Machado Meyer

PRESS

BRAZILIAN SUPREME COURT (STF) TO ADJUST STATEMENT OF UNCONSTITUTIONALITY

14 JANUARY 2007

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Having been asked to ponder about the possible novelty, attorney Antônio Corrêa Meyer, of Machado, Meyer, Sendacz e Opice emphasized the fact that Section 27 of Law 9868/99 affords the Supreme Court rights to limit the statement of unconstitutionality of a law or norm in order to preserve legal confidence or in view of exceptional social interest, if the affirmative vote of at least eight justices is obtained.

Mr Meyer notes that the justices will need to be willing to restrict their own jurisdictional power if they are to challenge said Section. However, in view of the relevance of the challenged rule, he underlines that it is necessary to examine the several implications of the subject, including the fact that it seems inconsistent that a rule that is considered unconstitutional will generate effects and be valid until a certain date.

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