribunal shall consist of three (3) Owners and Judges (1) alternate, elected by the affirmative vote of two thirds (2 / 3) of all the members of Congress for a period of five (5) years and may be reappointed.

To be Judge of the Supreme Electoral Tribunal is required as Honduran by birth, within twenty-five years (25) of recognized reputation and fitness for office and be in the full exercise of their civil rights.

Artículos Nos. 51, 52, 53, 54 and 55. Reformed by 412-2002 decree dated November 13, 2002 and published in the Official Gazette No. 30.017 of 20 February 2003. Ratified by Decree No. 154-2003 dated September 23, 2003 and published in the Official Gazette No. 30.253 dated December 1, 2003.

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May not be elected judges of the Supreme Electoral Tribunal:

1. Those with disabilities to be the Judge in the Supreme Court;
2. Those who are nominated to occupy or hold elected offices, and
3. Those leadership positions in political parties legally registered.

Judges of the Supreme Electoral Tribunal shall not make or participate directly or indirectly in any partisan political activity except to cast their vote on election day, or for any other office of emolument, other than teaching.

Article 53. Owners of Judges of the Supreme Electoral Tribunal including the President elected on a rotating basis for one (1) year, who may be reelected.

Article 54. The National Register of Persons is an autonomous institution, independent technique, has its seat in the capital of the Republic and authority in the country.

Be managed by one (1) Director and two (2) Assistant Directors who shall be elected for a period of five (5) years by the affirmative vote of two thirds (2 / 3) of all Members of Congress.

Possess a university degree, the highest moral and technical qualifications and be subject to the same conditions and disabilities that the Constitution of the Republic to be Judge of the Supreme Electoral Tribunal.

Article 55. The National Registry of Persons, in addition to the functions which by law, the agency is the Registrar to extend single identity card to all Hondurans and permanently provide a timely manner and without cost, to the Supreme Court election, all the information necessary for it to develop the national electoral roll.

Article 56. The National Census of Elections is public, permanent and unalterable. The registration of citizens, as well as changes caused by death, neighborhood change, suspension, loss or restoration of citizenship, be verified in the time and manner determined by law.

Article 57. Prosecution for the offenses established by the electoral law is public and provides four (4) years.

Article 58. The ordinary courts, regardless of jurisdiction, hear electoral crimes and misdemeanors.

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TITLE III THE STATEMENTS RIGHTS AND GUARANTEES

CHAPTER I THE STATEMENTS

Article 59. The human person is the supreme purpose of society and the state. Everyone has an obligation to respect and protect it. Human dignity is inviolable. To ensure the rights and freedoms recognized in this Constitution, created the institution of the National Commissioner for Human Rights. The organization, powers and duties of National Commissioner for Human Rights will be a special law.

Article 60. All men are born free and equal in rights.

In Honduras there are no privileged classes. All Hondurans are equal before the law.

Shall be punishable any discrimination based on sex, race, class and any other prejudicial to human dignity.

The law shall establish the crimes and penalties for violators of this provision.

Article 61. The Constitution guarantees the Hondurans and foreigners residing in the country, the right to inviolability of life, individual security, freedom, equality before the law and property.

Article 62. The rights of every man are limited by the rights of others, the security of all and the just demands of the general welfare and democratic development.

Article 63. The declarations, rights and guarantees enumerated by this Constitution, shall not be interpreted as a denial of other claims, rights and guarantees, unspecified, born of the sovereignty of the republican, democratic and representative governance and the dig-

Article 59. Reformed by Decree No. 191-94 dated December 15, 1994, published in the Official Gazette No. 27.553 dated January 14, 1995. Ratified by Decree No. 2-95 dated February 7, 1995, published in the Official Gazette No. 27.595 of March 4, 1995.

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nity of man.

Article 64. Not applicable laws and regulations or other governmental order, governing the exercise of declarations, rights and guarantees established in this Constitution, if the decrease, restrict or distort.

CHAPTER II INDIVIDUAL RIGHTS

Article 65. The right to life is inviolable.

Article 66. Prohibiting the death penalty.

Article 67. To the unborn is considered born for all that he favors within the limits prescribed by law.

Article 68. Everyone has a right to respect for their physical, psychological and moral.

No one shall be subjected to torture or cruel, inhuman or degrading treatment.

Any person deprived of liberty shall be treated with respect for the inherent dignity of the human being.

Article 69. Personal freedom is inviolable and only in accordance with the law may be restricted or suspended temporarily.

Article 70. All Hondurans have the right to do whatever does not harm another and no one is forced to do what is not legally prescribed, or prevented from running what the Act does not prohibit.

No person may take the law itself, or engage in violence to claim their right.

No personal service is required, or be provided free of charge, but under law or sentence based on law.

Article 71. No person may be detained or imprisoned for more than twenty-four (24) hours without being put on the order of competent authority for trial. Court to inquire detention may not exceed six (6) days after the occurrence thereof.

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Article 72. Is the free expression of opinion by any media without prior censorship. Are accountable to the law to abuse this right and by those who directly or indirectly restrict or prevent the communication and circulation of ideas and opinions.

Article 73. Workshops print, radio-electric stations, television and other means of transmission and dissemination of thought and all its elements, can not be seized or confiscated, or terminated or interrupted their work because of crime or misdemeanor in the expression of opinion without prejudice to the responsibilities that are incurred for these reasons, in accordance with the law.

No company in the diffusion of ideas may receive subsidies from foreign governments or political parties. The law shall establish the appropriate sanction for violation of this provision.

The direction of the newspapers, radio and television, and intellectual leadership, politics and administration thereof shall be exercised exclusively by Hondurans by birth.

Article 74. You can not restrict the right of expression of opinion by indirect methods or means, such as the abuse of government or private controls the material used for printing newspapers; of frequencies or equipment or apparatus used to merge the various information.

Article 75. The law governing the issuance of thought, may establish prior censorship to protect the ethical and cultural values of society and the rights of people, especially children, adolescents and youth.

The commercials for alcoholic beverages and consumption of snuff is regulated by law.

Article 76. The right to honor, privacy, family and self image.

Article 77. Guarantees the free exercise of all religions and faiths without any precedence, unless it contravenes the law and order.

he ministers of different religions, may not hold public office or make any form of political propaganda, on grounds of religion or using as a means to that end, of the religious beliefs of the people.

Article 78. Guaranteed freedoms of association and assembly and

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which are not contrary to public order and morality.

Article 79. Everyone has the right to meet with others, peaceful mind and without weapons, in public statements or in a transitional assembly in relation to their common interests of any nature, without warning or special permission.

Outdoor meetings and political in nature may be subject to a special permit for the sole purpose of ensuring public order.

Article 80. Any person or association of persons has the right to petition the authorities for reasons of either general or particular interest and get a prompt response within the legal time limit.

Article 81. Everyone has the right to move freely, leave, enter and remain in the country.

Nobody can be forced to change his domicile or residence except in special cases and with the requirements established by law.

Article 82. The right of defense is inviolable.

The inhabitants of the Republic have access to the courts to exercise their activities in ways that suggest the laws.

Article 83. It is for the State to appoint attorneys to defend the poor and to ensure people and interests of minors and disabled. Give them legal advice and represent them in court in defense of individual liberty and other rights.

Article 84. No one shall be arrested under warrant issued by competent authority, issued with the formalities and legal authorities on the grounds previously established in the Act.

However, *infraganti* offender may be arrested by any person for the sole purpose of surrender to the authority.

The arrested or detained should be informed immediately and very clearly their rights and the facts alleged against him, and also enable the authority to arrest for communicating a relative or person of your choice.

Article 85. No person may be detained or imprisoned except in places determined by the law.

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Article 86. Any person subject to trial, who is being detained is entitled to remain separate from those who have been convicted by a court.

Article 87. Prisons are establishments social security and defense. They will seek the rehabilitation of the prisoner and his preparation for the job.

Article 88. There shall be violence or coercion of any kind on people to force them to testify.

Nobody can be forced into criminal matter, disciplinary or police to testify against himself, against a spouse or domestic partner, or their relatives within the fourth degree of consanguinity or second of affinity.

Will only test the statement made before a competent judge.

Any statement obtained in violation of any of these provisions is void and those responsible will incur the penalties provided by law.

Article 89. Everyone is innocent until his liability is declared by a competent authority.

Article 90. But nobody can be tried by judge or court in accordance with the procedures, rights and guarantees established by law.

Recognizes the jurisdiction of war crimes and breaches of military orders. In any case, military courts may extend its jurisdiction over persons who are not in active service in the Armed Forces.

Article 91. When a crime or lack of military order, was involved a civilian or a military low, try the case the competent authority of the ordinary.

Article 92. No arrest warrant may be provided without a full trial to proceed if committed a crime or offense that would warrant the penalty of deprivation of liberty, and there is no evidence of who is its author.

The same is to be declared guilty.

Article 93. Even with no arrest warrant can be taken to prison or detained in it, if granted sufficient security, in accordance with the law.

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Article 94. No one penalty without first having been heard and convicted in court, and it has been enforced by order of a judge or competent authority.

In cases of urgency and other similar matters in civil or labor as well as a fine or arrest the police if the person concerned must be heard.

Article 95. No person shall be punished with imprisonment not previously established in the Act, or may be tried again for the same offenses that led to earlier trials.

Article 96. The Act has no retroactive effect, except in criminal matters when the new law favors the offender or the accused.

Article 97. No one shall be condemned to infamous punishment, banned or confiscatory.

Provides the penalty of deprivation of liberty for life, the criminal law will determine your application to those crimes whose commission in serious circumstances, offensive and degrading to the impact caused by shock, denial, anger and disgust in the national community.

The custodial sentences for simple offenses and accumulated for several offenses are set out under the Criminal Law.

Article 98. No person may be detained, arrested or imprisoned for obligations not coming from the offense.

Article 99. The home is inviolable. No login or registration may be verified without the consent of the person who lives or resolution of competent authority. However, may be searched in case of emergency, or to prevent the impunity of crimes or to prevent serious damage to person or property.

Except for emergency cases, the search of the home can not be verified from (6) six p.m. to (6) six o'clock, without incurring liability.

Article 90 second paragraph Portrayed by Decree 58-93, dated March 30, 1993 and published in the Official Gazette No. 27.059 of June 2, 1993. In the sense that means "Out of War": The provisions contained in the military criminal law to be applied by military tribunals for members of the Armed Forces who are discharged and in service, in incurriren the commission of offenses of a strictly military nature. In case of conflict of jurisdiction as to whether the crime is common criminal or military criminal jurisdiction prevail.

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The law shall determine the requirements and formalities to take place entry, search or raid, and the responsibilities that may incur to conduct him.

Article 100. Everyone has the right to the inviolability and secrecy of communications, in particular the postal, telegraph and telephone, unless a court decision.

The books and records of traders and personal documents, only be subject to inspection or supervision of the competent authority in accordance with the law

Papers, books, records and documents referred to in this article that was raped or abducted, they will believe in faith.

In any case, keep your secret from the purely private matters unrelated to the subject matter of the action of the authority.

Article 101. Honduras recognizes the right of asylum in such form and manner established by law

Where appropriate in accordance with the Act to revoke or not to grant asylum, in no case to expel asylum or political persecution, to the territory of the State can claim.

The State does not allow the extradition of prisoners on political and related common.

Article 102. Honduran expatriate may not be delivered by the authorities or to a foreign state.

Article 103. The State recognizes, promotes and ensures the existence of private property in its broadest concept of social function and without other limitations than those who for reasons of necessity or public interest law established

Article 104. The right of ownership does not affect the State's eminent domain.

Article 97. Restored by Decree 46-97 dated May 5, 1997 and published in the Official Gazette No. 28.318 dated July 23, 1997. Ratified by Decree No. 258-98 dated October 30, 1998 and published in the Official Gazette No. 28.736 dated December 9, 1998.

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Article 105. Prohibits the confiscation of property.

The property can not be limited in any way because of political crime.

The right to claim the confiscated property is imprescriptible.

Article 106. Nobody can be deprived of his property but because of necessity or public interest qualified by law or by resolution in accordance with the law, and without a prior fair compensation.

In case of war or internal disturbance, it is essential that compensation is on, the payment shall be made at the latest (2) two years after the state of emergency.

Article 107. The state land, ejido, communal or private property located on the border to neighboring states or on the coast of both seas, in an extension of (40) forty kilometers into the country and the islands, cays, reefs, escolladeros, rock, Sirte and sandbars, they may only be acquired or owned or held under any title by Hondurans by birth, by companies incorporated in their entirety by Honduran partners and state institutions, under penalty of nullity of the respective act or contract.

Article 107. The Free Trade Agreement DR-CAFTA, Decree No. 16-2006 of March 15, 2006, in regard to this article states:

State land, common land and private land 40 kilometers of borders and coastlines, and such lands in the islands, cays, reefs, escolladeros, Sirte and sand banks in Honduras, you can buy, possess, or sustained only by the title under any Honduras national by birth, by companies incorporated entirely by nationals of Honduras and the state institutions.

Notwithstanding the foregoing paragraph, any person may acquire, own, lease or hold up to forty (40) years (which may be renewable) urban land in these areas provided it is certified and approved for tourism, economic development and social or to the public interest by the Secretary of State for Tourism.

Any person who acquires, possesses, holds or hold such land for urban land that can be transferred only after authorization by the Secretary of State for Tourism.

Article 107. See also Decree 90-90, dated August 14, 1990, published in the Official Gazette dated August 20 of 1990. Ley for the Acquisition of Assets in Urban Areas delineating section 107 of the Constitution of the Republic. The purpose of this Act is to regulate the acquisition of mastery of urban buildings located in the Air referred to in Article 107, for individuals who are not Honduran by birth and by companies that are not incorporated in their entirety by Honduran partner. These carriers must have been declared as tourist potential or be located within the areas of tourism that have been declared as such by the Ministry of Tourism after the opinion issued by the National Agrarian Institute and the municipality. The opinion of the National Agrarian Institute must specifically decide whether the carriers intend to testify are not within the urban agrarian reform program. Also the council whether or not the air ejido. The Regulation establishes the requirements,

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The acquisition of urban property, within the limits listed above will be the subject of special legislation.

Registrars are prohibited from the property registration documents which violate these provisions.

Article 108. Every author, inventor, producer or merchant shall have exclusive ownership of his work, invention, trademark or trade name under the Act.

Article 109. he taxes are not confiscatory.

obody is obliged to pay taxes and other taxes that have not been lawfully declared by Congress, in regular session.

No authority apply provisions contrary to this provision without incurring responsibility to determine the law.

Article 110. No individual who is free to manage their property, shall be deprived of their right to terminate civil matters by arbitration or compromise.

CHAPTER III SOCIAL RIGHTS

Article 111. The family, marriage, motherhood and childhood are under state protection.

Article 112. Recognizes the right of men and women, who have the quality of course, to marry one another, as well as the legal equality of spouses.

Is valid only marriages celebrated before civil officer competent authority and the conditions required by law

It recognizes marriages between people equally capable of marriage. The Act specifies the conditions under which it takes the effects of marriage.

obligations, conditions and deadlines to be met by tourism projects that are to be developed. Articles 1 and 4 and Decree No. 968, the Declaratory Act, Planning and Development of Tourism Zones, Title V, Chapter V, Article 16.

Article 112. Restored by Decree 176-2004 dated October 28, 2004, published in the Official Gazette No. 30,586 dated January 3, 2005. Ratified by Decree No. 36-2005 dated March 29, 2005 and published in the Official Gazette No. 30,687 dated May 4, 2005.

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Prohibiting marriage and de facto unions between same sex.

Marriages or marriages between persons of the same sex entered into or recognized under the laws of other countries have no validity in Honduras.

Article 113. Recognize the divorce as a dissolution of marriage.

The law shall regulate its causes and effects.

Article 114. All children have the same rights and duties.

Qualifications are not recognized on the nature of parenthood. In any record or document relating to paternity declaration shall be differentiated by noting the birth or marital status of parents.

Article 115. Authorizing the investigation of paternity. The Law determines the procedure.

Article 116. Recognizes the right of adoption to people linked by marriage or de facto union.

It is forbidden to adopt children or girls in a marriage or de facto unions, comprised of the same sex. The law shall regulate the institution.

Article 117. The elderly deserve special protection from the state.

Article 118. The family will be subject to special legislation that protects and promotes.

CHAPTER IV CHILD RIGHTS

Article 119. The State has an obligation to protect children.

Children shall enjoy the protection provided for in international agreements which safeguard their rights.

Laws to protect children are a matter of public establishments and officers for this purpose are of social welfare centers.

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Article 120. Children, physically or mentally handicapped, those of misconduct, the orphaned and abandoned, are subjected to special legislation, rehabilitation, monitoring and protection as appropriate.

Article 121. Parents are obliged to feed, educate and assist their children during their minority, and in other cases in which law is applicable.

The State will provide special protection to minors whose parents or guardians are unable financially to provide for their upbringing and education.

These parents or guardians shall have preference for the performance of public officials in similar circumstances approvals.

Article 122. The law shall establish the jurisdiction and special courts that hear family matters and juvenile matters.

Do not allow the entry of a child under eighteen (18) years imprisonment or a prison.

Article 123. Every child should enjoy the benefits of social security and education.

Shall be entitled to grow and develop in health, which should be provided both to him and his mother, special care from the prenatal period, with the right to enjoy food, housing, education, recreation, sports and adequate medical services.

Article 124. Every child must be protected against all forms of neglect, cruelty and exploitation. Will not be any question.

Must not work before an appropriate minimum age, nor will it engage in any occupation or employment which would prejudice their health, education, or to prevent their physical, mental or moral.

The use of children by parents and others for acts of begging.

The Act specifies penalties for those involved in the violation of this provision.

Article 125. The media should cooperate in training and education of children.

Article 126. Every child should in all circumstances be among the first

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to receive relief, protection and relief.

CHAPTER V LABOR

Article 127. Everyone has the right to work, to free choice of occupation and to relinquish it, to just and favorable conditions of work and to protection against unemployment.

Article 128. The laws governing relations between employers and employees are public. Are zero events, conventions or stipulations involving waiver, compromise, restrict or distort the following guarantees:

1. Regular daytime hours of work shall not exceed (8) eight hours a day, or (44) and forty-four a week.
The regular night work shall not exceed (6) six hours a day, or thirty-six (36) a week.
The mixed normal working day shall not exceed (7) seven hours a day or (42) and forty-two a week;
All these days are paid a salary equal to (48) forty-eight hours of work. The remuneration of the work done on overtime will be in accordance with the provisions of the Act.
These provisions do not apply in cases of exception, qualified by law;
2. No employee may be required to perform tasks that extend over (12) twelve hours in every period of twenty-four (24) successive hours, except when qualified by the Law;
3. A corresponding equal pay equal work without discrimination, provided that the position, hours and conditions of efficiency and service time are also equal.

The wages must be paid with legal tender;

4. Claims by the workers for wages, compensation and other benefits, are uniquely privileged in accordance with the Act;
5. Every worker has the right to earn a minimum wage, fixed peri-

Article 122 second paragraph. Portrayed by Decree No. 41-95 dated March 14, 1995 and published in the Official Gazette No. 27.633 of 21 April 1995. In the sense that children under 18 years who infringe the penal law, shall be confined in special centers that determine the law, other than jails or prisons.

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odically by the State, employers and workers, sufficient to meet the normal requirements of their home, in their material and cultural basis of the detailed work to particular conditions of each region and each task, the cost of living, the relative fitness of workers and the pay systems of the companies;

They also indicate a minimum wage in those professional activities in which it was not covered by a contract or collective agreement;

The minimum wage is exempt from seizure, compensation and deductions, except as provided by law in response to family and union workers;

6. The employer is obliged to comply with and enforce them on the premises of their establishments, the laws on health and safety by taking appropriate security measures in the workplace, to prevent occupational hazards and ensure the physical and mental workers.

Under the scheme are subject employers farms. There will be a special protection for women and minors;

7. Children under sixteen (16) years and who have reached that age and education continue to be subject to under the law, may not be employed in any work.

However, the labor authorities may authorize the occupation when they consider essential for the survival of themselves, their parents or their brothers and only if this does not prevent compliance with compulsory education.

For those under seventeen (17) years working times to be daytime, may not exceed six (6) hours or (30) thirty a week in any job;

8. The employee is entitled each year to enjoy a holiday with pay, whose extent and timing shall be regulated by law

In any case, the worker is entitled to payment in cash for the holidays and the proportion due for the period worked.

Holidays may not be compensated by money, not accumulate and the employer is obliged to give the worker and to enjoy it.

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The law shall regulate the duties and the cases of emergency allowed to accumulate vacation and compensation;

9. Workers have the right to rest paid holidays specified by law shall determine the type of work that do not governed by this provision but in these cases, workers are entitled to extra remuneration;
10. Recognizes the right of workers to pay for the seventh day, permanent workers will also pay the thirteenth month for Christmas. The law shall regulate the manner and method of application of these provisions;
11. Women have the right to rest before and after childbirth, without loss of their job or their salary. In the lactation period is entitled to a rest day to breastfeed their infants. The employer may not terminate the contract of employment of women pregnant or after delivery, without checking the just cause before a competent court in the cases and conditions stipulated by law;
12. Employers are obliged to compensate the worker for work accidents and occupational diseases under the Act;
13. Recognizes the right to strike and strike. The law shall regulate the exercise and may subject it to special restrictions on public services to be determined;
14. Workers and employers are entitled under the law, to associate freely for the exclusive purposes of its economic and social activities, organizing unions or professional associations, and,
15. The state safeguards the individual contracts and collective agreements between employers and workers.

Article 129. The Act guarantees the stability of employment, according to the characteristics of industries and professions, and the just causes of separation. When unfair dismissal takes effect and strong it is, the sentence in question, the worker shall be entitled at its option, to remuneration in respect of wages failed to receive, by way of damages, compensation and legal and conventionally planned; or, to be returned to work with the recognition that they had not received wages, for damages.

Article 130. Recognized when a homemaker a status similar to that of other workers, taking account of the particularities of their work.

Article 131. Domestic workers are covered by social legislation. Those who provide domestic services in industrial, commercial, social and other equivalent, are considered as manual workers and have the rights to them.

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Article 132. The Law regulates contracts for workers in agriculture, livestock and forestry, land transport, air, sea and inland waterways and railways, the oil and mining activities, of the employees of trade and of those others who conducted within modalities.

Article 133. Workers independent intellectuals, and the result of his activity to be covered by protective legislation.

Article 134. Are subject to the jurisdiction of the work, all legal disputes arising in relations between employers and workers. The law shall establish rules pertaining to such jurisdiction and the agencies who have to implement them.

Article 135. Labor laws are based on harmony between capital and labor as factors of production.

The State must protect workers' rights, while protecting the capital and the employer.

Article 136. The employee can participate in the profits or benefits from your employer, but never take risks or losses.

Article 137. Being equal, the Honduran workers be given preference over foreign workers.

It prohibits employers employ less than ninety (90%) percent of Honduran workers and pay them less than eighty-five (85%) percent of total wages that are earned in their respective companies. These proportions may be altered in exceptional cases determined by law.

Article 138. In order to enforce security and labor laws, the state will monitor and inspect the companies, imposing sanctions if necessary to establish the Law Ley.que determine.

Article 139. The State has an obligation to promote, organize and regulate the conciliation and arbitration for the peaceful settlement of disputes.

Article 140. The State shall promote vocational and technical training of workers.

Article 141. The employers who determine the amount of its capital or the number of its employees, must provide them and their

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families, education, health, housing or otherwise.

CHAPTER VI SOCIAL SECURITY

Article 142. Everyone has the right to security of their economic livelihood in case of incapacity to work or get paid work.

Social security services to be provided and administered by the Honduran Institute of Social Security to cover sickness, maternity, family allowance, old age, orphans, forced stoppages, accidents, unemployment verified, diseases and all other contingencies affecting the ability to produce.

The State shall establish institutions Assistance and Social Security that will work in a unified state unitary system with input from all stakeholders and the State.

Article 143. The state, employers and workers, are obliged to contribute to financing, improvement and expansion of Social Security. The social security system will be implemented in a gradual and progressive, both in terms of risks covered and the geographical areas and categories of workers covered.

Article 144. It is considered of public utility extending the social security scheme for workers in the city and countryside.

CHAPTER VII OF HEALTH

Article 145. It recognizes the right to health protection.

It is the duty of all to participate in the promotion and preservation of health staff and community.

The State retains the right environment to protect people's health.

Article 146. It is for the State through its agencies and the agencies constituted under the law, regulation, supervision and control of food-stuffs, chemicals, pharmaceuticals and biologicals.

Article 147. The law shall regulate the production, trafficking, possession, gift, marketing and use of psychotropic drugs that may only be targeted at health care facilities and scientific experiments under

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the supervision of the competent authority.

Article 148. Created the Honduran Institute for the Prevention of Alcoholism, Drug Addiction and Drug Unit, which is governed by a special law.

Article 149. The executive branch through the Ministry of Health, will coordinate all public activities of the centralized and decentralized agencies of the sector through a national health plan, which will give priority to the neediest groups.

It is for the State to monitor the activities of private health in accordance with the law.

Article 150. The Executive will encourage programs to improve the nutritional status of Hondurans.

CHAPTER VIII OF EDUCATION AND CULTURE

Article 151. Education is essential function of State for conservation, promotion and dissemination of culture, which must project their benefits to society without discrimination of any kind.

National education shall be secular and based on the basic principles of democracy, inculcate and encourage learners in deep feelings of Honduras and should be linked directly with the process of economic and social development.

Article 152. Parents have a prior right to choose the kind of education that will give your children.

Article 153. The State has an obligation to develop basic education of the people, creating the effect of national administrative and technical resources directly under the Secretary of State for Education.

Article 154. The eradication of illiteracy is the primary task of the state. It is the duty of all Hondurans to cooperate to achieve this end.

Article 155. The State recognizes and protects the freedom of research, teaching and lecturing.

Article 156. Levels of formal education will be determined by law, except the top level corresponding to the National Autonomous University of Honduras

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Article 157. Education at all levels of formal education system, except the top level, will be authorized, organized, directed and supervised exclusively by the executive branch through the Ministry of Education, which administered the system of centers that are fully funded public funds.

Article 158. No school may offer lower-quality knowledge to the level it deserves under the law.

Article 159. The Ministry of Education and the National Autonomous University of Honduras, without impairing their respective competence, will take the necessary measures for the general planning of national education is integrated into a coherent system, so that learners respond adequately to the demands of higher education.

Article 160. The National Autonomous University of Honduras is an autonomous institution of the state, with legal personality, enjoys the exclusive right to organize, manage and develop higher education and vocational education. Contribute to scientific research, humanistic and technological, to the general diffusion of culture and the study of national problems. Shall schedule their participation in the transformation of Honduran society.

The Act and its rules determine its organization, functioning and powers.

For establishment and operation of private universities, a special law is issued in accordance with the principles established by this Constitution.

Shall be valid only for formal academic qualifications awarded by the National Autonomous University of Honduras as well as those granted by private universities and abroad, all recognized by the National Autonomous University of Honduras.

The National Autonomous University of Honduras is the sole authority to decide on the additions of professional graduates of foreign universities.

Article 160. Portrayed by Decree No. 160 dated November 25, 1982 and published in the Official Gazette No. 24.035 of June 18, 1983. Fourth paragraph, in the sense that the academic qualifications awarded by private and foreign universities must be accredited by the National Autonomous University of Honduras, pending the issuance of the Special Act referred to the third paragraph of that article, provided they have fulfilled the requirements of the Act under which the effect was obtained.

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Only persons who hold valid title may exercise professional activities. Titles that do not have a university which granted the executive branch will be legally valid.

Article 161. The State will contribute to the maintenance, development and enlargement of the National Autonomous University of Honduras, with an annual allocation of deprivation of not less than six (6%) percent of net revenue budget of the Republic, excluding loans and donations.

The National Autonomous University of Honduras is exempt from taxation and contributions.

Article 162. Being an informative and educational, teaching has a social function that determines human and educator for the scientific and moral responsibilities to his disciples, to the institution in which work and society.

Article 163. Teacher role and is the sole responsibility of the State, means a teacher who manages, organizes, directs, imparts or supervises educational work and supports the teaching profession.

Article 164. In-service teachers in primary schools shall be exempt from taxation on salaries and accruing on the amounts subsequently paid in respect of retirement.

Article 165. The Act ensures that practitioners of teaching their stability at work, a standard of living commensurate with its lofty mission and a fair retirement.

It will issue the corresponding Statute of Teaching Hondurans.

Article 166. Any natural or legal person is entitled to establish schools within the Constitution and the Law

The working relationship between teachers and owners of private

Article 164. Portrayed by Decree No. 227-2000 dated November 30, 2000 and published in the Official Gazette No. 29.373 dated January 9, 2001. In the sense that they enjoy exemption from all tax obligations to national and municipal level, all those professionals who manage, organize, direct, teach or supervise the work of education at all levels of our educational system, provided they support the the teaching profession. It is understood that the exemption referred to in this article only covers the salaries paid under the defined teaching of the exercise as described above, and the amounts which it may be in retirement or pension.

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institutions, shall be governed by the laws of education, notwithstanding the benefits arising out of the labor law.

Article 167. The owners of farms, factories and other facilities in rural areas, are required to establish and maintain schools of basic education, to benefit the children of their permanent workers, provided that the number of school-age children than thirty (30) and in border areas than (20) twenty.

Article 168. The teaching of the Constitution of the Republic, the national history and geography, is mandatory and will be taught by professionals Hondurans.

Article 169. The State will support and encourage the education of the handicapped.

Article 170. The State will promote the development of extra-school education through libraries, cultural centers and all forms of dissemination.

Article 171. The formal education is free and is also basic, compulsory and fully funded by the State. The State will establish the mechanisms of compulsion to enforce this provision.

Article 172. Any rich anthropological, archaeological, historical and artistic Honduras is part of the cultural heritage of the Nation.

The law shall establish standards that serve as the basis for their conservation, restoration, maintenance and restoration, if any.

It is the duty of all Hondurans to ensure its conservation and preventing theft.

The beauty of cultural sites, monuments and areas, will be under state protection.

Article 173. The State will encourage and preserve native cultures and the genuine expressions of national folklore, popular art and handicrafts.

Article 174. The State shall promote the hobby and exercise of physical culture and sports.

Article 175. The State will promote and support the dissemination of

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national production and foreign authors being creations legitimate philosophical, scientific or literary contribution to national development.

Article 176. The media are the rule in the service of education and culture. The private media are obliged to contribute to achieving these ends.

Article 177. Establishing professional associations mandatory. The law shall regulate its organization and operation.

CHAPTER IX OF HOUSING

Article 178. Honduras recognizes the right of housing. The State shall formulate and implement programs for social housing.

The law shall regulate the rental housing and local land use and urban construction, in accordance with the general interest.

Article 179. The State shall promote, support and regulate the development of systems and mechanisms for the use of internal and external resources to be channeled towards solving the housing problem.

Article 180. Credit and loans, internal or external state gets for housing shall be regulated by law for the benefit of the end user of the credit.

Article 181. Created the Social Housing Fund, whose purpose will be to develop housing in urban and rural areas. A special law shall regulate its organization and operation.

TITLE IV CONSTITUTIONAL GUARANTEES

CHAPTER I OF HABEAS CORPUS AND AMPARO

Article 182. The State recognizes the guarantee of habeas corpus or habeas corpus. Accordingly, any person aggrieved or any other on behalf of the family has the right to promote:

1. When prey are illegally detained or inhibited in any way in the

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- enjoyment of individual liberty, and
2. When the arrest or detention in legal, apply to a detainee or prisoner, torment, torture, harassment, extortion and illegal coercion, restriction or unnecessary annoyance for his personal safety or to the order of the prison.

The action of Habeas Corpus shall be without power or formality whatsoever, verbally or in writing, using any media, within hours or days or unfit and free of costs.

The judge or judges may not dismiss the writ of habeas corpus and have the obligation to proceed immediately to stop the violation of personal liberty or safety.

Courts no longer accept that these actions incur criminal liability and administrative.

The authorities and orders that the actors carries the concealment of the arrest or in any way violate the security liable to the crime of illegal detention.

Article 183. The State recognizes the Guarantee Amparo.

Accordingly any person aggrieved or any other on its behalf, has the right to appeal:

1. To be maintained or restored in the enjoyment and the enjoyment of rights and guarantees established by the Constitution, and
2. To declare that in cases where a law, resolution, act or act of authority, does not require the appellant does not apply contravention, reduce or distort any of the rights recognized by this Constitution.

Amparo be made under the Act .

CHAPTER II

AND THE UNCONSTITUTIONALITY OF THE REVIEW

Article 184. The laws may be declared unconstitutional on grounds of form or content.

The Supreme Court is responsible for understanding and resolution original and exclusive in the matter, and shall act with the require-

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ments of the final judgments.

Article 185. The declaration of unconstitutionality of a law and its inapplicability, may be requested by those who wronged her in direct, personal and legitimate

1. By way of action to be brought before the Supreme Court;
2. By way of exception, which may raise in any judicial proceedings, and
3. Also the judge or court hearing in any judicial proceedings may apply to craft a declaration of unconstitutionality of a law and its inapplicability before making decision.

In this case, and is subject to the foregoing shall be suspended proceedings bringing the proceedings to the Supreme Court.

Article 186. No power or authority may avocado pending or open trials died, except in cases tried in criminal and civil matters that can be reviewed at any time for the condemned to their petition of any person, the public prosecutor or ex officio .

This action shall be brought before the Supreme Court. The law shall regulate the cases and the review.

CHAPTER III OF THE RESTRICTION OR SUSPENSION OF RIGHTS

Article 187. The exercise of the rights established in Articles 69, 71, 72, 78, 81, 84, 93, 99 and 103, may be suspended in case of invasion of national territory, serious disturbance of the peace, epidemic or other calamity Overall, the President of the Republic, in accordance with the Council of Ministers, through a decree that will contain:

1. The reasons;
2. The security or guarantees that are restricted;
3. The security or guarantees that are restricted;
4. The time it will last. It also called on Congress to decree that within (30) thirty days, hear this decree and ratify, amend or impruebe.

Which, if met, will know immediately of the decree.

The restriction of guarantees may not exceed a period of (45) and forty-five days each time they are issued.

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If prior to the deadline prescribed for restriction, have disappeared as the grounds the decree, will cease in its effects, and if every citizen has the right to appeal their review. The expiration of (45) and forty-five days, security is restored automatically, unless it was given new decree restrictions.

The restriction of guarantees issued in any way affect the operation of state agencies, whose members always enjoy the immunities and privileges granted by law.

Article 188. The territory that the assurances were suspended in the previous article, during the suspension shall be governed by the Act of State site, but neither that law nor any other may be provided in the suspension of further guarantees that the above.

Neither can be done, during the suspension, declarations of new offenses or imposed other penalties as those already established in the existing laws of a suspension.

TITLE V THE POWERS OF THE STATE

CHAPTER I THE LEGISLATURE

Article 189. Legislative power is exercised by a Congress of Deputies States, who shall be elected by direct suffrage. Will meet in regular session in the capital of the Republic of the twenty-fifth day of January each year, without having to call, and closing sessions of the thirty-one in October of that year.

The sessions may be extended for as long as necessary by resolution of Congress, an initiative (1) or more of its members or when requested by the Executive.

Breaks shall be established in the Rules of Procedure.

Article 190. The National Congress shall meet in extraordinary ses-

Article 189. Portrayed by Decree No. 287-98 dated November 30, 1998 and published in the Official Gazette No. 28.765 dated January 27, 1999. In the end, declaring that the Members of Congress, either individually or as part of the Legislature or in meetings of the Standing Committee, are public servants, because, individually and collectively are only holders of the legislative function, and therefore lacked jurisdiction attached, understood as the power or authority are public officials and employees, individually or collectively to govern and to exercise the enforcement of laws in the jurisdiction and administration.

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sion:

1. When requested by the Executive;
2. When convened by its Standing Committee, and
3. When you remember more than half of its members.

In these cases only address the issues that prompted the decree of convocation.

Article 191. A number of five (5) Members may convene the National Congress for extraordinary sessions at any place in the Republic, when the Executive authority, force majeure or fortuitous event, prevent the installation or the conduct of its meetings.

Article 192. For installation of the National Congress and holding their sessions will be enough more than half of its members.

Article 193. Neither the Congress nor any other authority of the State or individuals, may prevent the installation of the Congress, holding meetings or ordering the dissolution.

Contravention of this provision is an offense against the branches of government.

Article 194. January twenty-one Members will meet in preparatory meetings, with the concurrence of five (5) at least, the directive will be provisional.

Article 195. The twenty-third day of January will meet Members in their final preparatory session for the election of the directive outright.

The President of the National Congress shall serve for a period of (4) four years and is the Chairman of the Standing Committee.

The rest of the last directive (2) two years in office.

Article 196. Members shall be elected for a term of (4) four years from the date it was solemnly installed in the National Congress. If lack of a deputy, ending the period called for by Congress.

Article 197. Los diputados están obligados a reunirse en Asamblea en las fechas señaladas por esta Constitución, y asistir a todas las sesiones que celebre el Congreso Nacional, salvo incapacidad debidamente

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comprobada.

Members who with his absence and unjustified abandonment of the meetings, give no reason to form a quorum, or break it, they will be expelled from Congress and lost for a period of ten (10) years the right to elect to public office .

Article 198. To be elected a deputy is required:

1. Be Honduran by birth;
2. Attainment (21) twenty-one years of age;
3. Being in the exercise of civil rights;
4. Being a secular state, and
5. Being born in the department by which it is postulated or have resided in it for the last (5) five years preceding the date of elections.

Article 199. Can not be elected:

1. The President and the Chair Appointed to the Republic;
2. Judges of the Supreme Court;
3. Secretaries and Deputy Secretaries of State;
4. Military commanders with national jurisdiction;
5. The holders of the supreme leadership, governance and management of decentralized institutions of the State;
6. Soldiers on active duty and members of security forces or other armed forces;
7. Other officials and employees of the Executive and the Judiciary to be determined by law, except those engaged in educational and health care;
8. Judges of the Supreme Electoral Tribunal and the Director and Assistant Director of the National Registry of Persons;
9. Attorney and Deputy Attorney General of the Republic, members of the High Court of Accounts, Attorney General and Deputy Attorney General, Attorney for the Environment, the Superintendent of Concessions and the National Commissioner for Hu-

Article 199 paragraph 1. Reform implied. According to Decision of the Supreme Court dated November 11, 2008 on Appeal No. Unconstitutionality 514-592-2008, declared that, the partial repeal of sections 239 and 240, and sends the wording of its the original text of 1982. That ruling affects ex nunc 'ie from the date.

Article 199, paragraph 8. Restored by Decree 412-2002 of 13 November 2002 and published in the Official Gazette No. 30.017 of February 20, 2003. Ratified by Decree No. 154-2003 of September 23, 2003 and published in Official Gazette No. 30.253 of December 1, 2003.

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- man Rights;
10. *The spouse* and relatives within the fourth degree of consanguinity and affinity of the second mentioned in paragraphs 1, 2, 4, 8 and 9 above, and the Secretary and Assistant Secretary of State in the Defense and Public Security;
 11. The spouse and relatives of the chiefs of military regions, military commanders, military delegates, departmental or sectional, delegates of the security forces or other armed forces, within the fourth degree of consanguinity and second of affinity, if they candidates by the Department where they exercised jurisdiction;
 12. Dealers of the State for the exploitation of natural resources or contractors of public works or services that cost with state funds and who, for these concepts, have outstanding accounts with it, and
 13. Defaulting debtors of the public.

These incompatibilities and disqualifications affect those who hold the positions listed within six (6) months preceding the date of the election.

Article 200. Repealed.

1. Repealed.
2. Repealed.
3. Repealed.
4. Repealed.
5. Repealed.

Article 201. Buildings and facilities of the National Congress are inviolable. The President of the directive or its Standing Committee to authorize the entry of members of the public when circumstances so require.

Article 199, paragraph 9. Restored by Decree 268-2002 of 17 January 2002 and published in the Official Gazette No. 29.691 of 25 January 2002. Ratified by Decree No. 2-2002 of 25 January 2002 and published in the Official Gazette No. 29.800 of June 6, 2002.

Article 199, paragraph 11. Reformed by Decree 163 of 25 November 1982 and published in the Official Gazette No. 24.235 dated February 7, 1984. Ratified by Decree No. 10-84 of 9 February 1984 and published in the Official Gazette No. 24.262 of 9 March 1984.

Article 200 paragraphs 1, 2, 3, 4 and 5. Repealed by Decree No. 175-2003 dated October 28, 2003 and published in the Official Gazette No. 30.269 dated December 19, 2003. Ratified by Decree No. 105-2004 dated July 27, 2004, published in the Official Gazette No. 30.492 dated September 11, 2004.

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Article 202. The National Congress shall consist of a fixed number of one hundred and twenty-eight (128) Owners Representatives and their alternates, who shall be elected under the Constitution and the Law

Deputies shall be representatives of the people, the department will be distributed based on the ratio set by the Supreme Electoral Tribunal, in accordance with the Law on Elections and Political Organizations.

In those departments who have a smaller population to the ratio prescribed by the Supreme Electoral Tribunal shall be elected an MP and their respective Owner Substitute.

Article 203. Members in the exercise may not be paid public post during the time for which they were elected, except for academic, cultural and professional services related to welfare.

However, the posts of Secretaries and Deputy Secretary of State, Presidents or Managers decentralized, head of diplomatic mission, consular or diplomatic missions play Ad-hoc. In these cases, back to the National Congress to resign.

The alternates can play public office or employment without the acceptance and exercise produces loss of capacity.

Article 204. No Member may be leased, directly or indirectly, property of the State or obtain this contract or concessions of any kind.

Acts of violation of this provision will produce absolute nullity as of right.

Article 205. Correspond to the National Congress the following powers:

1. Create, enact, interpret, amend and repeal laws;
2. Convene, suspend and close its sessions;
3. Issuing its rules of procedure and apply the penalties set out therein for those who violate it;

Article 202. Restored by Decree 412-2002 dated November 13, 2002 and published in the Official Gazette No.30, 017 dated February 20, 2003, ratified by Decree No. 154-2003 dated September 23, 2003 and published in the Journal Official Gazette No. 30.253 dated December 1, 2003.

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4. Convene special sessions in accordance with this Constitution;
5. Incorporate their views with members of the credentials and receive a constitutional promise;
6. Members call alternate in case of lack, or temporary disability of the legitimate owners, or when they refused to attend;
7. Make scrutiny of votes and declare the election of the President, appointed to the Chair and Members of Congress and the Central American Parliament and members of municipal corporations, when the Supreme Electoral Tribunal has not done.
8. Accept the resignation of the Members for cause;
9. Choose the appropriate period and that the list of candidates proposed by the Nominating Board referred to in this Constitution, the Judges of the Supreme Court.
10. Interpret the Constitution in regular session in a single term, with two thirds (2 / 3) vote of all members. This procedure can not be interpreted the Constitutional Articles 373 and 374.
11. The election of Members of the High Court of Auditors and Deputy Attorney Attorney General, Judges of the Supreme Electoral Tribunal, Attorney General and Deputy Attorney General, Attorney and Deputy Attorney for the Environment, National Commissioner of Human Rights, Superintendent of Concessions, Director and Assistant Directors of the National Registry of Persons.
12. Receive the constitutional promise to the President and appointed to the Republic Presidency, declared elected, and the other officers chosen, and to grant leave or not to admit his resignation and

Article 205, paragraph 7. Reform implied. According to Decision of the Supreme Court dated November 11, 2008 on Appeal No. Unconstitutionality 514-592-2008, declared that, the partial repeal of sections 239 and 240, and sends the wording of its the original text of 1982. That ruling affects ex nunc from the date.

Article 205, paragraph 7. Restored by Decree 412-2002 dated November 13, 2002 and published in the Official Gazette No. 30.017 dated February 20, 2003. Ratified by Decree No. 154-2003 dated September 23, 2003 and published in the Official Gazette No. 30.253 dated December 1, 2003.

Article 205, paragraph 9. Restored by Decree 262-2000 of 22 December 2000 and published in the Official Gazette No. 29.414 of 26 February 2000. Ratified by Decree No. 38-2001 of 16 December 2001 and published in the Official Gazette No. 28.489 of May 29, 2001.

Article 205, paragraph 10. Refurbished by the addition of Decree 276-2002 of 8 August 2002 and published in the Official Gazette No. 29.861 dated August 16, 2002. Ratified by Decree No. 241-2003 dated January 20, 2004 and published in the Official Gazette No. 30.337 dated March 10, 2004.

Article 205, paragraph 10. Refurbished by the addition of Decree 276-2002 of 8 August 2002 and published in the Official Gazette No. 29.861 dated August 16, 2002. Ratified by Decree No. 241-2003 dated January 20, 2004 and published in the Official Gazette No. 30.337 dated March 10, 2004.

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- to fill the vacancies in case of absolute lack of any of them;
13. Grant or deny permission to the President and appointed to the presidency so they can leave the country for more than fifteen (15) days;
 14. Change the residence of the branches of government there are serious;
 15. **Repealed.**
 16. Grant amnesty for political crimes and related common, outside of this case Congress can not take decisions by way of grace;
 17. Grant or deny permission to accept charges for Honduras or decoration of another State;
 18. Enact temporary rewards and privileges granted to authors or inventors and industries that have introduced new or improved existing ones in general use;
 19. Approve or reject the contracts involved bear derogations, incentives and tax concessions, or any other contract that has to produce or prolong their effects to the next period of government of the Republic;
 20. Approve or reject the administrative conduct of the Executive Branch, Judiciary, Supreme Electoral Tribunal, High Court of Accounts, Attorney General, Attorney General of the Environment, Public Ministry, National Commissioner for Human Rights, the National Registry of Persons, decentralized institutions and other bodies of State and Special Assistants.
 21. Appoint special committees to investigate matters of nacional. La

Article 205 paragraphs 12 and 13. Reform implied. According to Decision of the Supreme Court dated November 11, 2008 on Appeal No. Unconstitutionality 514-592-2008, declared that, the partial repeal of sections 239 and 240, and sends the wording of its the original text of 1982. That ruling affects ex nunc from the date.

Article 205, paragraph 15. Repealed by Decree No. 175-2003 dated October 28, 2003 and published in the Official Gazette No. 30.269 dated December 19, 2003. Ratified by Decree No. 105-2004 dated July 27, 2004, published in the Official Gazette No. 30.492 dated September 11, 2004.

Article 205 Paragraph 19. Interpret. In the sense that the contracts referred to it include those who hold public sector entities, defined as public sector, the Executive and its agencies, including bodies that are attached decentralized, autonomous and decentralized institutions and municipalities, the legislature, the judiciary, constitutional bodies without specific assignment as the Public Ministry, the Supreme Electoral Tribunal (TSE), the Superior Court of Accounts (TSC), the Attorney General's Office (PGR) and other entities similar legal status of public and any state agency to be funded públicos. Decreto No. 2-2005 dated January 26, 2005, published in the Official Gazette No. 30.643 dated March 10, 2005.

Article 205, paragraph 20. Restored by Decree 412-2002 of 13 November 2002 and published in the Official Gazette No. 30.017 dated February 20, 2003. Ratified by Decree No. 154-2003 dated September 23, 2003 and published in the Official Gazette No. 30.253 dated December 1, 2003.

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appearance at the request of these committees will be mandatory under the same constraints that will be observed in court proceedings;

22. Interpellate the Secretaries of State and other officials of the central government, decentralized agencies, corporations and any other entity having an interest in the State, on matters relating to public administration;
23. Order the suspension or restriction of rights under the provisions of the Constitution and ratify, reject or modify the restriction or suspension that has given the executive power under the Act;
24. Confer the rank of major to Major General on the proposal of the Commander in Chief of the Armed Forces, at the initiative of President of the Republic;
25. Set the number of permanent members of the Armed Forces;
26. Authorize or deny transit of foreign troops through the territory of the country;
27. Authorize the executive branch out of Armed Forces to serve in foreign territory, in accordance with international treaties and conventions;
28. Declare war and make peace;
29. Authorize foreign military missions receiving assistance or technical cooperation in Honduras;
30. Approve or reject international treaties that the Executive has concluded;
31. Create or eliminate jobs and pensions decreed honors and relevant services to the homeland;
32. Approve annually the Budget of Income and Expenses on the basis of the project refers to the Executive, apportioned and resolve on its amendment;
33. Approve annual budgets disaggregated income and expenditure for the devolved institutions;
34. Order the weight of law and the national currency and the standard of weights and measures;
35. Establish and taxes and public charges;
36. Approve or reject loans or similar agreements that relate to the public credit, held by the Executive; To make the recruitment of borrowing abroad or those who, while in the country have agreed to be financed with foreign capital, is necessary that the respective project is approved by Congress;
37. Set in a law where necessary the granting of subsidies and grants

Article 205. Numeral 24. Reformed by Decree 163 of 25 November 1982 and published in the Official Gazette No. 24.235 dated February 7, 1984 and ratified by Decree No. 10-84 of 9 February 1984 and published in the Official Journal Gazette No. 24.262 dated March 9, 1984.

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for public utility or as an instrument of economic and social development;

38. Approve or reject the settlement of the General Budget of Revenues and Expenditures of the Republic and the budgets of the deconcentrated and decentralized institutions.

The High Court of Auditors shall act on those assessments and summarize his views on the efficiency and effectiveness of public sector management, which include expenditure evaluation, organization, performance, reliability and management control of internal audits, the plan and its implementation;

39. Regulate the payment of national debt, at the initiative of the executive branch;
40. Exercise control of public revenues;
41. Authorize the Executive to dispose of domestic goods or their application to public use;
42. Allow ports, create and remove customs and free zones on the initiative of the executive branch;
43. Regulate trade by sea, land and air;
44. Establish national symbols, and
45. Perform any other functions assigned to it in the Constitution and laws.

Article 206. The powers of the legislative branch may not be delegated except to receive the constitutional promise of high government officials, according to this Constitution.

Article 207. The directive of Congress, before closing its meetings, shall appoint from among its members, nine (9) members and their alternates owners who form the Standing Committee of the National Congress in recess.

Article 208. The duties of the Standing Committee:

1. Deliver its internal regulations;
2. Giving an opinion and filling out paperwork in the other businesses that have been pending, to be considered in the subsequent legislature;
3. Prepare for consideration of Congress the proposed reforms to

Article 205. Numeral 38. Restored by Decree 268-2002 of 17 January 2002 and published in the Official Gazette No. 29.691 dated January 25, 2002. Ratified by Decree No. 2-2002 of 25 January 2002 and published in the Official Gazette No. 29.800 dated June 6, 2002.

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- the laws demanding that they believed the country's needs;
4. Receive the Executive decrees issued in the past (10) ten days of sittings of Congress duly punished;
 5. Receiving complaints of violation of this Constitution;
 6. Keep in his custody and responsibility for the file of Congress;
 7. Publish an edition of all decrees and resolutions issued by the National Congress in its previous sessions, within three (3) months after the close of it;
 8. Congress to convene special sessions to excite the Executive or the requirement of the case so requires;
 9. The Executive receive documentation and information on economic agreements, lending or borrowing power that planned, authorized, or hiring out of detailed report to Congress at its next session;
 10. Submit to Congress a detailed report of its work during the period of its management;
 11. Choose interim, in case of absolute lack, substitutes for officials to be appointed by the National Congress;
 12. Call to integrate other Members for lack of members of the Commission;
 13. Grant or deny permission to the President and appointed to the President of the Republic for more than fifteen (15) days to leave the country.
 14. Appoint special committees as needed, comprised of members of Congress, and
 15. The other under the Constitution.

Article 209. Believe the Pagaduría Special Legislature, which will address the payment of all expenses of the business.

Article 210. The payment of Special Legislative Branch shall be under the immediate dependence of the directive of Congress, or if any of the Standing Committee.

Article 208 paragraph 2. Interpreted in the sense that the subsequent expression appears to be understood as follows immediately by Decree 169-86 of 30 October 1986 and published in the Official Gazette No. 25.097 dated December 10 1986.
buscar

Article 208, paragraph 13. Reform implied. According to Decision of the Supreme Court dated November 11, 2008 on Appeal No. Unconstitutionality 514-592-2008, declared that, the partial repeal of sections 239 and 240, and sends the wording of its the original text of 1982. That ruling is ex nunc effect ie from the date.

Article 213. Restored by Decree 412-2002 dated November 13, 2002 and published in the Official Gazette No. 30.017 dated February 20, 2003. Ratified by Decree No. 154-2003 dated September 23, 2003 and published in the Official Gazette No. 30.253 dated December 1, 2003.

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Corresponds to the directive of Congress the appointment of the payor, who must pay a deposit in accordance with the law.

Article 211. The Executive Power shall include in the General Budget of Expenses and Income of the Republic, the funds budgeted by the Legislature for its operation.

Article 212. The General Treasury of the Republic credited quarterly advance the necessary funds to meet expenditures of the National Congress.

CHAPTER II FROM TRAINING, PUNISHMENT ENACTMENT OF THE LAW

Article 213. They have only the law Members of the National Congress, the President, through the Secretaries of State and the Supreme Court and the Supreme Electoral Tribunal, in matters within their competence.

Article 214. No bill, but will definitely be voted after three (3) debates on different days, except on an emergency described by a simple majority of deputies present.
buscar

Article 215. Every bill, when approved by Congress, will be passed to the Executive, not later than within (3) three days of having been voted, so that it gives its sanction in your case and do enact as Law

The enactment of this Act shall Formula: therefore execute.

Article 216. If the executive branch find drawbacks to sanction the bill, return it to Congress within ten (10) days, with this formula; Return to Congress, stating the grounds on which it bases its disagreement. Si expressed in the term objetare not be will be sanctioned and promulgated as law.

When the Executive remits the Project, the National Congress submitted a new discussion, and if ratified by two thirds (2 / 3) vote, go back to the Executive, with this formula: Ratification and Constitutionally, it shall publish without delay.

If the veto is fundare that the bill is unconstitutional, may not be subject to further deliberation without a hearing before the Supreme

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Court, it shall deliver its opinion on the word that the National Congress will bring.

Article 217. When Congress voted a bill to complete its meetings and creates inconvenience Executive sanction is required to give notice immediately to remain together until ten (10) days from the date on which the Congress received the project, and not doing so, he must send in (8) eight days of the subsequent sessions of Congress.

Article 218. Sanction is not necessary, nor the Executive can put the veto in cases and following resolutions:

1. In elections to the National Congress does or declare, or waivers to admit or reject;
2. In the statements have no place in training or support;
3. The decrees which concern the conduct of the executive branch;
4. In issuing regulations for their internal governance;
5. The decrees to approve to move its headquarters to another place in the territory of Honduras or to temporarily suspend its meetings or to convene extraordinary sessions;
6. In the Budget Law;
7. In treaties or contracts improprie the National Congress;
8. The reforms that were to declare the Constitution, and
9. In the interpretations that were to declare the Constitution by Congress.

In these cases the government enacted the law with this formula: «*Thus, published*».

Article 219. Whenever a bill, not from the initiative of the Supreme Court, seeks to reform or repeal any provision contained in the codes of the Republic, not be discussed without hearing the opinion of that

Article 217. Interpretation. In the sense that the *subsequent* expression appears to be understood as follows immediately by Decree 169-86 of 30 October 1986 and published in the Official Gazette No. 25,097 dated December 10 1986.

Article 218. Restored by Decree 307-98 of 4 February 1998 and published in the Official Gazette No. 28,782 dated March 2, 1999. Ratified by Decree No.161-99 of October 20, 1999 and published in the Official Gazette No. 29,034 dated November 30, 1999. About this reform by adding an action to be unconstitutional by the National Commissioner for Human Rights, failed Supreme Court favorably. Congress ordered not to publish the ruling issued by the Constitutional Court dated May 7, 2003, by no derogations from the constitutional powers and whose validity and integrity to ensure that the legislative branch. The decree of the National Congress to 2009 has not been punished or ordered

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Court.

The Court will issue its report on the word that the National Congress will bring.

This provision does not understand the laws of political, economic and administrativo.sancionado or sent for publication.

Article 220. No bill rejected in whole or in part, be discussed again in the legislature.

Article 221. The law is mandatory under its enactment and after expiration (20) twenty days of completion of its publication in the Official Gazette. It may, however, restricted or extended by the Act within which this article and ordered, in special cases, another form of enactment.

CHAPTER III SUPERIOR COURT OF ACCOUNTS

Article 222. The High Court of Auditors is the governing body of the control of public resources, with functional autonomy and administrative branches of government, subject only to compliance with the Constitution and laws, shall be responsible to the National Congress of executive acts in the exercise of their functions.

The High Court of Auditors has the function of a posteriori control of the funds, assets and resources managed by the branches of government, decentralized and devolved institutions, including banks or mixed state, the National Commission of Banks and Insurance companies, municipalities and Special or any other body public or private entity that receives or manages public resources from internal or external.

In fulfilling its function must ensure the financial, management and results, based on efficiency and effectiveness, economy, fairness, truthfulness and legality. It is also establishing a system of transparent management of public servants, the determination of illicit enrichment and control of assets, liabilities, and in general, State property, to fulfill its function the Tribunal Senior Auditors shall have the powers to be

Artículos 222, 223 y 224. Reformado por Decreto 268-2002 del 17 de enero del 2002 y publicado en el Diario Oficial La Gaceta No. 29,691 de fecha 25 de enero del 2002. **Ratificado** por Decreto No. 2-2002 del 25 de enero del 2002 y publicado en el Diario Oficial La Gaceta No. 29,800 de fecha 6 de junio del 2002.

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determined by law.

In fulfilling its function must ensure the financial, management and results, based on efficiency and effectiveness, economy, fairness, truthfulness and legality. It is also establishing a system of transparent management of public servants, the determination of illicit enrichment and control of assets, liabilities, and in general, State property, to fulfill its function the Tribunal Senior Auditors shall have the powers to be determined by law.

Article 223. The High Court of Auditors shall consist of three (3) members elected by Congress, with the favorable vote of two thirds of all deputies.

Members of the High Court of Auditors shall be elected for a seven (7) years and may not be reappointed.

Lie to Congress the election of the President of the High Court of Auditors.

Article 224. Para ser Miembro del Tribunal Superior de Cuentas, se requiere:

To become a member of the High Court of Auditors is required:

1. Be Honduran by birth;
2. Be over thirty-five (35) years;
3. Being a citizen in the exercise of their rights;
4. Be recognized honesty and notorious conduct, and
5. Possess a university degree in the areas of economics, administrative, legal or financial.

Article 225. Repealed.

Article 226. The High Court of Auditors must report to Congress, through its President, in the first forty (40) days of completion of the fiscal year, the annual report of its management.

Article 227. All aspects related to the organization and functioning of the Superior Court of Auditors and its dependencies will be determined by the Law.

Article 225. Repealed by Decree 268-2002 of 17 January 2002 and published in the Official Gazette No. 29.691 dated January 25, 2002. Ratified by Decree No. 2-2002 of 25 January 2002 and published in the Official Gazette No. 29.800 dated June 6, 2002.

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CHAPTER IV THE ATTORNEY GENERAL

Article 228. The Attorney General has the legal representation of the state, its organization and operation shall be determined by law.

Article 229. Attorney and the Attorney General of the Republic shall be elected by the National Congress for four (4) years and may not be elected for a period thereafter, must meet the same conditions and have the same privileges and disabilities provided in this Constitution for the judges the Supreme Court.

Article 230. Civil actions resulting from the interventions of the High Court Accounts audit, shall be exercised by the Attorney General's office, except those related to municipalities to be officers of the state laws and, failing that, by the Attorney General of the Republic.

Article 231. The State shall allocate funds necessary for the proper organization and functioning of the Attorney General.

All government bodies will work with the Attorney General in carrying out their duties in the manner determined by law.

CHAPTER V ILLICIT ENRICHMENT

Article 232. Repealed.

Article 233. Illicit enrichment is presumed, when the capital increase of the public official or employee, from the date it has taken possession of his office to one that has ceased to function, was significantly higher than that normally could have been obtained under salaries and emoluments received legally, and increase of its capital or its income

Articles 226 and 227. As amended by Decree 268-2002 of 17 January 2002 and published in the Official Gazette No. 29.691 dated January 25, 2002. Ratified by Decree No. 2-2002 of 25 January 2002 and published in the Official Gazette No. 29.800 dated June 6, 2002.

Article 229. Interpreted in the sense that the subsequent expression appears to be understood as follows immediately by Decree 169-86 of 30 October 1986 and published in the Official Gazette No. 25.097 dated December 10 1986.

Article 230. Restored by Decree 268-2002 of 17 January 2002 and published in the Official Gazette No. 29.691 dated January 25, 2002. Ratified by Decree No. 2-2002 of 25 January 2002 and published in the Official Gazette No. 29.800 dated June 6, 2002.

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for any other lawful cause.

Illicit enrichment is also presumed when the public does not authorize the investigation of their bank deposits or business in the country or abroad.

To determine the increase referred to in the first paragraph of this article will be considered in the overall capital and revenue officer or employee, his spouse and their children.

The declaration of assets of public officials and employees shall be in accordance with the law

Acquitted when the public servant is entitled to resume his post.

Article 234. Repealed.

CHAPTER VI THE EXECUTIVE

Article 235. The title of the executive branch exercises in representation and to benefit the people of the Chairman and, failing that, *the nominees for President of the Republic.*

Article 236. The President and three (3) *Appointed as President of the Republic* shall be jointly and directly elected by the people by a simple majority vote. The election shall be declared by the Supreme Electoral Tribunal, and in his absence, by Congress or the Supreme Court if necessary.

Article 237. The presidential term is (4) four years and will begin the twenty-seventh day of January following the date on which the election was conducted.

Article 238. *To be President or appointed to the Republic is required:*

1. Be Honduran by birth;

Chapter V. The reform abolished concerning the Directorate General of Administrative Probity, Articles 232 and 234 of Decree 268-2002 of 17 January 2002 and published in the Official Gazette No. 29.691 dated January 25, 2002. Ratified by Decree No. 2-2002 of 25 January 2002 and published in the Official Gazette No. 29.800 dated June 6, 2002.

Articles 235, 236 and 238. Tacit and explicit reform Article 239. According to Decision of the Supreme Court dated November 11, 2008 on Appeal No. Unconstitutionality 514-592-2008, declared that, the partial repeal of sections 239 and 240, and sends the wording of its the original text of 1982. That ruling affects ex nunc 'ie from the date.

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2. Be greater than (30) thirty years;
3. Being in the enjoyment of their civil rights, and
4. Being a secular state.

Article 239. The citizen who has ownership of the executive branch may not be President or Designee.

Anyone who violates this provision or the proposed reform, and support those who directly or indirectly, immediately cease the discharge of their duties, and shall be disqualified by (10) ten years to exercise any public function.

Article 240. Can not be elected President:

1. *Appointed to the President of the Republic, Deputy Secretaries and Secretaries of State, Judges of the Supreme Electoral Court, Magistrates and Judges of the Judicial Power, Presidents, Vice-Presidents, Managers, Manager, Directors, Assistant Directors, Secretary-Executive Institutions decentralized Members of the High Court of Auditors and Deputy Attorney General's Office, Judges of the High Court of Auditors, who have worked for six (6) months preceding the date of the election of the President of the Republic.*
2. Officers Senior Officers of the Armed Forces;
3. Senior heads of the armed forces and police or State Security;
4. Soldiers on active duty and members of any other armed force who have exercised their duties during the last twelve months preceding the date of election;
5. **Repealed;**
6. The spouse and relatives within the fourth degree of consensus guinidad or second of affinity of the President and the nominees, who have presided in the year preceding the election, and
7. Representatives or agents of the State concessionaires, licensees

Article 240 paragraph 1) Expresses Reform. According to Decision of the Supreme Court dated December 14, 2007 on the constitutional motion No. 514-2008, which declared the site to guarantee Unconstitutionality brought on grounds of form and by way of an action against the reform the final part of paragraph 1 of Article 240. Therefore partially repealing Decree No. Decree 412-2002 of 13 November 2002 and published in the Official Gazette No. 30.017 dated February 20, 2003. Ratified by Decree No. 154-2003 dated September 23, 2003 and published in Official Gazette No. 30.253 dated December 1, 2003, Decree 268-2002 of 17 January 2002 and published in the Official Gazette No. 29.691 of 25 January 2002. Ratified by Decree No. 2-2002 of 25 January 2002 and published in the Official Gazette No. 29.800 of June 6, 2002. Articles 235 and 236. Amended by Decree 374-2002 of 13 November 2002 and published in the Official Gazette 30.001 dated February 01 by 2003. Ratificado Decree 153-2003 dated 23 September 2003 and published in the Official Gazette No. 30.252, dated November 29, 2003; específicamente reforma set out in paragraph 1) constitutional on

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of the State for the exploitation of natural resources and service contractors and public works that cost funds, and by whom such concepts are outstanding with the State.

Article 241. The President of the Republic, or who carries out his duties, shall not leave the country for more than fifteen (15) days without permission from Congress or its Standing Committee.

Article 242. In the temporary absence of the President in office will replace one (1) of the Designated. If the absence of the President is absolute, that the Designated National Congress choose to have their effect, hold the title of the executive branch for the remainder to complete the constitutional period. But if it also fails, so all the three (3) designation, the executive power shall be exercised by the President of Congress, and in its absence, the President of the Supreme Court, by the time it fails to complete the constitutional period.

If the election of the president is not declared and paid a day before the twenty-seventh day of January, the Executive shall be exercised by the exceptionally Secretaries of State Council chaired by the Secretary of State in the Interior and Justice.

The Council of Secretaries of State should convene elections ruling within fifteen (15) days from that date.

These elections were carried out in a period of not less than four (4) or more than six (6) months from the date of the announcement.

its part, contains a prohibition for the President of the Congress and the President of the Supreme Court are candidates for the presidency of the republic in the period following the Council was elected, thus expelling the text of the Constitutional That ruling affects future, according to the Latin phrase *Ex nunc*.

Article 240, paragraph 5. Repealed by Decree 268-2002 of 17 January 2002 and published in the Official Gazette No. 29.691 dated January 25, 2002 and ratified by Decree No. 2-2002 of 25 January 2002 and published in the Official Gazette No. 29.800 dated June 6, 2002.

Artículos 240 numeral 6) y 242 párrafos 1 y 2. Reforma tácita. Conforme a Sentencia de la Corte Suprema de Justicia de fecha 11 de noviembre de 2008 sobre el Recurso de Inconstitucionalidad No.514-592-2008, que declarada *con lugar*, la derogación parcialmente de los artículos 239 y 240; y manda su redacción de su texto al original de 1982. Dicha Sentencia tiene efectos «*Ex nunc*» es decir a partir de la fecha.

Article 242, paragraph 5. Restored by Decree 412-2002 of 13 November 2002 and published in the Official Gazette No. 30.017 dated February 20, 2003. Ratified by Decree No. 154-2003 dated September 23, 2003 and published in the Official Gazette No. 30.253 dated December 1, 2003.

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Election, the Supreme Electoral Tribunal, or, failing that Congress or the Supreme Court, if necessary, make the declaration in question, within (20) twenty days after the date of the election, elected and immediately take up office until the constitutional period in question.

While the new ruling took possession of their elected positions, should continue acting in the performance of their duties, Members of the National Congress, the Judges of the Supreme Court and the Municipal Corporations for the period ending.

Article 243. If when you start the period for which the Constitution has been elected, *the President is not submitted*, for while it is presented, the Executive shall exercise the Designee elected to the presidency by Congress.

Article 244. The promise of law and appointed President of the Republic shall be submitted to the President of Congress, if in session, and in their absence to the President of the Supreme Court.

If we present it to the officials mentioned above may do so before any judge of Literature or Peace of the Republic.

Article 245. The President is responsible for the government, its powers are:

1. Execute and enforce the Constitution, treaties and conventions, laws and other laws;
2. Direct the general policy of the State and represent it;
3. Keep intact the independence and honor of the Republic, the integrity and inviolability of national territory;
4. Maintaining peace and security of the Republic and repel any attack or foreign aggression;
5. Appoint and remove freely the secretaries and assistant secretaries of state and other officials and employees whose appointment is not attributed to other authorities;
6. Stir to Congress through a special session of the Standing Committee, or propose an extension of the ordinary;
7. Restrict or suspend the exercise of rights under the Council of Ministers, subject to the provisions of this Constitution;

Articles 243 and 244. Reform implied. According to Decision of the Supreme Court dated November 11, 2008 on Appeal No. Unconstitutionality 514-592-2008, declared that, the partial repeal of sections 239 and 240, and sends the wording of the its original 1982 text. That ruling affects former nun ie from the date.

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8. Address messages to Congress at any time, and must in person and in writing to settle each ordinary legislature;
9. Participate in the formation of laws introducing projects to Congress by the Secretaries of State;
10. Give the legislature, judiciary and the Supreme Electoral Tribunal, and aid the forces they need to enforce its resolutions;
11. Approve and issue decrees and regulations and resolutions issued pursuant to law;
12. Direct policy and international relations;
13. Conclude treaties and conventions ratified, with the approval of Congress, international treaties of a political, military, on the national territory, sovereignty and concessions, which involve financial obligations to the Treasury or that require modification or repeal of any constitutional or statutory provision and the legislative measures needed for its implementation;
14. Appoint the heads of diplomatic and consular mission in accordance with the law of the Foreign Service to be issued, who must be Honduran by birth, except ad honorem representations joint Honduras with other states;
15. Receive the heads of foreign diplomatic missions, representatives of international organizations, to issue and withdraw the enforcement of the consuls of other states;
16. Take command in chief of the Armed Forces as a Major General, and take the necessary measures to defend the Republic;
17. Declare war and make peace in recess of Congress, which must be called immediately;
18. Ensure in general, for the official conduct of public officials and employees for security and prestige of the government and the State;
19. Manage the Treasury;
20. Dictate extraordinary measures on economic and financial matters when required by the national interest, and must report to the Congress;
21. Negotiate loans, making recruitment prior approval of Congress as required;
22. Formulate the National Development Plan, discussed in the Council of Ministers approval of Congress, directed and implemented;
23. Regulate tariffs in accordance with law;
24. Pardon and commute the sentences according to law;
25. Conferring decorations according to law;

Article 245, paragraph 10. Restored by Decree 412-2002 of 13 November 2002 and published in the Official Gazette No. 30.017 dated February 20, 2003. Ratified by Decree No. 154-2003 dated September 23, 2003 and published in the Official Gazette No. 30.253 dated December 1, 2003.

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26. Making raised the incomes of the state and regulate their investment according to law;
27. Publish quarterly statements of revenue and expenditure of public revenue;
28. Organize, direct, guide and promote public education, eradicate illiteracy, spread education and upgrading technology;
29. Take the measures of promotion, prevention, recovery and rehabilitation of the health of residents;
30. Conducting economic and financial policy of the State;
31. Exercise supervision and control of banking institutions, ensuring financial and operators by the National Banking and Insurance, whose membership and operation will be governed under a special law and appoint the chairmen and vice-chairmen of the banks of the State under law;
32. Dictate all actions and steps within its power to promote the swift implementation of agrarian reform and development of production and productivity in agriculture;
33. Sanction, veto publish and promulgate laws passed by Congress;
34. Leading and supporting the policy of economic and social integration, both nationally and internationally, aimed at improving the living conditions of the people of Honduras;
35. Create, maintain and eliminate public services and take measures necessary for the proper functioning of the same;
36. Conferring military ranks from lieutenant to captain, inclusive;
37. Ensure that the Armed Forces are apolitical, essentially professional, obedient and not deliberating;
38. Grant letters of naturalization and cancel, as authorized by the executive branch, according to law;
39. Grant pensions, gratuities and bonuses, according to law;
40. Grant legal personality to civil associations in accordance with law;
41. Ensure harmony between capital and labor;
42. Reviewing and setting the minimum wage in accordance with law;
43. Allow or deny the prior authorization of Congress, the transit through the territory of Honduras, the troops of another country;
44. Allow prior authorization of Congress, the output of Honduran troops to serve in foreign territory, in accordance with international treaties and conventions for operations in peacekeeping and,

Article 245, paragraph 37. Reformed by Decree 163 of 25 November 1982 and published in the Official Gazette No. 24.235 dated February 7, 1984. Ratified by Decree No. 10-84 of 9 February 1984. Published in the Official Gazette No. 24.262 dated March 9, 1984.

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45. The other functions conferred by the Constitution and laws.

CHAPTER VII OF THE SECRETARIES OF STATE

Article 246. The secretaries of State Government agencies in the country, and report directly to the President of the Republic.

Determine the number, organization, competence and functioning of the Council of Ministers.

Article 247. The Secretaries of State are collaborators of the President on the direction, coordination, direction and supervision of the organs and entities of the national civil service in their areas of competence.

Article 248. Decrees, regulations, agreements, orders and orders of the President of the Republic, must be approved by the Secretaries of State in their respective fields or by the assistant secretaries in his case. Without these requirements will have no legal force.

The State Secretaries and Assistant Secretaries shall be jointly responsible with the President of the Republic by authorizing acts.

Of the resolutions taken by the Council of Ministers shall be responsible ministers present, unless they vote against their rationale.

Article 249. To be Secretary or Assistant Secretary shall require the same requirements for becoming President of the Republic.

The Assistant Secretaries to the Secretaries replaced by operation of law.

Article 250. Can not be Secretaries and Deputy Secretaries of State:

Article 246. Restored by Decree 122-90 of 29 October 1990 and published in the Official Gazette No. 26.096 dated November 23, 1990. Ratified by Decree No. 5-91 of January 30, 1991, published in the Official Gazette No. 26.358 dated February 6, 1991. Decree 218-96, dated 17 December 1996 published in the Official Gazette No. 28.148 of December 30, 1996 amended Article 28 of the General Law of Public Administration, Decree 146-86, identifying the following Offices: 1). Interior and Justice, 2). Education, 3). Health, 4). Security 5). Presidential Office; 6). Foreign Affairs, 7). National Defense; 8). Finance, 9). Industry and Trade, 10). Public Works, Transportation and Housing; 11). Labor and Social Security; 12). Agriculture and Livestock; 13). Natural Resources and Environment, 14). Culture, Arts and Sports, 15). Tourism and 16) Development and Social Solidarity Network.

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1. The relatives of the President of the Republic within the fourth degree of consanguinity and second of affinity;
2. Those who have given or raised government securities, while not having the settlement of credit on your account;
3. Defaulting debtors of the Treasury, and
4. Dealers of the State, its agents or representatives for the exploitation of natural resources and service contractors and public works that cost with state funds, and those accounts of these amounts are outstanding thereunder.

Article 251. The National Congress may call the secretaries of state and they must answer the questions to them on matters relating to public administration.

Article 252. The President convenes and chairs the Council of Ministers. All resolutions of the Council are taken by simple majority and in case of a tie, the Chairman shall have a double vote.

The Council shall meet at the initiative of the President to take a resolution on all matters it deems of national importance and to hear the cases specified by law.

Act as secretary, the Secretary of State for the Presidency.

Article 253. Is incompatible with the role of Secretary of State, the exercise of other public office, except that the laws in other assigned duties. Are applicable to the Secretaries of State in this regard, the rules, prohibitions and penalties provided for in Articles 203 and 204.

Article 254. The Secretaries of State must report annually to Congress within the first fifteen (15) days of its installation, a report of work in their respective offices.

Article 255. Administrative acts of any State organ must produce legal effects of a general nature will be published in the Official Gazette and its validity is to be adjusted with the provisions of this Constitution for the validity of law.

Article 250 paragraph 1. Restored by Decree 248-98 of 15 December 1989 and published in the Official Gazette No. 26.038 dated January 18, 1990. Ratified by Decree No. 4-90 of January 27, 1990 and published in the Official Gazette No. 26.069 dated February 23, 1990.

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CHAPTER VIII CIVIL SERVICE

Article 256. The law governing civil service employment relations and public service that are established between the State and its servants, based on principles of adequacy, efficiency and honesty. The administration staff will be subject to scientific methods based on the merit system.

The State shall protect its servers in the administrative career.

Article 257. The law shall regulate the Civil Service and in particular the conditions for entering the civil service and promotions and promotions based on merit and ability, ensuring retention, transfers, suspensions and guarantees, the duties of public servants and appeals against decisions that affect them.

Article 258. Both the Central Government and in the bodies of the State, no person shall play at once (2) two or more paid public office, except those providing health care and teaching.

No officer, employee or public employee who receives a regular salary, bonus payable by the diet or providing a service in pursuance of their duties.

Article 259. The provisions of this chapter shall apply to officers and employees of the devolved institutions and municipalities.

CHAPTER IX OF THE DEVOLVED INSTITUTIONS

Article 260. Decentralized institutions can only be created by special law and always ensure that:

1. The greater efficiency in the administration of national interests;
2. The satisfaction of collective needs of public service, nonprofit;
3. The greater effectiveness in fulfilling the purposes of public administration;

Article 259. Municipalities Law Section 101, repealed by Decree 149-97 of 7 October 1997 published in Official Gazette No. 28.430, provides that municipal employees and servants are not elected under the Civil Service from the period of that order under the Rules of the Labor Code.

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4. The economic justification, administrative costs of its operation, performance or expected utility in case of anticipated savings;
5. The exclusivity of the jurisdiction, so that their creation does not overlap with other parts of the existing Civil Service;
6. The use and exploitation of assets or resources belonging to the State and the participation in those areas of economic activities it deems necessary and desirable to meet its goals of social progress and general welfare, and
7. The general legal regime of the devolved institutions will be established by the General Act on Public Administration to be issued.

Article 261. To create or delete an agency, the National Congress resolved by two thirds (2 / 3) vote of its members.

After the issuance of laws relating to the devolved institutions, the National Congress should seek the advice of the Executive Branch.

Article 262. Decentralized institutions are functional and administrative independence, and this effect may issue regulations as may be necessary in accordance with the law.

The devolved institutions operate under the direction and supervision of the State and their chairmen, directors or managers re-weighted by its management. The law shall establish the necessary control mechanisms on the devolved institutions.

Article 263. Not be Presidents, General Managers and CEOs of the devolved institutions, the spouse or the spouse, relatives of the president and appointed to the presidency within the fourth degree of consanguinity or second of affinity.

Article 264. The presidents, CEOs and managers of the decentralized agencies of the State last up to four (4) years in office and his way of appointment and removal shall be in accordance with the laws creating them.

Article 265. Are executive officers of confidence, which in any way engaged in the running of the bodies, but the relations of the other servers, these institutions are regulated by the legal regime applicable to workers in general. The form, content and scope of these schemes

Article 263. Reform implied. According to Decision of the Supreme Court dated November 11, 2008 on Appeal No. Unconstitutionality 514-592-2008, declared that, the partial repeal of sections 239 and 240, and sends the wording of the its original 1982 text. That ruling is ex nunc effect ie from the date.

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are laws rules, regulations and relevant collective agreements.

Article 266. Decentralized institutions subject to central government, the Operational Plan for the year in question, following a descriptive and analytical report on each of the specific activities to meet key in conjunction with a comprehensive budget for the implementation of that plan.

The Secretary of State for Finance and the Higher Council for Economic Planning, developed by separate opinions in order to determine the consistency of such documents with the approved development plans.

Once approved by the President of the opinions will be forwarded to the devolved institutions to correspond.

The governing bodies of the devolved institutions Baran approve or not the plan or the annual budget, while not incorporating the same proposed amendments in the respective opinions.

Article 267. The bodies of the State sent to the Legislature within the first fifteen (15) days of September each year, the respective pre-disaggregated annual budget for approval.

Article 268. Decentralized institutions must submit to the Central Government a report detailing the results of liquid financial activities of the previous financial year.

Also must submit a report on the physical and financial progress of all programs and projects.

The Secretariat of State in the Finance and the Higher Council for Economic Planning, will evaluate the results of the decentralized management of each entity and make the observations and recommendations.

Article 267. Restored by Decree 58-86 of April 22, 1986 and published in the Official Gazette No. 24.946 dated June 13, 1986. Ratified by Decree No. 57-87 of April 30, 1987, published in the Official Gazette No. 25.241 dated June 4, 1987.

Articles 266, 268 and 271. Decree 218-96, dated 17 December 1996 published in the Official Gazette No. 28.148 of December 30, 1996 amended Article 28 of the General Law of Public Administration, Decree 146-86, determining that the Ministry of Finance and Public Credit Ministry of Finance was called, the Supreme Council for Economic Planning (CONSUPLANE) which was subsequently renamed Ministry of Planning, Coordination and Budget (SECPLAN) was deleted, and distributing its functions mentioned in section 266 paragraph 2, 267 and 271 in various Ministries and decentralized entities.

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Article 269. The Executive may provide through the conduit, net of the devolved institutions engaged in economic activities, if not affecting the development thereof or the execution of their programs or projects.

Article 270. The Act specifies that the contracts should be subject to competitive bidding by the devolved institutions.

Article 271. Any substantial change to the operational plan and budget for a decentralized institution, require the prior assent of the Supreme Council for Economic Planning and the Secretariat of State in the Offices of Finance.

CHAPTER X OF NATIONAL DEFENSE

Article 272. The Armed Forces of Honduras, is a National Institution of a permanent nature, essentially professional, apolitical, obedient and not deliberating.

Was established to defend the territorial integrity and sovereignty of the Republic, keep the peace, the rule of the Constitution, the principles of free suffrage and alternation in the presidency of the Republic.

Cooperate with the police in preserving public order.

In order to guarantee the free exercise of suffrage, custody, transport and monitoring of electoral materials and other safety aspects of the process, the President of the Republic shall make available to the Armed Forces of the Supreme Electoral Tribunal, from one (1) month before the election, to declare them.

Article 273. The Armed Forces consist of the high command, Army, Air Force, Navy and the bodies that determine its Constitutive Act.

Article 274. The Armed Forces shall be subject to the provisions of its constitutive law and other laws and regulations governing its operation. Cooperate with the Secretaries of State and other institutions

Articles 272 and 274. Amended by Decree 245-98 of September 19, 1998 and published in the Official Gazette No. 28.778 dated January 29, 1999. Ratified by Decree No. 2-99 of January 25, 1999. Published in the Official Gazette No. 28.775 dated January 26, 1999.

Third paragraph of Article 272 and added 273. Restored by Decree 136-95 of 19 September 1995 and published in the Official Gazette No. 27.834 dated December 19, 1995. Ratified by Decree No. 229-96 of December 17, 1996 and published in the Official Gazette 28.172 dated January 28, 1997.

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to petition for them, work on literacy, education, agriculture, environmental protection, roads, communications, health, and agrarian reform.

Participate in international peacekeeping missions, based on international treaties, provided logistic support expertise in communications and transportation in the fight against drug trafficking, work with staff and resources to cope with natural disasters and emergency situations affecting persons and property, as well as programs to protect and conserve the ecosystem, education and technical training of its members and others of national interest.

It also cooperated with public security institutions, at the request of the Secretary of State for Security, to combat terrorism, arms trafficking and organized crime, and the protection of state powers and the Supreme Electoral Tribunal to petition for them, their installation and operation.

Article 275. A special law shall regulate the operation of military tribunals.

Article 276. People under the age of eighteen (18) years to thirty (30) years of age, military service on a voluntary basis in peacetime, in the form of an educational system, social, humanist and democratic. The State has the power to draw up, in accordance with the Law on Military Service.

In case of international war, soldiers are all Hondurans capable of defending and serving the homeland.

Article 277. The President of the Republic shall exercise the direct command of armed forces in his capacity as Commander-General under this Constitution, the Constitutive Act of the Armed Forces and other applicable laws.

Article 278. Instructions given by the President of the Republic must be observed and enforced in conformity with the Constitution and the principles of legality military discipline and professionalism.

Article 279. The Secretary (a) of State for National Defense, is the citizen (a) that meets the requirements to bring this Constitution and

Article 276. Restored by Decree No. 24-94 of May 10 and published in the Official Gazette No. 27-360 of May 30, 1994. Ratified by Decree No. 65-95 of April 28, 1995 and

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other laws, the Chief of Joint Staff of the Armed Forces, will be a General Officer or Higher with the rank of Colonel of the weapon or its equivalent in active service, with merit and leadership Honduran by birth and shall have the qualifications to be determined by the Act may not be head of the Joint Staff, any relative of the President of the Republic or their legal substitutes, within the fourth degree of consanguinity and second of affinity, and will last in office three (3) years.

Article 280. The Secretary (a) of State for National Defense, will be freely appointed or removed by the President of the Republic, in the same way it will be the Chief of Joint Staff of the Armed Forces, who will be selected by the President of the Republic, between the members of the Board of Commanders, as it establishes the officers prescribed in the Constitutive Act of the Armed Forces.

Article 281. En temporary absence of the Chief of Joint Staff of the Armed Forces, carry out its functions, the Deputy Head of the Joint Chiefs and also find it missing or is vacant, shall perform his functions provisionally, the General Officer or Higher designated by the President of the Republic, among the remaining members of the Board of commanders in the absence of all past, by the General Officer or Senior with the rank of colonel in the Arms or its equivalent, the Chairman shall designate. In the event of permanent absence of the Chief of the Joint Staff, the President will make appointments to the respective terms in articles 279 and 280 of this Constitution. While there is the appointment of the Chief of Joint Staff, will fill the vacancy Officer of the Armed Forces who is performing his duties.

Article 282. The appointment and removal of Armed Forces personnel in the administrative order shall be in accordance with the Law on Public Administration.

Article 287. Created the National Defense and Security, a special law shall regulate its organization and operation.

Articles 277, 278, 279 and 280. Amended by Decree 245-98 of September 19, 1998. Published in the Official Gazette No. 28.778 dated January 29, 1999 and ratified by Decree No. 2-99 of January 25, 1999 and published in the Official Gazette No. 28.775 dated January 26, 1999 .

Article. 281, 282, 283, 284, 285, 286 and 288. Amended by Decree 245-98 of September 19, 1998 and published in the Official Gazette No. 28.778 dated January 29, 1999. Ratified by Decree No. 2-99 of January 25 of 1999. Publicado in the Official Gazette No. 28.775 dated January 26, 1999.

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Article 288. En Military Training Center is to educate those aspiring to senior military officers. Training centers will be organized for weapons and services according to the needs of the institution.

Schools will also be organized Technical Training, in accordance with the purposes of the voluntary military service, educational, social, humanist and democratic.

Article 289. Establishes the National Defense College, as the chief center for the study of the Armed Forces, in charge of training military personnel and civilian elite, so that joint action of the political, economic, social and military, in the national strategic planning.

Article 290. The military ranks are purchased only by rigorous advancement in accordance with the respective law.

The military can not be deprived of his degrees, honors and pensions in the otherwise fixed by law promotions from lieutenant to captain inclusive, will be awarded by the President upon nomination by the Secretary (a) state the Office for National Defense; promotion from Major to Major General inclusive, will be awarded by the National Congress proposed to the Executive.

The Joint Staff of the Armed Forces to deliver an opinion prior to granting promotions of officers.

Article 291. For the protection, welfare and safety of all members of the Armed Forces, will operate the Institute of Military body to be chaired by the Chief of Joint Staff and in accordance with the provisions of the Law Institute of Military.

Article 292. Is reserved as a power of the armed forces, the manufacture, importation, distribution and sale of firearms, ammunition and similar articles.

Article 293. The National Police is a professional permanent state partisan apolitical in the sense of purely civilian nature, which is responsible for ensuring the preservation of public order, preventing, controlling and combating crime and protecting people's security and property, enforce the resolutions, regulations, mandates and legal

Articles 290 and 291. Amended by Decree 245-98 of September 19, 1998 and published in the Official Gazette No. 28.778 dated January 29, 1999. Ratified by Decree No. 2-99 of January 25, 1999. Published in the Official Gazette No. 28.775 dated January 26, 1999.

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decisions of public authorities and officials, all with strict respect for human rights.

The National Police is governed by special legislation.

CHAPTER XI THE DEPARTMENTAL AND MUNICIPAL SYSTEM

Article 294. Its territory is divided into departments. Their creation and limits will be enacted by Congress.

The departments are divided into autonomous municipalities administered by elected by the village corporations under the Act

Article 295. The Central District comprises only one municipality: the old and Comayagua Tegucigalpa.

Article 296. The law shall establish the organization and functioning of municipalities and the requirements for official or municipal employee.

Article 297. Municipalities freely appoint the employees of their unit, including the police officers that cost with their own funds.

Article 298. In exercising its custodial duties and if not contrary laws, municipalities are independent branches of government, accountable to the courts for the abuses committed individually or collectively, without prejudice to the administrative responsibility.

Article 299. The economic and social development of the municipalities must form part of national development programs.

Article 300. Every municipality will ejido land sufficient to ensure its existence and normal development.

Article 301. Be paid to the Treasury Municipal taxes and contributions imposed on income from investments in the respective local understanding, as well as appropriate participation by the industrialization and exploitation of natural resources located in their municipal jurisdiction, unless compelling reasons of national interest to give them

Article 293. Restored by Decree No. 136-95 of 19 September 1995 and published in the Official Gazette No. 27.834 dated December 19, 1995. Ratified by Decree No. 229-96 of December 17, 1996 and published in the Official Gazette No. 28.172 dated January 28, 1997.

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other places.

Article 302. For the exclusive purpose of ensuring the improvement and development of communities, citizens have the right to freely associate in trustees, to establish federations and confederations.

The law shall regulate this right.

CHAPTER XII JUDICIARY

Article 303. The power to dispense justice emanates from the people and is provided free of charge on behalf of the state, by judges and independent judges, subject only to the Constitution and the Judiciary laws. It consists of a Supreme Court Justice by the Courts of Appeals Courts and other agencies to bring the Law.

In any trial there will be more than two (2) instances, the judge has exercised that jurisdiction in one of them may not know the other, or on appeal in the same case, without incurring liability.

Nor may a judge because the spouses and relatives within the fourth degree of consanguinity or second of affinity.

Article 304. Corresponde a los órganos jurisdiccionales aplicar las leyes a casos concretos, juzgar y ejecutar lo juzgado. En ningún tiempo podrán crearse órganos jurisdiccionales de excepción.

Article 305. Requested his intervention in a legal manner and in competition cases, judges can not judge the pretext of silence or obscurity of the law.

Article 306. Courts if necessary require the help of security forces to fulfill their resolutions, if they refused or were not any available, as required of citizens.

Who unreasonably refuses to give assistance incur responsibility.

Article 307. The law, without undermining the independence of judges and magistrates, shall take the measures necessary to ensure

Chapter XII. Restored by Decree No. 262-2000 of 22 December 2000 and published in the Official Gazette No. 29.414 dated February 26, 2001. Ratified by Decree No. 38-2001 of April 16, 2001 and published in the Official Gazette No. 29.489 dated May 29, 2001.

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the proper and normal functioning of the courts, providing effective ways to meet their operational and administrative needs as well as organizing ancillary services.

Article 308. The Supreme Court is the highest court and its jurisdiction covers the entire territory of the State and has its seat in the capital, but may change in time, when so determined, to any other part of the territory. The Supreme Court shall consist of fifteen (15) Judges. Their decisions are made by a majority of all members.

Article 309. To be Judge of the Supreme Court, requires:

1. Be Honduran by birth;
2. Citizen in the enjoyment and exercise of their rights;
3. Attorney duly College;
4. More than thirty-five (35) years;
5. Have been holding court for a five (5) years, or worked for ten (10) years.

Article 310. Can not be elected judges of the Supreme Court:

- 1) Those who have any of the disqualifications to be Secretary of State, and
- 2) Spouses and relatives against each other in the fourth degree of consensus guinidad or second of affinity.

Article 311. Judges of the Supreme Court are elected by Congress, with the favorable vote of two thirds (2 / 3) of all its members, a roster of candidates not less than three (3) each of the judges to choose. Submitted the proposal with all the judges, will be their choice. If not achieved a qualified majority for the election of the full list of the judges, shall be direct and secret ballot to elect judges who fails individually, as necessary, until the vote of the (2 / 3) two thirds. Judges are elected from a list of candidates proposed by appointing a Board which shall consist of the following:

1. A representative of the Supreme Court elected by the vote of the (2 / 3) two thirds of the judges;

Article 309, paragraph 5. Portrayed by Decree 10-90 dated February 22, 1990 and published in the Official Gazette No. 26.115 dated April 21, 1990, made the interpretation with the reforms incorporated in Chapter XII of the Judiciary, the entire contents that Article 309 is now the No. Numeral 5), so it would, in the sense that the set (10) years practice as it refers only to those who have ten (10) years of practice of law with title granted or recognized by the National Autonomous University of Honduras (UNAH), counted from the date of entry in the Bar.

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2. A Representative of the Bar Association of Honduras, elected Assembly;
3. The National Commissioner for Human Rights;
4. A representative of the Honduran Council of Private Enterprise (COHEP), elected Assembly;
5. A representative of the faculty of the School of Law, whose proposal will be made through the National Autonomous University of Honduras (UNAH);
6. A representative elected by civil society organizations, and
7. A Representative of the Confederation of Workers.

A law shall regulate the organization and functioning of the Board nominees.

Article 312. The organizations that comprise the Nominating Board shall be convened by the President of Congress, no later than October 31 the year before the election of judges, must submit its proposal to the Standing Committee of Congress on January 23 at the latest, in order to make the election on January 25. If after an announcement appointing the Board fail to make proposals, the Congress shall elect by majority vote of all members.

Article 313. The Supreme Court shall have the following powers:

1. Organizing and directing the Judiciary;
2. Hear the proceedings at the highest state officials and members;
3. Meet in the second instance of the matters to the Courts of Appeals have met in the first instance;
4. Hear cases of extradition and the other to be judged according to international law;
5. Hear appeals, under revision and unconstitutional under the Constitution and the Law;
6. Authorize the exercise of the notary who have obtained a law degree;
7. At first instance against the preliminary judges of the Courts of

Article 313 paragraph 2. Restored by Decree No.175-2003 dated October 28, 2003 and published in the Official Gazette No. 30.269 dated December 19, 2003. Ratified by Decree No. 105-2004 dated July 27, 2004, published in the Official Gazette No. 30.492 dated September 11, 2004. Effective from October 11, 2004.

Article 313, paragraph 6. Portrayed by Decree No. 275-2002 of 8 August 2002 and published in the Official Gazette No. 29.861 dated August 16, 2002. In the sense that to allow the exercise of the notary who have obtained a law degree, the Supreme Court is mandated to issue the regulations necessary to satisfy the legal and moral right of the applicants.

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Appeals;

8. Appoint and dismiss judges and magistrates following a proposal of the Council of the Judiciary;
9. Judicial Post Gazette;
10. Prepare the Draft Budget of the Judiciary and sent to Congress;
11. Set the division of territory for jurisdictional purposes;
12. Create, delete, merge or relocate the courts, courts of appeal-ing and other units of the Judiciary;
13. Deliver its internal regulations and others that are necessary for the fulfillment of their duties, and
14. The other functions conferred by the Constitution and Laws.

Article 314. The period of the Judges of the Supreme Court of Justice shall be seven (7) years from the date of presenting the promise of law and may be reappointed. In case of death, disability preventing him from carrying out the charge, replacement for legal reasons or resigns, the Judge to fill the vacancy shall hold office for the remainder of the period and shall be elected by the Congress, by the vote of two thirds (2/3) of all its members. The replacement shall be elected from the remaining candidates proposed by the Board appointing the beginning of the period.

Article 315. The Supreme Court shall perform its constitutional and statutory functions under the chairmanship of one of its judges.

For the election of the President of the Court, judges elected by the National Congress meeting in plenary, selected no later than twenty-four (24) hours after his election and the vote of (2/3) two thirds of its members to Judge whose name will be proposed to Congress for election as such.

This election shall be held equally with the vote of two thirds (2 / 3) of all the members of Congress.

The President of the Supreme Court remain in office for a period of seven (7) years and may be reelected.

The President of the Supreme Court shall exercise the representation of the Judiciary and that character will act in accordance with the decisions of the Court House.

Article 316. The Supreme Court, will be held in chambers, one of which is the Constitution. When the judgments of the Boards to decide

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by unanimity of votes, are proferirán on behalf of the Supreme Court and have the final character. When the sentences were handed down by majority vote, must be submitted to the plenary of the Supreme Court. The Constitutional Court shall have the following powers:

- 1) To determine, in accordance with this Constitution and the law of Habeas Corpus, amparo, and Unconstitutionality Revision, and
- 2) To settle disputes between branches of government, including the Supreme Electoral Tribunal and, among other entities or bodies established by law, the judgments which declare the unconstitutionality of a rule will be implemented immediately and will have overall effects and thus abolish the rule unconstitutional, and must communicate to Congress, who will publish in the Official Gazette. The regulation shall establish the organization and functioning of the Chambers.

Article 317. Created the Judicial Council whose members are appointed by the Supreme Court. The law shall specify the organization, its reach and authority. Judges and magistrates can not be dismissed, suspended, transferred, dropped, or retired, but for the reasons and with the guarantees provided in the Act.

Article 318. The judiciary enjoys full autonomy in administrative and financial. In the General Budget of Revenues and Expenditures of the Republic, will have an annual allocation of not less than three percent (3.0%) of revenue. The Executive shall affirm quarterly advance, the items budgeted for.

Article 319. Judges and magistrates shall serve solely in the judiciary. May not hold, therefore, the profession of law in an independent manner, nor give advice or counsel anyone. This prohibition does not include the performance of teaching positions or diplomatic functions (Ad-Hoc).

Judicial officers and support staff of the Judiciary, the judicial and administrative areas may not participate in any activities because of any type of party, except to cast their personal vote. They may not unionize or strike.

Article 320. In cases of incompatibility between a constitutional and a statutory ordinary applies first.

CHAPTER XIII OF STATE RESPONSIBILITY AND ITS SERVANTS

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Article 321. Servants of the State have no powers greater than those expressly conferred by law. Performing any act outside the law is null and implies responsibility.

Article 322. Public officials to take office will bill the following promise: *I promise to be faithful to the Republic, execute and enforce the Constitution and laws.*

Article 323. Staff members are trustees of the authority, legally responsible for their official conduct, subject to the law and never above it.

No officer or employee, civilian or military, are obliged to follow orders that are illegal or involve the commission of crime.

Article 324. If the public servant in the exercise of his office, violated the law against individuals will be civil and severally liable together with the State or the institution in whose service is subject to repeat the action that they can exercise against the server responsible in case of fault or malice.

The liability does not preclude the deduction of administrative responsibilities and proceedings against the offender.

Article 325. Actions to infer liability on the servers of the State, in prescribing the term of ten (10) years and criminal liability to deduct twice the time specified by the law.

In both cases, the term shall commence to run from the date on which the public servant has left the position in which it incurred liability.

No prescription in cases of willful act or omission was politically motivated and caused the death of one (1) or more persons.

Article 326. Public action is to prosecute offenders of the rights and guarantees established in this Constitution shall be exercised without bond or formality and simple complaint.

Article 327. The law shall regulate the liability of the State, and several liability, criminal and administrative jurisdiction of the servants.

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TITLE VI OF THE ECONOMIC SYSTEM

CHAPTER I ECONOMIC SYSTEM

Article 328. The Economic System of Honduras is founded on principles of production efficiency and social justice in the distribution of wealth and national income, as well as the harmonious coexistence of the production factors that make possible the dignity of labor as the main source of wealth and as a means of realization of the human person.

Article 329. The State promotes the economic and social development, which is subject to strategic planning. The law shall regulate the system and planning process with the participation of the branches of government and political organizations, economic and social duly represented.

To perform the function of promoting economic and social development and to complement the actions of other actors in this development, the vision to develop medium and long term partnership with the Honduran society pleased with the planning objectives and the means and mechanisms to achieve them. Development plans include medium and long term policies and strategic programs that ensure continuity of implementation and approval from its conception until its conclusion.

The National Plan, development plans and programs embedded in them will be binding on successive governments.

Article 330. The national economy is based on democratic and harmonious coexistence of diverse forms of ownership and enterprise.

Article 331. El State recognizes, promotes and guarantees the freedom of consumption, savings, investment, employment, enterprise, trade, manufacturing, contracting, and any other company that emerges from the principles that form the Constitution. However, the exercise of these freedoms must not be contrary to their interests

Article 329 Reformado por Decreto No. 175-2004 del 28 de octubre de 2004, publicado en el Diario Oficial La Gaceta 30,586 del 3 de enero de 2005. **Ratificado** por Decreto No. 373-2005 del 10 de enero de 2006, publicado en el Diario Oficial La Gaceta No. 30,910 del 24 enero de 2006.

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or detrimental to the morals, health or public safety.

Article 332. The exercise of economic activities is primarily to individuals. However, the State, for reasons of public order and social interest, reserve the exercise of certain basic industries, farms and public interest laws and issue measures and economic, fiscal and public safety, to guide, encourage, supervise, guide and supplement private initiative, based on a sound economic policy and planning.

Article 333. State intervention in the economy will be based on public and social interest, and limit the rights and freedoms recognized by this Constitution.

Article 334. Corporations are subject to the control and supervision of a Superintendent of Companies, whose organization and operation specified by law.

Cooperatives will be available to the body and in the manner and scope of the law that establishes the field.

Article 335. The State will order its external economic relations on the basis of a fair international cooperation, the Central American economic integration and respect for treaties and conventions which it subscribes, and I would object to the national interest.

Article 336. Foreign investment will be licensed, registered and supervised by the State. Will complement and never replace domestic investment.

Foreign firms will be subject to the laws of the Republic.

Article 337. Industry and commerce on a small scale, constitute the heritage of the Honduran people and their protection will be a law.

Article 338. The Act will regulate and promote the organization of cooperatives of any kind, without altering or circumventing the fundamental social and economic principles of this Constitution.

Article 339. Prohibit monopolies, monopsony, oligopoly, hoarding and similar practices in industrial and commercial activity.

Private monopolies are not considered temporary privileges granted to inventors or discoverers authors concept of property rights scientific, literary, artistic or commercial, patents and trademarks.

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Article 340. Declared public utility and necessity, technical and rational exploitation of natural resources of the Nation.

The State shall regulate its use, according to the social interest and determine the conditions of award to individuals.

Country's reforestation and forest conservation states of convenience and national interest.

Article 341. The law may establish restrictions, prohibitions or procedures for the acquisition, transfer, use and enjoyment of the state and municipal ownership of public order, social and national interest.

CHAPTER II OF CURRENCY AND BANKING

Article 342. The monetary issue is exclusive of the state that carry through the Central Bank of Honduras.

The banking system, monetary and credit shall be regulated by law.

The State, through the Central Bank of Honduras, will be responsible for formulating and implementing monetary policy, credit and currency of the country, well coordinated with the planned economic policy.

Article 343. The Central Bank of Honduras will regulate and approve the granting of loans, discounts, guarantees and other credit transactions, commissions, bonuses or subsidies of any kind that banks, insurers and financial grants to its shareholders, directors and officers. Also regulate and approve the granting of loans, discounts, vouchers and other loans to companies where they have majority ownership.

Any violation of the provisions of this section shall be punished according to the regulations that the Central Bank issued without prejudice to the action of civil or criminal liability to any place.

CHAPTER III LAND REFORM

Article 344. Agrarian reform is a process and an instrument of transformation of the agrarian structure of the country, designed to

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replace the large and small for a system of ownership, possession and use of land to ensure social justice in the countryside and increase the production and productivity of agro-livestock sector.

Declaration of public utility and necessity of implementing the agrarian reform.

Article 345. Agrarian reform is an essential component of the overall strategy of development of the nation, so that other economic and social policies that the government approves, to be formulated and implemented in harmony with it, especially those that are among others, education, housing, employment, infrastructure, marketing and technical assistance and credit.

Agrarian reform will be implemented so as to ensure the effective participation of farmers, on an equal footing with other sectors of production in the process of economic, social and political development of the nation.

Article 346. It is the duty of the State to dictate measures to protect the rights and interests of indigenous communities in the country, especially land and forests where they are located.

Article 347. Agricultural production should be oriented preferably sufficiently to meet the food needs of the population, within a policy of adequate supply and fair prices for producers and consumers.

Article 348. Plans for reform of the National Agrarian Institute and the other's decisions regarding land are designed and implemented with the participation of organizations of peasants, farmers and ranchers legally recognized.

Article 349. The expropriation of property for purposes of agrarian reform and expansion and improvement of stocks or any other purpose in the national interest as determined by law, shall be done through fair compensation by cash payment and where agrarian debt bonds. These bonds will be accepted compulsory enjoy sufficient guarantees from the state and have a nominal, terms of redemption, interest rates and other requirements that the Agrarian Reform Law determines.

Article 350. Property expropriated for agrarian reform or expansion and enhancement of populations, agricultural lands are the sole and necessary and useful improvements which are adhered to and the

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spacing could undermine the economic unit of production.

CHAPTER IV THE FINANCIAL REGIME

Article 351. The tax system is governed by the principles of legality, proportionality, generality and equality in accordance with the economic capacity of the taxpayer.

CHAPTER V OF PUBLIC FINANCES

Article 352. Forming the Public:

1. All movable and immovable property of the State;
2. All your assets, and
3. Its availability liquids.

Article 353. These are financial obligations of the State:

1. The debts incurred for legal expenses or investment, resulting in the implementation of the General Budget of Revenues and Expenditures, and
2. Other debts legally recognized by the state.

Article 354. Los property tax or property may only be awarded or sold to persons and on such terms and conditions determined by law.

The State reserves the power to establish or amend the demarcation of areas of application control and protection of natural resources in the country.

Article 355. The administration of public funds for the Executive.

For perception, custody and disbursement of these funds will be a general treasury.

The Executive, however, may delegate to the Central Bank, the roles of collector and trustee.

Also the law may establish special payment services.

Article 356. The state only guarantees the payment of the debt incurred constitutional governments, in accordance with this Constitution and laws.

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Any rule or act that contravenes the provisions of this article, violators will incur a civil liability, criminal and administrative, to be infeasible.

Article 357. Authorizations for external and internal debt of the central government, decentralized agencies and local governments, including state guarantees and guarantees shall be regulated by law.

Article 358. Local governments may undertake domestic credit operations under their own responsibility, but require authorization identified by special laws.

Article 359. Taxation, public spending and debt, must be proportionate to the gross domestic product, according to the law.

Article 360. The contracts to the State for the provision of public works, procurement of supplies and services, purchase and sale or lease of property shall be performed prior tender, tender or auction in accordance with the law.

Apart from contracts for providing the needs arising from a state of emergency and which by its nature can not be held but in person.

CHAPTER VI BUDGET

Article 361. State financial resources are:

1. The revenue collected by taxes, fees, contributions, royalties, donations or otherwise;
2. Revenues from state enterprises, joint stock or those in which the state has social participation, and
3. The extra revenue coming from government credit or any other source.

Article 362. All tax revenues and expenditures are reported in the General Budget of the Republic, which will be voted on annually in line with economic policy planning and annual operational plans approved by the Government.

Article 363. All ordinary income tax will be a single fund.

You can not create any income for a specific purpose. However, the

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law may affect the revenue to service debt and provide that the proceeds of certain taxes and general, be divided between the National Treasury and the municipalities, in proportions or amounts previously reported.

The law may also, in accordance with the planned policy, authorize certain state enterprises or enterprises to receive, manage or invest funds from economic activities to them.

Article 364. Can not be given any commitment or made any payment out of appropriations voted in the budget, or in violation of budget rules.

Violators will be responsible for civil, criminal and administrative.

Article 365. The Executive, under his responsibility and if the Congress not in session, you can borrow, change the destination of an item authorized or create additional credits, to meet urgent or unforeseen needs in the event of war, internal commotion or public calamity, or to meet international commitments, all of which will report to Congress detailed in a subsequent legislature.

The same procedure in the case of obligations by the state from strong final judgments for the payment of employment benefits, or when there is no game this person was dead.

Article 366. The budget is voted by the Legislature with a view to submitting the Project Executive.

Article 367. The draft budget will be presented by the Executive to Congress within the first fifteen (15) days of September each year.

Article 368. Organic Budget Law established concerning the preparation, development, execution and settlement of the budget. When closing a fiscal year has not been voted on the budget for the new year, will continue in force on the corresponding previous period.

Article 369. The law determines the organization and operation of the Supply of the Republic.

Article 365. Portrayed by Decree 169-86 of 30 October 1986. published in the Official Gazette No. 25.097 of December 10 of 1986. En the sense that the subsequent expression that appears to be understood as follows immediately.

Article 370. Repealed by Decree 268-2002 of 17 January 2002 and published in the Official Gazette No. 29.691 dated January 25, 2002. Ratified by Decree No. 2-2002 of 25 January 2002 and published in the Official Gazette No. 29.800 dated June 6, 2002.

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Article 370. Repealed.

Article 371. The pre-audit of the implementation of the Budget of Revenues and Expenditures of the Republic, will be in charge of the executive branch, which should in particular:

1. Check-raising and monitoring the care, commitment and disbursement of public funds, and
2. Approve any discharge of public funds, according to the budget.

The law shall establish the procedures and scope of the audit.

Article 372. Preventive control of decentralized institutions and municipalities, will be checked in accordance with the laws that determine.

TITLE VII OF REFORM AND THE SANCTITY OF THE CONSTITUTION

CHAPTER I THE REFORM OF THE CONSTITUTION

Article 373. *The reform of this Constitution may be ordered by Congress, in regular session, with two thirds (2/3) vote of all members. The decree for that purpose the article or articles to be reformed, should be ratified by the legislature subsequent ordinary equal number of votes to enter into force.*

Article 374. *Not be reformed, in any case, Article, this Article, the constitutional articles which refer to the form of government, the national territory, the presidential term, the ban to be new President of the Republic, the citizen has played under any title and on those who can not be President of the Republic for the subsequent period.*

CHAPTER II THE INVIOLABILITY THE CONSTITUTION

Article 375. This Constitution shall not lose their force or no longer fulfilled by an act of force or where supposedly repealed or amended by any other means other than the procedure and that she has. In

Articles 373 and 374. Portrayed by Decree 169-86 of 30 October 1986, published in the Official Gazette No. 25.097 of December 10, 1986. In the sense that the subsequent expression appears to be understood as follows immediately.

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these cases, a citizen or not vested authority has a duty to collaborate in the maintenance or restoration of its effective force.

Will be judged according to this Constitution and the laws issued in accordance with it, those responsible for the facts reported in the first part of the preceding paragraph, as well as leading officials of governments to organize subsequently, if they have not helped to restore immediately rule of this Constitution and the authorities constituted under it. Congress may declare the vote of an absolute majority of its members, the seizure of part or all of the assets of these persons and those who have been enriched under the impersonation of popular sovereignty or the usurpation of powers public to compensate the Republic of the damage it caused.

TITLE VIII

THE TRANSITIONAL PROVISIONS AND THE IMPLEMENTATION OF THE CONSTITUTION

CHAPTER I

THE TRANSITIONAL PROVISIONS

Article 376. All laws, decrees, laws, decrees, regulations, orders and other provisions that are in effect the promulgation of this Constitution, continue to watch that they do not oppose it, or until they are repealed or amended law.

Article 377. Repeal

Article 378. Is repealed by the Constitution, issued by the National Constituent Assembly on the third day of June, nineteen hundred and sixty-five.

CHAPTER II

THE VALIDITY OF THE CONSTITUTION

Article 379. This Constitution shall be sworn and solemn public meeting and enter into force on the twentieth day of January, nineteen hundred and eighty-two.

Article 377. Repealed by Decree No. 262-2000 of 22 December 2000 and published in the Official Gazette No. 29.414 dated February 26, 2001. Ratified by Decree No. 38-2001 of April 16, 2001, published in the Official Gazette No. 29.489 dated May 29, 2001.

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Since the Chamber of the National Constituent Assembly in the city of Tegucigalpa, Central District, on the eleventh day of January, nineteen hundred and eighty-two.

JOSÉ EFRAIN BU GIRÓN
PRESIDENT

MARCO TULIO CASTILLO S.
SECRETARY

JUAN PABLO URRUTIA R.
SECRETARY

Therefore be published.

Tegucigalpa. M.D.C. January 11, 1982

POLICARPO PAZ GARCÍA
PRESIDENT

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