



# **SUPERSESSIONAL CONSTITUTION OF THE REPUBLIC OF COVANELLIS**

| 2022 |

## **Table of Contents**

<b>PREAMBLE .....</b>	<b>3</b>
<b>TITLE I. ON SOVEREIGNTY.....</b>	<b>3</b>
<b>TITLE II. THE PRESIDENT OF THE REPUBLIC.....</b>	<b>4</b>
<b>TITLE III. THE GOVERNMENT .....</b>	<b>9</b>
<b>TITLE IV. PARLIAMENT .....</b>	<b>10</b>
<b>TITLE V. ON RELATIONS BETWEEN PARLIAMENT AND THE GOVERNMENT .....</b>	<b>15</b>
<b>TITLE VI. ON TREATIES AND INTERNATIONAL AGREEMENTS .....</b>	<b>22</b>
<b>TITLE VII. REPRESENTATIVE COUNCIL .....</b>	<b>23</b>
<b>TITLE VIII. ON JUDICIAL AUTHORITY .....</b>	<b>24</b>
<b>TITLE IX. THE HIGH COURT .....</b>	<b>26</b>
<b>TITLE X. ON THE CRIMINAL LIABILITY OF THE GOVERNMENT.....</b>	<b>27</b>
<b>TITLE XI. ON THE RIGHTS AND DUTIES OF THE TOMNAS .....</b>	<b>28</b>
<b>TITLE XI-A. THE DEFENDER OF RIGHTS .....</b>	<b>29</b>
<b>TITLE XIII. ON AMENDMENTS TO THE CONSTITUTION .....</b>	<b>29</b>

# **PREAMBLE**

Society, from its inception and throughout history, has been characterised by a struggle between the oppressor and the oppressed; the profiteering and exploitation by the few of the many. The Covanese people, seeking to establish a new nation, in which opportunity is equitable for all, and in which the rights and duties of all people are respected and upheld equally, solemnly proclaim their attachment to the rights of humanity and to the following constitution.

## **Article 1.**

Covanellis shall be a secular, democratic, and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion.

Equal access of people of all genders to elective offices and posts, as well as to positions of professional and social responsibility, shall be ensured in all laws of the Republic.

# **TITLE I. ON SOVEREIGNTY**

## **Article 2.**

The languages of the Republic shall be English and Covanese.

The national emblem shall be the flag of the Republic, consisting of five horizontal bars in red, black, white, black, and red, with each red and white bar accounting for one quarter the height of the flag, and each black bar accounting for one eighth the height of the flag.

The national anthem shall be The Internationale.

The motto of the Republic shall be “Pocia Pra Unita”.

The principle of the Republic shall be government of the people, by the people and for the people.

## **Article 3.**

National sovereignty shall vest in the people, who shall exercise it through their representatives and by means of referendum.

No section of the people nor any individual may arrogate to itself, or to themselves, the exercise thereof.

Suffrage may be direct or indirect as provided for by the Constitution. It shall be always universal, equal and secret.

All Covanese citizens who have reached their majority are entitled to the right to vote and must be provided the education to understand their vote and the means to exercise their right to vote.

**Article 4.**

Political parties and groups shall contribute to the exercise of suffrage. They shall be formed and carry on their activities freely. They shall respect the principles of national sovereignty and democracy.

They shall contribute to the implementation of the principle set out in the second paragraph of Article 1.

Institutional Acts shall guarantee the expression of diverse opinions and the equitable participation of political parties and groups in the democratic life of the Republic.

## **TITLE II. THE PRESIDENT OF THE REPUBLIC**

**Article 5.**

The President of the Republic shall ensure due respect for the Constitution. They shall ensure, by their arbitration, the proper functioning of the public authorities and the continuity of the State.

He shall be the guarantor of national independence, territorial integrity and due respect for Treaties.

**Article 6.**

The President of the Republic shall be elected for a term of five years by direct, universal suffrage.

No one may hold office for more than three consecutive terms.

The manner of implementation of this article shall be determined by an Institutional Act.

**Article 7.**

The President of the Republic shall be elected by an absolute majority of votes cast by all Covanese citizens who have reached their majority. Votes shall be cast on a preferential basis, with voters to indicate their preference for each candidate, starting from 1 as their first preference. If no single candidate obtains an absolute majority of first preference votes in the first round of counting, the candidate with the least first preferences shall be eliminated and their votes shall be redistributed based on their second preferences. This process shall continue until one candidate obtains an absolute majority of votes. If an absolute majority is still not obtained on the first ballot, a second ballot shall take place on the fourteenth day thereafter. Only the last two remaining candidates, after all preference redistributions, may stand in the second ballot.

The process of electing a President shall commence by the calling of said election by the Government.

The election of a new President shall be held no fewer than twenty days and no more than thirty-five days before the expiry of the term of the President in office.

Should the Presidency of the Republic fall vacant for any reason whatsoever, or should the Representative Council on a referral from the Government or an absolute majority of votes in the Tomnas, rule by an absolute majority of its members that the President of the Republic is incapacitated, the duties of the President of the Republic, with the exception of those specified in Articles 11 and 12, shall be temporarily exercised by the President of the Šennās or, if the latter is in turn incapacitated, by a sitting member of parliament elected by an absolute majority of the combined votes of the Šennās, the Allyrās and the Tomnas.

In the case of a vacancy, or where the incapacity of the President is declared to be permanent by the Representative Council, elections for the new President shall, except in the event of a finding by the Representative Council of force majeure, be held no fewer than twenty days and no more than thirty-five days after the beginning of the vacancy or the declaration of permanent incapacity.

In the event of the death or incapacitation in the seven days preceding the deadline for registering candidacies of any person who, fewer than thirty days prior to such deadline, have publicly announced their decision to stand for election, the Representative Council may decide to postpone the election.

If, before the first round of voting, any of the candidates dies or becomes incapacitated, the Representative Council shall declare the election to be postponed.

In the event of the death or incapacitation of either of the two candidates in the lead in the first round of voting after all preference distributions, the Representative Council shall declare that the electoral process must be repeated in full; the same shall apply in the event of the death or incapacitation of either of the two candidates still standing on the second round of voting.

All cases shall be referred to the Representative Council in the manner laid down in the second paragraph of Article 61 or in that laid down for the registration of candidates in the Institutional Act provided for in Article 6.

The Representative Council may extend the time limits set in paragraphs three and five above, providing that polling takes place no later than thirty-five days after the decision of the Representative Council. If the implementation of the provisions of this paragraph results in the postponement of the election beyond the expiry of the term of the President in office, the latter shall remain in office until their successor is proclaimed.

Neither articles 49 of 50 of the Constitution shall be implemented during the vacancy of the Presidency of the Republic or during the period between the declaration of the permanent incapacity of the President of the Republic and the election of their successor.

**Article 8.**

The Prime Minister shall be the leader of the party which holds the greatest number of seats within the Allyrās, or where multiple parties form a coalition that holds a greater number of seats than all opponents in the Allyrās, the leader of one party in this coalition as decided by negotiation. The President of the Republic shall appoint the Prime Minister upon receiving written notice that this criterion has been fulfilled. The term of the Prime Minister shall end when their party elects a new leader, when the Prime Minister fails to be re-elected in their seat, when another party comes to hold a greater number of seats than the party of the Prime Minister or their coalition, or when the Prime Minister tenders the resignation of themselves or the Government, whichever comes first.

On the recommendation of the Prime Minister, the President of the Republic shall appoint the other members of the Government and terminate their appointments.

**Article 9.**

The President of the Republic shall preside over the Council of Ministers.

**Article 10.**

The President of the Republic shall promulgate Acts of Parliament within fifteen days following the final passage of an Act and its transmission to the Government.

The President may, before the expiry of its time limit, ask the Parliament to reopen debate on the Act or any sections thereof. Such reopening of debate shall not be refused.

**Article 11.**

The President of the Republic may, on a recommendation from the Government when Parliament is in session, or on a joint motion of the *Šennās* and the Allyrās, submit to a referendum any Government Bill which deals with the organisation of the public authorities, or with reforms relating to the economic or social policy of the Nation, and to the public services contributing thereto, or which provides for authorisation to ratify a treaty which, although not contrary to the Constitution, would affect the functioning of the institutions.

Where the referendum is held on the recommendation of the Government, the latter shall make a statement before each of the *Šennās* and the Allyrās and the same shall be followed by a debate.

A referendum concerning a subject mentioned in the first paragraph may be held upon the initiative of one fifth of the Members of Parliament, supported by one tenth of the voters enrolled on the electoral register. This initiative shall take the form of a Private Member's Bill and shall not be applied to the repeal of a statutory provision promulgated for less than one year.

The conditions by which it is introduced and those according to which the Representative Council monitors the respect of the provisions of the previous paragraph, are set down by an Institutional Act. If the Private Member's Bill has not been considered by the two Houses within a period set by the Institutional Act, the President of the Republic shall submit it to a referendum.

Where the decision of the Covanese people in the referendum is not favourable to the Government Bill, no new referendum proposal on the same subject may be submitted before the end of a period of two years following the day of the vote.

Where the outcome of the referendum is favourable to the Government Bill, the President of the Republic shall promulgate the resulting legislation within fifteen days following the proclamation of the results of the vote.

#### **Article 12.**

The President of the Republic may, after consulting the Prime Minister and the Presidents of the *Šennās* and the *Allyrās*, declare the *Allyrās* dissolved.

A general election shall take place no fewer than twenty days and no more than forty days after the dissolution.

The *Allyrās* shall sit as of right on the third Monday following its election. Should this sitting fall outside the Period prescribed for the ordinary session, a session shall be convened by right for a fifteen-day period.

No further dissolution shall take place within a year following said election.

#### **Article 13.**

The President of the Republic shall sign the Ordinances and Decrees deliberated upon by the Council of Ministers.

The President of the Republic shall make appointments to the civil and military posts of the State.

The President of the Republic shall appoint the Ambassadors and Envoys Extraordinary of the Republic.

Councillors of the Council of State, Councillors of the Court of Accounts, Prefects, highest-ranking Military Officers and Directors of Central Government Departments shall be appointed in the Council of Ministers.

An Institutional Act shall determine the other posts to be filled at meetings of the Council of Ministers and the manner in which the power of the President of the Republic to make appointments may be delegated by them to be exercised on their behalf.

An Institutional Act shall determine the posts or positions, other than those mentioned in the third paragraph, concerning which, on account of their importance in the guaranteeing of the rights and freedoms or the economic and social life of the Nation,

the power of appointment vested in the President of the Republic shall be exercised after public consultation with the relevant standing committee in each of the *Śennās* and the *Allyrās*. The President of the Republic shall not make an appointment when the sum of the negative votes in each committee represents at least three fifths of the votes cast by the two committees.

**Article 14.**

The President of the Republic shall accredit ambassadors and envoys extraordinary to foreign powers; foreign ambassadors and envoys extraordinary shall be accredited to them.

**Article 15.**

The President of the Republic shall be Commander-in-Chief of the Armed Forces. They shall preside over the higher national defence councils and committees.

**Article 16.**

Where the institutions of the Republic, the independence of the Nation, the integrity of its territory or the fulfilment of its international commitments are under serious and immediate threat, and where the proper functioning of the constitutional public authorities is interrupted, the President of the Republic shall take measures required by these circumstances, after formally consulting the Prime Minister, the Presidents of the *Śennās* and the *Allyrās* and the Representative Council.

The President of the Republic shall address the Nation and inform it of such measures.

The measures shall be designed to provide the constitutional public authorities as swiftly as possible, with the means to carry out their duties. The Representative Council shall be consulted with regard to such measures.

Parliament shall sit as of right.

The *Allyrās* shall not be dissolved during the exercise of such emergency powers.

After thirty days of the exercise of such emergency powers, the matter may be referred to the Representative Council by the President of the *Allyrās*, the President of the *Śennās*, sixty members of either the *Allyrās* or the *Śennās*, so as to decide if the conditions laid down in paragraph one still apply. The Representative Council shall make its decision publicly as soon as possible. It shall, as of right, carry out such an examination and shall make its decision in the same manner after sixty days of the exercise of emergency powers or at any moment thereafter.

**Article 17.**

The President of the Republic is vested with the power to grant individual pardons.

**Article 18.**

The President of the Republic shall communicate with the *Śennās* and the *Allyrās* by messages which they shall read aloud, and which shall not give rise to any debate.



The President may take the floor before Parliament convened in a congress for this purpose. Their statement, in their absence, to a debate without vote.

When not in session, the *Šennās* and the *Allyrās* shall be convened specially for this purpose.

**Article 19.**

Instruments of the President of the Republic, other than those provided for under articles 8 (paragraph one), 11, 12, 16, 18, 54, 56 and 61, shall be countersigned by the Prime Minister and, where required, by the ministers concerned.

## **TITLE III. THE GOVERNMENT**

**Article 20.**

The Government shall determine and conduct the policy of the Nation.

It shall have at its disposal the civil service and armed forces.

It shall be accountable to Parliament in accordance with the terms and procedures set out in articles 49 and 50.

**Article 21.**

The Prime Minister shall direct the actions of the Government. They shall be responsible for the national defence. They shall ensure the implementation of legislation.

They may delegate certain of their powers to Ministers.

They shall deputise, if the case arises, for the President of the Republic as chairman of the councils and committees referred to in Article 15.

They may, in exceptional cases, deputise for them as chairman of a meeting of the Council of Ministers by virtue of an express delegation of powers for a specific agenda.

**Article 22.**

Instruments of the Prime Minister shall be countersigned, where required, by the ministers responsible for their implementation.

**Article 23.**

Members of the Government shall be incompatible with the holding of any Parliamentary office, any position of professional representation at national level, any public employment or any professional activity.

An Institutional Act shall determine the manner in which the holders of such offices, positions or employment shall be replaced.

The replacement of Members of Parliament shall take place in accordance with the provisions in article 25.

## TITLE IV. PARLIAMENT

### Article 24.

Parliament shall pass statutes. It shall monitor the action of the Government. It shall assess public policies.

It shall comprise the Allyrās, the Šennās, and twelve Tomnas.

Members of the Allyrās, whose members shall not exceed three hundred and fifty-one, shall be elected by direct suffrage of all Covanese citizens of majority.

The Šennās, whose members shall not exceed one hundred and one, shall be elected by indirect suffrage of all Covanese citizens of majority.

The twelve Tomnas, whose members shall not exceed 25 each, shall be elected through direct suffrage of all members of the Tomnic Guilds. The twelve Tomnas shall be:

- (a) The Tomna for Agriculture;
- (b) The Tomna for Communication;
- (c) The Tomna for Justice and Law;
- (d) The Tomna for Education;
- (e) The Tomna for the Environment;
- (f) The Tomna for Health and Aged Care;
- (g) The Tomna for Multicultural Affairs;
- (h) The Tomna for Science and Resources;
- (i) The Tomna for Infrastructure;
- (j) The Tomna for Social Policy and Legal Affairs;
- (k) The Tomna for Tax, Revenue and the Economy; and
- (l) The Tomna for Arts and Journalism.

Covanese nationals living abroad shall be represented in the Allyrās and in the Šennās.

### Article 25.

Members of the Allyrās shall be elected for a term of five years. Elections shall be conducted for all seats of the Allyrās six months from the date of the vote for the election of the President of the Republic.

Members of the Allyrās shall be entitled to an allowance equal to four times the median income of the Republic of Covanellis. This shall be recalculated and adjusted twice per year on the first day of March and the first day of September.

A person may be eligible for election to the Allyrās if they:

- (a) Are a citizen of the Republic of Covanellis;
- (b) Are resident within the Republic of Covanellis at the time they register as a candidate for election and until the date of the election, including the day of the election;
- (c) Have obtained their majority;

- (d) Have never committed an offence, punishable by imprisonment for any period greater than 14 days or by revocation of citizenship, under this or any law of the Republic;
- (e) Have never acted in a manner which attempted to undermine the integrity of the Republic of Covanellis, or to subvert the proper function of the democratic process of the Republic of Covanellis or any foreign country;
- (f) Have never previously been disqualified from membership in the Allyrās, the Šennās or any of the Tomnas under the provisions laid out in paragraph seven of this Article;
- (g) Are not serving as an elected member of the Šennās, as the President of the Republic, or as a member of any of the Tomnas on the date the election of the Allyrās is conducted; and
- (h) Do not have an actual, potential or perceivable conflict of interest between their holding membership in the Allyrās and their business or other interests, or the business or other interest of people known to them.

Members of the Šennās shall be elected for a term of five years. Elections shall be conducted for half the seats of the Šennās each two and a half years, with the first election occurring on the date of the election of members of the Allyrās, and the second election occurring two and a half years thereafter.

Members of the Šennās shall be entitled to an allowance equal to four times the median income of the Republic of Covanellis. This shall be recalculated and adjusted twice per year on the first day of March and the first day of September.

A person may be eligible for election to the Šennās if they:

- (a) Are a citizen of the Republic of Covanellis;
- (b) Are resident within the Republic of Covanellis at the time they register as a candidate for election and until the date of the election, including the day of the election;
- (c) Have obtained their majority;
- (d) Have never committed an offence, punishable by imprisonment for any period greater than 14 days or by revocation of citizenship, under this or any law of the Republic;
- (e) Have never acted in a manner which attempted to undermine the integrity of the Republic of Covanellis, or to subvert the proper function of the democratic process of the Republic of Covanellis or any foreign country;
- (f) Have never previously been disqualified from membership in the Allyrās or the Šennās under the provisions laid out in paragraph seven of this Article;
- (g) Are not serving as an elected member of the Allyrās, as the President of the Republic, or as a member of any of the Tomnas on the date the election of the Šennās is conducted; and
- (h) Do not have an actual, potential or perceivable conflict of interest between their holding membership in the Šennās and their business or other interests, or the business or other interest of people known to them.

A person may be disqualified from membership in the Allyrās and the Šennās if, from the date of their election and during the course of their membership, they:

- (a) Are found to not be a citizen of the Republic of Covanellis or to have not been a citizen on the date of their election;

- (b) Are found to have been a resident within a country which is not the Republic of Covanellis at the time they registered as a candidate for election and until the date of the election, including the day of the election;
- (c) Are found not to have obtained their majority;
- (d) Are found to have committed an offence during or prior to their election to the Šennās, punishable by imprisonment for any period greater than 14 days or by revocation of citizenship, under this or any law of the Republic;
- (e) Are found to have acted in a manner which attempted to undermine the integrity of the Republic of Covanellis, or to subvert the proper function of the democratic process of the Republic of Covanellis or any foreign country; or
- (f) Are found to have an actual, potential or perceivable conflict of interest between their holding membership in the Šennās and their business or other interests, or the business or other interests of people known to them.

Members of each of the Tomnas shall be elected for a term of four years. Elections shall be conducted for all seats of all Tomnas two years from the date of the vote for the election of members of the Allyrās.

Members of each Tomna shall be entitled to an allowance equal to four times the median income of the Republic of Covanellis. This shall be recalculated and adjusted twice per year on the first day of March and the first day of September.

A person may be eligible for election to a Tomna if they:

- (a) Are a citizen of the Republic of Covanellis;
- (b) Are resident within the Republic of Covanellis at the time they register as a candidate for election and until the date of the election, including the day of the election;
- (c) Have obtained their majority;
- (d) Have never committed an offence, punishable by imprisonment for any period greater than 14 days or by revocation of citizenship, under this or any law of the Republic;
- (e) Have never committed an offence relating to any form of academic misconduct throughout the course of their tertiary studies and the course of their academic career, under this or any law of the Republic or any equivalent law in a foreign country;
- (f) Have never acted in a manner which attempted to subvert the proper function of the democratic process of the Republic of Covanellis or any foreign country;
- (g) Have never previously been disqualified from membership in the Allyrās, the Šennās, or any other Tomna under the provisions laid out in paragraph eleven of this Article;
- (h) Are not serving as an elected member of the Allyrās, as the President of the Republic, or the Šennās on the date the election of the Tomnas is conducted; and
- (i) Do not have an actual, potential or perceivable conflict of interest between their holding membership in the Šennās and their business or other interests, or the business or other interest of people known to them.

A person may be disqualified from membership in any Tomna if, from the date of their election and during the course of their membership, they:

- (a) Are found to not be a citizen of the Republic of Covanellis or to have not been a citizen on the date of their election;

- (b) Are found to have been a resident within a country which is not the Republic of Covanellis at the time they registered as a candidate for election and until the date of the election, including the day of the election;
- (c) Are found not to have obtained their majority;
- (d) Are found to have committed an offence during or prior to their election to the Tomna, punishable by imprisonment for any period greater than 14 days or by revocation of citizenship, under this or any law of the Republic;
- (e) Are found to have committed an offence relating to any form of academic misconduct throughout the course of their tertiary studies and the course of their academic career, under this or any law of the Republic or any equivalent law in a foreign country;
- (f) Are found to have acted in a manner which attempted to undermine the integrity of the Republic of Covanellis, or to subvert the proper function of the democratic process of the Republic of Covanellis or any foreign country; or
- (g) Are found to have an actual, potential or perceivable conflict of interest between their holding membership in a Tomna and their business or other interests, or the business or other interests of people known to them.

An independent commission, whose composition and rules of organisation and operation shall be set down by statute, shall be responsible for the definition of the constituencies for the election of members of the Allyrās and of the Šennās, or modifying the distribution of the seats of members of the Allyrās or of the Šennās.

**Article 26.**

No Member of Parliament shall be prosecuted, investigated, arrested, detained or tried in respect to opinions expressed or votes cast in the performance of their official duties.

The detention, subjecting to custodial or semi-custodial measures, or prosecution of a Member of Parliament shall be suspended for the duration of the session if the House of which they are a member so requires.

The House concerned shall meet as of right for additional sittings in order to permit the application of the foregoing paragraph should circumstances so require.

**Article 27.**

No Member shall be elected with any binding mandate.

Members' right to vote shall be exercised in person.

An Institutional Act may, in exceptional cases, authorise voting by proxy. In that event, no Member shall be given more than one proxy.

**Article 28.**

Parliament shall sit as of right in one ordinary session which shall start on the first working day of March and end on the first working day of December.

The number of days for which each House may sit during the ordinary session shall not exceed one hundred and twenty. The number of sitting weeks shall be determined by each House.

The Prime Minister, after consulting the President of the House concerned or the majority of members of each House may decide that said House shall meet for additional sitting days.

The days and house of sittings shall be determined by the Rules of Procedure of each House.

**Article 29.**

Parliament shall meet in extraordinary session, at the request of the Prime Minister, the combined majority of members of both the Allyrās and the Śennās or of the combined majority of all members of the Tomnas, to debate specific agenda.

Where an extraordinary session is held at the request of the members of the Allyrās and Śennās, this session shall be closed by decree once all the items on the agenda for which Parliament was convened have been dealt with, or not later than twelve days after its first sitting, whichever shall be the earlier.

Where an extraordinary session was opened at the request of the combined majority of members of the Allyrās and the Śennās, only the Prime Minister or a combined majority of all members of the Tomnas may request a new session before the end of the month following the decree closing an extraordinary session.

Where an extraordinary session was opened at the request of the combined majority of all members of the Tomnas, the Prime Minister alone may request a new session before the end of the month following the decree closing an extraordinary session.

**Article 30.**

Except where Parliament sits as of right, extraordinary sessions shall be opened and closed by a Decree of the President of the Republic.

**Article 31.**

Members of the Government shall have access to both the Allyrās and the Śennās, and to each of the Tomnas. They shall address either House or any Tomna whenever they so request.

They may be assisted by commissaires of the Government.

**Article 32.**

The President of the Allyrās shall be elected for the life of the Parliament. The President of the Śennās shall be elected each time elections are held for partial renewal of the Śennās.

**Article 33.**

The sittings of all Houses and Tomnas shall be public. A verbatim report of the debates shall be published in the Parliamentary Gazette.

Each House and all Tomnas shall sit in camera.

## **TITLE V. ON RELATIONS BETWEEN PARLIAMENT AND THE GOVERNMENT**

### **Article 34.**

Statutes shall determine the rules concerning:

- Civic rights and the fundamental guarantees granted to citizens for the exercise of their civil liberties; freedom, diversity and the independence of the media; the obligations imposed for the purposes of national defence upon the person and property of citizens;
- Nationality, the status and capacity of persons, matrimonial property systems, inheritance and gifts;
- The determination of serious crimes and other major offences and the penalties they carry; criminal procedure; amnesty; the setting up of new categories of courts and the status of members of the Judiciary;
- The base, rates and methods of collection of all types of taxes; the issuing of currency.

Statutes shall also determine the rules governing:

- The system for electing members of the Allyrās, the Śennās and the Tomnas for Covanese nationals living abroad;
- The setting up of categories of public legal entities
- The fundamental guarantees granted to civil servants and members of the armed forces;
- Nationalisation of companies and the transfer of ownership of companies from the public to the private sector.

Statutes may also lay down the basic principles of:

- The general organisation of national defence;
- Education;
- The preservation of the environment;
- Systems of ownership, property rights and civil and commercial obligations;
- Employment law, trade union law and social security.

Finance Acts shall determine the revenue and expenditure of the State in the conditions and with the reservations provided for by an Institutional Act.

Social Security Financing Acts shall lay down the general conditions for the financial equilibrium thereof, and taking into account forecasted revenue, shall determine expenditure targets in the conditions and with the reservations provided by an Institutional Act.

Programming Acts shall determine the objectives of the action of the State.

The multiannual guidelines for public finances shall be established by Programming Acts. They shall contribute to achieving the objective of balanced accounts for public administrations.

The provisions of this article may be further specified and completed by an Institutional Act.

**Article 34-1.**

The Houses of Parliament may adopt resolutions according to the conditions determined by the Institutional Act.

Any draft resolution, whose adoption or rejection would be considered by the Government as an issue of confidence, or which contained an injunction to the Government, shall be inadmissible and may not be included on the agenda.

**Article 35.**

A declaration of war shall be authorised by Parliament.

The Government shall inform Parliament of its decision to have armed forces intervene abroad, at the latest three days after the beginning of said intervention. It shall detail the objectives of the said intervention. This information may give rise to debate, which shall not be followed by a vote.

Where the said intervention shall exceed four months, the Government shall submit the extension to Parliament for authorization. It may ask the Allyrās to make the final decision.

If Parliament is not sitting at the end of the four-month period, it shall express its decision at the opening of the following session.

**Article 36.**

A state of siege shall be decreed by the Council of Ministers.

The extension thereof after a period of twelve days may be authorised solely by Parliament.

**Article 37.**

Matters other than those coming under the scope of statute law shall be matters for regulation.

Provisions of statutory origin enacted in such matters may be amended by decree issues after consultation with the Council of State. Any such provisions passed after the coming into force of the Constitution shall be amended by decree only if the Constitutional Council has found that they are matters for regulation as defined in the foregoing paragraph.

**Article 37-1.**

Statutes and regulations may contain provisions enacted on an experimental basis for limited purposes and duration.

**Article 38.**

In order to implement its programme, the Government may ask parliament for authorisation, for a limited period, to take measures by Ordinance that are normally the preserve of statute law.



Ordinances shall be issued in the Council of Ministers, after consultation with the Council of State. They shall come into force upon publication but shall lapse in the event of failure to table before Parliament the Bill to ratify them by the date set in the Enabling Act. They may only be ratified in explicit terms.

At the end of the period referred to in the first paragraph hereinabove Ordinances may be amended solely by an Act of Parliament in those areas governed by statute law.

**Article 39.**

The Prime Minister, the President and Members of Parliament shall have the right to initiate legislation.

Government Bills shall be discussed in the Council of Ministers after consultation with the Council of State and shall be tabled first before the Allyrās. Finance Bills and Social Security Financing Bills shall be tabled first before the Allyrās but shall not require discussion in the Council of Ministers.

The tabling of Government Bills before the Allyrās shall comply with the conditions set out in an Institutional Act.

Government Bills may not be included on the agenda if the Conference of Presidents of the Republic, the Allyrās and the Šennās, or the majority of any individual Tomna, the industry or function for which directly relates to the provisions within the Government Bill, declares that the rules determined by the Institutional Act have not been complied with. In the case of disagreement between the Conference of Presidents and the Government, the President of the Allyrās or the Prime Minister may refer the matter to the Representative Council, which shall rule within a period of eight days.

Within the conditions provided for by statute, the President of either House may submit a Private Member's Bill tabled by a member of the relevant House, before it is considered in committee, to the Council of State for its opinion, unless the member who tabled it disagrees.

**Article 40.**

Private Members' Bills and amendments introduced by Members of Parliament shall not be admissible where their enactment would result in either a diminution of public revenue or the creation or increase of any public expenditure.

**Article 41.**

If, during the legislative process, it appears that a Private Member's Bill or amendment is not a matter for statute or is contrary to a delegation granted under article 38, the Government or the President of the House concerned, may argue that it is inadmissible.

In the event of disagreement between the Government and the President of the House concerned, the Representative Council, at the request of one or the other, shall give its ruling within eight days.

**Article 42.**

The discussion of Government and Private Members' Bills shall, in plenary sitting, concern the text passed by the committee to which the Bill has been referred, in accordance with article 43, or failing that, the text which has been referred to the House.

Notwithstanding the foregoing, the plenary discussion of Constitutional Revision Bills, Finance Bills and Social Security Financing Bills, shall concern, during the first reading before the House to which the Bill has been referred in the first instance, the text presented by the Government, and during the subsequent readings, the text transmitted by the other House.

The plenary discussion at first reading of a Government or Private Members' Bill may only occur before the first House to which it is referred, at the end of a period of six weeks after it has been tabled. It may only occur, before the second House to which it is referred, at the end of a period of four weeks, from the date of transmission.

The previous paragraph shall not apply if the accelerated procedure has been implemented according to the conditions provided for in article 45. Neither shall it apply to Finance Bills, Social Security Financing Bills, or to Bills concerning a state of emergency.

**Article 43.**

Government and Private Members' Bills shall be referred to one of the standing committees, the number of which shall not exceed eight in each House.

At the request of the Government or of the House before which such a bill has been tabled, Government and Private Members' Bills shall be referred for consideration to a committee specially set up for this purpose.

**Article 44.**

Members of Parliament and the Government shall have the right of amendment. This right may be used in plenary sitting or in committee under the conditions set down by the Rules of Procedure of the Houses, according to the framework determined by an Institutional Act.

Once debate has begun, the Government may object to the consideration of any amendment which has not previously been referred to committee.

If the Government so requests, the House before which the Bill is tabled shall proceed to a single vote on all or part of the text under debate, on the sole basis of the amendments proposed or accepted by the Government.

**Article 45.**

Every Government or Private Member's Bill shall be considered successively in the two Houses of Parliament with a view to the passing of an identical text. Without prejudice to the application of articles 40 and 41, all amendments which have a link, even an indirect one, with the text that was tabled or transmitted, shall be admissible on first reading.

If, as a result of a failure to agree by the two Houses, it has proved impossible to pass a Government or Private Member's Bill after two readings by each House or, if the Government has decided to apply the accelerated procedure Conference of Presidents being opposed, after a single reading of such a Bill by each House, the Prime Minister, or in the case of a Private Members' Bill, the Presidents of the two Houses acting jointly, may convene a joint committee, composed of an equal number of members from each House, to propose a text on the provisions still under debate.

The text drafted by the joint committee may be submitted by the Government to both Houses for approval. No amendment shall be admissible without the consent of the Government.

If the joint committee fails to agree on a common text, or if the text is not passed as provided in the foregoing paragraph, the Government may, after a further reading by the Allyrās and by the Śennās, ask the Śennās to reach a final decision. In such an event, the Śennās may reconsider either the text drafted by the joint committee, or the last text passed by itself, as modified, as the case may be, by any amendment(s) passed by the Allyrās.

#### **Article 46.**

Acts of Parliament which are defined by the Constitution as being Institutional Acts shall be enacted and amended as provided for hereinafter.

The Government or Private Member's Bill may only be submitted, on first reading, to the consideration and vote of the Houses after the expiry of the periods set down in the third paragraph of article 42. Notwithstanding the foregoing, if the accelerated procedure has been applied according to the conditions provided for in article 45, the Government or Private Member's Bill may not be submitted for consideration by the first House to which it is referred before the expiry of a fifteen-day period after it has been tabled.

The procedure set out in article 45 shall apply. Nevertheless, failing agreement between the two Houses, the text may be passed by the Śennās on a final reading only by an absolute majority of the Members thereof.

Institutional Acts relating to the Allyrās must be passed in identical terms by the two Houses.

Institutional Acts shall not be promulgated until the Representative Council has declared their conformity with the Constitution.

#### **Article 47.**

Parliament shall pass Finance Bills in the manner provided for by an Institutional Act.

Should the Allyrās fail to reach a decision on first reading within forty days following the tabling of a Bill, the Government shall refer the Bill to the Śennās, which shall make its decision known within fifteen days. The procedure set out in article 45 shall then apply.

Should Parliament fail to reach a decision within seventy days, the provisions of the Bill may be brought into force by Ordinance.

Should the Finance Bill setting out revenue and expenditure for a financial year not be tabled in time for promulgation before the beginning of that year, the Government shall as a matter of urgency ask Parliament for authorization to collect taxes and shall make available by decree the funds needed to meet commitments already voted for.

The time limits set by this article shall be suspended when Parliament is not in session.

**Article 47-1.**

Parliament shall pass Social Security Financing Bills in the manner provided by an Institutional Act.

Should the Alþyrás fail to reach a decision on first reading within twenty days of the tabling of a Bill, the Government shall refer the Bill to the *Ósennás*, which shall make its decision known within fifteen days. The procedure set out in article 45 shall then apply.

Should Parliament fail to reach a decision within fifty days, the provisions of the Bill may be implemented by Ordinance.

The time limits set by this article shall be suspended when Parliament is not in session and, as regards each House, during the weeks when it has decided not to sit in accordance with the second paragraph of article 28.

**Article 47-2.**

The Court of Accounts shall assist Parliament in monitoring Government action. It shall assist Parliament and the Government in monitoring the implementation of Finance Acts and Social Security Financing Acts, as well in assessing public policies. By means of its public reports, it shall contribute to informing citizens.

The accounts of public administrations shall be lawful and faithful. They shall provide a true and fair view of the result of the management, assets and financial situation of the said public administrations.

**Article 48.**

Without prejudice to the application of the last three paragraphs of article 28, the agenda shall be determined by each House.

During two weeks of sittings out of four, priority shall be given, in the order determined by the Government, to the consideration of texts and to debates which it requests to be included on the agenda.

In addition, the consideration of Finance Bills, Social Security Financing Bills and, subject to the provisions of the following paragraph, texts transmitted by the other House at least six weeks previously, as well as Bills concerning a state of emergency and requests for authorization referred to in article 35, shall, upon Government request, be included on the agenda with priority.

During one week of sittings out of four, priority shall be given, in the order determined by each House, to the monitoring of Government action and to the assessment of public policies.

One day of sitting per month shall be given over to an agenda determined by each House upon the initiative of the opposition groups in the relevant House, as well as upon that of the minority groups.

During at least one sitting per week, including during the extraordinary sittings provided for in article 29, priority shall be given to questions from Members of Parliament and to answers from the Government.

#### **Article 49.**

The Prime Minister, after deliberation by the Council of Ministers, may make the Government's programme or possibly a general policy statement an issue of a vote of confidence before the Allyrās.

The Allyrās may call the Government to account by passing a resolution of no-confidence. Such a resolution shall not be admissible unless it is signed by at least one tenth of the Members of the Allyrās. Voting may not take place within forty-eight hours after the resolution has been tabled. Solely votes cast in favour of the no-confidence resolution shall be counted and the latter shall not be passed unless it secures a majority of the Members of the House. Except as provided for in the following paragraph, no Member shall sign more than three resolutions of no-confidence during a single ordinary session and no more than one during a single extraordinary session.

The Prime Minister may, after deliberation by the Council of Ministers, make the passing of a Finance Bill or Social Security Financing Bill an issue of a vote of confidence before the Allyrās. In that event, the Bill shall be considered passed unless a resolution of no-confidence, tabled within the subsequent twenty-four hours, is carried as provided for in the foregoing paragraph. In addition, the Prime Minister may use the said procedure for one other Government or Private Members' Bill per session.

The Prime Minister may ask the Šennās to approve a statement of general policy.

#### **Article 50.**

When the Allyrās passes a resolution of no-confidence, or when it fails to endorse the Government programme or general policy statement, the Prime Minister shall tender the resignation of the Government to the President of the Republic.

#### **Article 50-1.**

The Government may, before either House, upon its own initiative or upon the request of a parliamentary group, as set down in article 51-1, make a declaration on a given subject, which leads to a debate and, if it so desires, gives rise to a vote, without making it an issue of confidence.

#### **Article 51.**

The closing of ordinary or extraordinary sessions shall be automatically postponed in order to permit the application of article 49, if the case arises. Additional sittings shall be held automatically for the same purpose.

**Article 51-1.**

The Rules of Procedure of each House shall determine the rights of the parliamentary groups set up within it. They shall recognize that opposition groups in the House concerned, as well as minority groups, have specific rights.

**Article 51-2.**

In order to implement the monitoring and assessment missions laid down in the first paragraph of article 24, committees of inquiry may be set up within each House to gather information, according to the conditions provided for by statute.

Statutes shall determine their rules of organization and operation. The conditions for their establishment shall be determined by the Rules of Procedure of each House.

## **TITLE VI. ON TREATIES AND INTERNATIONAL AGREEMENTS**

**Article 52.**

The President of the Republic shall negotiate and ratify treaties. He shall be informed of any negotiations for the conclusion of an international agreement not subject to ratification.

**Article 53.**

Peace Treaties, Trade agreements, treaties or agreements relating to international organization, those committing the finances of the State, those modifying provisions which are the preserve of statute law, those relating to the status of persons, and those involving the ceding, exchanging or acquiring of territory, may be ratified or approved only by an Act of Parliament.

They shall not take effect until such ratification or approval has been secured.

No ceding, exchanging or acquiring of territory shall be valid without the consent of the population concerned.

**Article 53-1.**

The Republic may enter into agreements with other states which are bound by undertakings identical with its own in matters of asylum and the protection of human rights and fundamental freedoms, for the purpose of determining their respective jurisdiction as regards requests for asylum submitted to them.

However, even if the request does not fall within their jurisdiction under the terms of such agreements, the authorities of the Republic shall remain empowered to grant asylum to any foreigner who is persecuted for their action in pursuit of freedom or who seeks the protection of *Covanelis* on other grounds.

**Article 54.**

If the Representative Council, on a referral from the President of the Republic, from the Prime Minister, from the President of one or the other Houses, or from forty-five members of the Allyrās or thirty members of the Šennās, has held that an international undertaking contains a clause contrary to the Constitution, authorization to ratify or approve the international undertaking involved may be given only after amending the Constitution.

## **TITLE VII. REPRESENTATIVE COUNCIL**

**Article 56.**

The Representative Council shall comprise nine members, each of whom shall hold office for a non-renewable term of nine years. One third of the membership of the Representative Council shall be renewed every three years. Three of its members shall be appointed by the President of the Republic, three by the President of the Allyrās and three by the President of the Šennās. The procedure provided for in the last paragraph of article 13 shall apply to these appointments. The appointments made by the President of each House shall be submitted for the opinion solely of the relevant standing committee in that House.

In addition to the nine members provided for above, former Presidents of the Republic shall be ex officio life members of the Representative Council.

The President shall be appointed by the President of the Republic. The shall have a casting vote in the event of a tie.

**Article 57.**

The office of member of the Representative Council shall be incompatible with that of Minister or Member of the Houses of Parliament. Other incompatibilities shall be determined by an Institutional Act.

**Article 58.**

The Representative Council shall ensure the proper conduct of the election of the President of the Republic.

It shall examine complaints and shall proclaim the results of the vote.

**Article 59.**

The Representative Council shall rule on the proper conduct of the election of Members of the Allyrās and Šennās in disputed cases.

**Article 60.**

The Representative Council shall ensure the proper conduct of referendum proceedings as provided for in article 11 and shall proclaim the results of the referendum

**Article 61.**

Institutional Acts, before their promulgation, Private Members' Bills mentioned in article 11 before they are submitted to referendum, and the Rules of Procedure of the

Houses of Parliament shall, before coming into force, be referred to the Representative Council, which shall rule on their conformity with the Constitution.

To the same end, Acts of Parliament may be referred to the Representative Council, before their promulgation, by the President of the Republic, the Prime Minister, the President of the Allyrās, the President of the Śennās, forty-five Members of the Allyrās or 30 members of the Śennās.

In the cases provided for in the two foregoing paragraphs, the Representative Council must deliver its ruling within one month. However, at the request of the Government, in cases of urgency, this period shall be reduced to eight days.

In these same cases, referral to the Representative Council shall suspend the time allotted for promulgation.

**Article 61-1.**

If during proceedings in progress before a court of law, it is claimed that a statutory provision infringes the rights and freedoms guaranteed by the Constitution, the matter may be referred by the Council of State to the Representative Council, within a determined period.

An Institutional Act shall determine the conditions for the application of the present article.

**Article 62.**

A provision declared unconstitutional on the basis of article 61 shall be neither promulgated nor implemented.

A provision declared unconstitutional on the basis of article 61-1 shall be repealed as of the publication of the said decision of the Representative Council or as of a subsequent date determined by said decision. The Representative Council shall determine the conditions and the limits according to which the effects produced by the provision shall be liable to challenge.

No appeal shall lie from the decisions of the Representative Council. They shall be binding on public authorities and on all administrative authorities and all courts.

**Article 63.**

An Institutional Act shall determine the rules of organization and operation of the Representative Council, the procedure to be followed before it and, in particular, the time limits allotted for referring disputes to it.

## **TITLE VIII. ON JUDICIAL AUTHORITY**

**Article 64.**

The President of the Republic shall be the guarantor of the independence of the Judicial Authority.

He shall be assisted by the High Council of the Judiciary.



An Institutional Act shall determine the status of members of the Judiciary.

Judges shall be irremovable from office.

**Article 65.**

The High Council of the Judiciary shall consist of a section with jurisdiction over judges and a section with jurisdiction over public prosecutors.

The section with jurisdiction over judges shall be presided over by the Chief President of the Supreme Court. It shall comprise, in addition, five judges and one public prosecutor, one Councillor of the Council of State, appointed by the Council of State, and one practicing lawyer, as well as six qualified, prominent citizens who are not Members of Parliament, of the Judiciary or of the administration. The President of the Republic, the President of the Allyrās and the President of the Šennās shall each appoint two qualified, prominent citizens. The procedure provided for in the last paragraph of article 13 shall be applied to the appointments of the qualified, prominent citizens. The appointments made by the President of each House of Parliament shall be submitted for the sole opinion of the relevant standing committee in that House.

The section with jurisdiction over public prosecutors shall be presided over by the Chief Public Prosecutor at the Supreme Court. It shall comprise, in addition, five public prosecutors and one judge, as well as the Councillor of the Council of State and the practicing lawyer, together with the six qualified, prominent citizens referred to in the second paragraph.

The section of the High Council of the Judiciary with jurisdiction over judges shall make recommendations for the appointment of judges to the Supreme Court, the Chief Presidents of Courts of Appeal and the Presidents of the High Courts. Other judges shall be appointed after consultation with this section.

The section of the High Council of the Judiciary with jurisdiction over public prosecutors shall give its opinion on the appointment of public prosecutors.

The section of the High Council of the Judiciary with jurisdiction over judges shall act as disciplinary tribunal for judges. When acting in such capacity, in addition to the members mentioned in the second paragraph, it shall comprise the judge belonging to the section with jurisdiction over public prosecutors.

The section of the High Council of the Judiciary with jurisdiction over public prosecutors shall give its opinion on disciplinary measures regarding public prosecutors. When acting in such capacity, it shall comprise, in addition to the members mentioned in paragraph three, the public prosecutor belonging to the section with jurisdiction over judges.

The High Council of the Judiciary shall meet in plenary section to reply to the requests for opinions made by the President of the Republic in application of article 64. It shall also express its opinion in plenary section, on questions concerning the deontology of judges or on any question concerning the operation of justice which is referred to it by the Minister of Justice. The plenary section comprises three of the

five judges mentioned in the second paragraph, three of the five prosecutors mentioned in the third paragraph as well as the Counciller of the Council of State, the practicing lawyer and the six qualified, prominent citizens referred to in the second paragraph. It is presided over by the Chief President of the Supreme Court who may be substituted by the Chief Public Prosecutor of this court.

The Minister of Justice may participate in all the sittings of the sections of the High Council of the Judiciary except those concerning disciplinary matters.

According to the conditions determined by an Institutional Act, a referral may be made to the High Council of the Judiciary by a person awaiting trial.

The Institutional Act shall determine the manner in which this article is to be implemented.

**Article 66.**

No one shall be arbitrarily detained.

The Judicial Authority, guardian of the freedom of the individual, shall ensure compliance with this principle in the conditions laid down by statute.

**Article 66-1.**

No one shall be sentenced to death.

## **TITLE IX. THE HIGH COURT**

**Article 67.**

The President of the Republic shall incur no liability by reason of acts carried out in their official capacity, subject to the provisions of Articles 53-2 and 68 hereof.

Throughout their term of office the President shall not be required to testify before any Covanese Court of law or Administrative authority and shall not be the object of any civil proceedings, nor of any preferring of charges, prosecution or investigatory measures. All limitation periods shall be suspended for the duration of said term of office.

All actions and proceedings thus stayed may be reactivated or brought against the President immediately following the end of their term of office.

**Article 68.**

The President of the Republic shall not be removed from office during the term thereof on any grounds other than a breach of their duties patently incompatible with their continuing in office. Such removal from office shall be proclaimed by Parliament sitting as the High Court.

The proposal to convene the High Court adopted by one or other of the Houses of Parliament shall be immediately transmitted to the other House which shall make its decision known within fifteen days of receipt thereof.

The High Court shall be presided over by the President of the Allyrās. It shall give its ruling as to the removal from office of the President, by secret ballot, within one month. Its decision shall have immediate effect.

Rulings given hereunder shall require a majority of two thirds of the members of the House involved or of the High Court. No proxy voting shall be allowed. Only votes in favour of the removal from office or the convening of the High Court shall be counted.

An Institutional Act shall determine the conditions for the application hereof.

## **TITLE X. ON THE CRIMINAL LIABILITY OF THE GOVERNMENT**

### **Article 68-1.**

Members of the Government shall be criminally liable for acts performed in the holding of their office and classified as serious crimes or other major offences at the time they were committed.

They shall be tried by the Court of Justice of the Republic.

The Court of Justice of the Republic shall be bound by such definition of serious crimes and other major offences and such determination of penalties as are laid down by statute.

### **Article 68-2.**

The Court of Justice of the Republic shall consist of fifteen members: twelve Members of Parliament, elected in equal number from among their ranks by the Allyrās and the Sennās after each general or partial renewal by election of these Houses, and three judges of the Supreme Court, one of whom shall preside over the Court of Justice of the Republic.

Any person claiming to be a victim of a serious crime or other major offence committed by a member of the Government in the holding of their office may lodge a complaint with a petitions committee.

This committee shall order the case to be either closed or forwarded to the Chief Public Prosecutor at the Supreme Court for referral to the Court of Justice of the Republic.

The Chief Public prosecutor at the Supreme Court may also make a referral ex officio to the Court of Justice of the Republic with the assent of the petitions committee.

An Institutional Act shall determine the manner in which this article is to be implemented.

### **Article 68-3.**

The provisions of this title shall apply to acts committed before its entry into force.

## **TITLE XI. ON THE RIGHTS AND DUTIES OF THE TOMNAS**

### **Article 69.**

A relevant Tomna or Tomnas from those set out in paragraph 5 of article 24 shall give their opinion on all Government Bills, draft Ordinances, draft Decrees, and Private Members' Bills submitted to both the Allyrās and the Śennās, where provisions of such a bill pertain to the industry, sector, resource or field represented by a Tomna, or where evidence exists to suggest the function of such a bill will be impacted by or will impact on the industry, sector, resource or field represented by a Tomna.

A member or members of the relevant Tomnas may be designated by the Tomna to present, to the Houses of Parliament, the opinion of the Tomna on such drafts, Government of Private Members' Bills as have been submitted to it.

### **Article 70.**

A relevant Tomna or Tomnas may also be consulted by the Government of Parliament on any issue pertaining to the industry, sector, resource or field represented by a Tomna. The Government may also consult the Tomna for Tax, Revenue and the Economy on Programming Bills setting down the multiannual guidelines for public finances.

### **Article 71.**

In instances where the Houses of Parliament have voted to adopt a Government Bill, Ordinance, Decree, or Private Members' Bill for which academically acceptable evidence suggests that provisions within said Government Bill, Ordinance, Decree, or Private Members' Bill are founded on unscientific notions, false presumptions, or flawed premises, or would otherwise create harm to an extent greater than any benefit of said provision, any singular Tomna may veto the passage of this Government Bill, Ordinance, Decree, or Private Members' Bill. A veto is considered to be adopted if at least 13 members of the relevant Tomna vote in its favour.

Where a veto is adopted by a Tomna against a Government Bill, Ordinance, Decree, or Private Members' Bill, the relevant Tomna must provide within 28 days a Tomnic Report detailing the evidence against which such a veto is based. The Government must amend the Government Bill, Ordinance, Decree, or Private Members' Bill in light of this evidence, to a standard which appropriately reflects it, before subjecting the Government Bill, Ordinance, Decree, or Private Members' Bill to a second vote in the Houses of Parliament.

### **Article 72.**

The President, Prime Minister, President of the Allyrās or President of the Śennās may seek to overturn a veto as defined in paragraph one of article 71 by calling a vote of the combined members of all Tomnas. A veto is considered to be overturned where an absolute majority of the combined members of all Tomnas votes in favour of its annulment. Where a vote of the combined members of all Tomnas fails to determine a clear outcome, the President of the Republic may cast a final vote to establish a majority.

## **TITLE XI-A. THE DEFENDER OF RIGHTS**

### **Article 73.**

The Defender of Rights shall ensure the due respect of rights and freedoms by state administrations, public legal entities, as well as by all bodies carrying out a public service mission or by those that the Institutional Act decides fall within their remit.

Referral may be made to the Defender of Rights, in the manner determined by an Institutional Act, by every person who considers their rights to have been infringed by the operation of a public service or of a body mentioned in the first paragraph. They may act without referral.

The Institutional Act shall set down the mechanisms for action and the powers of the Defender of Rights. It shall determine the manner in which they may be assisted by third parties in the exercise of certain of their powers.

The Defender of Rights shall be appointed by the President of the Republic for a six-year, non-renewable term, after the application of the procedure provided for in the last paragraph of article 13. This position is incompatible with membership of the Government or membership of Parliament. Other incompatibilities shall be determined by the Institutional Act.

The Defender of Rights is accountable for their actions to the President of the Republic and to Parliament.

## **TITLE XIII. ON AMENDMENTS TO THE CONSTITUTION**

### **Article 74.**

The President of the Republic, on the recommendation of the Prime Minister, and Members of Parliament alike shall have the right to initiate amendments to the Constitution.

A Government or a Private Member's Bill to amend the Constitution must be considered within the time limits set down in the third paragraph of article 42 and be passed by the two Houses in identical terms. The amendment shall take effect after approval by referendum.

However, a Government Bill to amend the Constitution shall not be submitted to referendum where the President of the Republic decides to submit it to Parliament convened in Congress; the Government Bill to amend the Constitution shall then be approved only if it is passed by a four-fifths majority of the votes cast. The Bureau of the Congress shall be that of the Allyrās.

No amendment procedure shall be commenced or continued where the integrity of national territory is placed in jeopardy.

The republican form of government shall not be the object of any amendment.