A legal reconstruction of writ of non-applicability proper and improper writs of non-applicability, singular negative legislation, preventive judicial review of judicial decisions and constitucional equity

Una reconstrucción dogmática de la inaplicabilidad

Salas Venegas, Ricardo

© 2018, Universidad de Talca. All rights reserved. The article 93 Nº 6 of the Constitution contents a proper writ of non-applicability, in which the judicial review is mixt, facultative, preventive, concrete, with relative effect and its object is a judicial decision of ordinary and extraordinary courts and a improper writ of non-applicability, in which the judicial review is concentrate, facultative, represive, abstract with relative effect and its object is a precept of a statute. In the first, Constitutional Court act as a corrective judge of constitutional equity; in the second, as a singular negative legislator.