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Norm cited in: [44976 sentences](#) , [353 doctrines](#) , [2 forms](#) , [42 administrative resolutions](#) , [75 news](#)

THE PRESIDENT OF THE REPUBLIC I make it known that the National Congress decrees and I sanction the following complementary law:

The National Congress decrees:

TITLE I

General Provisions

Articles 1 to 36

CHAPTER I

Definition, principles and institutional functions

Articles 1 to 5

ARTICLE 1

The Public Ministry of the Union, organized by this Complementary Law, is a permanent institution, essential to the jurisdictional function of the State, responsible for defending the legal order, the democratic regime, social interests and unavailable individual interests.

Article cited in: [190 sentences](#) , [3 doctrines](#)

ARTICLE 2

It is incumbent upon the Public Ministry to take the necessary measures to ensure that Public Authorities and services of public relevance respect the rights guaranteed by [the Federal Constitution](#) .

Article cited in: [159 sentences](#) , [2 doctrines](#) , [an administrative resolution](#)

ARTICLE 3

The Public Ministry of the Union will exercise external control of police activity in order to:

- respect for the foundations of the Democratic State of Law, the fundamental objectives of the Federative Republic of Brazil, the informing principles of international relations, as well as the rights guaranteed in [the Federal Constitution](#) and the law;
- the preservation of public order, the safety of persons and public property;
- the prevention and correction of illegality or abuse of power;
- the unavailability of criminal prosecution;
- the competence of the bodies responsible for public security.

Article cited in: [12 sentences](#) , [a doctrine](#)

ARTICLE 4

The institutional principles of the Public Ministry of the Union are unity, indivisibility and functional independence.

Article cited in: [8 sentences](#)

ARTICLE 5

The institutional functions of the Public Ministry of the Union are:

I - the defense of the legal order, the democratic regime, social interests and unavailable individual interests, considering, among others, the following foundations and principles:

- sovereignty and popular representation;
- political rights;
- the fundamental objectives of the Federative Republic of Brazil;
- the indissolubility of the Union;
- the independence and harmony of the Powers of the Union;
- the autonomy of the States, the Federal District and the Municipalities;

- the prohibitions imposed on the Union, the States, the Federal District and the Municipalities;

- the legality, impersonality, morality and publicity, relating to the direct, indirect or foundational public administration, of any of the Powers of the Union;

II - ensure compliance with the relative constitutional principles:

- the tax system, limitations on the power to tax, the distribution of taxing powers and tax revenues, and taxpayer rights;

- public finances;

- economic activity, urban, agricultural, land and agrarian reform policy and the national financial system;

- social security, education, culture and sport, science and technology, media and the environment;

- to public safety;

III - the defense of the following assets and interests:

- the national heritage;

- the public and social patrimony;

- the Brazilian cultural heritage;

- the environment;

- the collective rights and interests, especially of indigenous communities, the family, children, adolescents and the elderly;

IV - ensure the effective respect of the Public Powers of the Union, services of public relevance and the media for the principles, guarantees, conditions, rights, duties and prohibitions provided for in [the Federal Constitution](#) and in the law, relating to social communication;

V - ensure the effective respect of the Public Powers of the Union and services of public relevance in terms of:

- the rights guaranteed in [the Federal Constitution](#) regarding health and education actions and services;

- the principles of legality, impersonality, morality and publicity;

VI - perform other functions provided for in [the Federal Constitution](#) and in the law.

§ 1 The bodies of the Public Prosecutor's Office of the Union must ensure compliance with the Institution's principles and competences, as well as the free exercise of their functions.

§ 2nd Only the law may specify the functions assigned by [the Federal Constitution](#) and by this Complementary Law to the Public Ministry of the Union, observing the principles and norms established therein.

Article cited in: [1151 sentences](#) , [6 doctrines](#)

CHAPTER II

Of the instruments of action

Articles 6 to 8

ARTICLE 6

It is incumbent upon the Public Ministry of the Union:

I - promote the direct action of unconstitutionality and the respective request for a precautionary measure;

II - promote the direct action of unconstitutionality by omission;

III - promote the claim of non-compliance with a fundamental precept deriving from [the Federal Constitution](#) ;

IV - promote representation for federal intervention in the States and the Federal District;

V - promote, privately, public criminal action, in accordance with the law;

VI - to file habeas corpus and a writ of mandamus;

VII - promote civil investigation and public civil action to:

- the protection of constitutional rights;

- the protection of public and social heritage, the environment, goods and rights of artistic, aesthetic, historical, tourist and scenic value;

-the protection of unavailable, diffuse and collective individual interests, related to indigenous communities, the family, children, adolescents, the elderly, ethnic minorities and consumers;

4. other unavailable, homogeneous, social, diffuse and collective individual interests;

VIII - promote other actions, including the writ of injunction whenever the lack of a regulatory rule makes the exercise of constitutional rights and freedoms and prerogatives inherent to nationality, sovereignty and citizenship unfeasible, when the interests to be protected are diffused;

IX - promote action aimed at canceling naturalization, due to activity harmful to the national interest;

X - to promote the responsibility of the executors or agents of the state of defense or of the state of siege, for the illicit committed during the period of its duration;

XI - judicially defend the rights and interests of indigenous populations, including those related to lands traditionally inhabited by them, proposing appropriate actions;

XII - propose a collective civil action to defend homogeneous individual interests;

XIII - propose actions for the responsibility of the supplier of products and services;

XIV - promote other actions necessary for the exercise of its institutional functions, in defense of the legal order, the democratic regime and unavailable social and individual interests, especially regarding:

-the rule of law and democratic institutions;

-to the economic and financial order;

-to the social order;

-to the Brazilian cultural heritage;

-the manifestation of thought, creation, expression or information;

-administrative probity;

-to the environment;

XV - to manifest itself at any stage of the proceedings, accepting the judge's request or on his own initiative, when he understands that there is an interest in question that justifies the intervention;

XVI -

vetoed;

XVII - propose the appropriate actions to:

- loss or suspension of political rights, in the cases provided for in [the Federal Constitution](#) ;
- declaration of nullity of acts or contracts generating the external indebtedness of the Federal Government, its autarchies, foundations and other entities controlled by the Federal Public Power, or with direct or indirect repercussions on its finances;
- compulsory dissolution of associations, including political parties, in the cases provided for in [the Federal Constitution](#) ;
- cancellation of concession or permission, in the cases provided for in [the Federal Constitution](#) ;
- declaration of nullity of a contractual clause that contravenes consumer rights;

XVIII - represent;

- to the competent judicial body for breach of confidentiality of correspondence and telegraphic communications, data and telephone communications, for the purposes of criminal investigation or criminal procedural instruction, as well as expressing an opinion on representation addressed to it for the same purposes;
- to the National Congress, with a view to exercising the powers of this or any of its Houses or commissions;
- to the Federal Audit Court, with a view to exercising its powers;
- to the competent judicial body, aiming at the application of penalties for infractions committed against the norms of protection to children and youth, without prejudice to the promotion of civil and criminal liability of the offender, when applicable;

XIX - promote responsibility:

- the competent authority, for not exercising the duties, constitutionally and legally imposed on the Public Power of the Union, in defense of the environment, its preservation and its recovery;

2. of individuals or legal entities, due to the practice of activities harmful to the environment, with a view to applying criminal sanctions and repairing the damage caused;

XX - issue recommendations, aiming at the improvement of public services of public relevance, as well as respect for the interests, rights and goods whose defense it is responsible for promoting, setting a reasonable period for the adoption of the appropriate measures.

§ 1 The participation of the Public Prosecutor's Office of the Union, as an observer institution, in the form and under the conditions established in an act of the Attorney General of the Republic, in any body of the direct, indirect or foundational public administration of the Union, which has duties related to the Institution's functions.

§ 2 The law will ensure the participation of the Public Ministry of the Union in state, federal or Federal District collegiate bodies, constituted to defend rights and interests related to the Institution's functions.

Article cited in: [10224 sentences](#) ,[37 doctrines](#) ,[a form](#) ,[26 administrative resolutions](#) ,[2 news](#)

ARTICLE 7

It is incumbent upon the Public Ministry of the Union, whenever necessary for the exercise of its institutional functions:

I - initiate a civil inquiry and other related administrative procedures;

II - request investigative steps and the initiation of a police investigation and military police investigation, being able to accompany them and present evidence;

III - request the competent authority to institute administrative procedures, except for those of a disciplinary nature, being able to accompany them and produce evidence.

Article cited in: [873 sentences](#) ,[2 doctrines](#)

ARTICLE 8

For the exercise of its attributions, the Public Ministry of the Union may, in the procedures within its competence:

I - notify witnesses and request their coercive conduct, in the event of unjustified absence;

II - request information, examinations, expertise and documents from authorities of the Public Administration directly or indirectly;

III - request from the Public Administration temporary services from its servants and material resources necessary to carry out specific activities;

IV - request information and documents from private entities;

V - carry out inspections and investigative steps;

VI - have free access to any public or private place, in compliance with the constitutional norms pertaining to the inviolability of the home;

VII - issue notifications and subpoenas necessary for the procedures and inquiries to be instituted;

VIII - have unconditional access to any database of a public nature or relating to a service of public relevance;

IX - request the assistance of the police force.

§ 1 The member of the Public Prosecutor's Office will be civilly and criminally responsible for the improper use of the information and documents requested; the criminal action, in the event, may also be proposed by the offended, in the alternative, in the form of the criminal procedural law.

§ 2 No authority may oppose to the Public Prosecutor's Office, under any pretext, the exception of secrecy, without prejudice to the subsistence of the secrecy nature of the information, record, data or document provided to it.

§ 3 The unjustified absence and the undue delay in fulfilling the requests of the Public Prosecutor's Office will imply the responsibility of whoever gives rise to it.

§ 4 Correspondence, notifications, requests and subpoenas from the Public Ministry when addressed to the President of the Republic, the Vice-President of the Republic, member of the National Congress, Minister of the Supreme Federal Court, Minister of State, Minister of the Superior Court, Minister of the Federal Court of Auditors or head of a diplomatic mission of a permanent nature shall be forwarded and carried out by the Attorney General of the Republic or another organ of the Public Prosecutor's Office to whom this attribution is delegated, and it is up to the aforementioned authorities to set the date, time and place in that can be heard, if any.

§ 5. The requests made by the Public Prosecutor's Office shall be made within a reasonable period of up to ten working days for service, which may be extended upon justified request.

Article cited in: [1061 sentences](#) , [13 Doctrines](#) , [9 administrative resolutions](#) , [3 news](#)

CHAPTER III

External control of police activity

Articles 9 and 10

ARTICLE 9

The Public Ministry of the Union will exercise external control of police activity through judicial

and extrajudicial measures and may:

I - have free admission to police or prison establishments;

II - have access to any documents related to the core police activity;

III - represent the competent authority for the adoption of measures to remedy the undue omission, or to prevent or correct illegality or abuse of power;

IV - request the competent authority to initiate a police investigation into the omission or unlawful act occurred in the exercise of police activity;

V - promote criminal action for abuse of power.

Article cited in: [20 sentences](#) , [a doctrine](#) , [2 news](#)

ARTICLE 10

The arrest of any person, by a federal authority or the Federal District and Territories, must be immediately communicated to the competent Public Ministry, indicating the place where the prisoner is and a copy of the documents proving the legality of the arrest.

Article cited in: [8 sentences](#) , [a doctrine](#)

CHAPTER IV

The defense of constitutional rights

Articles 11 to 16

ARTICLE 11

The defense of the constitutional rights of the citizen aims to guarantee their effective respect by the Public Powers and by the providers of services of public relevance.

Article cited in: [6 sentences](#)

ARTICLE 12

The Public Prosecutor for Citizens' Rights will act ex officio or through representation, notifying the authority in question so that it can provide information, within the period signed.

Article cited in: [15 sentences](#)

ARTICLE 13

Whether or not the information has been received and the case has been instructed, if the Public Prosecutor for Citizens' Rights concludes that constitutional rights have been or are being disrespected, he must notify the person in charge so that he can take the necessary measures to prevent the repetition or to determine the cessation of the verified disrespect.

Article cited in: [2 sentences](#)

ARTICLE 14

If the notification provided for in the previous article is not complied with, within the due period, the Public Prosecutor's Office will represent the competent power or authority to promote responsibility for the unconstitutional action or omission.

Article cited in: [a sentence](#)

ARTICLE 15

It is forbidden for bodies defending the constitutional rights of citizens to promote in court the defense of injured individual rights.

§ 1 When the legitimacy for the action resulting from the non-observance of [the Federal Constitution](#) , verified by the Prosecutor's Office, belongs to another organ of the Public Ministry, the information elements will be sent to it.

§ 2 Whenever the holder of the injured right cannot appoint a lawyer and the appropriate action is not the responsibility of the Public Prosecutor's Office, the case, with the collected elements, will be forwarded to the competent Public Defender's Office.

Article cited in: [4 sentences](#)

ARTICLE 16

The law will regulate the procedures of the Public Ministry's performance in the defense of the constitutional rights of the citizen.

CHAPTER V

Of guarantees and prerogatives

Articles 17 to 21

ARTICLE 17

Members of the Public Ministry of the Union enjoy the following guarantees:

I - lifetime, after two years of effective exercise, not being able to lose the position except by a final court decision;

II - irremovability, except for reasons of public interest, upon decision of the Superior Council, by a vote of two thirds of its members, ensuring full defense;

III -

vetoed

Article cited in: [604 sentences](#) , [a doctrine](#)

ARTICLE 18

The prerogatives of the members of the Public Ministry of the Union are:

I - institutional:

- sit on the same plane and immediately to the right of the individual judges or presidents of Organs judiciary bodies before whom they officiate;

- wear talar garments;

- have free entry and transit, due to service, in any public or private place, respecting the constitutional guarantee of the inviolability of the domicile;

- priority in any transport or communication service, public or private, in the national territory, when in urgent service;

- the possession of a weapon, regardless of authorization;

- special identity card, according to the model approved by the Attorney General of the Republic and issued by him, consigning the prerogatives contained in item I, items c, d and item II, items d, e and f, of this article;

II - procedural:

- of the Attorney General of the Republic, to be prosecuted and judged, in common crimes, by the Federal Supreme Court and by the Federal Senate, in crimes of responsibility;
- of the member of the Public Ministry of the Union who officiates before the courts, to be prosecuted and judged, in common crimes and of responsibility, by the Superior Court of Justice;
- of the member of the Public Ministry of the Union who officiates before courts of first instance, to be prosecuted and judged, in common crimes and of responsibility, by the Federal Regional Courts, except for the competence of the Electoral Justice;
- to be arrested or detained only by written order of the competent court or due to the act of a non-bailable crime, in which case the authority will immediately notify that court and the Attorney General of the Republic, under penalty of liability;
- to be taken to the special prison or to the special room of the General Staff, with the right to privacy and at the disposal of the competent court for the trial, when subject to arrest before the final decision; and the separate dependency in the establishment where the sentence has to be served;
- not be indicted in a police investigation, in compliance with the provisions of the sole paragraph of this article;
- be heard, as witnesses, on a day, time and place previously agreed with the magistrate or the competent authority;
- receive a subpoena personally in the records in any process and degree of jurisdiction in the facts in which he has to officiate.

Single paragraph. When, in the course of the investigation, there is evidence of the practice of a criminal offense by a member of the Public Prosecutor's Office, the police, civil or military authority, shall immediately forward the case file to the Attorney General of the Republic, who will appoint a member of the Public Prosecutor's Office to proceed with the investigation. fact finding.

Article cited in: [1254 sentences](#) ,[51 doctrines](#) ,[a form](#) ,[3 news](#)

ARTICLE 19

The Attorney General of the Republic shall have the same honors and treatment as the Ministers of the Federal Supreme Court; and the other members of the institution, those that are reserved for the magistrates before whom they officiate.

Article cited in: [a sentence](#) ,[a doctrine](#)

ARTICLE 20

The bodies of the Public Prosecutor's Office of the Union will have their presence and voice assured in all the sessions of the collegiate bodies in which they officiate.

Article cited in: [a sentence](#)

ARTICLE 21

The guarantees and prerogatives of the members of the Public Ministry of the Union are inherent to the exercise of their functions and cannot be waived.

Single paragraph. The guarantees and prerogatives provided for in this Complementary Law do not exclude those established in other laws.

Article cited in: [5 sentences](#)

CHAPTER VI

On the autonomy of the public prosecutor

Articles 22 and 23

ARTICLE 22

The Public Ministry of the Union is guaranteed functional, administrative and financial autonomy, being responsible for:

I - propose to the Legislative Power the creation and extinction of its positions and auxiliary services, as well as the establishment of the salaries of its members and servants;

II - provide the positions of their careers and auxiliary services;

III - organize auxiliary services;

IV - practice proper management acts.

Article cited in: [5 sentences](#) , [2 doctrines](#)

ARTICLE 23

The Federal Public Ministry will prepare its budget proposal within the limits of the budget guidelines law.

§ 1 The resources corresponding to its budgetary allocations, including supplementary and special credits, will be delivered until the 20th of each month.

§ 2 The accounting, financial, budgetary, operational and patrimonial inspection of the Public Ministry of the Union shall be exercised by the National Congress, through external control, with the assistance of the Federal Audit Court, in accordance with the provisions of Title IV, Chapter I, Section IX, of [the Federal Constitution](#), and by its own internal control system.

§ 3 The accounts referring to the previous fiscal year shall be provided, annually, within sixty days of the opening of the legislative session of the National Congress.

Article cited in: [a sentence](#)

CHAPTER VII

of the structure

Article 24

ARTICLE 24

The Public Ministry of the Union comprises:

I - The Federal Public Ministry;

II - the Public Ministry of Labor;

III - the Military Public Ministry;

IV - the Public Ministry of the Federal District and Territories.

Single paragraph. The basic structure of the Public Ministry of the Union will be organized by regulation, under the terms of the law.

Article cited in: [2 sentences](#), [2 doctrines](#)

CHAPTER VIII

From the Attorney General of the Republic

Articles 25 to 27

ARTICLE 25

The Attorney General of the Republic is the head of the Public Prosecutor's Office, appointed by the President of the Republic from among career members over thirty-five years of age, with reappointment being allowed preceded by a new decision by the Federal Senate.

Single paragraph. The ex officio exoneration of the Attorney General of the Republic, on the initiative of the President of the Republic, must be preceded by the authorization of the absolute majority of the Federal Senate, in a secret ballot.

Article cited in: [3 sentences](#) , [a doctrine](#)

ARTICLE 26

The attributions of the Attorney General of the Republic, as Head of the Public Prosecutor's Office of the Union:

I - represent the institution;

II - propose to the Legislative Power the bills on the Public Ministry of the Union;

III - present the budget proposal of the Public Ministry of the Union, making the preliminary projects of the different branches of the Institution compatible, in the form of the budget guidelines law;

IV - appoint and swear in the Deputy Attorney General of the Republic, the Attorney General for Labor, the Attorney General for Military Justice, as well as swear in the Attorney General for Justice of the Federal District and Territories;

V - forward to the President of the Republic the triple list for appointment of the Attorney General of Justice of the Federal District and Territories;

VI - forward to the respective Presidents the six-fold lists for the composition of the Federal Regional Courts, the Court of Justice of the Federal District and Territories, the Superior Court of Justice, the Superior Labor Court and the Regional Labor Courts;

VII - settle attribution conflicts between members of different branches of the Federal Public Ministry;

VIII - practice administrative, financial and personnel management acts;

IX - provide and disprove career positions in the Federal Public Ministry and its auxiliary services;

X - arbitrate the value of the advantages due to the members of the Public Ministry of the Union, in the cases provided for in this Complementary Law;

XI - set the value of the scholarships owed to interns;

XII - exercise other duties provided for by law;

XIII - exercise regulatory power, within the scope of the Federal Public Prosecutor's Office, except for the powers established in this Complementary Law for other bodies established therein.

§ 1 The Attorney General of the Republic may delegate to the Attorneys General the attributions provided for in items VII and VIII of this article.

Paragraph 2. The delegation may also be made to the Director General of the Federal Public Prosecutor's Office for the practice of administrative, financial and personnel management acts, these only in relation to servers and auxiliary services.

Article cited in: [17 sentences](#)

ARTICLE 27

The Attorney General of the Republic will designate, among the members of the career, over thirty-five years old, the Deputy Attorney General of the Republic, who will replace him in his impediments. In the event of a vacancy, the Vice-President of the Superior Council of the Federal Public Ministry will hold the position, until the position is definitively filled.

Article cited in: [a sentence](#)

CHAPTER IX

From the superior advisory board of the public ministry of the union

Articles 28 to 31

ARTICLE 28

The Superior Advisory Council of the Public Ministry of the Union, under the presidency of the

Attorney General of the Republic, will be made up of the Deputy Attorney General of the Republic, the Attorney General for Labor, the Attorney General for Military Justice and the Attorney General of Justice of the Federal District and Territories.

ARTICLE 29

The meetings of the Superior Advisory Council of the Public Ministry of the Union shall be convened by the Attorney General of the Republic, and any of its members may request them.

Article cited in: [a sentence](#)

ARTICLE 30

The Superior Advisory Council of the Public Ministry of the Union shall give its opinion on matters of general interest to the Institution, and in particular on:

I - bills of common interest of the Public Ministry of the Union, including:

- those aimed at amending general rules of the Organic Law of the Public Ministry of the Union;
- the budget proposal of the Public Ministry of the Union;
- those who propose fixing salaries in careers and auxiliary services;

II - the organization and functioning of the General Directorate and Services of the Secretariat of the Public Ministry of the Union.

Article cited in: [a sentence](#)

ARTICLE 31

The Superior Advisory Council may propose to the Superior Councils of the different branches of the Federal Public Ministry measures to standardize the acts resulting from its normative power.

CHAPTER X

of careers

Articles 32 to 34

ARTICLE 32

The careers of the different branches of the Public Ministry of the Union are independent from each other, each having its own organization, in the form of this complementary law.

ARTICLE 33

The functions of the Public Ministry of the Union can only be performed by members of the respective career, who must reside where they are assigned.

Article cited in: [A Doctrine](#)

ARTICLE 34

The law will establish the number of positions in the careers of the Federal Public Ministry and the offices in which their functions will be exercised.

CHAPTER XI

of auxiliary services

Articles 35 and 36

ARTICLE 35

The Office of the Public Prosecutor's Office is headed by its Director General, freely chosen by the Attorney General of the Republic and can be dismissed ad nutum, and is responsible for the technical and administrative support auxiliary services to the Institution.

Article cited in: [16 sentences](#)

ARTICLE 36

The auxiliary services staff will be organized in their own career framework, under the statutory regime, for technical-administrative support appropriate to the specific activities of the Institution.

Article cited in: [a sentence](#)

TITLE II

Branches of the Public Ministry of the Union

Articles 37 to 181

CHAPTER I

From the Federal Public Ministry

Articles 37 to 82

SECTION I

competence, bodies and career

Articles 37 to 44

ARTICLE 37

The Federal Public Ministry will exercise its functions:

I - in cases within the jurisdiction of the Federal Supreme Court, the Superior Court of Justice, the Federal Regional Courts and Federal Judges, and the Electoral Courts and Judges;

II - in cases within the jurisdiction of any judges and courts, for the defense of rights and interests of Indians and indigenous populations, the environment, goods and rights of artistic, aesthetic, historical, tourist and scenic value, members of the national heritage;

III -

vetoed.

Single paragraph. The Federal Public Ministry will be a legitimate party to file an extraordinary appeal against the decisions of the Justice of the States in the representations of unconstitutionality.

Article cited in: [138 sentences](#) , [a doctrine](#)

ARTICLE 38

The institutional functions of the Federal Public Prosecutor's Office are those provided for in Chapters I, II, III and IV of Title I, and it is specifically responsible for:

I - initiate a civil inquiry and other related administrative procedures;

II - request investigative steps and the initiation of a police investigation, being able to accompany them and present evidence;

III - request the competent authority to institute administrative procedures, except for those of a disciplinary nature, being able to accompany them and produce evidence;

IV - exercise external control over the activity of the federal police, pursuant to art. 9th;

V - participate in the Penitentiary Councils;

VI - integrate the collegiate bodies provided for in § 2 of art. 6, when components of the administrative structure of the Union;

VII - to supervise the execution of the sentence, in the processes of competence of the Federal Justice and the Electoral Justice.

Article cited in: [10 sentences](#) , [a doctrine](#)

ARTICLE 39

It is up to the Federal Public Ministry to defend the constitutional rights of the citizen, whenever it takes care to guarantee their respect:

I - by the Federal Public Authorities;

II - by direct or indirect federal public administration bodies;

III - by concessionaires and licensees of federal public service;

IV - by entities that exercise another function delegated to the Union.

Article cited in: [18 sentences](#) , [a notice](#)

ARTICLE 40

The Attorney General of the Republic shall appoint, from among the Deputy Attorneys General of

the Republic and upon prior approval of the name by the Superior Council, the Federal Attorney for Citizens' Rights, to perform the duties of the office for a period of two years, with one reappointment being permitted, preceded by of a new decision by the Board of Governors.

§ 1º Whenever possible, the Prosecutor will not accumulate the exercise of his functions with others of the Federal Public Ministry.

§ 2º The Attorney General will only be dismissed, before the end of his investiture, on the initiative of the Attorney General of the Republic, consenting the absolute majority of the Superior Council.

Article cited in: [6 sentences](#)

ARTICLE 41

In each State and in the Federal District it will be designated, in the form of art. 49, III, body of the Federal Public Ministry to exercise the functions of Regional Attorney for Citizens' Rights.

Single paragraph. The Federal Prosecutor for Citizens' Rights will issue instructions for the exercise of the functions of the Office of Prosecutor for Citizens' Rights, respecting the principle of functional independence.

Article cited in: [8 sentences](#)

ARTICLE 42

The execution of the measure provided for in art. 14 is incumbent upon the Federal Prosecutor for Citizens' Rights.

ARTICLE 43

The following are bodies of the Federal Public Ministry:

I - the Attorney General of the Republic;

II - the College of Attorneys of the Republic;

III - the Superior Council of the Federal Public Ministry;

IV - the Coordination and Review Chambers of the Federal Public Ministry;

V - the Internal Affairs Office of the Federal Public Ministry;

VI - the Deputy Attorneys General of the Republic;

VII - the Regional Attorneys of the Republic;

VIII - the Attorneys of the Republic.

Single paragraph. The Coordination and Review Chambers may work alone or together, forming part of the Institutional Council, as provided for in their regiment.

ARTICLE 44

The career of the Federal Public Ministry consists of the positions of Deputy Attorney General of the Republic, Regional Attorney of the Republic and Attorney of the Republic.

Single paragraph. The initial position of the career is that of Attorney of the Republic and the last level is that of Deputy Attorney General of the Republic.

Article cited in: [A Doctrine](#)

SECTION II

Head of the Federal Public Ministry

Articles 45 to 51

ARTICLE 45

The Attorney General of the Republic is the Head of the Federal Public Ministry.

ARTICLE 46

It is incumbent upon the Attorney General of the Republic to exercise the functions of the Public Prosecutor's Office before the Federal Supreme Court, manifesting itself in advance in all cases within its competence.

Single paragraph. The Attorney General of the Republic will propose before the Federal Supreme Court:

I - the direct action of unconstitutionality of a federal or state law or normative act and the

respective request for a precautionary measure;

II - the representation for federal intervention in the States and in the Federal District, in the cases of [art. 34, VII](#) , of [the Federal Constitution](#) ;

III - the applicable civil and criminal actions.

Article cited in: [97 sentences](#) , [2 doctrines](#) , [a notice](#)

ARTICLE 47

The Attorney General of the Republic will designate the Deputy Attorneys General of the Republic who will exercise, by delegation, their functions before the different jurisdictional bodies of the Federal Supreme Court.

§ 1 The functions of the Federal Public Prosecutor's Office with the Superior Courts of the Union, before which it is responsible for acting, may only be exercised by a holder of the position of Deputy Attorney General of the Republic.

§ 2 In the event of a vacancy or removal of the Deputy Attorney General of the Republic, for a period exceeding thirty days, the Regional Attorney of the Republic may be summoned to replace it, by the vote of the majority of the Superior Council.

§ 3 The Regional Attorney of the Republic summoned will receive the difference in salary corresponding to the position of Deputy Attorney General of the Republic, including per diem and transportation, if applicable.

Article cited in: [44 sentences](#) , [a doctrine](#) , [a notice](#)

ARTICLE 48

It is incumbent upon the Attorney General of the Republic to propose before the Superior Court of Justice:

I - representation for federal intervention in the States and the Federal District, in the event of refusal to enforce federal law;

II - criminal action, in the cases provided for in [art. 105, I](#) , "a", of [the Federal Constitution](#) .

Single paragraph. The competence provided for in this article may be delegated to the Deputy Attorney General of the Republic.

Article cited in: [18 sentences](#) , [a doctrine](#) , [a notice](#)

ARTICLE 49

The duties of the Attorney General of the Republic, as Head of the Federal Public Prosecutor's Office, are:

I - represent the Federal Public Ministry;

II - integrate, as a natural member, and preside over the College of Attorneys of the Republic, the Superior Council of the Federal Ministry and the Tender Committee;

III - appoint the Federal Prosecutor for Citizens' Rights and the holders of the Prosecutor's Office in the States and in the Federal District;

IV - appoint one of the members and the Coordinator of each of the Coordination and Review Chambers of the Federal Public Ministry;

V - appoint the General Inspector of the Federal Public Ministry, according to the list formed by the Superior Council;

VI - to designate, observing the criteria of the law and those established by the Superior Council, the offices in which the members of the Federal Public Ministry will exercise their functions;

VII - designate:

- the Head of the Regional Prosecutor's Office, among the Regional Prosecutors of the Republic assigned to the respective Regional Prosecutor's Office;

- the Head of the Attorney General's Office in the States and the Federal District, among the Attorneys of the Republic assigned to the respective unit;

VIII - decide, on appeal, the conflicts of attributions between agencies of the Federal Public Ministry;

IX - determine the opening of correction, investigation or administrative inquiry;

X - determine the initiation of an investigation or administrative process against servants of auxiliary services;

XI - decide on disciplinary proceedings against a member of the career or servant of the auxiliary services, applying the appropriate sanctions;

XII - decide, given the need for the service, on:

- removal on demand or by exchange;

-partial alteration of the biennial list of designations;

XIII - authorize the removal of members of the Federal Public Ministry, after hearing the Superior Council, in the cases provided for by law;

XIV - to swear in the members of the Federal Public Ministry;

XV - appoint a member of the Federal Public Ministry to:

-work in bodies in which the Institution's participation is legally foreseen, after hearing the Superior Council;

-to integrate technical or scientific committees, related to the Institution's functions, after hearing the Superior Council;

-ensure the continuity of services, in case of vacancy, temporary removal, absence, impediment or suspension of the holder, in the absence or absence of the designated substitute;

-operate before courts other than those provided for in item I of art. 37, of this supplementary law;

5. monitor administrative procedures and police investigations initiated in areas outside its specific competence, as long as they are related to facts of interest to the Institution.

XVI - ratify, after hearing the Superior Council, the result of the competition for entry into the career;

XVII - publish a notice of vacancy in the capacity and in the biennial list of appointments;

XVIII - prepare the budget proposal of the Federal Public Ministry, submitting it to the Superior Council for approval;

XIX - organize the rendering of accounts for the previous year;

XX - practice administrative, financial and personnel management acts;

XXI - prepare the report on the activities of the Federal Public Ministry;

XXII - coordinate the activities of the Federal Public Ministry;

XXIII - carry out other activities provided for by law.

Article cited in: [4 sentences](#) , [a notice](#)

ARTICLE 50

The attributions of the Attorney General of the Republic, provided for in the previous article, may be delegated:

I - the Coordinator of the Coordination and Review Chamber, those of items XV, subparagraph c and XXII;

II - to the Heads of the Regional Attorneys' Offices of the Republic and to the Heads of the Attorneys' Offices in the States and in the Federal District, those of items I, XV, paragraph c, XX and XXII.

Article cited in: [2 sentences](#) ,[a notice](#)

ARTICLE 51

Public criminal action against the Attorney General of the Republic, when in office, will be the responsibility of the Deputy Attorney General of the Republic appointed by the Superior Council of the Federal Public Ministry.

Article cited in: [a sentence](#)

SECTION III

From the College of Attorneys of the Republic

Articles 52 and 53

ARTICLE 52

The College of Attorneys of the Republic, chaired by the Attorney General of the Republic, is made up of all career members working in the Federal Public Ministry.

Article cited in: [a sentence](#)

ARTICLE 53

It is incumbent upon the College of Public Prosecutors:

I - draw up, by means of a plurinominal, optional and secret vote, the six-fold list for the composition of the Superior Court of Justice, with members of the Federal Public Prosecutor's

Office, with more than ten years in the career, being more than thirty-five and less than sixty-five years of age;

II - draw up, by means of a plurinominal, optional and secret vote, the sixfold list for the composition of the Federal Regional Courts, being eligible members of the Federal Public Prosecutor's Office, with more than ten years of career, which contains more than thirty and less than sixty-five five years of age, whenever possible stationed in the respective region;

III - elect, among the Deputy Attorneys General of the Republic and by means of a plurinominal, optional and secret vote, four members of the Superior Council of the Federal Public Ministry;

IV - give an opinion on general matters of interest to the institution.

§ 1 For the purposes set out in items I, II and III of this article, a meeting of the College of Prosecutors will be waived, proceeding as provided for in its internal regulations and requiring the vote of the absolute majority of voters.

§ 2^o Exceptionally, in case of relevant interest of the Institution, the College of Attorneys will meet in a place designated by the Attorney General of the Republic, provided that it is convened by him or by the majority of its members.

§ 3 The Internal Regulations of the College of Attorneys of the Republic shall provide for its functioning.

SECTION IV

From the Superior Council of the Federal Public Ministry

Articles 54 to 57

ARTICLE 54

The Superior Council of the Federal Public Ministry, chaired by the Attorney General of the Republic, has the following composition:

I - the Attorney General of the Republic and the Deputy Attorney General of the Republic, who are part of it as natural members;

II - four Deputy Attorneys General of the Republic elected, for a two-year term, pursuant to art. 53, III, re-election allowed;

III - four Deputy Attorneys General of the Republic elected, for a two-year term, by their peers, by means of a plurinominal, optional and secret vote, reelection being permitted.

§ 1º The other members voted, in descending order, will be substitutes for the members mentioned in items II and III, observing the general tie-breaking criteria.

§ 2º The Superior Council will elect its Vice-President, who will substitute the President in his/her impediments and in case of vacancy.

ARTICLE 55

The Superior Council of the Federal Public Ministry will meet, ordinarily, once a month, on a day previously established, and, extraordinarily, when convened by the Attorney General of the Republic, or by proposal of the majority of its members.

ARTICLE 56

Unless otherwise stated, the decisions of the Board of Governors will be taken by majority vote, with an absolute majority of its members present.

§ 1 In the event of a tie, the President's vote shall prevail, except for sanctions, in which case the solution most favorable to the accused shall prevail.

§ 2 The decisions of the Superior Council will be published in the Diário da Justiça, except when the Internal Regulations determine secrecy.

Article cited in: [4 sentences](#)

ARTICLE 57

It is incumbent upon the Superior Council of the Federal Public Ministry:

I - exercise normative power within the scope of the Federal Public Ministry, observing the principles of this Complementary Law, especially to prepare and approve:

- its internal regulations, those of the College of Public Prosecutors and those of the Coordination and Review Chambers of the Federal Public Ministry;

- the rules and instructions for the career entry contest;

- the rules on the designations for the different offices of the Federal Public Ministry;

- the criteria for the distribution of inquiries, administrative procedures and any other made,

in the Federal Public Ministry;

-the criteria for promotion by merit, in the career;

6. the procedure for evaluating the fulfillment of the probationary conditions;

II - approve the name of the Federal Attorney for Citizens' Rights;

III - appoint members of the Coordination and Review Chambers;

IV - approve the dismissal of the Regional Electoral Attorney;

V - to dismiss, on the initiative of the Attorney General of the Republic and by the vote of two thirds of its members, before the end of the term of office, the Corregidor-General;

VI - prepare the triple list for the General Inspector of the Federal Public Ministry;

VII - prepare the triple list for promotion by merit;

VIII - approve the seniority list of the members of the Federal Public Ministry and decide on the complaints concerning it;

IX - appoint the member of the Federal Public Ministry for promotion by seniority, in compliance with the provisions of [art. 93, II](#) , item d, of [the Federal Constitution](#) ;

X - appoint the Deputy Attorney General of the Republic to hear about inquiries, pieces of information or representation on common crimes attributable to the Attorney General of the Republic and, where appropriate, promote criminal proceedings;

XI - give an opinion on the appointment of a member of the Federal Public Ministry to:

-work in bodies where the institution's participation is legally provided for;

2. integrate technical or scientific committees related to the institution's functions;

XII - give an opinion on the temporary removal of a member of the Federal Public Ministry;

XIII - authorize the appointment, on an exceptional basis, of members of the Federal Public Ministry, to exercise procedural duties before courts, tribunals or offices other than those established for each category;

XIV - determine the execution of corrections and investigations and consider the corresponding reports;

XV - determine the initiation of administrative proceedings in which the accused is a member of the Federal Public Ministry, examine his reports and propose the appropriate measures;

XVI - determine the preventive removal from the exercise of their functions, of the member of the Federal Public Ministry, indicted or accused in disciplinary proceedings, and their return;

XVII - appoint the administrative procedure commission in which the accused is a member of the Federal Public Ministry;

XVIII - decide on the fulfillment of the probationary period by a member of the Federal Public Ministry, forwarding a copy of the decision to the Attorney General of the Republic, when applicable, to effectuate his exoneration;

XIX - decide on the removal and availability of a member of the Federal Public Ministry, for reasons of public interest;

XX - authorize, by an absolute majority of its members, the Attorney General of the Republic to file a lawsuit for loss of office against a lifetime member of the Federal Public Ministry, in the cases provided for in this law;

XXI - give an opinion on requests for the reversal of a career member;

XXII - give an opinion on the forwarding of a bill to increase the number of career positions;

XXIII - to resolve on the holding of a contest for entry into the career, appoint the members of the Contest Committee and give an opinion on the approval of the results;

XXIV - to approve the budget proposal that will integrate the budget project of the Public Ministry of the Union;

XXV - perform other functions established by law.

§ 1 The Attorney General and any member of the Superior Council are prevented from participating in its decisions in the cases provided for in the procedural laws for the impediment and suspicion of a member of the Public Ministry.

§ 2 The resolutions related to items I, lines a and e, IV, XIII, XV, XVI, XVII, XIX and XXI can only be taken with the favorable vote of two thirds of the members of the Superior Council.

Article cited in: [2 sentences](#)

SECTION V

From the coordination and review chambers of the federal public prosecutor

Articles 58 to 62

ARTICLE 58

The Coordination and Review Chambers of the Federal Public Ministry are the sectoral bodies for coordinating, integrating and reviewing the functional exercise of the institution.

Article cited in: [a sentence](#)

ARTICLE 59

The Coordination and Review Chambers will be organized by function or by subject, through a normative act.

Single paragraph. The Internal Regulations, which will provide for the functioning of the Coordination and Review Chambers, will be prepared by the Superior Council.

Article cited in: [3 administrative resolutions](#)

ARTICLE 60

The Coordination and Review Chambers will be composed of three members of the Federal Public Ministry, one appointed by the Attorney General of the Republic and two by the Superior Council, together with their alternates, for a term of two years, among members of the last degree of the career. , whenever possible.

Article cited in: [a sentence](#)

ARTICLE 61

Among the members of the Coordination and Review Chamber, one of them will be designated by the Attorney General for the executive role of Coordinator.

ARTICLE 62

It is incumbent upon the Coordination and Review Boards to:

I - promote the integration and coordination of institutional bodies that work in offices linked to the sector within their competence, observing the principle of functional independence;

II - maintain exchanges with bodies or entities that work in similar areas;

III - forward technical-legal information to institutional bodies operating in their sector;

IV – express its opinion on the shelving of a police inquiry, parliamentary inquiry or pieces of information, except in cases of competence originating from the Attorney General;

V - resolve on the special distribution of facts that, due to their continuous reiteration, should receive uniform treatment;

VI - resolve on the special distribution of inquiries, facts and procedures, when the matter, by its nature or relevance, so requires;

VII - decide the conflicts of attributions between the bodies of the Federal Public Ministry.

Single paragraph. The competence established in items V and VI will be exercised according to objective criteria previously established by the Superior Council.

Article cited in: [569 sentences](#) ,[3 doctrines](#) ,[4 administrative resolutions](#) ,[a notice](#)

SECTION VI

From the Internal Affairs Office of the Federal Public Ministry

Articles 63 to 65

ARTICLE 63

The Corregedoria of the Federal Public Ministry, directed by the Corregedor-Geral, is the supervisory body of the functional activities and conduct of the members of the Public Ministry.

Article cited in: [5 sentences](#)

ARTICLE 64

The Corregidor General will be appointed by the Attorney General of the Republic from among the Sub-Attorneys General of the Republic, members of the triple list drawn up by the Superior Council, for a two-year term, renewable once.

§ 1º The members of the Superior Council will not be able to integrate the triple list.

§ 2 The other members of the triple list will be substitutes for the Corregedor-General, in the order in which the Attorney-General designates them.

§ 3 The General Inspector may be removed by the Attorney General's initiative, before the end of the term, by the Superior Council, in compliance with the provisions of item V of art. 57.

Article cited in: [a sentence](#)

ARTICLE 65

It is incumbent upon the Corregidor-General of the Federal Public Ministry:

I - participate, without the right to vote, in the meetings of the Superior Council;

II - carry out, ex officio, or by determination of the Attorney General or the Superior Council, corrections and investigations, presenting the respective reports;

III - initiate an inquiry against a member of the career and propose to the Superior Council the opening of the consequent administrative process;

IV - monitor the probationary stage of the members of the Federal Public Ministry;

V - propose to the Superior Council the exoneration of a member of the Federal Public Ministry who does not meet the conditions of the probationary period.

Article cited in: [2 sentences](#)

SECTION VII

Of the Deputy Attorneys General of the Republic

Articles 66 and 67

ARTICLE 66

The Deputy Attorneys General of the Republic will be appointed to officiate at the Federal Supreme Court, the Superior Court of Justice, the Superior Electoral Court and the Coordination and Review Chambers.

§ 1 In the Federal Supreme Court and in the Superior Electoral Court, the Deputy Attorneys General of the Republic shall act by delegation of the Attorney General of the Republic.

§ 2 The designation of Deputy Attorney General of the Republic to officiate in jurisdictional bodies other than those foreseen for the category will depend on authorization from the Superior Council.

Article cited in: [40 sentences](#) ,[an administrative resolution](#)

ARTICLE 67

It is incumbent upon the Deputy Attorneys General of the Republic, privately, to exercise the functions of:

- I - Deputy Attorney General of the Republic;
- II - Deputy Electoral Attorney General;
- III - Corregidor-General of the Federal Public Ministry;
- IV - Federal Attorney for Citizens' Rights;
- V - Coordinator of the Coordination and Review Board.

SECTION VIII

From the regional prosecutors of the republic

Articles 68 and 69

ARTICLE 68

The Regional Attorneys of the Republic will be appointed to officiate before the Federal Regional Courts.

Single paragraph. The appointment of Regional Attorney of the Republic to officiate in jurisdictional bodies other than those foreseen for the category will depend on authorization from the Superior Council.

Article cited in: [14 sentences](#)

ARTICLE 69

The Regional Attorneys of the Republic will be assigned to the offices in the Regional Attorneys

of the Republic.

Article cited in: [a sentence](#)

SECTION IX

From the Attorneys of the Republic

Articles 70 and 71

ARTICLE 70

The Attorneys of the Republic will be appointed to officiate with the Federal Judges and with the Regional Electoral Courts, where the Regional Attorney's Office does not have its headquarters.

Single paragraph. The designation of Public Prosecutor to officiate in jurisdictional bodies other than those foreseen for the category will depend on authorization from the Superior Council.

Article cited in: [224 sentences](#)

ARTICLE 71

The Attorneys of the Republic will be assigned to the offices in the Attorneys of the Republic in the States and in the Federal District.

SECTION X

The electoral functions of the federal public ministry

Articles 72 to 80

ARTICLE 72

It is incumbent upon the Federal Public Ministry to exercise, as appropriate, together with the Electoral Court, the functions of the Public Ministry, acting in all phases and instances of the electoral process.

Single paragraph. The Federal Public Ministry is entitled to propose, before the competent court, actions to declare or decree the nullity of legal transactions or acts of the public administration,

infringing legal prohibitions intended to protect the normality and legitimacy of elections, against the influence of the economic power or the abuse of political or administrative power.

Article cited in: [76 sentences](#) , [a doctrine](#)

ARTICLE 73

The Electoral Attorney General is the Attorney General of the Republic.

Single paragraph. The Electoral Attorney General will appoint, among the Deputy Attorneys General of the Republic, the Deputy Electoral Attorney General, who will replace him in his impediments and will exercise the position in case of vacancy, until the definitive appointment.

Article cited in: [3 sentences](#)

ARTICLE 74

It is incumbent upon the Electoral General Prosecutor to exercise the functions of the Public Prosecutor's Office in cases within the competence of the Superior Electoral Court.

Single paragraph. In addition to the Deputy Electoral Attorney General, the Attorney General may designate, due to the need for service, members of the Federal Public Ministry to officiate, with his approval, before the Superior Electoral Court.

Article cited in: [20 sentences](#)

ARTICLE 75

It is incumbent upon the Electoral Attorney General:

I - appoint the Regional Electoral Attorney in each State and in the Federal District;

II - monitor the procedures of the Electoral Inspector General;

III - settle attribution conflicts;

IV - requisition civil servants from the Union and its autarchies, when required by the need for the service, without prejudice to the rights and advantages inherent to the exercise of their positions or jobs.

Article cited in: [6 sentences](#)

ARTICLE 76

The Regional Electoral Prosecutor, together with his substitute, will be appointed by the Electoral General Prosecutor, among the Regional Prosecutors of the Republic in the State and in the Federal District, or, where there is none, among the Prosecutors for life, for a term of two years. years old.

§ 1 The Regional Electoral Prosecutor may be reappointed once.

§ 2 The Regional Electoral Prosecutor may be removed, before the end of the term, on the initiative of the Electoral General Prosecutor, consenting to the absolute majority of the Superior Council of the Federal Public Ministry.

Article cited in: [13 sentences](#)

ARTICLE 77

It is incumbent upon the Regional Electoral Prosecutor to exercise the functions of the Public Prosecutor's Office in cases within the competence of the respective Regional Electoral Court, in addition to directing, in the State, the activities of the sector.

Single paragraph. The Electoral Attorney General may appoint other members of the Federal Public Ministry to officiate, under the coordination of the Regional Attorney, before the Regional Electoral Courts.

Article cited in: [26 sentences](#)

ARTICLE 78

The electoral functions of the Federal Public Ministry before Judges and Electoral Boards will be exercised by the Electoral Promoter.

Article cited in: [25 sentences](#)

ARTICLE 79

The Electoral Promoter will be the member of the local Public Prosecutor's Office who makes an official letter to the Court responsible for the electoral service of each Zone.

Single paragraph. In the absence of a Prosecutor to officiate before the Electoral Zone, or in the event of impediment or justified refusal, the Head of the local Public Prosecutor's Office will indicate to the Regional Electoral Prosecutor the substitute to be designated.

Article cited in: [25 sentences](#) ,[a doctrine](#)

ARTICLE 80

Affiliation to a political party prevents the exercise of electoral functions by a member of the Public Ministry within two years of its cancellation.

Article cited in: [a sentence](#)

SECTION XI

Of the stocking and administration units

Articles 81 and 82

ARTICLE 81

The offices in the Attorney General's Office, in the Regional Attorneys' Offices of the Republic and in the Attorneys' Offices in the States and in the Federal District are units of staffing and administration of the Federal Public Ministry.

Single paragraph. In the municipalities in the interior where federal courts are based, the law will create units of the Attorney General's Office in the respective State.

Article cited in: [11 sentences](#) ,[a doctrine](#)

ARTICLE 82

The basic structure of the stocking and administration units will be organized by regulation, under the terms of the law.

Article cited in: [17 sentences](#) ,[2 doctrines](#)

CHAPTER II

From the Public Ministry of Labor

Articles 83 to 115

SECTION I

competence, bodies and career

Articles 83 to 86

ARTICLE 83

It is incumbent upon the Public Ministry of Labor to exercise the following duties with the Labor Justice bodies:

- I - promote the actions assigned to it by [the Federal Constitution](#) and by labor laws;
- II - to manifest itself at any stage of the labor process, accepting the judge's request or on his own initiative, when he understands that there is a public interest that justifies the intervention;
- III - promote public civil action within the scope of the Labor Court, for the defense of collective interests, when constitutionally guaranteed social rights are not respected;
- IV - propose the appropriate actions to declare the nullity of a contract clause, collective agreement or collective agreement that violates individual or collective freedoms or the unavailable individual rights of workers;
- V - propose the necessary actions to defend the rights and interests of minors, incapable people and Indians, resulting from work relations;
- VI - appeal against decisions of the Labor Court, when deemed necessary, both in the proceedings in which it is a party, as in those in which it officiates as an inspector of the law, as well as requesting a review of the Precedent of Jurisprudence of the Superior Labor Court;
- VII - to function in the sessions of the Labor Courts, expressing itself orally on the matter under discussion, whenever it deems necessary, being assured of the right of view of the processes in trial, being able to request the requests and diligences that it deems appropriate;
- VIII – institute proceedings in the event of a strike, when the defense of the legal order or the public interest so requires;
- IX - promote or participate in the instruction and conciliation in disputes resulting from the interruption of services of any nature, obligatorily officiating in the processes, expressing their agreement or disagreement, in any agreements signed before the approval, safeguarding the right to appeal in case of violation of the law and the [Federal Constitution](#) ;
- X - promote an injunction, when the competence is of the Labor Court;

XI - act as an arbitrator, if requested by the parties, in disputes within the competence of the Labor Court;

XII - request the steps it deems convenient for the correct progress of the processes and for the best solution of labor disputes;

XIII - obligatorily intervene in all cases in the second and third degrees of jurisdiction of the Labor Court, when the party is a legal entity governed by Public Law, a foreign State or an international organization.

Article cited in: [10028 sentences](#) ,[145 doctrines](#) ,[3 news](#)

ARTICLE 84

It is incumbent upon the Public Labor Ministry, within the scope of its attributions, to exercise the institutional functions provided for in Chapters I, II, III and IV of Title I, especially:

I - integrate the collegiate bodies provided for in § 1 of art. 6, that are relevant to them;

II - to institute civil investigation and other administrative procedures, whenever applicable, to ensure the observance of workers' social rights;

III - request to the competent federal administrative authority, of the labor protection agencies, the establishment of administrative procedures, being able to accompany them and produce evidence;

IV - be personally informed of the decisions rendered by the Labor Court, in cases in which the body has intervened or issued a written opinion;

V - exercise other duties conferred upon it by law, provided they are compatible with its purpose.

Article cited in: [3146 sentences](#) ,[32 doctrines](#)

ARTICLE 85

The bodies of the Public Ministry of Labor are:

I - the Attorney General for Labor;

II - the College of Labor Prosecutors;

III - the Superior Council of the Public Ministry of Labor;

IV - the Coordination and Review Chamber of the Public Labor Ministry;

V - the Internal Affairs Office of the Public Labor Ministry;

VI - the Sub-Attorneys General for Labor;

VII - the Regional Labor Attorneys;

VIII - Labor Attorneys.

Article cited in: [13 sentences](#) ,[a doctrine](#)

ARTICLE 86

The career of the Public Ministry of Labor will consist of the positions of Deputy Attorney General for Labor, Regional Labor Attorney and Labor Attorney.

Single paragraph. The initial position of the career is that of Labor Prosecutor and the last level is that of Deputy General Prosecutor for Labor.

Article cited in: [a sentence](#)

SECTION II

From the Labor Attorney General

Articles 87 to 92

ARTICLE 87

The Attorney General for Labor is the Head of the Public Ministry for Labor.

ARTICLE 88

The Attorney-General for Labor will be appointed by the Attorney-General of the Republic, among members of the institution, over thirty-five years of age and five years in the career, member of a triple list chosen by means of a plurinomial, optional and secret vote, by the College of Prosecutors for a term of two years, with one reappointment permitted, subject to the same procedure. If there is not a sufficient number of candidates with more than five years in their careers, those with more than two years in their careers can apply for the triple list.

Single paragraph. The dismissal of the Attorney General for Labor, before the end of the term, will be proposed to the Attorney General of the Republic by the Superior Council, by means of a

resolution obtained on the basis of a secret vote of two thirds of its members.

ARTICLE 89

The Labor Attorney General will appoint, from among the Labor Deputy Attorneys General, the Labor Deputy Attorney General, who will replace him in his/her impediments. In the event of a vacancy, the Vice-President of the Superior Council will hold the position, until its definitive appointment.

ARTICLE 90

It is incumbent upon the Labor Attorney General to exercise the functions assigned to the Public Labor Ministry before the Plenary of the Superior Labor Court, proposing the appropriate actions and manifesting itself in the processes within its competence.

Article cited in: [10 sentences](#)

ARTICLE 91

The duties of the Attorney General for Labor are:

I - represent the Public Ministry of Labor;

II - integrate, as a natural member, and preside over the College of Labor Prosecutors, the Superior Council of the Public Labor Ministry and the Tender Committee;

III - appoint the General Inspector of the Public Labor Ministry, according to the triple list formed by the Superior Council;

IV - appoint one of the members and the Coordinator of the Coordination and Review Chamber of the Public Labor Ministry;

V - to designate, observing the criteria of the law and those established by the Superior Council, the offices in which the members of the Public Labor Ministry will exercise their functions;

VI - appoint the Head of the Regional Labor Attorney from among the Regional Labor Attorneys assigned to the respective Regional Attorney's Office;

VII - decide, on appeal, the conflicts of attribution between the bodies of the Public Labor Ministry;

VIII - determine the opening of correction, investigation or administrative inquiry;

IX - determine the initiation of an inquiry or administrative process against servants of auxiliary services;

X - decide on disciplinary proceedings against a member of the career or servant of the auxiliary services, applying the sanctions that are within their competence;

XI - decide, given the need for the service, on:

- removal on demand or by exchange;

- partial alteration of the biennial list of designations;

XII - authorize the removal of members of the Public Labor Ministry, after hearing the Superior Council, in the cases provided for by law;

XIII - to swear in the members of the Public Labor Ministry;

XIV - appoint a member of the Public Labor Ministry to:

- work in bodies in which the Institution's participation is legally foreseen, after hearing the Superior Council;

- to integrate technical or scientific committees, related to the Institution's functions, after consulting the Superior Council;

3. ensure the continuity of services, in case of vacancy, temporary removal, absence, impediment or suspicion of the holder, in the absence or absence of the designated substitute;

XV - ratify, after hearing the Superior Council, the result of the competition for entry into the career;

XVI - publish a notice of vacancy, in the capacity and in the biennial list of appointments;

XVII - to propose to the Attorney General of the Republic, after hearing the Superior Council, the creation and extinction of career positions and offices in which their functions must be exercised;

XVIII - prepare the budget proposal of the Public Labor Ministry, submitting it to the Superior Council for approval;

XIX - forward to the Attorney General of the Republic the budget proposal of the Public Ministry of Labor, after its approval by the Superior Council;

XX - organize the rendering of accounts for the previous year, forwarding it to the Attorney General of the Republic;

XXI - practice administrative, financial and personnel management acts;

XXII - prepare the report on the activities of the Public Labor Ministry;

XXIII - coordinate the activities of the Public Labor Ministry;

XXIV - exercise other duties provided for by law.

Article cited in: [2 Doctrines](#)

ARTICLE 92

The attributions of the Labor Attorney General, provided for in the previous article, may be delegated:

I - to the Coordinator of the Coordination and Review Chamber, those of items XIV, subparagraph c, and XXIII;

II - to the Heads of the Regional Labor Attorneys in the States and in the Federal District, those of items I, XIV, c, XXI and XXIII.

Article cited in: [a sentence](#)

SECTION III

From the College of Labor Prosecutors

Articles 93 and 94

ARTICLE 93

The College of Labor Prosecutors, chaired by the Labor Prosecutor-General, is made up of all career members working in the Public Labor Ministry.

Article cited in: [50 sentences](#)

ARTICLE 94

The tasks of the College of Labor Prosecutors are:

I - draw up, by means of a plurinominal, optional and secret vote, the triple list for the choice of the Attorney General for Labor;

II - draw up, by means of a plurinominal, optional and secret vote, the sixfold list for the composition of the Superior Labor Court, with members of the Public Labor Ministry with more than ten years in their careers being eligible, having more than thirty-five and less than sixty-five years of age;

III - prepare, by means of a plurinominal, optional and secret vote, the sixfold list for the Regional Labor Courts, among the Attorneys with more than ten years of career;

IV - to elect, among the Deputy Attorneys General for Labor and by means of a plurinominal, optional and secret vote, four members of the Superior Council of the Public Labor Ministry.

§ 1º For the purposes foreseen in the items of this article, the meeting of the College of Prosecutors will be waived, proceeding according to its Internal Regulations, requiring the vote of the absolute majority of voters.

§ 2º Exceptionally, in case of relevant interest of the Institution, the College of Attorneys will meet in a place designated by the Attorney General for Labor, provided that it is convened by him or by the majority of his members.

§ 3 The Internal Regulations of the College of Labor Prosecutors shall provide for its functioning.

SECTION IV

From the Superior Council of the Public Ministry of Labor

Articles 95 to 98

ARTICLE 95

The Superior Council of the Public Ministry of Labour, chaired by the Attorney General for Labour, has the following composition:

I - the Attorney General for Labor and the Deputy Attorney General for Labor, who form part of it as natural members;

II - four Sub-Attorneys General for Labor, elected for a two-year term by the College of Labor Attorneys, by means of a plurinominal, optional and secret vote, reelection being permitted;

III - four Deputy Attorneys General for Labor, elected for a two-year term, by their peers, by means of a plurinominal, optional and secret vote, reelection being permitted.

§ 1º The others voted, in descending order, will be substitutes for the members mentioned in items II and III, observing the general tie-breaking criteria.

§ 2º The Superior Council will elect its Vice-President, who will substitute the President in his/her impediments and in case of vacancy.

Article cited in: [a sentence](#)

ARTICLE 96

The Superior Council of the Public Ministry of Labor will meet ordinarily, once a month, on a previously set day, and, extraordinarily, when convened by the Attorney General for Labor or by proposal of the absolute majority of its members.

ARTICLE 97

Unless otherwise stated, the decisions of the Board of Governors shall be taken by majority vote, with an absolute majority of its members present.

§ 1 In the event of a tie, the President's vote shall prevail, except in matters of sanctions, in which case the solution most favorable to the accused shall prevail.

§ 2º The decisions of the Superior Council will be published in the Diário da Justiça, except when the Internal Regulations determine secrecy.

ARTICLE 98

It is incumbent upon the Superior Council of the Public Labor Ministry:

I - exercise normative power within the scope of the Public Labor Ministry, observing the principles of this complementary law, especially to prepare and approve:

- its Internal Regulation, that of the College of Labor Prosecutors and that of the Coordination and Review Chamber of the Public Labor Ministry;

- the rules and instructions for the career entry contest;

- the rules on the designations for the different offices of the Public Labor Ministry;

-the criteria for the distribution of administrative procedures and any other facts, in the Public Ministry of Labor;

-the criteria for promotion by merit in the career;

6. the procedure to assess compliance with the probationary conditions;

II - appoint the members of the Coordination and Review Chamber of the Public Labor Ministry;

III - propose the dismissal of the Attorney General for Labor;

IV - to dismiss, on the initiative of the Attorney General for Labor and by the vote of two thirds of its members, before the end of the term of office, the Corregidor-General;

V - prepare the triple list for promotion by merit;

VI - prepare the triple list for the General Inspector of the Public Labor Ministry;

VII - approve the list of seniority of the Public Ministry of Labor and decide on the complaints concerning it;

VIII - appoint the member of the Public Labor Ministry for promotion by seniority, in compliance with the provisions of [art. 93, II](#) , item d, of [the Federal Constitution](#) ;

IX - give an opinion on the appointment of a member of the Public Ministry of Labor to:

-work in bodies where the Institution's participation is legally provided for;

2. integrate technical or scientific committees related to the Institution's functions;

X - give an opinion on the temporary removal of a member of the Public Labor Ministry;

XI - authorize the appointment, on an exceptional basis, of members of the Public Labor Ministry, to exercise procedural duties before courts, tribunals or offices other than those established for each category;

XII - determine the execution of corrections and investigations and consider the corresponding reports;

XIII - determine the initiation of administrative proceedings in which the accused is a member of the Public Ministry of Labor, examine his reports and propose the appropriate measures;

XIV - determine the removal from the exercise of their functions, of a member of the Public Labor Ministry, indicted or accused in disciplinary proceedings, and their return;

XV - appoint the administrative proceeding commission in which the accused is a member of the Public Labor Ministry;

XVI - decide on the fulfillment of the probationary period by a member of the Public Ministry of Labor, forwarding a copy of the decision to the Attorney General of the Republic, when applicable, for his exoneration to be effected;

XVII - decide on the removal and availability of a member of the Public Labor Ministry, for reasons of public interest;

XVIII - authorize, by the absolute majority of its members, the Attorney General of the Republic to file a lawsuit for loss of office against a lifetime member of the Public Labor Ministry, in the cases provided for by law;

XIX - give an opinion on requests for the reversal of a career member;

XX - to approve the proposed law to increase the number of career and professional positions;

XXI - decide on the holding of a competition for entry into the career, appoint the members of the Competition Commission and give an opinion on the approval of the results;

XXII - to approve the budget proposal that will integrate the budget project of the Public Ministry of the Union;

XXIII - perform other functions assigned by law.

§ 1 The procedural rules in general, pertinent to impediments and suspicion of members of the Public Prosecutor's Office, apply to the General Prosecutor and to the other members of the Superior Council.

§ 2 The resolutions related to items I, lines a and e, XI, XIII, XIV, XV and XVII can only be taken with the favorable vote of two thirds of the members of the Superior Council.

Article cited in: [4 sentences](#) ,[2 doctrines](#)

SECTION V

From the coordination and review chamber of the public labor ministry

Articles 99 to 103

ARTICLE 99

The Coordination and Review Chamber of the Public Ministry of Labor is an organ for coordination, integration and review of the functional exercise in the Institution.

Article cited in: [2 Doctrines](#)

ARTICLE 100

The Coordination and Review Chamber of the Public Ministry of Labor will be organized by a normative act, and the Internal Regulation, which will provide for its functioning, will be prepared by the Superior Council.

ARTICLE 101

The Coordination and Review Chamber of the Public Ministry of Labor will be composed of three members of the Public Ministry of Labor, one being appointed by the Attorney General for Labor and two by the Superior Council of the Public Ministry of Labor, together with their alternates, for a term of office. of two years, whenever possible, among members of the last degree of the career.

ARTICLE 102

Among the members of the Coordination and Review Chamber, one of them will be designated by the Attorney General for the executive role of Coordinator.

Article cited in: [2 sentences](#)

ARTICLE 103

It is incumbent upon the Coordination and Review Chamber of the Public Labor Ministry:

I - promote the integration and coordination of institutional bodies of the Public Labor Ministry, observing the principle of functional independence;

II - maintain exchanges with bodies or entities that work in similar areas;

III - forward technical-legal information to institutional bodies of the Public Labor Ministry;

IV - resolve on the special distribution of facts and procedures, when the matter, by its nature or relevance, so requires;

V - resolve on the special distribution of facts, which, due to their continuous reiteration, should receive uniform treatment;

VI - decide on attribution conflicts between the bodies of the Public Labor Ministry.

Single paragraph. The competence established in items IV and V will be exercised according to objective criteria previously established by the Superior Council.

Article cited in: [9 sentences](#)

SECTION VI

From the Internal Affairs Office of the Public Ministry of Labor

Articles 104 to 106

ARTICLE 104

The Corregedoria do Ministério Público do Trabalho, directed by the Corregedor-Geral, is the supervisory body of the functional activities and conduct of the members of the Public Ministry.

Article cited in: [A Doctrine](#)

ARTICLE 105

The General Inspector shall be appointed by the Labor Attorney General from among the Labor Sub-Attorneys General, members of a triple list drawn up by the Superior Council, for a two-year term, renewable once.

§ 1º The members of the Superior Council will not be able to integrate the triple list.

§ 2 The other members of the triple list will be substitutes for the Corregedor-General, in the order in which the Attorney-General designates them.

§ 3 The Corregidor General may be removed, at the initiative of the Attorney General, before the end of the term, by the vote of two thirds of the members of the Superior Council.

Article cited in: [a sentence](#)

ARTICLE 106

It is incumbent upon the Corregidor-General of the Public Prosecutor's Office:

I - participate, without the right to vote, in the meetings of the Superior Council;

II - carry out, ex officio or by order of the Attorney General or the Superior Council, corrections and investigations, presenting the respective reports;

III - initiate an inquiry against a member of the career and propose to the Superior Council the opening of the consequent administrative process;

IV - monitor the probationary stage of the members of the Public Labor Ministry;

V - propose to the Superior Council the dismissal of a member of the Public Ministry of Labor who does not meet the conditions of the probationary period.

SECTION VII

Of the sub-attorneys general for labor

Articles 107 to 109

ARTICLE 107

The Sub-Attorneys General for Labor will be appointed to officiate at the Superior Labor Court and in the offices in the Chamber of Coordination and Review.

Single paragraph. The designation of Deputy Attorney General for Labor to officiate in jurisdictional bodies other than those set out for the category will depend on authorization from the Superior Council.

Article cited in: [10 sentences](#)

ARTICLE 108

It is up to the Deputy Attorneys General for Labor, privately, to exercise the functions of:

I - Corregidor-General of the Public Labor Ministry;

II - Coordinator of the Coordination and Review Chamber of the Public Ministry of Labor.

ARTICLE 109

The Deputy Attorneys General for Labor will be assigned to the offices of the Attorney General for Labor.

Article cited in: [5 sentences](#) , [a notice](#)

SECTION VIII

From the regional labor prosecutors

Articles 110 and 111

ARTICLE 110

The Regional Labor Prosecutors will be appointed to officiate with the Regional Labor Courts.

Single paragraph. In the event of a vacancy or absence of the Deputy Attorney General for Labor for a period exceeding thirty days, he may be summoned by the Attorney General, with the approval of the Superior Council, Regional Labor Attorney for replacement.

Article cited in: [11 sentences](#)

ARTICLE 111

The Regional Labor Prosecutors will be assigned to the offices of the Regional Labor Prosecutors in the States and the Federal District.

SECTION IX

From labor prosecutors

Articles 112 and 113

ARTICLE 112

The Labor Prosecutors will be appointed to work with the Regional Labor Courts and, in the form of procedural laws, in labor disputes involving, especially, the interests of minors and incapable persons.

Single paragraph. The appointment of a Labor Prosecutor to officiate in jurisdictional bodies other than those foreseen for the category will depend on authorization from the Superior Council.

Article cited in: [31 sentences](#) , [a doctrine](#)

ARTICLE 113

The Labor Prosecutors will be assigned to the offices of the Regional Labor Prosecutors in the States and the Federal District.

Article cited in: [14 sentences](#)

SECTION X

Of the stocking and administration units

Articles 114 and 115

ARTICLE 114

The offices in the Labor Attorney General's Office and in the Regional Labor Attorneys' Offices in the States and the Federal District are staffing and administration units of the Public Labor Ministry.

Article cited in: [12 sentences](#) , [4 doctrines](#)

ARTICLE 115

The basic structure of the stocking and administration units will be organized by regulation, under the terms of the law.

Article cited in: [a sentence](#)

CHAPTER III

From the military public ministry

Articles 116 to 148

SECTION I

competence, bodies and career

Articles 116 to 119

ARTICLE 116

It is incumbent upon the Military Public Prosecutor's Office to exercise the following duties with the Military Justice bodies:

I - privately promote public criminal action;

II - promote the declaration of unworthiness or incompatibility for the officership;

III - to manifest itself at any stage of the process, accepting the judge's request or on his own initiative, when he understands that there is a public interest that justifies the intervention.

Article cited in: [2 sentences](#)

ARTICLE 117

It is incumbent upon the Military Public Ministry:

I - request investigative steps and the initiation of a police-military inquiry, being able to accompany them and present evidence;

II - exercise external control over the activity of the military judicial police.

Article cited in: [2 sentences](#)

ARTICLE 118

The following are bodies of the Military Public Ministry:

I - the Attorney General of Military Justice;

II - the College of Military Justice Prosecutors;

III - the Superior Council of the Military Public Ministry;

IV - the Coordination and Review Chamber of the Military Public Ministry;

V - the Internal Affairs Office of the Military Public Ministry;

VI - the Deputy Attorneys General of Military Justice;

VII - the Military Justice Attorneys;

VIII - the Promoters of Military Justice.

ARTICLE 119

The career of the Military Public Ministry is constituted by the positions of Deputy Attorney General of Military Justice, Attorney of Military Justice and Prosecutor of Military Justice.

Single paragraph. The initial position of the career is that of Military Justice Prosecutor and the last level is that of Deputy Attorney General of Military Justice.

SECTION II

From the Attorney General of Military Justice

Articles 120 to 125

ARTICLE 120

The Attorney General of Military Justice is the Head of the Military Public Ministry.

ARTICLE 121

The Attorney General of Military Justice will be appointed by the Attorney General of the Republic, among members of the Institution, over thirty-five years of age and five years in the career, chosen from a triple list by means of a plurinominal, optional and secret vote, by the College of Prosecutors, for a term of two years, one reappointment is permitted, subject to the same process. If there is not a sufficient number of candidates with more than five years in their

careers, those with more than two years in their careers can apply for the triple list.

Single paragraph. The dismissal of the Attorney General of Military Justice, before the end of the term, will be proposed by the Superior Council to the Attorney General of the Republic, by means of a deliberation obtained on the basis of a secret vote of two thirds of its members.

ARTICLE 122

The Attorney General for Military Justice shall appoint, among the Deputy Attorneys General, the Deputy Attorney General for Military Justice, who will replace him in his impediments. In the event of a vacancy, the Vice-President of the Superior Council will hold the position, until its definitive appointment.

ARTICLE 123

It is incumbent upon the Attorney General of Military Justice to exercise the functions assigned to the Military Public Prosecutor's Office before the Superior Military Court, proposing the appropriate actions and manifesting itself in the processes within its competence.

ARTICLE 124

The powers of the Attorney General of Military Justice are:

I - represent the Military Public Ministry;

II - integrate, as a natural member, and preside over the College of Military Justice Prosecutors, the Superior Council of the Public Ministry of Military Justice and the Tender Commission;

III - appoint the General Inspector of the Military Public Ministry, according to a triple list prepared by the Superior Council;

IV - appoint one of the members and the Coordinator of the Coordination and Review Chamber of the Military Public Ministry;

V - to designate, observing the criteria of the law and those established by the Superior Council, the offices in which the members of the Military Public Ministry will exercise their functions;

VI - decide, on appeal, the conflicts of attributions between the organs of the Military Public Ministry;

VII - determine the opening of correction, investigation or administrative inquiry;

VIII - determine the initiation of an inquiry or administrative process against servants of auxiliary services;

IX - decide on disciplinary proceedings against a member of the career or servant of the auxiliary services, applying the sanctions that are within their competence;

X - decide, given the need for the service, on:

- removal on demand or by exchange;

- partial alteration of the biennial list of designations;

XI - authorize the removal of members of the Military Public Prosecutor's Office, after hearing the Superior Council, in the cases provided for by law;

XII - to swear in the members of the Military Public Ministry;

XIII - appoint a member of the Military Public Ministry to:

- work in bodies in which the institution's participation is legally foreseen, after hearing the Superior Council;

- to integrate technical or scientific committees, related to the Institution's functions, after hearing the Superior Council;

3. ensure the continuity of services, in case of vacancy, temporary removal, absence, impediment or suspicion of the holder, in the absence or absence of the designated substitute;

XIV - ratify, after hearing the Superior Council, the result of the competition for entry into the career;

XV - publish the notice of vacancy, in the capacity and in the biennial list of designations;

XVI - to propose to the Attorney General of the Republic, after hearing the Superior Council, the creation and extinction of career positions and offices in which their functions must be exercised;

XVII - prepare the budget proposal of the Military Public Ministry, submitting it to the Superior Council;

XVIII - forward to the Attorney General of the Republic the budget proposal of the Military Public Ministry, after its approval by the Superior Council;

XIX - organize the rendering of accounts for the previous year, forwarding it to the Attorney General of the Republic;

XX - practice administrative, financial and personnel management acts;

XXI - prepare the report of activities of the Military Public Ministry;

XXII - coordinate the activities of the Military Public Ministry;

XXIII - exercise other duties provided for by law.

ARTICLE 125

The attributions of the Attorney General of Military Justice, provided for in the previous article, may be delegated:

I - to the Coordinator of the Coordination and Review Chamber, those of items XIII, subparagraph c, and XXII;

II - the Military Justice Prosecutor, those of items I and XX.

SECTION III

From the College of Military Justice Prosecutors

Articles 126 and 127

ARTICLE 126

The College of Military Justice Prosecutors, chaired by the General Prosecutor of Military Justice, is made up of all career members working in the Public Ministry of Military Justice.

ARTICLE 127

It is incumbent upon the College of Military Justice Prosecutors:

I - prepare, by means of a plurinominal, optional and secret vote, a triple list for the choice of the Attorney General of Military Justice;

II - give an opinion on general matters of interest to the Institution.

§ 1. For the purposes set out in item I, a meeting of the College of Prosecutors will be waived, proceeding according to its internal regulations, requiring the vote of the absolute majority of voters.

§ 2º Exceptionally, in case of relevant interest of the Institution, the College of Prosecutors will meet in a place designated by the General Prosecutor of Military Justice, as long as convened by him or by the majority of his members.

§ 3 The Internal Regulations of the College of Military Prosecutors shall provide for its functioning.

Article cited in: [520 sentences](#) ,[27 doctrines](#)

SECTION IV

From the Superior Council of the Military Public Ministry

Articles 128 to 131

ARTICLE 128

The Superior Council of the Military Public Ministry, chaired by the Attorney General of Military Justice, has the following composition:

I - the Attorney General for Military Justice and the Deputy Attorney General for Military Justice;

II - the Deputy Attorneys General of Military Justice.

Single paragraph. The Superior Council will elect its Vice-President, who will replace the President in the event of his impediments and in the event of a vacancy.

Article cited in: [13 sentences](#) ,[3 doctrines](#)

ARTICLE 129

The Superior Council of the Military Public Ministry will meet, ordinarily, once a month, on a day previously set, and, extraordinarily, when convened by the Attorney General of Military Justice or by proposal of the absolute majority of its members.

Article cited in: [2063 sentences](#) ,[33 doctrines](#) ,[an administrative resolution](#) ,[a notice](#)

ARTICLE 130

Unless otherwise stated, the decisions of the Board of Governors will be taken by majority vote, with an absolute majority of its members present.

§ 1 In the event of a tie, the President's vote shall prevail, except for sanctions, in which case the solution most favorable to the accused shall prevail.

§ 2 The decisions of the Superior Council will be published in the Diário da Justiça, except when the internal regulations determine secrecy.

Article cited in: [2 sentences](#)

ARTICLE 131

It is incumbent upon the Superior Council of the Military Public Ministry:

I - exercise normative power within the scope of the Military Public Ministry, in compliance with the principles of this complementary law, especially to prepare and approve:

- its bylaws, that of the College of Military Justice Prosecutors and that of the Coordination and Review Chamber of the Military Public Ministry;

- the rules and instructions for the career entry contest;

- the rules on the designations for the different offices of the Military Public Ministry;

- the criteria for distributing inquiries and any other facts, in the Military Public Ministry;

- the criteria for promotion by merit in the career;

6. the procedure for evaluating the fulfillment of the probationary conditions;

II - appoint the members of the Coordination and Review Chamber of the Military Public Ministry;

III - propose the dismissal of the Attorney General of Military Justice;

IV - to dismiss, on the initiative of the Attorney General of the Military Public Ministry and by the vote of two thirds of its members, before the end of the term of office, the Corregedor-General;

V - draw up the triple list, intended for promotion by merit;

VI - prepare the triple list for the General Inspector of the Military Public Ministry;

VII - approve the list of seniority of the Military Public Ministry and decide on the complaints concerning it;

VIII - appoint the member of the Military Public Prosecutor's Office for promotion by seniority, in compliance with the provisions of [art. 93, II](#), item d, of [the Federal Constitution](#) ;

IX - give an opinion on the appointment of a member of the Military Public Ministry to:

-work in bodies where the Institution's participation is legally provided for;

2. integrate technical or scientific committees related to the Institution's functions;

X - give an opinion on the temporary removal of a member of the Military Public Ministry;

XI - authorize the appointment, on an exceptional basis, of a member of the Military Public Prosecutor's Office, for the exercise of procedural attributions before courts, tribunals or offices other than those established for each category;

XII - determine the execution of corrections and investigations and consider the corresponding reports;

XIII - determine the initiation of administrative proceedings in which the accused is a member of the Military Public Prosecutor's Office, examine his reports and propose the appropriate measures;

XIV - determine the preventive removal from the exercise of their functions, of a member of the Military Public Ministry, indicted or accused in disciplinary proceedings, and their return;

XV - appoint the administrative procedure commission in which the accused is a member of the Military Public Ministry;

XVI - decide on the fulfillment of the probationary period by a member of the Military Public Prosecutor's Office, forwarding a copy of the decision to the Attorney General of the Republic, as the case may be, in order to effect his exoneration;

XVII - decide on the removal and availability of a member of the Military Public Ministry, for reasons of public interest;

XVIII - authorize, by the absolute majority of its members, the Attorney General of the Republic to file a lawsuit for loss of office against a lifetime member of the Military Public Ministry, in the cases provided for in this supplementary law;

XIX - give an opinion on requests for the reversal of a career member;

XX - to approve the proposed law to increase the number of career and professional

positions;

XXI - decide on the holding of a competition for entry into the career, appoint the members of the Competition Commission and give an opinion on the approval of the results;

XXII - perform other functions assigned by law.

§ 1 The procedural rules in general, pertinent to impediments and suspicion of members of the Public Prosecutor's Office, apply to the General Prosecutor and to the other members of the Superior Council.

§ 2 The resolutions related to items I, lines a and e, XI, XIII, XIV, XV and XVII can only be taken with the favorable vote of two thirds of the members of the Superior Council.

Article cited in: [a sentence](#)

SECTION V

From the coordination and review chamber of the military public prosecutor

Articles 132 to 136

ARTICLE 132

The Coordination and Review Chamber of the Military Public Ministry is the body for coordinating, integrating and reviewing the functional exercise of the Institution.

ARTICLE 133

The Coordination and Review Chamber of the Military Public Ministry will be organized by normative act and the Internal Regulation, which will provide for its functioning, will be prepared and approved by the Superior Council.

ARTICLE 134

The Coordination and Review Chamber of the Military Public Ministry will be composed of three members of the Military Public Ministry, one being appointed by the Attorney General of the

Military Justice and two by the Superior Council of the Military Public Ministry, together with their alternates, for a term of two years. years, whenever possible, among members of the last degree of the career.

ARTICLE 135

Among the members of the Coordination and Review Chamber, one of them will be designated by the Attorney General for the executive role of Coordinator.

Article cited in: [a sentence](#)

ARTICLE 136

It is incumbent upon the Coordination and Review Chamber of the Military Public Ministry:

I - promote the integration and coordination of the institutional bodies of the Military Public Ministry, observing the principle of functional independence;

II - maintain exchanges with bodies or entities that work in similar areas;

III - forward technical-legal information to institutional bodies of the Military Public Ministry;

IV - express its opinion on the filing of a military police investigation, except in cases of competence originating from the Attorney General;

V - resolve on the special distribution of inquiries and any other facts, when the matter, by its nature or relevance, so requires;

VI - decide the conflicts of attribution between the organs of the Military Public Ministry.

Single paragraph. The competence established in item V will be exercised according to objective criteria previously established by the Superior Council.

SECTION VI

From the Internal Affairs Department of the Military Public Ministry

Articles 137 to 139

ARTICLE 137

The Internal Affairs Department of the Military Public Ministry, directed by the Corregedor-General, is the supervisory body of the functional activities and conduct of the members of the Public Ministry.

ARTICLE 138

The Inspector General of the Military Public Ministry will be appointed by the Attorney General of Military Justice from among the Deputy Attorneys General of Military Justice, members of a triple list drawn up by the Superior Council, for a two-year term, renewable once.

§ 1º The other members of the triple list will be substitutes for the Corregedor-General, in the order in which the Attorney-General designates them.

§ 2º The Corregidor General may be removed, at the initiative of the Attorney General, before the end of the term, by the vote of two thirds of the members of the Superior Council.

Article cited in: [a sentence](#)

ARTICLE 139

It is incumbent upon the Corregidor-General of the Public Prosecutor's Office:

I - carry out, ex officio, or by determination of the Attorney General or the Superior Council, corrections and investigations, presenting the respective reports;

II - initiate an inquiry against a member of the career and propose to the Council the opening of the consequent administrative process;

III - monitor the probationary stage of the members of the Military Public Ministry;

IV - propose to the Superior Council the dismissal of a member of the Military Public Ministry who does not fulfill the conditions of the probationary period.

SECTION VII

Of the Deputy Attorneys General of Military Justice

Articles 140 to 142

ARTICLE 140

The Deputy Attorneys General of Military Justice will be appointed to officiate before the Superior Military Court and the Chamber of Coordination and Review.

Single paragraph. The appointment of a Military Sub-attorney General to officiate in jurisdictional bodies other than those foreseen for the category will depend on authorization from the Superior Council.

ARTICLE 141

It is incumbent upon the Deputy Attorneys General of Military Justice, privately, to exercise the functions of:

I - Corregidor-General of the Military Public Ministry;

II - Coordinator of the Coordination and Review Chamber of the Military Public Ministry.

ARTICLE 142

The Deputy Attorneys General for Military Justice will be assigned to the offices of the Attorney General's Office for Military Justice.

SECTION VIII

Of the military justice prosecutors

Articles 143 and 144

ARTICLE 143

The Military Prosecutors will be appointed to officiate with the Military Audits.

§ 1 In the event of a vacancy or removal from the Deputy Attorney General of Military Justice for a period exceeding thirty days, he may be summoned by the Attorney General, upon approval by the Superior Council, Attorney of Military Justice and, if none of them accepts, he may be summoned by the Prosecutor. of Military Justice, for replacement.

§ 2 The summoned Military Prosecutor, or the Military Prosecutor, will receive the difference in salaries, corresponding to the position of Deputy General Prosecutor of Military Justice, including per diems and transportation, if applicable.

ARTICLE 144

The Military Prosecutors will be assigned to the offices in the Military Prosecutors' Offices.

Article cited in: [2 sentences](#)

SECTION IX

From the prosecutors of military justice

Articles 145 and 146

ARTICLE 145

The Military Prosecutors will be designated to officiate with the Military Audits.

Single paragraph. In the event of a vacancy or removal of a Military Justice Prosecutor for a period exceeding thirty days, he may be summoned by the General Prosecutor, with the approval of the Superior Council, Military Justice Prosecutor, for replacement.

Article cited in: [a sentence](#)

ARTICLE 146

The Military Prosecutors will be assigned to the offices of the Military Justice Attorneys.

SECTION X

Of the stocking and administration units

Articles 147 and 148

ARTICLE 147

The offices in the Attorney General's Office for Military Justice and in the Offices for Military Justice are staffing and administration units of the Military Public Ministry.

ARTICLE 148

The structure of the capacity and administration units will be organized by regulation, under the terms of the law.

CHAPTER IV

Public Ministry of the Federal District and Territories

Articles 149 to 181

SECTION I

competence, bodies and career

Articles 149 to 154

ARTICLE 149

The Public Ministry of the Federal District and Territories shall exercise its functions in cases within the jurisdiction of the Court of Justice and the Judges of the Federal District and Territories.

Article cited in: [2 sentences](#)

ARTICLE 150

It is incumbent upon the Public Ministry of the Federal District and Territories:

I - initiate a civil inquiry and other related administrative procedures;

II - request investigative measures and the initiation of a police investigation, being able to

accompany them and present evidence;

III - request the competent authority to institute administrative procedures, except for those of a disciplinary nature, being able to accompany them and produce evidence;

IV - exercise external control over the activity of the Federal District and Territories' police;

V - participate in the Penitentiary Councils;

VI - participate, as an observer institution, in the manner and under the conditions established in an act of the Attorney General of the Republic, in any body of the direct, indirect or foundational public administration of the Federal District, which has attributions related to the functions of the Institution;

VII - to supervise the execution of the sentence, in the processes of competence of the Justice of the Federal District and Territories.

Article cited in: [a sentence](#)

ARTICLE 151

It is incumbent upon the Public Ministry of the Federal District and Territories to defend the constitutional rights of citizens, provided that they are respected:

I - by the Public Powers of the Federal District and the Territories;

II - by the direct or indirect public administration bodies of the Federal District and the Territories;

III - by the concessionaires and permissionaires of the public service of the Federal District and the Territories;

IV - by entities that exercise another function delegated to the Federal District and the Territories.

ARTICLE 152

The Attorney General of Justice shall appoint, from among the Attorneys of Justice and upon prior approval of the name by the Superior Council, the District Attorney for Citizens' Rights, to serve for a period of two years, with the possibility of reappointment, preceded by a new decision of the Superior Council. .

§ 1º Whenever possible, the District Attorney will not accumulate the exercise of its functions with others of the Public Ministry.

§ 2º The District Attorney will only be dismissed, before the end of his investiture, on the initiative

of the Attorney General of Justice, consenting the absolute majority of the Superior Council.

ARTICLE 153

The following are bodies of the Public Ministry of the Federal District and Territories:

I - the Attorney General of Justice;

II - the College of Prosecutors and Prosecutors;

III - the Superior Council of the Public Ministry of the Federal District and Territories;

IV - the Internal Affairs Office of the Public Ministry of the Federal District and Territories;

V - the Coordination and Review Chambers of the Public Ministry of the Federal District and Territories;

VI - the Attorneys of Justice;

VII - the Prosecutors of Justice;

VIII - Assistant Prosecutors.

ARTICLE 154

The career of the Public Prosecutor's Office of the Federal District and Territories consists of the positions of Prosecutor, Prosecutor and Deputy Prosecutor.

Single paragraph. The initial position of the career is that of Deputy Prosecutor and the last position is that of Public Prosecutor.

SECTION II

From the Attorney General

Articles 155 to 160

ARTICLE 155

The Attorney General of Justice is the Head of the Public Ministry of the Federal District and Territories.

ARTICLE 156

The Attorney General of Justice will be appointed by the President of the Republic from among members of the triple list drawn up by the College of Attorneys and Prosecutors of Justice, for a two-year term, with one reappointment being permitted, preceded by a new triple list.

§ 1 Members of the Public Ministry of the Federal District with more than five years of exercise in their career functions and who have not suffered, in the last four years, any final conviction or who are not responding to criminal or administrative proceedings will compete for the triple list.

§ 2º The Attorney General may be removed, before the end of the term, by deliberation of the absolute majority of the Federal Senate, through representation of the President of the Republic.

ARTICLE 157

The Attorney General shall appoint, from among the Attorneys of Justice, the Deputy Attorney General of Justice, who will replace him in his impediments. In the event of a vacancy, the Vice-President of the Superior Council will hold the position, until its definitive appointment.

ARTICLE 158

It is incumbent upon the Attorney General of Justice to perform the functions assigned to the Public Prosecutor's Office in the Plenary of the Court of Justice of the Federal District and Territories, proposing the appropriate actions and manifesting itself in the processes within its competence.

ARTICLE 159

It is incumbent upon the Attorney General, as Head of the Public Prosecutor's Office:

I - represent the Public Ministry of the Federal District and Territories;

II - integrate, as a natural member, the College of Prosecutors and Prosecutors, the Superior Council and the Tender Committee;

III - appoint the District Attorney for Citizens' Rights;

IV - appoint one of the members and the Coordinator of each of the Coordination and Review Chambers of the Public Ministry of the Federal District and Territories;

V - appoint the General Inspector of the Public Ministry of the Federal District and Territories;

VI - decide, on appeal, the conflicts of attributions between bodies of the Public Ministry of the Federal District and Territories;

VII - determine the opening of correction, investigation or administrative inquiry;

VIII - determine the initiation of an investigation or administrative process against servants of auxiliary services;

IX - decide on disciplinary proceedings against a member of the career or servant of the auxiliary services, applying the sanctions that are within their competence;

X - to decide, given the need for the service, on:

- removal on demand or by exchange;

- partial alteration of the biennial list of designations;

XI - authorize the removal of members of the Public Ministry of the Federal District and Territories, after hearing the Superior Council, in the cases provided for by law;

XII - to swear in the members of the Public Ministry of the Federal District and Territories;

XIII - appoint a member of the Public Ministry of the Federal District and Territories to:

- work in bodies in which the Institution's participation is legally foreseen, after hearing the Superior Council;

- to integrate technical or scientific committees, related to the Institution's functions, after consulting the Superior Council;

- ensure the continuity of services, in case of vacancy, temporary removal, absence, impediment or suspicion of the holder, in the absence or absence of the designated substitute;

4. monitor administrative procedures and police investigations, instituted in areas outside its specific competence, as long as they are related to facts of interest to the Institution;

XIV - ratify, after hearing the Superior Council, the result of a career entry contest;

XV - publish the notice of vacancy, in the capacity and in the biennial list of designations;

XVI - to propose to the Attorney General of the Republic, after hearing the Superior Council, the creation and extinction of career positions and offices in which their functions must be exercised;

XVII - prepare the budget proposal of the Public Ministry of the Federal District and Territories, submitting it to the Superior Council;

XVIII - forward to the Attorney General of the Republic the budget proposal of the Public Ministry of the Federal District and Territories, after its approval by the Superior Council;

XIX - organize the rendering of accounts for the previous year, forwarding it to the Attorney General of the Republic;

XX - practice administrative, financial and personnel management acts;

XXI - prepare the report on the activities of the Public Ministry of the Federal District and Territories;

XXII - coordinate the activities of the Public Ministry of the Federal District and Territories;

XXIII - exercise other duties provided for by law.

ARTICLE 160

The attributions of the Attorney General of Justice, provided for in items XIII, lines c, d, XXII and XXIII, of the previous article, may be delegated to the Coordinator of the Coordination and Review Chamber.

SECTION III

From the College of Prosecutors and Prosecutors

Articles 161 and 162

ARTICLE 161

The College of Attorneys and Prosecutors, chaired by the Attorney General of Justice, is made up of all career members working in the Public Ministry of the Federal District and Territories.

ARTICLE 162

It is incumbent upon the College of Prosecutors and Prosecutors to:

I - draw up, by means of a plurinominal, optional and secret vote, the triple list for the position of Attorney General;

II - give an opinion on general matters of interest to the Institution;

III - prepare, by means of a plurinominal, optional and secret vote, a sixfold list for the composition of the Court of Justice of the Federal District and Territories, with members of the Public Ministry of the Federal District and Territories with more than ten years of career being eligible;

IV - to elect, among the Attorneys of Justice and by means of a plurinominal, optional and secret vote, four members of the Superior Council of the Public Ministry of the Federal District and Territories;

V - to prepare, by means of a plurinominal, optional and secret vote, a six-fold list for the composition of the Superior Court of Justice, with members of the Public Ministry of the Federal District and Territories, with more than thirty-five and less than sixty-five years of age.

§ 1 For the purposes set out in items I, II, III, IV and V, a meeting of the College of Prosecutors and Prosecutors of Justice will be waived, proceeding according to its Internal Regulations, requiring the vote of the absolute majority of voters.

§ 2^o Exceptionally, in case of relevant interest of the Institution, the College of Prosecutors and Prosecutors of Justice will meet in a place designated by the Attorney General of Justice, provided that it is convened by him or by the majority of its members.

§ 3 The Internal Regulations of the College of Prosecutors and Prosecutors shall provide for its functioning.

Article cited in: [a sentence](#)

SECTION IV

From the Superior Council of the Public Ministry of the Federal District and Territories

Articles 163 to 166

ARTICLE 163

The Superior Council of the Public Ministry of the Federal District and Territories, chaired by the Attorney General of Justice, has the following composition:

I - the Attorney General of Justice and the Deputy Attorney General of Justice, who are part of it as natural members;

II - four Attorneys of Justice, elected, for a term of office of two years, pursuant to item IV of the previous article, reelection being permitted;

III - four Attorneys of Justice, elected for a two-year term, by their peers, by means of a plurinominal, optional and secret vote, reelection being permitted.

§ 1º The others voted, in descending order, will be substitutes for the members mentioned in items II and III, observing the general tie-breaking criteria.

§ 2º The Superior Council will elect its Vice-President, who will substitute the President in his/her impediments and in case of vacancy.

ARTICLE 164

The Superior Council of the Public Ministry of the Federal District and Territories shall meet, ordinarily, once a month, on a day previously established, and, extraordinarily, when convened by the Attorney General of Justice or by proposal of the absolute majority of its members. .

ARTICLE 165

Unless otherwise stated, the decisions of the Board of Governors will be taken by majority vote, with an absolute majority of its members present.

ARTICLE 166

It is incumbent upon the Superior Council of the Public Ministry of the Federal District and Territories:

I - exercise normative power within the scope of the Public Prosecutor's Office of the Federal District and Territories, observing the principles of this complementary law, especially to prepare and approve:

-its internal regulations, those of the College of Prosecutors and Prosecutors of the Federal District and Territories and those of the Coordination and Review Chambers of the Public Ministry of the Federal District and Territories;

-the rules and instructions for the career entry contest;

-the rules on the designations for the different offices of the Public Ministry of the Federal District and Territories;

-the criteria for the distribution of inquiries, administrative procedures and any other made in the Public Ministry of the Federal District and Territories;

-the criteria for promotion by merit, in the career;

6. the procedure to assess compliance with the probationary conditions;

II - approve the name of the District Attorney for Citizens' Rights;

III - appoint the members of the Coordination and Review Chambers;

IV - to dismiss, by initiative of the Attorney General and by the vote of two thirds of its members, the Corregidor General;

V - prepare the triple list for promotion by merit;

VI - prepare the triple list for the General Inspector of the Public Ministry of the Federal District and Territories;

VII - approve the list of seniority of the Public Ministry of the Federal District and Territories and decide on the complaints concerning it;

VIII - appoint the member of the Public Ministry of the Federal District and Territories for promotion by seniority, in compliance with the provisions of [art. 93, II](#) , item d, of [the Federal Constitution](#) ;

IX - give an opinion on the appointment of a member of the Public Ministry of the Federal District and Territories to:

-work in bodies where the Institution's participation is legally provided for;

2. integrate technical or scientific committees related to the Institution's functions;

X - give an opinion on the temporary removal of a member of the Public Ministry of the Federal District and Territories;

XI - determine the performance of corrections and investigations and consider the corresponding reports;

XII - determine the initiation of administrative proceedings in which the accused is a member of the Public Prosecutor's Office of the Federal District and Territories, assess his reports and propose the appropriate measures;

XIII - determine the preventive removal from the exercise of their functions, of a member of the Public Ministry of the Federal District and Territories, indicted or accused in disciplinary proceedings, and their return;

XIV - authorize the appointment, on an exceptional basis, of members of the Public Prosecutor's Office of the Federal District and Territories, to exercise procedural duties before courts, tribunals or offices other than those established for each category;

XV - appoint the administrative proceeding commission in which the accused is a member of the Public Ministry of the Federal District and Territories;

XVI - decide on the fulfillment of the probationary period by a member of the Public Prosecutor's Office of the Federal District and Territories, proposing to the Attorney General of the Republic, when applicable, his dismissal;

XVII - decide on the removal and availability of a member of the Public Ministry of the Federal District and Territories, for reasons of public interest;

XVIII - authorize, by an absolute majority of its members, the Attorney General of the Republic to file a lawsuit for loss of office against a lifetime member of the Public Ministry of the Federal District and Territories, in the cases provided for by law;

XIX - give an opinion on requests for the reversal of a career member;

XX - to approve a bill to increase the number of career positions and trades;

XXI - to resolve on the holding of a contest to enter the career, appoint the members of the Contest Committee and give an opinion on the approval of the results;

XXII - to approve the budget proposal that will integrate the budget project of the Public Ministry of the Union;

XXIII - perform other functions assigned by law.

Single paragraph. The Attorney General and the members of the Superior Council will be prevented from participating in its decisions in the cases provided for in the procedural laws for the impediment and suspicion of members of the Public Ministry.

SECTION V

From the coordination and review chambers of the public prosecutor of the federal district and territories

Articles 167 to 171

ARTICLE 167

The Coordination and Review Chambers of the Public Ministry of the Federal District and Territories are sectoral bodies for coordination, integration and review of the functional exercise in the institution.

ARTICLE 168

The Coordination and Review Chambers will be organized by function or by subject, through a normative act.

Single paragraph. The Internal Regulations, which will provide for the functioning of the Coordination and Review Chambers, will be prepared and approved by the Superior Council.

ARTICLE 169

The Coordination and Review Chambers of the Public Ministry of the Federal District and Territories will be composed of three members of the Public Ministry of the Federal District and Territories, one appointed by the Attorney General of Justice and two by the Superior Council of the Public Ministry of the Federal District and Territories. , together with their alternates, for a term of office of two years, whenever possible, among members of the last degree of the career.

ARTICLE 170

Among the members of the respective Coordination and Review Chamber, one will be designated by the Attorney General for the executive role of Coordinator.

Article cited in: [a sentence](#)

ARTICLE 171

It is incumbent upon the Coordination and Review Boards to:

I - promote the integration and coordination of institutional bodies that work in offices linked to their sectoral activity, observing the principle of functional independence;

II - maintain exchanges with bodies or entities that work in similar areas;

III - forward technical-legal information to institutional bodies operating in their sector;

IV - ratify the promotion of archiving of civil investigations or pieces of information or designate another organ of the Public Ministry to do so;

V - to express an opinion on the shelving of a police inquiry, parliamentary inquiry or pieces of information, except in cases of competence originating from the Attorney General;

VI - resolve on the special distribution of inquiries, facts and procedures, when the matter, by its nature or relevance, so requires;

VII - resolve on the special distribution of facts, which, due to their continuous reiteration, should receive uniform treatment;

VIII - decide the conflicts of attribution between the bodies of the Public Ministry of the Federal District and Territories.

Single paragraph. The competence established in items VI and VII will be exercised according to objective criteria previously established by the Superior Council.

SECTION VI

Internal Affairs of the Public Ministry of the Federal District and Territories

Articles 172 to 174

ARTICLE 172

The Corregedoria of the Public Ministry of the Federal District and Territories, directed by the Corregedor-General, is the supervisory body of the functional activities and conduct of the members of the Public Ministry of the Federal District and Territories.

ARTICLE 173

The Corregidor General of the Public Ministry of the Federal District and Territories will be appointed by the Attorney General from among the Attorneys of Justice who are part of the triple list drawn up by the Superior Council, for a two-year term, renewable once.

§ 1º The members of the Superior Council will not be able to integrate the triple list.

§ 2 The other members of the triple list will be substitutes for the Corregedor-General, in the order in which the Attorney-General designates them.

§ 3 The General Inspector may be removed by the Attorney General's initiative, before the end of the term, by the Superior Council, in compliance with the provisions of item IV of art. 166.

Article cited in: [4 sentences](#)

ARTICLE 174

It is incumbent upon the Corregidor-General of the Public Ministry of the Federal District and Territories:

I - participate, without the right to vote, in the meetings of the Superior Council;

II - carry out, ex officio or by order of the Attorney General or the Superior Council, corrections and investigations, presenting the respective reports;

III - initiate an inquiry against a member of the career and propose to the Superior Council the opening of the consequent administrative process;

IV - monitor the probationary stage of the members of the Public Ministry of the Federal District and Territories;

V - propose to the Superior Council the exoneration of a member of the Public Ministry of the Federal District and Territories who does not meet the conditions of the probationary stage.

Article cited in: [a sentence](#)

SECTION VII

From the prosecutors

Articles 175 to 177

ARTICLE 175

The Attorneys of Justice will be designated to officiate before the Court of Justice and in the Chambers of Coordination and Review.

Single paragraph. The designation of a Public Prosecutor to officiate in jurisdictional bodies other than the one foreseen for the category will depend on authorization from the Superior Council.

Article cited in: [a sentence](#)

ARTICLE 176

It is incumbent upon the Public Prosecutors, privately, to exercise the functions of:

I - Corregidor General of the Public Ministry of the Federal District and Territories;

II - District Attorney for Citizens' Rights;

III - Coordinator of the Coordination and Review Board.

ARTICLE 177

The Attorneys of Justice will be assigned to the offices in the Attorney General's Office of the Federal District and Territories.

SECTION VIII

From the prosecutors

Article 178

ARTICLE 178

The Prosecutors of Justice will be designated to officiate with the Courts of Justice of the Federal District and Territories.

Single paragraph. The Public Prosecutors will be assigned to the offices provided for the Public Prosecutors' Offices.

SECTION IX

Of the assistant prosecutors

Article 179

ARTICLE 179

The Deputy Prosecutors will be designated to officiate with the Courts of Justice of the Federal District and Territories.

Single paragraph. The Deputy Prosecutors will be assigned to the offices provided for the Prosecutors' Offices.

SECTION X

Of the stocking and administration units

Articles 180 and 181

ARTICLE 180

The offices in the Attorney General's Office of the Federal District and Territories and in the Public Prosecutor's Offices will be staffing and administration units of the Public Ministry of the Federal District and Territories.

ARTICLE 181

The basic structure of the Attorney General's Office will be organized by regulation, in accordance with the law.

TITLE III

Special Statutory Provisions

Articles 182 to 265

CHAPTER I

of the career

Articles 182 to 207

SECTION I

of the provision

Articles 182 to 185

ARTICLE 182

The positions of the Federal Public Prosecutor's Office, with the exception of those of Attorney General of the Republic, Attorney General of Labor, Attorney General of Military Justice and Attorney General of Justice of the Federal District and Territories, are for life and constitute independent careers. of each branch.

ARTICLE 183

The positions of the initial classes will be provided by appointment, on a lifetime basis, through a specific public contest for each branch.

ARTICLE 184

Vitality will only be achieved after two years of effective exercise.

Article cited in: [2 sentences](#)

ARTICLE 185

It is forbidden to transfer or use the positions of the Public Ministry of the Union, even from one of its branches to another.

SECTION II

From the contest

Articles 186 to 194

ARTICLE 186

The public contest of tests and titles for entry into each career of the Public Ministry of the Union will have a national scope, intended to fill all existing vacancies and those that occur within the period of effectiveness.

Single paragraph. The competition will be held, mandatorily, when the number of vacancies exceeds ten percent of the respective staff and, optionally, at the discretion of the competent Superior Council.

ARTICLE 187

They will be able to enroll in the contest for bachelors in Law for at least two years, of proven moral integrity.

Article cited in: [105 sentences](#)

ARTICLE 188

The contest will comply with the regulation prepared by the competent Superior Council, observing the provisions of art. 31.

Article cited in: [2 sentences](#)

ARTICLE 189

The Tender Committee will be composed of the Attorney General, its President, two members of the respective branch of the Public Ministry and a jurist of unblemished reputation, appointed by the Superior Council and by a lawyer appointed by the Federal Council of the Brazilian Bar Association.

ARTICLE 190

The public notice for the opening of the competition will contain the list of vacant positions, with the respective capacity, and will establish, for the inscriptions, a period of not less than thirty days, counted from its publication in the Official Gazette.

ARTICLE 191

Candidates approved in the competition, who have completed sixty-five years or who will be considered unfit for the exercise of the position, in an examination of physical and mental health, will not be nominated.

ARTICLE 192

The competent Attorney General, after hearing the Superior Council, will decide on the approval of the competition, within thirty days, counted from the publication of the final result.

ARTICLE 193

The term of effectiveness of the contest, for the purpose of appointment, will be two years from the publication of the homologation act, extendable once for the same period.

ARTICLE 194

The nomination of qualified candidates in the competition will obey the ranking order.

§ 1 The approved candidates, in the order of classification, will choose the capacity of their preference, in the list of vacancies that, after the result of the contest, the Superior Council decides should be filled initially.

§ 2 The approved candidate may resign from the nomination corresponding to his classification,

in advance or until the end of the term of office, in which case the resigner will be moved to the last place in the list of classifieds.

Article cited in: [2 sentences](#)

SECTION III

Possession and exercise

Articles 195 and 196

ARTICLE 195

The term for taking office in the Public Ministry of the Union is thirty days, counted from the publication of the act of appointment, which may be extended for another sixty days, upon communication from the nominee, before the end of the first term.

Single paragraph. The sworn in will make a commitment to properly fulfill the duties of the position, in a solemn act, presided over by the Attorney General.

ARTICLE 196

To enter the exercise of the position, the sworn in will have a period of thirty days, extendable for an equal period, by means of communication, before the end of the initial period.

SECTION IV

From the probationary stage

Articles 197 and 198

ARTICLE 197

Probationary internship is the period of the first two years of effective exercise of the position by the member of the Public Ministry of the Union.

Article cited in: [a sentence](#)

ARTICLE 198

The members of the Public Ministry of the Union, during the probationary period, may only lose their position by decision of the absolute majority of the respective Superior Council.

Article cited in: [a sentence](#) ,[a doctrine](#)

SECTION V

of promotions

Articles 199 to 202

ARTICLE 199

Promotions will be made, alternately, by seniority and merit.

§ 1 The promotion must be carried out within thirty days of the vacancy; not decreed within the legal period, the promotion will take effect from the end of the period.

§ 2 For all purposes, a member of the Public Prosecutor's Office of the Union who dies or retires without having carried out, within the legal term, the promotion that was due by seniority, or by virtue of § 3 of the subsequent article, shall be considered promoted. .

§ 3 The refusal of promotion is permitted, without prejudice to the criterion for filling the refused vacancy.

§ 4 The waiver of promotion is permitted at any time, as long as there is a vacancy in the immediately preceding category.

Article cited in: [9 sentences](#) ,[a doctrine](#)

ARTICLE 200

The merit, for the purpose of promotion, will be determined by objective criteria, established in a regulation prepared by the Superior Council of the respective branch, observing the provisions of art. 31 of this supplementary law.

§ 1º The promotion by merit may only apply to members of the Public Prosecutor's Office of the Union with at least two years of experience in the category and members of the first fifth part of the seniority list, unless there is no one with such requirements who accepts the vacant position; in case of refusal, the fraction will be completed by including other members of the category, in

the order of seniority.

§ 2. In case of censorship, a person who has suffered a penalty of censorship or suspension, in the period of one year immediately prior to the occurrence of the vacancy, will not be able to compete for promotion by merit; or two years in the event of suspension.

§ 3º Anyone who has appeared for three consecutive times, or five alternate times, in the triple list drawn up by the Superior Council will be mandatorily promoted.

Article cited in: [2 sentences](#)

ARTICLE 201

A member of the Public Ministry of the Union removed from his career cannot compete for promotion by merit until one day after his return for:

I - hold an elective position or run for it;

II - exercise other public office permitted by law.

Article cited in: [5 sentences](#)

ARTICLE 202

vetoed.

§ 1 The seniority list will be organized in the first quarter of each year, approved by the Superior Council and published in the Official Gazette until the last day of the following month.

§ 2 The deadline for complaints against the seniority list will be thirty days from the date of publication.

§ 3º The tiebreaker in the classification by seniority will be determined, successively, by the time of service in the respective career of the Public Ministry of the Union, by the time of federal public service, by the time of public service in general and by the age of the candidates, in favor of the most old man; in the initial ranking, the first tiebreaker will be determined by the ranking in the contest.

§ 4 In the nomination for promotion by seniority, the Superior Council can only refuse the oldest by the vote of two thirds of its members, repeating the vote until the nomination is fixed.

Article cited in: [9 sentences](#)

SECTION VI

of the departures

Articles 203 and 204

ARTICLE 203

Without prejudice to salaries, advantages, or any right, the member of the Public Prosecutor's Office of the Union may withdraw from his/her duties:

I - up to eight consecutive days, for reasons of marriage;

II - up to eight consecutive days, due to the death of a spouse or partner, ascendant or descendant, sibling or person living under their economic dependence;

III - up to five working days, to attend meetings or congresses, within the scope of the institution or promoted by the class entity to which it belongs, provided the need for the service is met.

ARTICLE 204

The member of the Public Prosecutor's Office of the Union may withdraw from the exercise of his/her duties to:

I - attend training courses and studies, in the country or abroad, for a period not exceeding two years, renewable, at most, for an equal period;

II - attend seminars or congresses, in the country or abroad;

III - give courses and seminars aimed at improving the institution's members;

IV - hold an elective position in the cases provided for by law or compete for it, subject to the following conditions:

- the removal will be optional and without remuneration, during the period between the choice as a candidate for an elective position in a party convention and the eve of the registration of the candidacy in the Electoral Court;

- the removal will be mandatory from the day of registration of the candidacy by the Justice;

V - to be absent from the country on an official mission.

§ 1 The removal, except in the case of item IV, will only take place with the authorization of the

Attorney General, after hearing the Superior Council and meeting the need for service.

§ 2 The cases of removal provided for in this article shall take place without prejudice to salaries, advantages or any right inherent to the position, ensuring, in the case of item IV, the choice of preferred remuneration, with the period of leave being considered as effective exercise. for all legal purposes and effects.

§ 3 The period of leave of the member of the Public Ministry of the Union is not considered an effective exercise, for the purposes of probationary internship.

§ 4 The member of the Public Prosecutor's Office of the Union who has withdrawn from his duties for the purpose provided for in item I will not be granted exoneration or license to deal with private interests before a period equal to the removal period has elapsed, except in the event of reimbursement of what received as wages and benefits as a result of the leave.

SECTION VII

of reintegration

Article 205

ARTICLE 205

The reinstatement, which will result from a final court decision, is the re-entry of the member of the Public Prosecutor's Office of the Union in the career, with reimbursement of the salaries and advantages left unnoticed due to the dismissal, counting the time of service corresponding to the removal.

§ 1 The holder of the position in which the reinstatement must take place will be reappointed to the one he previously held, the same happening with the holder of the position for which the reappointment must occur; if the position that is the object of reinstatement or renewal is of the initial class, its holder will be available, with earnings identical to the remuneration that he would earn, if he were in activity.

§ 2 The availability provided for in the previous paragraph will cease with the compulsory use in the first vacancy that may occur in the initial class.

§ 3 The reappointed person, if promoted by merit, will be entitled to promotion in the first vacancy to be provided by the same criterion, attributing to him, in terms of seniority in the class, the effects of his previous promotion.

§ 4 The reinstated person will be submitted to the medical examination required for entry into the career, and, if he is unfit to perform the position, he will be retired, with the advantages to which

he would be entitled, if the reinstatement takes effect.

Article cited in: [a sentence](#)

SECTION VIII

Reversal and readmission

Articles 206 and 207

ARTICLE 206

vetoed.

ARTICLE 207

vetoed.

CHAPTER II

of the rights

Articles 208 to 235

SECTION I

of vitality and immovability

Articles 208 to 213

ARTICLE 208

Members of the Public Ministry of the Union, after two years of effective exercise, may only be dismissed by a final court decision.

Single paragraph. The filing of an action for loss of position, when resulting from a proposal by the Superior Council after the administrative process has been considered, will result in the removal of the member of the Public Prosecutor's Office of the Union from the exercise of their

functions, with the loss of salaries and pecuniary advantages of the respective office.

Article cited in: [4 sentences](#) , [a notice](#)

ARTICLE 209

The members of the Public Ministry of the Union are irremovable, except for reasons of public interest, in the form of this supplementary law.

ARTICLE 210

Removal, for the purposes of this supplementary law, is any change in capacity.

Single paragraph. Removal will be made ex officio, upon a single request or by exchange.

Article cited in: [2 sentences](#)

ARTICLE 211

Removal ex officio, on the initiative of the Attorney General, will only occur for reasons of public interest, upon decision of the Superior Council, by the vote of two thirds of its members, ensuring full defense.

Article cited in: [a sentence](#)

ARTICLE 212

Removal at a singular request will be at the convenience of the service, by means of a request submitted within fifteen days of the publication of notice of the existence of a vacancy; or, once this period has elapsed, up to fifteen days after the publication of the decision of the Superior Council on the holding of a competition to enter the career.

§ 1 The notice will be published in the Official Gazette, within fifteen days of the vacancy.

§ 2 If there is more than one candidate for removal, at the end of the first period provided for in the caput of this article, the one with the greatest seniority will be removed; after the expiry of this period, the chronological order of delivery of orders will prevail.

Article cited in: [a sentence](#)

ARTICLE 213

Removal by exchange will be granted upon request of the interested parties.

Article cited in: [a sentence](#)

SECTION II

of the designations

Articles 214 to 219

ARTICLE 214

The designation is the act that discriminates the functions that are compatible with those foreseen in this complementary law, for each class of the different careers.

Single paragraph. The appointment to perform functions different from those provided for each class, in the respective careers, will only be admitted in the interest of the service, requiring the consent of the designated person and the authorization of the Superior Council.

Article cited in: [A Doctrine](#)

ARTICLE 215

The appointments will be made observing the criteria of the law and those established by the Superior Council:

I - for the exercise of a function defined by this complementary law;

II - for the exercise of function in the offices defined by law.

Article cited in: [a doctrine](#)

ARTICLE 216

The appointments, unless otherwise established by this supplementary law, will be made by list, in the last month of the year, to be in force for a biennium, with the possibility of renewal.

Article cited in: [A Doctrine](#)

ARTICLE 217

The list may be amended, before the deadline, in the interest of the service, provided:

- I - provision of a position;
- II - dismissal of position;
- III - creation of a trade;
- IV - termination of office;
- V - request of the nominee;
- VI - exchange request.

ARTICLE 218

The partial alteration of the list, before the expiry of the term, when the function of the designated person changes, without their consent, will only be allowed in the following cases:

- I - extinction, by law, of the function or office for which it was designated;
- II - new capacity, as a result of:
 - promotion; and
 - removal;
- III - leave or availability;
- IV - approval by the Superior Council of a proposal by the Attorney General, by the secret vote of two thirds of its members.

Single paragraph. The guarantee established in this article does not prevent the eventual accumulation of offices or the expansion of the functions of the designated person.

Article cited in: [a sentence](#)

ARTICLE 219

vetoed.

SECTION III

Of vacations and leave

Articles 220 to 223

ARTICLE 220

Members of the Public Prosecutor's Office will be entitled to sixty-day vacations per year, continuous or divided into two equal periods, unless accrued due to need for service and for a maximum of two years.

§ 1 The vacation periods of the members of the Public Ministry of the Union, who officiate before the Courts, must be simultaneous with those of their collective vacations, except for a relevant reason or the interest of the service.

§ 2º Regardless of the request, the member of the Public Ministry of the Union shall be paid, on the occasion of vacations, an amount corresponding to one third of the remuneration of the period in which they must be taken.

§ 3 The payment of vacation pay will be made up to two days before the start of the respective period, with the possibility of converting one third of the vacation pay into a cash allowance, required at least sixty days in advance, considering the value of the foreseen increase. in the previous paragraph.

§ 4 In the event of dismissal, the member of the Public Prosecutor's Office of the Union shall be compensated for the vacation period to which he is entitled and for the incomplete period, in the proportion of one twelfth per month of effective exercise, or fraction greater than fourteen days, calculated based on the remuneration of the month in which the exoneration act is published.

Article cited in: [32 sentences](#)

ARTICLE 221

The right to vacation will be acquired after the first year of exercise.

ARTICLE 222

Members of the Public Ministry of the Union will be granted a license to:

- I - due to illness in a family member;
- II - due to the absence of a spouse or partner;
- III - award for length of service;
- IV - to deal with private interests;
- V - for the performance of a class mandate.

§ 1 The leave provided for in item I will be preceded by an examination by a doctor or official medical board, considering family members the spouse or partner, stepfather, stepmother, ascendant, descendant, stepchild, consanguineous collateral or similar up to the second civil degree. The license will also be subject to the following conditions:

- it will only be granted if the direct assistance of the member of the Public Ministry of the Union is indispensable and cannot be given simultaneously with the exercise of the position;
2. will be granted without prejudice to salaries, advantages or any right inherent to the position, except for counting the time of service in a probationary stage, up to ninety days, and may be extended for an equal period under the same conditions. Exceeded the extension, the license will be considered to deal with private interests.

§ 2 The leave provided for in item II may be granted when the spouse or partner is moved to another part of the national territory, abroad or to exercise an elective mandate of the Executive and Legislative Powers; it will be for an indefinite period and without remuneration, unless the member of the Public Ministry of the Union can be temporarily assigned to a vacant office in the place to which he has moved and compatible with his position, in which case the leave will be converted into provisional removal .

§ 3 The license provided for in item III shall be due after each uninterrupted five-year period of exercise, for a period of three months, subject to the following conditions:

- it will be converted into cash in favor of the beneficiaries of the deceased member of the Public Ministry of the Union, who did not enjoy it;
- it will not be due to anyone who has suffered a suspension penalty during the vesting period or who has taken the licenses provided for in items II and IV;
- will be granted without prejudice to salaries, advantages or any right inherent to the position;
- for retirement purposes, the unused period will be doubled.

§ 4 The license provided for in item IV may be granted to a member of the Public Ministry of the Union for life, for a period of up to two consecutive years, without remuneration, subject to the following conditions:

-it may be interrupted, at any time, at the request of the interested party or in the interest of the service;

-no new license will be granted until two years have elapsed from the expiry of the previous one.

§ 5 The license provided for in item V will be due to the member of the Public Ministry of the Union invested in a confederation, federation, national class association or representative union of the category, subject to the following conditions:

-only those elected to management positions or representatives in said entities will be entitled to the license, up to a maximum of three per entity;

-the license will have the same duration as the term of office, and may be extended in the event of re-election, and for a single time;

-will be granted without prejudice to salaries, advantages or any right inherent to the position.

§ 6 The exercise of remunerated activity during the period of leave provided for in item I is prohibited.

§ 7 The license granted within sixty days of the expiration of another one of the same kind will be considered as an extension.

Article cited in: [64 sentences](#) , [2 news](#)

ARTICLE 223

Members of the Public Ministry of the Union shall be granted, in addition to those provided for in the previous article, the following licenses:

I - for health treatment, upon request or ex officio, based on medical expertise, subject to the following conditions:

-the leave will be granted without prejudice to the salary and advantages of the position;

-the examination will be carried out by a doctor or official medical board, if necessary, at the examinee's residence or at the hospital where he/she is hospitalized;

- if there is no official doctor, a certificate issued by a private doctor will be accepted;
- at the end of the license period, the licensee will be submitted to an official medical inspection, which will conclude by returning to service, extending the license or retiring;
- the existence of signs of organic or functional lesions is reason for medical inspection;

II - by accident in service, subject to the following conditions:

- The physical or mental damage that is related, mediately or immediately, with the functions performed, constitutes an accident in service;
- the damage resulting from unprovoked aggression and suffered in the functional exercise, as well as the damage suffered in transit that pertains to it, is equivalent to the accident on the job;
- the leave will be granted without prejudice to the salaries and advantages inherent to the exercise of the position;
- the injured person in service, who needs specialized treatment, not available in a public institution, may be treated in a private institution, at the expense of public resources, provided that the treatment is recommended by an official medical board;
- proof of the accident must be provided within ten days from the date of its occurrence, which may be extended when circumstances so require;

III - to the pregnant woman, for one hundred and twenty days, subject to the following conditions:

- it may start on the first day of the ninth month of pregnancy, except in advance by medical prescription;
- in the case of premature birth, the leave will start from the birth;
- in the case of stillbirth, thirty days after the event, the mother will undergo a medical examination and, if deemed fit, will resume her duties;
- in the case of an abortion certified by an official doctor, the leave will be granted for thirty days, as of its occurrence;

IV - for the birth or adoption of a child, the parent or adopter, up to five consecutive days;

V - for the adoption or obtaining legal custody of a child up to one year of age, the term of the adopter's or guardian's license will be thirty days.

SECTION IV

Salaries and benefits

Articles 224 to 230

ARTICLE 224

The members of the Public Ministry of the Union will receive the salary, representation and bonuses provided for by law.

§ 1 The additional bonus for length of service will apply to salaries, at the rate of one percent per year of effective public service, including the time spent in the legal profession, up to a maximum of fifteen years, provided that it is not cumulative with time of public service. .

§ 2

vetoed

§ 3 The salaries will be fixed with a difference of not more than ten percent from one to the other of the classes of each career.

§ 4 The Deputy Attorneys General of the Public Ministry of the Union shall have the same salaries and advantages.

Article cited in: [4 sentences](#)

ARTICLE 225

The salaries of the Attorney General of the Republic are those of the Deputy Attorney General of the Republic, plus twenty percent, and cannot exceed the amounts perceived as remuneration, in kind, in any capacity, by Ministers of the Federal Supreme Court.

Single paragraph. The increase provided for in this article is not included in the salaries of the Office of Attorney General of the Republic.

Article cited in: [a sentence](#)

ARTICLE 226

vetoed.

Article cited in: [a sentence](#)

ARTICLE 227

Members of the Public Ministry of the Union will also be entitled to the following advantages:

I - allowance in case of:

- removal of an office, promotion or appointment that results in a change in the legal domicile, to meet the expenses of installing the new registered office in an amount corresponding to up to three months of salary;

- service outside the office, for a period of more than thirty days, in an amount corresponding to one-thirtieth of the salaries, for the days in which the service lasts, without prejudice to the perception of per diem;

II - per diem, for occasional service outside the headquarters, of a minimum value equivalent to one-thirtieth of the salaries to meet the expenses of locomotion, food and lodging;

III - transport:

- personnel and dependents, as well as furniture, in the event of removal, promotion or appointment, provided for in subparagraph a of item I;

2. personnel, in the case of any other displacement on business, outside the headquarters;

- IV - sick pay, in the amount of one month of salary, when there is leave for health treatment for more than twelve months, or declared disability during this period;

V - family allowance;

- VI - pro labore for the teaching activity, per class-hour given in courses, seminars or other events intended for the improvement of the institution's members;

- VII - medical-hospital assistance, extended to inactive, pensioners and dependents, understood as the set of activities related to the prevention, conservation or recovery of health, covering professional medical, paramedical, pharmaceutical and dental services, as well as the supply and application of means and essential health care;

- VIII - housing allowance, in case of capacity in a place whose housing conditions are particularly difficult or onerous, as defined in an act of the Attorney General of the Republic;

- IX - Christmas bonus, corresponding to one twelfth of the remuneration to which he is entitled in the month of December, per month of exercise in the respective year, considering as a full month the fraction equal to or greater than fifteen days.

§ 1 The Christmas bonus will be paid until the twentieth day of December of each year.

§ 2º In case of exoneration before the month of December, the Christmas bonus will be proportional to the months of exercise and calculated based on the remuneration of the month in which the exoneration occurs.

§ 3 The Christmas bonus will not be considered for the calculation of any pecuniary advantage.

§ 4 In case of appointment, the advantages provided for in items I, subparagraph a, and III, subparagraph a, are extended to the member of the Public Ministry of the Union with no immediately preceding statutory bond, provided that his last voluntary domicile dates from more than twelve months ago. .

§ 5

vetoed.

§ 6 The medical-hospital assistance referred to in item VII shall be provided by the Union, preferably through its services, in accordance with rules and conditions regulated by an act of the Attorney General of the Republic, without prejudice to the assistance due by social security.

§ 7

vetoed.

§ 8 The family of the member of the Public Ministry of the Union who dies within a period of one year from the removal of an office, promotion or appointment resulting in a change of legal domicile shall be entitled to a subsistence allowance and transportation to the place of origin. , within one year of death.

Article cited in: [114 sentences](#) , [6 news](#)

ARTICLE 228

Except by legal imposition, or court order, no discount will be applied to the remuneration or earnings and the pension due to members of the Public Ministry of the Union or to their beneficiaries.

§ 1º Upon authorization of the debtor, there may be consignment on the payroll in favor of a third party.

§ 2 The replacements and indemnities in favor of the treasury will be discounted in monthly installments of an amount not exceeding one-tenth of the remuneration or earnings, in updated amounts.

Article cited in: [a sentence](#)

ARTICLE 229

The member of the Public Ministry of the Union who, being in debt to the treasury, is dismissed, exonerated or who has his retirement or availability revoked, will have a period of sixty days to settle the debt.

Single paragraph. If the debt is not paid within the period established in this article, it must be registered as an active debt.

ARTICLE 230

The remuneration, earnings and pension of members of the Federal Public Ministry and their beneficiaries shall not be subject to arrest, seizure or attachment, except in the case of alimony debt resulting from a court decision.

SECTION V

Retirement and pension

Articles 231 to 235

ARTICLE 231

The member of the Public Ministry of the Union will be retired, compulsorily, due to disability or at the age of seventy, and optionally after thirty years of service, after five years of effective exercise in the career.

§ 1 The time of service for retirement will be counted as time of service for retirement, not cumulatively, up to the limit of fifteen years, the time of practice of law.

§ 2 The member of the Public Prosecutor's Office of the Union may also be retired, voluntarily, at sixty-five years of age, if male, and at sixty, if female, with earnings proportional to the length of service.

§ 3 The female member of the Federal Public Ministry is entitled to retirement, with proportional benefits, after twenty-five years of service.

See ADIN 994-0

§ 4 Retirement due to disability shall be preceded by leave for health treatment for a period not exceeding twenty-four months, except when the medical report concludes by the definitive incapacity for the exercise of their functions.

§ 5 A member of the Public Prosecutor's Office who, after twenty-four continuous months of leave for health treatment, is considered invalid for the exercise of his functions shall be retired, any period of exercise of functions of less than thirty days shall not have an interrupting effect on this period. .

Article cited in: [2 sentences](#) , [2 administrative resolutions](#)

ARTICLE 232

Retirement benefits will be full.

Single paragraph. For the calculation of retirement earnings, the salary of the position immediately superior to the last exercise by the retiree will be considered; if the retirement takes place at the last level of the career, the salaries of this will be increased by the percentage of twenty percent.

Article cited in: [27 sentences](#) , [an administrative resolution](#)

ARTICLE 233

Retirement earnings will be reviewed in the same proportion and date on which the remuneration of active members of the Public Prosecutor's Office is modified, and any new benefits and advantages granted to the career will also be extended to inactive employees, even if due to the transformation or reclassification of the position.

ARTICLE 234

The retiree will retain the prerogatives provided for in art. 18, item I, item e and item II, item e, as well as a special identity card, in accordance with the model approved by the Attorney General of the Republic and issued by him, expressly containing such prerogatives and the record of the retired status.

Article cited in: [5 sentences](#)

ARTICLE 235

The pension for death, due by the social security body to the dependents of members of the

Public Ministry of the Union, will correspond to the totality of the salaries or earnings of the deceased, ensuring the review of the benefit, in the form of art. 233.

Article cited in: [2 administrative resolutions](#)

CHAPTER III

of the discipline

Articles 236 to 265

SECTION I

of duties and fences

Articles 236 and 237

ARTICLE 236

The member of the Public Ministry of the Union, in respect of the dignity of his functions and that of Justice, must observe the rules that govern its exercise and especially:

I - comply with procedural deadlines;

II - keep secret matters of a confidential nature that are known by reason of the position or function;

III - ensure its institutional and procedural prerogatives;

IV - provide information to higher administration bodies of the Public Ministry, when requested;

V - attend to the forensic expedient and participate in the judicial acts, when its presence is mandatory; or assist others, when convenient to the interest of the service;

VI - declare themselves suspected or impeded, under the terms of the law;

VII - adopt the appropriate measures in the face of irregularities of which it is aware or that occur in the services under its responsibility;

VIII - treat with civility the people with whom it relates due to the service;

IX - perform their duties with zeal and probity;

X - keep personal decorum.

Article cited in: [80 sentences](#)

ARTICLE 237

The member of the Public Ministry of the Union is prohibited from:

I - receive, in any capacity and under any pretext; fees, percentages or procedural costs;

II - practice law;

III - to trade or participate in a commercial company, except as a quotaholder or shareholder;

IV - exercise, even if available, any other public function, except for teaching;

V - to carry out political-party activity, except for membership and the right to leave to exercise or run for an elective position.

Article cited in: [4 sentences](#) , [2 doctrines](#) , [4 administrative resolutions](#)

SECTION II

Of impediments and suspicions

Article 238

ARTICLE 238

The impediments and suspicions of members of the Public Prosecutor's Office are those provided for by law.

SECTION III

of the sanctions

Articles 239 to 243

ARTICLE 239

Members of the Public Ministry are subject to the following disciplinary sanctions:

- I - warning;
- II - censorship;
- III - suspension;
- IV - dismissal; and
- V - cancellation of retirement or availability.

Article cited in: [a sentence](#)

ARTICLE 240

The sanctions provided for in the previous article will apply:

- I - warning, privately and in writing, in case of negligence in the exercise of functions;
- II - censorship, privately and in writing, in case of recidivism in breach previously punished with a warning or failure to comply with a legal duty;
- III - suspension, for up to forty-five days, in case of recidivism in breach previously punished with censorship;
- IV - suspension, from forty-five to ninety days, in case of non-observance of the prohibitions imposed by this complementary law or of recidivism in breach previously punished with suspension of up to forty-five days;
- V - dismissal, in cases of:
 - damage to public coffers, dilapidation of national patrimony or assets entrusted to its care;
 - administrative improbity, pursuant to [art. 37, § 4](#), of [the Federal Constitution](#) ;
 - conviction for a crime committed with abuse of power or violation of duty towards the Public Administration, when the penalty applied is equal to or greater than two years;
 - public and scandalous incontinence that seriously jeopardizes the Institution's dignity;
 - abandonment of position;

-disclosure of a subject of a confidential nature, known to him by reason of his position or function, compromising the dignity of his functions or of justice;

-illegal acceptance of public office or function;

-recidivism in the breach of legal duty, previously punished with the suspension provided for in the previous item;

VI - cancellation of retirement or availability, in cases of absence punishable by dismissal, practiced while exercising the position or function.

§ 1 The suspension means, while it lasts, in the loss of salaries and pecuniary advantages inherent to the exercise of the position, its conversion into a fine is prohibited.

§ 2 For the purposes of this supplementary law, recidivism is considered to be the practice of a new infraction, within four years after the infractor has been informed of the act that has imposed disciplinary sanction.

§ 3º The absence of a member of the Public Prosecutor's Office from the exercise of his/her functions, without justifiable cause, for more than thirty consecutive days, is considered to be abandonment of the position.

§ 4 Unjustified absence for more than sixty days in a period of twelve months is equivalent to abandonment of position.

§ 5 The dismissal may be converted, only once, into suspension, in the cases provided for in subparagraphs a and h of item V, when the fact is minor or the damage caused is irrelevant, in compliance with the provisions of art. 244.

Article cited in: [213 sentences](#) , [a notice](#)

ARTICLE 241

In the application of disciplinary penalties, the offender's background, the nature and seriousness of the offense, the circumstances in which it was committed and the resulting damage to the service or dignity of the Institution or Justice will be taken into account.

Article cited in: [2 sentences](#)

ARTICLE 242

Disciplinary infractions will be determined in an administrative process; when penalties of dismissal, forfeiture of retirement or availability are imposed on them, their imposition will also

depend on a judicial decision with a final and unappealable decision.

Article cited in: [4 sentences](#)

ARTICLE 243

It is incumbent upon the Attorney General of each branch of the Public Ministry of the Union to apply the penalties of warning, censure and suspension to its members.

SECTION IV

of the prescription

Articles 244 and 245

ARTICLE 244

will prescribe:

I - within one year, the offense punishable by warning or censure;

II - within two years, the offense punishable by suspension;

III - within four years, the absence punishable by dismissal and withdrawal from retirement or availability.

Single paragraph. The absence, foreseen in the criminal law as a crime, will prescribe together with it.

Article cited in: [12 sentences](#)

ARTICLE 245

The prescription starts to run:

I - the day on which the fault is committed; or

II - the day on which the continuation or permanence ceased, in the case of continued or permanent absences.

Single paragraph. The commencement of administrative proceedings and the summons for the

action for loss of office are interrupted.

Article cited in: [3 sentences](#)

SECTION V

of the investigation

Article 246

ARTICLE 246

The investigation is the procedure whose object is the summary collection of data for the establishment, if necessary, of an administrative inquiry.

Article cited in: [3 sentences](#)

SECTION VI

From the administrative inquiry

Articles 247 to 251

ARTICLE 247

The administrative inquiry, of a confidential nature, will be initiated by the Corregidor-General, by means of an ordinance, in which he will appoint a commission of three members to carry out it, whenever he becomes aware of a disciplinary infraction.

§ 1 The commission, which may be chaired by the General Inspector, will be composed of career members, for life and of a class equal to or higher than the one indicated.

§ 2 Publications relating to administrative investigations will contain the respective number, omitting the name of the accused, who will be informed personally.

Article cited in: [6 sentences](#)

ARTICLE 248

The deadline for completing the investigation and submitting the final report is thirty days,

extendable, at most, for an equal period.

Article cited in: [3 sentences](#)

ARTICLE 249

The commission will proceed with the investigation of the investigation, being able to hear the accused and witnesses, request expertise and documents and promote diligence, being able to exercise the prerogatives granted to the Public Ministry of the Union, by this complementary law, to instruct administrative procedures.

Article cited in: [2 sentences](#)

ARTICLE 250

Once the investigation has been completed, the defendant will be given a view of the case file, so that he can express his opinion within a period of fifteen days.

Article cited in: [3 sentences](#)

ARTICLE 251

The commission will forward the inquiry to the Superior Council, accompanied by its conclusive opinion, for the filing or the initiation of an administrative proceeding.

§ 1 The opinion that concludes by the opening of the administrative process will formulate the summary of accusation, which will contain the exposition of the alleged fact, with all its circumstances and the legal capitulation of the infraction.

§ 2 The inquiry will be submitted to the decision of the Superior Council, which may:

I - determine new steps, if it deems it insufficiently instructed;

II - determine its archiving;

III - to initiate administrative proceedings, in case the summary of accusation is accepted;

IV - forward it to the Corregidor-General, to formulate the summary of the accusation, in case he does not accept the proposal of archiving.

Article cited in: [7 sentences](#)

SECTION VII

From the administrative process

Articles 252 to 261

ARTICLE 252

The administrative process, initiated by decision of the Superior Council, will be contradictory, ensuring ample defense to the accused.

§ 1 The decision to initiate an administrative proceeding shall appoint a commission composed of three members chosen from among the members of the career, for life, and of a class equal to or higher than that of the accused, appoint the president and mention the reasons for its constitution.

§ 2º Anyone who has been a member of the previous investigation commission cannot participate in the administrative proceedings commission.

§ 3 Publications related to administrative proceedings will contain the respective number, omitting the name of the accused, who will be personally informed.

Article cited in: [14 sentences](#)

ARTICLE 253

The deadline for the conclusion of the administrative process and presentation of the final report is ninety days, extendable, at most, for thirty days, counted from the publication of the decision that establishes it.

Article cited in: [4 sentences](#)

ARTICLE 254

The summons will be in person, with delivery of a copy of the ordinance, the final report of the investigation and the summary of the accusation, informing the accused of the day, time and place of the interrogation.

§ 1. If the accused is not found at his domicile, the summons shall be served by public notice, published in the Official Gazette, within a period of fifteen days.

§ 2 The accused, by himself or through a defender he nominates, may offer a prior defense,

within a period of fifteen days, counting from the interrogation, assuring him to see the file at the place where the commission operates.

§ 3º If the accused has not presented a defense, the commission will appoint a defender, among the members of the career and of a class equal or superior to his, reopening him the period established in the previous paragraph.

§ 4 In prior defense, the accused may request the production of oral, documentary and expert evidence, including requesting the repetition of those already produced in the investigation.

§ 5 The commission may reject, on grounds, unnecessary or required evidence with a manifestly delaying intention.

Article cited in: [4 sentences](#)

ARTICLE 255

Once the production of evidence is over, the commission will open a view of the case file to the accused, to offer final reasons, within a period of fifteen days.

Article cited in: [4 sentences](#)

ARTICLE 256

If there is more than one accused, the deadlines for defense will be common and double.

Article cited in: [4 sentences](#)

ARTICLE 257

At any stage of the process, the defense will be assured of extracting a copy of the parts of the case file.

Article cited in: [4 sentences](#)

ARTICLE 258

After the deadline for final reasons, the commission will send the process, within fifteen days, to the Superior Council, accompanied by a report of its work.

Article cited in: [4 sentences](#)

ARTICLE 259

The Council of the Public Prosecutor's Office, considering the administrative process, may:

I - determine new steps, if it is considered insufficiently instructed, in which case, once these are carried out, it will be carried out in accordance with arts. 264 and 265;

II - propose its filing to the Attorney General;

III - propose to the Attorney General the application of sanctions that fall within its competence;

IV - propose to the Attorney General of the Republic the filing of a civil action for:

-dismissal of a member of the Public Ministry of the Union with a lifetime guarantee;

-forfeiture of retirement or availability.

Single paragraph. Anyone who has officiated in the investigation, or integrated the inquiry or administrative process committees, cannot participate in the deliberations of the Superior Council.

Article cited in: [4 sentences](#)

ARTICLE 260

If there is proof of the infraction and sufficient evidence of its authorship, the Superior Council may determine, on grounds, the preventive removal of the accused, while his stay is inconvenient to the service or harmful to the investigation of the facts.

§ 1º The removal of the accused cannot occur when the imputed fact corresponds only to the penalties of warning or censure.

§ 2º The removal will not exceed the period of one hundred and twenty days, except in case of scope.

§ 3 The period of leave will be considered as effective service, for all purposes.

Article cited in: [14 sentences](#) , [a notice](#)

ARTICLE 261

Subsidiarily apply to the disciplinary process, the rules of [the Criminal Procedure Code](#) .

Article cited in: [8 sentences](#)

SECTION VIII

Review of the administrative process

Articles 262 to 265

ARTICLE 262

It is possible, at any time, to review the process that resulted in the imposition of an administrative penalty:

I - when facts or circumstances capable of proving innocence or justifying the imposition of a milder sanction are adduced; or

II - when the sanction is based on false evidence.

ARTICLE 263

The initiation of the review process may be determined ex officio, at the request of the interested party, or, if deceased, of his/her spouse or partner, ascendant, descendant or sibling.

ARTICLE 264

The review process will follow the rite of the administrative process.

Single paragraph. Anyone who has acted in any phase of the reviewing process cannot be part of the review committee.

ARTICLE 265

If the review is deemed valid, the sanction applied will be null and void, with the restoration, in its fullness, of the rights affected by it, unless it is the case that a minor penalty is applied.

TITLE IV

Of the final and transitional provisions

Articles 266 to 295

ARTICLE 266

vetoed.

ARTICLE 267

vetoed.

ARTICLE 268

Six positions of Deputy Attorney General of the Republic are created.

ARTICLE 269

Seventy-four positions of Regional Attorney of the Republic are created.

§ 1 The first filling of all the positions of Regional Attorney of the Republic will be considered simultaneous, regardless of the date of the promotion acts.

§ 2 The initial salaries of the position of Regional Attorney of the Republic shall be the same as those of the position of Attorney of Justice of the Federal District.

ARTICLE 270

The current 1st Category Attorneys of the Republic, who entered the career up to the date of the promulgation of [the Federal Constitution](#) , will have their positions transformed into positions of Regional Attorney of the Republic, maintaining their holders and allocations.

§ 1 The positions transformed in the form of this article, exceeding the limit provided for in the previous article, will be extinguished as they become vacant.

§ 2 The Attorneys of the Republic occupying the positions transformed in the form of this article can be designated to officiate before the Federal Judges and the Regional Electoral Courts.

Article cited in: [12 sentences](#)

ARTICLE 271

The 1st Category Public Prosecutor positions not covered by the previous article and the current 2nd Category Public Prosecutor positions are transformed into Public Prosecutor positions.

§ 1 In the new class, for the purpose of seniority, the current 1st Category Attorneys of the Republic will precede the 2nd Category; these will maintain the present order of seniority in the new class.

§ 2 The initial salaries of the position of Public Prosecutor shall be the same as those of the current position of Public Prosecutor of the 1st Category.

Article cited in: [4 sentences](#)

ARTICLE 272

One hundred 2nd Category Labor Prosecutor positions are transformed into 1st Category Labor Prosecutor positions.

ARTICLE 273

The positions of 1st and 2nd Category Labor Prosecutor are now called, respectively, Regional Labor Prosecutor and Labor Prosecutor.

§ 1 Until new positions of Deputy Attorney General for Labor are created, the current Labor Attorneys of the 1st Category, whose position is renamed Regional Labor Attorney and who are working with the Superior Labor Court, will remain there exercising their assignments.

§ 2 The initial salaries of the positions of Regional Labor Prosecutor and Labor Prosecutor shall be the same as those of the Regional Prosecutor of the Republic and of the Public Prosecutor, respectively.

ARTICLE 274

The positions of Military Prosecutor of 1st and 2nd Category are now called, respectively,

Prosecutor of Military Justice and Prosecutor of Military Justice.

Single paragraph. Until new positions of Deputy Attorney General for Military Justice are created, the current Military Attorneys of the 1st Category, whose positions are renamed Attorneys for Military Justice and who are working with the Superior Military Court, will remain there exercising their attributions.

ARTICLE 275

The position of Deputy Prosecutor is now called Deputy Prosecutor.

ARTICLE 276

In the absence of the law provided for in art. 16, the performance of the Public Ministry in the defense of the constitutional rights of the citizen will observe, in addition to the provisions of this complementary law, the rules issued by the Attorney General of the Republic.

ARTICLE 277

Promotions in the careers of the Public Ministry of the Union, during the validity of this complementary law, will be preceded by the adaptation of the seniority lists to the tie-breaking criteria established therein.

Article cited in: [2 sentences](#)

ARTICLE 278

Promotions will not be made in the careers of the Public Ministry of the Union before the installation of the Superior Council of the respective branch.

ARTICLE 279

The first elections, for the composition of the Superior Council of each branch of the Public Ministry of the Union and for the preparation of the triple lists for the Attorney General of Labour, Attorney General of Military Justice and Attorney General of Justice, will be called by the Attorney General of Republic, to be carried out within ninety days of the enactment of this supplementary law.

§ 1 The Attorney General of the Republic shall, in a normative act, provide for the elections provided for in this article, and the call must be made thirty days prior to the date of their holding.

§ 2 The Superior Councils will be installed within a period of fifteen days, counted from the end of the investigation.

ARTICLE 280

Among those elected to the first composition of the Superior Council of each branch of the Public Ministry of the Union, the two most voted, in each election, will have a term of office of two years; the least voted, of one year.

ARTICLE 281

Members of the Federal Public Ministry, appointed before October 5, 1988, will be able to choose between the new legal regime and the one prior to the enactment of [the Federal Constitution](#), regarding the guarantees, advantages and prohibitions of the position.

Single paragraph. The option may be exercised within two years, counting from the enactment of this supplementary law, and the retraction may be made within ten years.

Article cited in: [3 sentences](#), [a notice](#)

ARTICLE 282

Attorneys of the Republic appointed before October 5, 1988 must irreversibly choose between the careers of the Federal Public Ministry and the Attorney General's Office.

§ 1

vetoed.

§ 2. If the option is not manifested, within the period established in the previous paragraph, the silence will be valid as a tacit option for the career of the Federal Public Ministry.

ARTICLE 283

The Higher School of the Public Ministry of the Union will be created by law as an auxiliary body of the Institution.

ARTICLE 284

Law students registered with the Brazilian Bar Association may be admitted as interns at the Public Ministry of the Union.

Single paragraph. The admission conditions and the value of the scholarship will be fixed by the Attorney General of the Republic, with the activity of the interns being regulated by the Superior Council of each branch.

ARTICLE 285

vetoed.

ARTICLE 286

The expenses arising from this complementary law will be charged to the appropriations contained in the Union Budget.

ARTICLE 287

The general provisions referring to public servants apply subsidiarily to the members of the Public Ministry of the Union, respecting, when applicable, the special rules contained in this supplementary law.

§ 1 The remuneration regime established in this complementary law does not prejudice the perception of advantages granted, in general, to civil servants of the Union.

§ 2 The provisions of this article may not result in restrictions on the legal regime established in this complementary law or in the imposition of incompatible conditions.

Article cited in: [21 sentences](#)

ARTICLE 288

Members of the Federal Public Ministry, whose promotion to the final position of their career has resulted in their removal to the Federal District, may, within thirty days of the enactment of this supplementary law, renounce said promotion and return to the State of origin, occupying the

position of Regional Attorney of the Republic.

ARTICLE 289

Whenever there is the simultaneous creation of more than one position of the same level in the careers of the Public Ministry of the Union, their filling, through promotion, will be assumed simultaneously, regardless of the date of the promotion acts.

ARTICLE 290

The members of the Public Ministry of the Union will have maintained their capacity on a provisional basis, until the law and the act referred to in arts. 34 and 214.

Single paragraph. The provisions of this article do not preclude changes in capacity resulting from removal, promotion or designation provided for in this supplementary law.

ARTICLE 291

vetoed.

ARTICLE 292

vetoed.

ARTICLE 293

It is forbidden for a member or servant of the Federal Public Ministry to maintain, under his or her immediate leadership, in a position of trust, a spouse, partner, or relative up to the second civil degree.

ARTICLE 294

This supplementary law enters into force on the date of its publication.

ARTICLE 295

Provisions to the contrary are hereby revoked.

Brasilia, May 20, 1993; 172nd of Independence and 105th of the Republic.

ITAMAR FRANCO

Maurício Correa