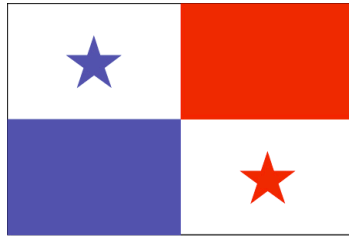


REPUBLIC OF PANAMA

(REPUBLICA DE PANAMA)



BACKGROUND AND LEGAL SYSTEM

LEGAL SYSTEM	Based on civil law system; judicial review of legislative acts in the Supreme Court of Justice; accepts compulsory ICJ jurisdiction, with reservations.
POLITICAL SYSTEM	Constitutional Democracy.
HEAD OF STATE	President is both the chief of state and the head of government. Popular-vote elections take place every 5 years.
HEAD OF GOVERNMENT	President is both the chief of state and the head of government.
SUBNATIONAL ENTITIES	Panama is divided into 9 provinces (<i>provincias</i>) and one territory* (<i>comarca</i>): Bocas del Toro, Chiriqui, Cocle, Colon, Darien, Herrera, Los Santos, Panama, San Blas (<i>Kuna Yala</i>),* and Veraguas.
SUBLOCAL ENTITIES	The <i>provincias</i> are divided into municipal districts (<i>distritos municipales</i>), which are subdivided into <i>corregimientos</i> . The head of each provincial is the governor, appointed by the president.
TRANSLITERATION SYSTEM	None.
LANGUAGES	Spanish (main language).

CONSTITUTION

OFFICIAL NAME	<i>Constitucion Politica de Panama.</i>
ENACTMENT	Adopted in 1972 and amended in 1983 and 1994.
CITATION FORMAT	CONST. POL. PAN. [Constitution] art. <article number> (1972)
<i>Example</i>	CONST. POL. PAN. [Constitution] art. 200 (1972).

STATUTES

GOVERNMENT STRUCTURE	The government is comprised of the executive, legislative and judicial branches. The head of the executive branch is the President; the First and Second Vice Presidents serve under the President. The legislature is comprised of a unicameral National Assembly (<i>Asamblea Nacional</i>) with 78 seats (in 2009 the number of seats will decrease to 71). The members are elected by popular vote to serve five-year terms.
LEGISLATIVE PROCESS	<p>The Panamanian Legislature is in session for two four-month terms annually. Additional special terms may be called by the President. The legislature may create, modify, or repeal laws, ratify treaties, declare war, decree amnesty for political offenses, establish the national currency, raise taxes, ratify government contracts, approve the national budget, and impeach members of the executive or judicial branches.</p> <p>The legislature has significant legal and practical limitations on its control of the budget and the military. Because the legislators are elected by parties who may revoke their status as legislators, and because the legislative term runs concurrently with the presidential term, there are significant political checks on legislative enactments.</p>
REPORTER	<i>Gaceta Oficial</i> , 1903-present (“Official Gazette”).
CITATION FORMAT	No. < x >, <i>Gaceta Oficial</i> , <day of week> <date> <month> <year> <page number>.

Panama, Republic of

EXAMPLE	Resolution No. 226-94, <i>Gaceta Oficial</i> , Sept. 4, 1995.
NOTE ON ALBANIAN LEGAL PUBLICATIONS	The major codes appear in the <i>Gaceta Oficial</i> . Thus, the commercial code, civil code, criminal code, etc all appear together in the <i>Gaceta Oficial</i> .

ADMINISTRATIVE REGULATIONS

ADMINISTRATIVE SOURCES	Regulations are incorporated into the administrative code itself, the <i>Codigo Administrativo</i> , with amendments published in the <i>Gaceta Oficial</i> . This is much more than a basic administrative code. It also contains framework laws covering citizenship and nationality, the structure of the government and political system, public security, communications, copyright, etc. A great variety of diverse laws are fit into the code.
REPORTER	<i>Codigo Administrativo</i>
CITATION FORMAT	Cod. Admin. art <article number> (Pan. 1917).
<i>Example</i>	Cod. Admin. art. 1 (Pan. 1917).

CODES

Codigo civil (CIVIL CODE)	Text is located in the <i>Gaceta Oficial</i> .
Codigo judicial (CODE OF CIVIL PROCEDURE)	Most recently amended in July 1991. Text is located in the <i>Gaceta Oficial</i>
Codigo de Comercio (COMMERCIAL CODE)	Entire code available in English in <i>Foreign tax and Commercial laws</i> (CD-ROM) and at http://www.natlaw.com .
Codigo Penal (CRIMINAL CODE)	Text is available in the <i>Gaceta Oficial</i> .

Procedimiento Penal
(CODE OF CRIMINAL
PROCEDURE)

Also known as part three of the *Codigo civil*.

CITATION FORMAT

<name of code> <article number> <Pan. year>.

Examples

Codigo civil: Cod. Civ. art. 1 (Pan. 1916).

Codigo Commerical: Cod. Com. art. 1 (Pan. 1916)

Codigo Judicial: Cod. Jud. art. 1 (Pan. 1984).

Codigo penal: Cod. Pen. art. 1 (Pan. 1982)

CASE LAW

JUDICIAL
OVERVIEW

The Supreme Court consists of nine justices, elected to ten-year terms. The justices jointly hear constitutional cases, but are divided into three-justice panels to hear cases in their sections which include Civil, Criminal, Contentious-Administrative, and General Affairs. In the civil context, below the Supreme Court are the appellate level courts which are known as the Civil Superior Justice Tribunals. There are two divisions of trial courts: civil circuit courts and municipal judges. Additionally, there are two courts of special jurisdiction: the family law court and the admiralty court. In the criminal context, the structure is similar in that there are municipal trial judges and circuit courts with appellate Criminal Superior Justice Tribunals. There is also a special labor jurisdiction.

REPORTER

Registro Judicial (1904-1956); there is no current official compilation, but court opinions are sometimes published in *Gaceta Oficial*.

CITATION FORMAT
CONSTITUTIONAL COURT

No official reporter currently available.

SOURCES

The CIA Factbook:

<http://www.cia.gov/cia/publications/factbook/geos/pm.html>

The Encyclopedia Britannica Online, Panama

<http://www.britannica.com/eb/article-41016>

FOREIGN LAW: CURRENT SOURCES OF CODES AND LEGISLATION IN JURISDICTIONS OF THE WORLD, THOMAS REYNOLDS & ARTURO FLORES, American Association of Law Libraries Series No. 33 (2003).

LEGAL SYSTEMS OF THE WORLD: A POLITICAL, SOCIAL & CULTURAL ENCYCLOPEDIA at 1262 (Herbert M. Kritzer, ed., 2002).

Country Data, Rouse & Co. International, *at*

<http://www.iprights.com/countrydata/details.asp?countryID=%20%20%20165>

A Guide to Uniform Citation of Inter-American Sources for Writers and Practitioners, 33 U.Miami Inter-Am. L. Rev. 323, 354 (2002).

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<http://memory.loc.gov/frd/cs/patoc.html>.

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