

Dépôt d'une question prioritaire de constitutionnalité (QPC)

Lors d'un procès devant une juridiction administrative ou judiciaire, si vous estimez qu'une disposition législative porte atteinte aux droits et libertés garantis par la Constitution, vous pouvez la contester en posant une «question prioritaire de constitutionnalité» (QPC).

**JE DÉPOSE UNE QPC AUPRÈS DU JUGE
SOUS LA FORME D'UN DOCUMENT ÉCRIT ET MOTIVÉ**

**LE JUGE REJETTE
LA QPC**

L'affaire reprend son cours.

**LE JUGE ACCEPTE
LA QPC**

Il la transmet :

→ à la **Cour de cassation**
(justice civile ou pénale)

→ ou au **Conseil d'État**
(justice administrative).

Le juge attend avant de décider
(l'affaire est suspendue).

**LA COUR DE CASSATION
OU LE CONSEIL D'ÉTAT
REJETTE LA QPC**

L'affaire reprend son cours.

**LA COUR DE CASSATION
OU LE CONSEIL D'ÉTAT
ACCEPTE LA QPC**

Il la transmet

au **Conseil Constitutionnel**.

Le juge attend avant de décider
(l'affaire est suspendue).

**LE CONSEIL
CONSTITUTIONNEL
REJETTE LA QPC**

L'affaire reprend son cours.

**LE CONSEIL
CONSTITUTIONNEL
ACCEPTE LA QPC**

La **disposition législative**
concernée est **abrogée**.

L'affaire reprend,
mais cette disposition
ne peut plus être appliquée.

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Richard Bailey



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