



**RÉPUBLIQUE
FRANÇAISE**

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LAW no. 2010-838 of July 23, 2010 relating to the application of the fifth paragraph of Article 13 of the Constitution (1)

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Legislative File: LAW no. 2010-838 of July 23, 2010 relating to the application of the fifth paragraph
of Article 13 of the Constitution

Version in force as of February 15, 2024

The National Assembly and the Senate adopted,

Considering the decision of the Constitutional Council No. 2010-610 DC of July 12, 2010;

The President of the Republic promulgates the law whose content follows:

Article 1

The permanent committees of each parliamentary assembly competent to issue an opinion on appointments to posts and functions for which the power of appointment of the President of the Republic is exercised under the conditions set out in the fifth paragraph of article 13 of the Constitution are those appearing in the list annexed to this law.

The opinion mentioned in the first paragraph is preceded by a hearing by the competent permanent committees of the person whose appointment is considered. The hearing is public subject to the preservation of professional secrecy or national defense secrecy.

This hearing cannot take place less than eight days after the name of the person whose appointment is being considered has been made public.

Article 2

Modified the following provisions

Modifies Law n°2000-108 of February 10, 2000 - art. 28 (V)

Amends Law n°2007-1545 of October 30, 2007 - art. 2 (M)

Modifies the Commercial Code - art. L461-1(M)

Modifies Post and Electronic Communications Code... - art. L130 (V)

Modifies the Environmental Code - art. L531-4 (M)

Article 3

In each parliamentary assembly, the standing committee competent to issue an opinion on the appointments of members of the Constitutional Council, made on the basis of the first paragraph of Article 56 of the Constitution, is the committee responsible for constitutional laws.

Article 4



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In each parliamentary assembly, the standing committee competent to issue an opinion on the appointment of the Defender of Rights, made on the basis of the fourth paragraph of article 71-1 of the Constitution, is the committee responsible for constitutional laws.

Section 5

In each parliamentary assembly, the permanent commission competent to issue an opinion on the appointments of qualified personalities members of the Superior Council of the Judiciary, made on the basis of the second paragraph of article 65 of the Constitution, is the commission responsible for constitutional laws .

Article 6

Modified the following provisions

Modifies Ordinance No. 58-1100 of November 17, 1958 - art. 5 (V)

Annex (Annex Article)

Annex

Modified by Order no. 2023-1142 of December 6, 2023 - art. 31



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JOB OR FUNCTION	COMPETENT PERMANENT COMMISSION WITHIN of each assembly
Chairmanship and general management of Aéroports de Paris	Commission responsible for transport
Chairmanship of the board of directors of the French Transport Infrastructure Financing Agency	Commission responsible for transport
General Directorate of the French Development Agency	Commission responsible for international cooperation
General Directorate of the French Biodiversity Office	Commission responsible for environmental matters
General Directorate of the National Agency for Territorial Cohesion	Commission responsible for regional planning
Chairmanship of the board of directors of the Environment and Energy Management Agency	Commission responsible for environmental matters
General Directorate of the National Agency for Radioactive Waste Management	Commission responsible for environmental matters
General Directorate of the National Agency for Urban Renewal	Commission responsible for town planning
General Directorate of the National Agency for the Safety of Medicines and Health Products	Commission responsible for public health
General Directorate of the National Agency for Food, Environmental and Occupational Health Safety	Commission responsible for public health
Presidency of the Competition Authority	Commission responsible for competition
President of the Airport Noise Control Authority	Commission responsible for transport

airport	transport
President of the Financial Markets Authority	Commission responsible for activities financial
Chairman of the Accounting Standards Authority	Commission responsible for activities financial
President of the Transport Regulatory Authority	Commission responsible for transport
Chairman of the Communications Regulatory Authority electronics, postal and press distribution	Commission responsible for posts and electronic communications
Presidency of the National Gaming Authority	Commission responsible for public finances
Presidency of the Nuclear Safety Authority	Energy Commission
Governorate of the Bank of France	Commission responsible for monetary matters
General Directorate of the Caisse des Dépôts et Consignations	Commission responsible for activities financial
Chairmanship of the Board of Directors of the National Center of space studies	Commission responsible for Applied research
Presidency of the National Center for Scientific Research	Commission responsible for research
Chairmanship of the National Consultative Ethics Committee for Life and health sciences	Commission responsible for health matters public
General administration of the Atomic Energy Commission and alternative energies	Energy Commission
Chairmanship of the Commission for Access to Documents administrative	Commission responsible for public freedoms
Presidency of the college of the Regulatory Commission of energy	Energy Commission
Chairmanship of the Defense Secret Commission national	Commission responsible for defense
Chairmanship of the National Commission for the Control of intelligence techniques	Permanent commission competent in matters of public freedoms
Chairmanship of the National Accounts Commission campaign and political financing	Commission responsible for laws electoral

Presidency of the National Commission for Information Technology and Liberties	Commission responsible for public freedoms
Presidency of the National Commission for Public Debate	Commission responsible for regional planning
Chairmanship of the commission provided for in the last paragraph of Article 25 of the Constitution	Commission responsible for electoral laws
Chairmanship of the board of directors of the Compagnie nationale du Rhône	Commission responsible for energy matters
Presidency of the Regulatory Authority for Audiovisual and Digital Communication	Commission responsible for cultural affairs
General control of places of deprivation of liberty	Commission responsible for public freedoms
Chairmanship and general management of Electricité de France	Energy Commission
Presidency of the High Council of Biotechnologies	Commission responsible for environmental matters
Presidency of the High Audit Authority	Commission responsible for public finances
Presidency of the college of the High Council for the Evaluation of Research and Higher Education	Commission responsible for teaching and research
Presidency of the college of the High Authority of Health	Commission responsible for public health
Presidency of the High Authority for transparency in public life	Permanent commission competent in matters of constitutional laws
Presidency of the National Institute of Agricultural Research	Commission responsible for applied research
Presidency of the National Institute of Health and Medical Research	Commission responsible for research
General Directorate of the Institute of Radiation Protection and Nuclear Safety	Commission responsible for environmental matters
General management of the national public institution mentioned in article L. 5312-1 of the labor code (Pôle emploi)	Commission responsible for employment matters
Credit mediator for candidates and political parties	Commission responsible for electoral laws

Chairmanship and general management of Météo-France	Commission responsible for environmental matters
General Directorate of the French Office for Immigration and Integration	Commission responsible for public freedoms
General Directorate of the French Office for the Protection of Refugees and Stateless Persons	Commission responsible for public freedoms
General Directorate of the National Forestry Office	Commission responsible for agriculture
General management of the limited company Bpifrance	Commission responsible for financial activities
Chairmanship of the board of directors of La Poste	Commission responsible for posts and communications
Chairmanship and general management of the Régie Autonome des Transports Parisiens	Commission responsible for transport
General management of the national company SNCF	Commission responsible for transport
Chairmanship of the board of directors of Voies navigables de France	Commission responsible for transport



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This Act shall be executed as the law of the State.

Done in Paris, July 23, 2010.

Nicolas Sarkozy

By the President of the Republic:

The Prime Minister,

François Fillon

The Minister to the Prime Minister,

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responsible for relations with Parliament,
Henri de Raincourt

(1) Law No. 2010-838. - Preparatory work: National Assembly: Bill No. 1708; Report by Mr. Charles de La Verpillière, on behalf of the Law Commission, No. 1923; Discussion and adoption on September 29, 2009 (TA No. 345). Senate: Bill, adopted by the National Assembly, No. 641 (2008-2009); Report by Mr. Patrice Gélard, on behalf of the Law Commission, No. 141 (2009-2010); Commission text no. 143 (2009-2010); Discussion and adoption on December 21, 2009 (TA No. 47, 2009-2010). National Assembly: Bill, amended by the Senate, No. 2196; Report by Mr. Charles de La Verpillière, on behalf of the Law Commission, No. 2241; Discussion and adoption on February 2, 2010 (TA No. 403). Senate: Bill, adopted with modifications by the National Assembly, No. 245 (2009-2010); Report by Mr. Patrice Gélard, on behalf of the Law Commission, No. 280 (2009-2010); Commission text no. 282 (2009-2010); Discussion and adoption on February 25, 2010 (TA No. 76, 2009-2010). Senate: Report by Mr. Patrice Gélard, on behalf of the joint committee, no. 401 (2009-2010); Discussion and adoption on May 31, 2010 (TA No. 121, 2009-2010). National Assembly: Bill, amended by the Senate on second reading, No. 2378; Report by Mr. Charles de La Verpillière, on behalf of the joint committee, no. 2443; Discussion and adoption on June 15, 2010 (TA No. 487). - Constitutional Council: Decision No. 2010-610 DC of July 12, 2010 published in the Official Journal of that day.