

# CONSTITUTION



## *The Constitution of Syno Aurelius*

**ACT 2 OF 2019**

**WRITTEN AND COMPILED BY THE JUDGE PRESIDENT**

*Dr. S. H. Gregan*

**AS ADOPTED AND PROCLAIMED BY THE FIRST MONARCH,**



*Karoly's Ignatius von Lotharinge .*



**ON BEHALF OF THE PEOPLE OF SYNO AURELIUS**

**ON 13 MAY 2019**

# SYNO AURELIUS



## **PREAMBLE**

IN THE NAME OF OUR ALMIGHTY FATHER, CREATOR OF EVERYTHING AND EVERYONE AND IN JESUS CHRIST OUR MESSIAH AND SAVIOUR AND IN THE HOLY SPIRIT OUR TEACHER AND GUIDE.

**IN HUMBLE SUBMISSION to Almighty God,**

**Who controls the destinies of Nations and the history of people;**

**Who gathers people together;**

**Who guides them from generation to generation;**

**Who wondrously delivers them from all dangers that beset them.**

**We, the people of Syno Aurelius, declare that whereas we:**

**Are conscious of our responsibility towards God and Man;**

**Are convinced of the necessity to stand united;**

**To safeguard the integrity and freedom of our country;**

**To secure the maintenance of law and order;**

**To further the contentment and spiritual and material welfare of all in our midst;**

**Are prepared to accept our duty to seek world peace in association with all peace-loving nations; and**

**Are charged with the task of founding the Constitutional Monarchy of Syno Aurelius and giving it a constitution best suited for it;**

**SYNO AURELIUS**

# BE IT THEREFORE ENACTED

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by the President, the Senate, the Congress and the House of Representatives of

*Syno Aurelius,*



# CHAPTER ONE

## GENERAL PROVISIONS

### **1. Foundation and Sovereignty**

- 1.1 The Constitutional Monarchy of Syno Aurelius was created and founded by Cornelius von Lotharinge, (Karolys Ignatius von Lotharinge) the first Emperor and Monarch.
- 1.2 The Monarch is the Commander in Chief of the Defence, Military, Intelligence, Police, Safety and Security and Civil Defence of the Empire; the Official Seal Bearer and Title Holder of the Country; the Keeper of the Peace and the final decision-maker in the event of any dispute about any matter not dealt with in this Act.
- 1.3 The composition of the Royal House as well as all duties, rights and protocols in connection therewith will be set out in a separate Act, the Monarch's Act and duly recognised and observed by the Constitution.
- 1.4 The citizens of Syno Aurelius firm commitment is to establish a democratic societal order, economic freedom, a legal and a social state, to secure universally recognized human rights and freedoms, to enhance state independence and peaceful relations with other people, based on centuries old traditions of statehood and to help, assist and support the Citizens of Syno Aurelius as well as other in need.
- 1.5 Syno Aurelius is an independent, autonomous, unified and indivisible virtual state with its unique domain inter as a virtual private network operating through cloud technology in the cloud fully accessible through the world wide web with physical presence interactively and experience through extended reality with property, buildings, structures and facilities in countries established by treaties, conventions, multilateral trade agreements, multilateral trade and investments agreements and by invitation.
- 1.6 The territory of the state of Syno Aurelius is the international virtual world in the first place and any subsequent additions, being territorial or otherwise.
- 1.7 The territorial integrity of the state and the inviolability of state borders are confirmed by the Constitution and other acts of Syno Aurelius and recognized by the world community of nations and by international organizations.
- 1.8 Transfer of the territory of state shall be prohibited.
- 1.9 State borders may be changed by the Monarch and by bilateral agreements with a neighbouring, or other states.



## **2. State Symbols**

- 2.1 'Syno Aurelius' is the name of the constitutional monarchy of Syno Aurelius.
- 2.2 The capital of Syno Aurelius is Aurèliz.
- 2.3 The official language of Syno Aurelius is English.
- 2.4 The state flag, the coat of arms, and the anthem of Syno Aurelius will be pronounced by proclamation.

## **3. Democracy and composition of State**

- 3.1 Syno Aurelius is a democratic state as set out in this constitution.
- 3.2 The State consists of:
  - 3.2.1 the Executive Council of six people consisting of the Monarch, the Crown Prince, the President, the Deputy-Presidents, the Secretary of State and the Executive Judge-President which is an advisory Council to the Monarch and to the President; and
  - 3.2.2 the State President and the Deputy President Executive Affairs, the Deputy President Legislative Affairs and the Deputy President International Affairs;
  - 3.2.3 the Supreme Commander of Defence, Military, Intelligence, State Security, Safety and Security which will be the Monarch, and his second in command which will be the Crown Prince;
  - 3.2.4 The Secretaries of State being the Secretary of State, the Secretary of Defence and Military, Intelligence and State Security, the Police Security and Safety and Civil Defence and the Secretary of Trade, Industry, Commerce and Business;
  - 3.2.5 Five (5) Chancellors: being the Chancellor of the Exchequer; the Chancellor for the Convocation, State Affairs, the Constitution and Protocol; the Chancellor of Foreign Affairs, International Relations, Diplomacy and Representation; the Chancellor of Internal Affairs, Citizenship and Human Rights and the Chancellor of Domain, Territory and Presence, Buildings and Structures, and the Chancellor of Information Technology & Topology, Networks, Communication & Technology;
  - 3.2.6 The Parliament consisting of the Secretariat, the General Assembly, the Chambers of Parliament and the Members of the Chambers of Parliament;
  - 3.2.7 Being the House of Senate, House of Congress, the House of Justice and House Representatives, all of which will be appointed or elected as set out herein;



- 3.2.8 The Senior Executives being:
- (1) The Governors of the Banks;
  - (2) The Chairman of the Joint Chiefs of Staff of Defence and Military, Intelligence and State Security, Police Safety and Security and Emergency and Disaster;
  - (3) The Inspectorate which consists of the Administrator General, the Auditor General and the Inspector General;
  - (4) The Registrars with a Chief Registrar, a Registrar of Banks, Finance and Financial Services and a Registrar of Companies, Institutions and Enterprises;
  - (5) The Director General and the Deputy Director General;
- 3.2.9 The Standing, Advisory and Oversight Committees for each level of Government, the Executive Committee, the Parliamentary Committee and Parliamentary Sub-Committees;
- 3.2.10 The Director General and Deputy Director Generals;
- 3.2.11 Further appointments by the Monarch as the Monarch deems fit;
- 3.2.12 The citizens of the state.
- 3.3 The Monarch is the source of state authority.
- 3.4 People exercise power through their representatives and also through referendums and other forms of direct democracy.
- 3.5 No one shall have the right to seize the power.
- 3.6 No political parties or labour unions are allowed or may operate in the State.
- 3.7 Any activity in the State shall be based on the principles of freedom, equality, human dignity and transparency.

#### **4. Legal State**

- 4.1 Syno Aurelius is a legal state by Declaration and Proclamation.
- 4.2 The State acknowledges and protects universally recognized human rights and freedoms as eternal and supreme human values.
- 4.3 While exercising authority, the people and the State shall be bound by these rights and freedoms as directly applicable by law.
- 4.4 The Constitution shall not deny other universally recognized human rights and freedom that are not explicitly referred to herein but intrinsically derive from the principles of the Constitution.
- 4.5 State authority shall be exercised based on the principle of separation of powers.
- 4.6 State authority shall be exercised by the Monarch and within the ambit of the Constitution and the law.
- 4.7 The Constitution of Syno Aurelius shall be the supreme law of the State.

- 4.8 The general rule of adoption and issuance of legislative and other acts and their hierarchy shall be determined by the Constitution and other acts.
- 4.9 The legislation of Syno Aurelius shall comply with the universally recognized principles and rules of international law.
- 4.10 An international treaty of Syno Aurelius, unless it is in conflict with the Constitution of Syno Aurelius, shall prevail over other acts.

## **5. Social State**

- 5.1 Syno Aurelius is a social state and endorse the universal bill of rights of the United Nations, except if otherwise indicated herein.
- 5.2 The State shall take care for enhancing principles of social justice, social equality and social solidarity within the society.
- 5.3 The State shall take care for equal socio-economic and demographic development over the entire virtual and other territories of the country.
- 5.4 The state shall take care for human healthcare and social protection, ensuring subsistence minimum and decent housing, and protection of the welfare of the family.
- 5.5 The State shall promote employment of citizens.
- 5.6 Conditions of providing subsistence minimum shall be determined by law.
- 5.7 The State shall take care for the development of education, art, music, science, culture, national values, sports and the establishment of a healthy lifestyle.

## **6. Economic Freedom**

- 6.1 Syno Aurelius is a social state and endorse the universal bill of rights of the United Nations, except if otherwise indicated herein.
- 6.2 The State shall take care for development of free and open economy, free entrepreneurship and competition.
- 6.3 Abolishment of the universal right to private ownership shall be prohibited.

## **7. Basis of State and Territorial Arrangement**

- 7.1 The following shall fall within the exclusive competence of supreme state authorities of Syno Aurelius:
  - 7.1.1 Legislation on Syno Aurelius citizenship, human rights, migration, entry and exit from the country, temporary or permanent stay of aliens and stateless persons in Syno Aurelius;

- 7.1.2 Criminal, civil, intellectual property, administrative and labor, procedural legislation; legislation on land, minerals and other natural resources; pharmaceutical legislation; legislation on obtaining status of educational institutions, accreditation and academic degrees;
- 7.1.3 Foreign policy and international relations; foreign trade, customs and tariff regimes;
- 7.1.4 State defence, military industry and arms trade; issues of war and truce; determination and introduction of legal regime of the state of emergency and state of war; armed forces; courts and prosecution; state security; criminal police and investigation; status, regime, and protection of the state border;
- 7.1.5 State finances and state loan; currency minting and emission; legislation on banking, credit, insurance, tax, and trade of national significance;
- 7.1.6 Railways and automobile roads of national significance; integrated energy system and regime; communications; status and protection of territorial waters; airspace, continental shelf, and exclusive economic zone; aviation; merchant fleet,; ensigns; harbors of national significance; fishing in oceans and high seas; meteorology; environmental monitoring systems; standards; cartography; determining the exact time; state statistics.
- 7.1.7 The state territorial arrangement of Syno Aurelius can only be revised by act or by treaty.

## **8. Relationship between the State and Religion**

Although freedom of belief and confession will be respected, the State shall only formally recognize the Christian belief, the State being founded upon Christian principles.

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## CHAPTER TWO

### Fundamental Human Rights

#### **9. Human Dignity**

- 9.1 Human dignity shall be inviolable and protected by the State.
- 9.2 Torture, inhuman or degrading treatment, or usage of inhuman or degrading punishment shall be prohibited.

#### **10. Life and Physical Integrity**

- 10.1 Human life shall be protected.
- 10.2 The physical integrity of a person shall be protected.

#### **11. Equality**

- 11.1 All persons shall be equal before the law.
- 11.2 Any discrimination based on race, colour, sex, origin, ethnic belonging, language, religion, political and other views, social affiliation, property or titular status, place of residence or any other ground shall be prohibited.
- 11.3 According to universally recognized principles and norms of international law and legislation of Syno Aurelius, citizens of Syno Aurelius regardless of their ethnic, religious or linguistic affiliation, shall have the right to maintain and develop their culture without any discrimination and use their mother tongue in private or in public.
- 11.4 The State shall provide equal rights and opportunities for men and women.
- 11.5 The State shall take special measures to ensure the essential equality of men and women and eliminate inequality.
- 11.6 The State shall create special conditions for exercising rights and interest of persons with disabilities.

#### **12. Free Personal Development**

Everyone shall have the right to free development of their personality.

### **13. Human Liberty**

- 13.1 Human liberty shall be protected.
- 13.2 Deprivation of liberty or limitation of liberty otherwise shall be permitted only on the basis of a court decision.
- 13.3 Detention of a person shall be permitted by a specially authorized official in cases provided by law.
- 13.4 A person shall be informed about his/her rights and grounds for detention immediately upon detention. A person may request an assistance of a lawyer immediately upon detention, which must be satisfied.
- 13.5 Violation of requirements of this Article shall be punished by law. A person whose liberty is unlawfully deprived shall have the right to compensation.

### **14. Freedom of Movement**

- 14.1 Everyone lawfully staying in any territory of Syno Aurelius shall have the right to move freely within the territory of the country, to choose place of residence freely and to leave Syno Aurelius freely.
- 14.2 These rights may be restricted only by law aiming at ensuring national security and public safety necessary for existence of a democratic society. Preventing crime, protecting public health or administering justice.
- 14.3 A citizen of Syno Aurelius shall be able to enter Syno Aurelius freely.

### **15. Personal and Family Privacy and Space and Protection of Communication and Informational Self-determination**

- 15.1 Personal and family life shall be inviolable.
- 15.2 This right may be restricted by law ensuring national security.
- 15.3 Personal space and communication shall be inviolable.
- 15.4 No one shall have the right to enter a place of residence or other possessions against the will of a possessor, nor to conduct a search.

### **16. Faith, Confession and Conscience**

- 16.1 Everyone has the freedom of faith, confession and conscience.
- 16.2 Persecution based on faith, confession or conscience, as well as compulsion to express views on them shall be inadmissible.

## **17. Freedom of Opinion, Information, Mass Media and Internet**

- 17.1 Freedom of opinion and its expression shall be protected. Persecution of a person because of his/her opinion or for its expression shall be inadmissible.
- 17.2 Every person has the right to receive and disseminate information freely.
- 17.3 Mass media shall be free.
- 17.4 Censorship shall be inadmissible, except if ordered by the Monarch.
- 17.5 Everyone has the right to access and freely use Internet.
- 17.6 The exercise of these rights may be restricted by law on such conditions, which are necessary in a democratic society for ensuring national security or public safety, territorial integrity, prevention of crime, protection of the rights of others, prevention of disclosure of information acknowledged confidential or independence and impartiality of the judiciary.
- 17.7 The independence of the public broadcaster from state agencies and freedom from political and substantial commercial influence shall be ensured by law.
- 17.8 Institutional and financial independence of the national regulatory body that is established for protection of media pluralism, exercise of freedom of expression in mass media or prevention of monopolization of mass media or means of dissemination, as well as protection of rights of consumers and entrepreneurs in the field of broadcasting and electronic communications shall be guaranteed by law.

## **18. Fair Administrative Proceedings, Access to Public Information and Compensation for Damages Inflicted by the Public Authorities**

- 18.1 Everyone has the right to a fair hearing of his/her case by an administrative body within a reasonable time.
- 18.2 Everyone has the right to get familiarized with information and official documents about him/her that exist in public institutions according to the rule established by law, unless they contain state or commercial, professional or personal secrets of other individual.
- 18.3 Everyone has the right to get familiarized with information and official documents existing in public institutions according to the rule established by law unless they contain state, commercial or professional secrets.
- 18.4 Everyone shall be entitled to full compensation for damages unlawfully caused by the organs of the state.

## **19. Property**

- 19.1 The right to own and inherit property shall be recognized and guaranteed.
- 19.2 In the public interest, this right may be restricted in cases prescribed by law and according to the established rule.

## **20. Creativity and Cultural Heritage**

- 20.1 Freedom of creativity shall be guaranteed.
- 20.2 Intellectual property rights shall be protected.
- 20.3 Interference in the creative process, censorship in the field of creative activities shall be inadmissible.
- 20.4 Dissemination of accretive work shall be prohibited only by a court decision if dissemination of the work violates the rights of others.
- 20.5 Everyone has the right to care for protection of cultural heritage.
- 20.6 Cultural heritage shall be protected by law.

## **21. Assembly**

- 21.1 Everyone, except those who are enlisted in defence forces, or to the organs responsible to state and public security, has the right to assemble publicly unarmed, without prior permission.
- 21.2 The law may establish the necessity of prior notification of the state authority if an assembly is held on a public thoroughfare.
- 21.3 Authorities may terminate a public assembly only if it assumes unlawful character.

## **22. Association**

- 22.1 Freedom of association shall be guaranteed.
- 22.2 Association may only be limited by a court decision or by law.

### **23. Freedom of Activity**

Citizens of Syno Aurelius may participate in political activity but no political parties are allowed. Syno Aurelius recognises the individual credibility, capacity and character of its Citizens.

### **24. Electoral Right**

- 24.1 Every citizen of Syno Aurelius, who has attained the age of 18, has the right to participate in referendums.
- 24.2 Free expression of the will of every voter shall be guaranteed.
- 24.3 A citizen who is serving sentence for a particularly grave, intended crime in a penitentiary institution by a court judgment, or has been recognized as a (mental) support recipient by a court decision and admitted to inpatient care establishment shall have no right to participate in referendums.

### **25. Right to Hold Public Office**

- 25.1 Every citizen of Syno Aurelius has the right to hold any public office if the individual meets the requirements established by law.
- 25.2 Terms of civil service shall be determined by law.
- 25.3 The office of the President, or any one of the Executive of Syno Aurelius may be held by a citizen of Syno Aurelius who simultaneously is a citizen of a foreign country on the condition that no conflict of interests occurred.

### **26. Freedom of Labour, Freedom of Trade Unions, Right to Strike, and Freedom of Enterprise**

- 26.1 Freedom of labour shall be guaranteed. Everyone has the right to free choice of employment.
- 26.2 Right to safe work conditions and other labor rights shall be protected by the statutory law.
- 26.3 Freedom of entrepreneurship shall be guaranteed.
- 26.4 Monopolistic activity shall be prohibited, except in cases permitted by law. Consumer rights shall be protected by law.

## **27. Education and Academic Freedom**

- 27.1 Everyone has the right to receive education and right to choose the type of education.
- 27.2 General education shall be supported and if possible, fully funded by the State according to the rule prescribed by law.
- 27.3 Academic freedom shall be guaranteed.

## **28. Right to health**

The State shall exercise control over all healthcare institutions.

## **29. Right to Environmental Protection**

- 29.1 Everyone has the right to live in a healthy environment and enjoy the natural environment and public space.
- 29.2 Everyone has the right to receive full information about state of the environment in a timely manner.
- 29.3 Everyone has the right to care for the protection of the environment.
- 29.4 The right to participate in the adoption of environment-related decisions shall be ensured by law.
- 29.5 Environmental protection, rational use of natural resources and sustainable ecologic development shall be ensured by law, taking into account the interests of current and future generations.

## **30. Marriage, Mothers and Children**

- 30.1 Marriage as a union of a woman and a man for the purpose of creating a family shall be based on the equality of rights and free will of spouses.
- 30.2 The rights of mothers and children shall be protected by law.

## **31. Procedural Rights**

- 31.1 Every person has the right to apply to the court to defend his/her rights.
- 31.2 The right to fair and timely trial shall be ensured.
- 31.3 Every person shall be tried only by a court that has jurisdiction over the case.
- 31.4 The right to defence shall be guaranteed.

- 31.5 Everyone has the right to defend his/her rights before a court in person or through a lawyer, or a representative in cases prescribed by law.
- 31.6 Unrestricted exercise of the rights of a lawyer as well as the right of self-organization of lawyers shall be guaranteed by law.
- 31.7 The defendant has the right to call his/her witnesses and interrogate them under the same conditions as the witnesses of prosecution.
- 31.8 A person shall be presumed innocent until his/her guilt is proved according to the rule established by law and the court's judgment of conviction.
- 31.9 No one is obliged to prove his/her innocence.
- 31.10 The burden of proof shall rest with prosecution.
- 31.11 A decision to commit an accused for trial shall be based on a reasonable doubt while a judgment of conviction shall be based on incontrovertible evidence.
- 31.12 Any suspicion that cannot be proved in accordance with the rule established by law shall be resolved in the defendant's favour.
- 31.13 No one shall be subject to repeated conviction for the same crime.
- 31.14 No one shall be held responsible for an action that did not constitute an offence at the time when it was committed.
- 31.15 No law shall have retroactive force unless it reduces or abrogates responsibility.
- 31.16 Evidence obtained in violation of law shall have no legal force
- 31.17 No one shall be obliged to testify against himself/herself or against his/her relatives who are determined by law.

## **32. Citizenship of Syno Aurelius**

- 32.1 Syno Aurelius shall protect its citizens regardless of his/her whereabouts.
- 32.2 Syno Aurelius citizenship shall be obtained by birth or naturalization or approved application.
- 32.3 The rule of obtaining and losing Syno Aurelius citizenship, granting citizenship of Syno Aurelius to a foreign citizen and terms and rules of holding citizenship of another state by a citizen of Syno Aurelius shall be determined by statutory law.
- 32.4 Deprivation of citizenship shall be inadmissible, unless exceptional circumstances prevail.

### **33. Rights of Aliens and Stateless persons**

33.1 Aliens and stateless persons living shall have the rights and obligations equal to those of citizens of Syno Aurelius except in cases provided by the Constitution and the law.

33.2 The State shall be entitled to impose restrictions on political activities of foreign citizens and stateless persons in accordance with law.

### **34. General Principles for Ensuring Fundamental Rights**

34.1 The fundamental rights referred to in the Constitution, in terms of their contents, shall also apply to legal persons.

34.2 Exercise of fundamental human rights should not violate the rights of others.

### **35. Public Defender of Human Rights**

35.1 Supervision over protection of human rights within the territory of Syno Aurelius shall be exercised by the Executive Judge-President.

35.2 Hindering activities of the Executive Judge-President shall be punishable by law.



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## CHAPTER THREE

### Government Structure and Parliament of Syno Aurelius

#### **36. Government**

36.1 The Government of the Constitutional Monarchy of Syno Aurelius shall consist of the following:

36.1.1 The Office of the Presidency

- (i) President
- (ii) Deputy President Executive Affairs
- (iii) Deputy President Legislative Affairs
- (iv) Deputy President International Affairs

36.1.2 The Office of the Secretaries of State

- (i) The Secretary of State
- (ii) The Secretary of Defence, Military, Intelligence and Civil Defence
- (iii) The Secretary of Trade, Industry, Commerce & Business

36.1.3 The Office of the Judge President

- (i) The Judge President

36.1.4 The Office of the Chancellors of State

- (i) Chancellor of the Exchequer
- (ii) Chancellor of the Convocation, State Affairs and Constitutional Affairs
- (iii) Chancellor of Internal Affairs and Citizens
- (iv) Chancellor of Foreign Affairs, International Relations, Diplomatic Relations and Representation
- (v) Chancellor of Domain, Geophysical Presence, Territory, Virtuality and Virtual Reality, Buildings and Structures

36.1.5 The Office of Parliament

- (i) The Secretariat
- (ii) Chairman of the Secretariat

36.1.6 The Office of the General Assembly

- (i) Speaker of Parliament
- (ii) Chief Whip
- (iii) Whip of Senate
- (iv) Whip of Congress
- (v) Whip of Justice
- (vi) Whip of Cabinet

36.1.7 The Office of the Chambers of Parliament

- (i) Chamber of the House of Senate
- (ii) Chamber of the House of Congress
- (iii) Chamber of the House of Justice
- (iv) Chamber of the House of Representatives

36.1.8 The Office of the Members of Parliament

- (i) The Chairman, Deputy Chairman and 32 Senators of the House of Senate
- (ii) The Chairman, Deputy Chairman and 32 Congressman of the House of Congress
- (iii) The Chairman, Deputy Chairman and 32 Legal Specialists of the House of Justice
- (iv) The Chairman, Deputy Chairman and 32 Ministers of Cabinet of the House of Representatives as well as 32 Deputy Ministers of Cabinet of the House of Representatives

36.1.9 The Office of Governors

- (i) The Chairman of the Board of Governors and the National State Bank
- (ii) Ten (10 Governors of the State Banks)

36.1.10 The Office of Justice

- (i) Chief Justice
- (ii) Senior Judge
- (iii) Judges
- (iv) Master of the Supreme Court
- (v) Attorney General
- (vi) State Prosecutor
- (vii) State Advocate

36.1.11 The Office of Chairmen of Joint Chiefs of Staff

- (i) Chairman of the Joint Chiefs of Staff of Defence & Military
- (ii) Chairman of the Joint Chiefs of Staff of Intelligence Services & State Security
- (iii) Chairman of the Joint Chiefs of Staff of Police Safety and Security
- (iv) Chairman of the Joint Chiefs of Staff of Civil Defence, Extraordinary Events, Disasters & Emergencies

36.1.12 The Office of the Inspectorate

- (i) Administrator General
- (ii) Auditor General
- (iii) Inspector General

36.1.13 The Office of Registrars

- (i) The Chief Registrar
- (ii) The Registrar of Banks, Insurance and Financial Services
- (iii) The Registrar of Companies and Institutions and Enterprises

36.1.14 The Office of the Director General of State

- (i) Director General
- (ii) Deputy Director General

### **37. Status and Authority of the Parliament, the Rules of Procedure**

- 37.1 The Parliament of Syno Aurelius is the supreme representative body of the country that exercises legislative power, defines main directions of country's domestic and foreign policy, defines activities of the Government within the scope determined by the Constitution, and exercises other powers.
- 37.2 The rules of functioning of the Parliament shall be determined by the Rules of Procedure of the Parliament, which is adopted by a majority of the full composition of the Parliament based on the initiative of a member, or a committee of the Parliament.
- 37.3 The Rules of Procedure shall have the force of law. It shall be signed and promulgated by the Speaker of the Parliament.

### **38. Parliamentary composition**

- 38.1 The parliament is the legal organ representing all the citizens of the Monarchy and as such has the duty of safeguarding and vindicating the rights and interest of the People in relation to the Government in conformity with the provisions of the present Constitution and also of promoting as far as possible the welfare of the Monarch and of the country while faithfully adhering to the principles laid down in this Constitution.
- 38.2 The rights appertaining to the Parliament may only be exercised in the lawfully constituted assembly of that body.
- 38.3 The Parliament shall consist of a Senate, a Congress, a House of Justice and a House of Representatives.
- 38.4 The Senate will consist of a maximum of 34 members. The Senate will be appointed by the Monarch.
- 38.5 The chairman of the Senate will be chosen by the Senate by simple majority vote.
- 38.6 The deputy chairman of the Senate will be chosen by the Senate by simple majority vote.
- 38.7 The functions of the Senate are to do research on relevant topics and advise the House of Congress on any relevant matter. They will do recommendations on laws, policies, rules, regulations, practices and procedures.



- 38.8 Members of the Senate shall preferably be in possession of a Masters' degree in Law, constitutional development, political science or international politics.
- 38.9 The House of Congress shall consist of a maximum of 34 members and appointed by the Monarch;
- 38.10 The chairman of the House of Congress will be chosen by the Members of the Congress by a simple majority vote.
- 38.11 The deputy chairman of the House of Congress will be chosen by the Congress by simple majority vote.
- 38.12 The functions of the House of Congress are to make laws, policies, rules, regulations, practices, and procedures.
- 38.13 Members of the House of Congress shall preferably be in possession of Baccalaureus degree.
- 38.14 The House of Justice shall consist of a maximum of 34 members appointed by the Monarch.
- 38.15 The chairman of the House of Justice will be appointed by majority vote of the House of Justice.
- 38.16 The Deputy chairman of the House of Justice will be chosen by the House of Justice by simple majority vote.
- 38.17 The functions of the House of Justice are to draft legislation, policies, rules, regulations, practices, and procedures and verify legality and compliance of any legal matter as well as to advise Congress on any matter.
- 38.18 Members of the House of Justice should at least be in possession of a LL. B degree.
- 38.19 The House of Representatives shall consist of a maximum of 66 members, being 34 ministers, two without portfolio being the Chairman and Vice-Chairman, and 32 deputy ministers.
- 38.20 The chairman of the House of Representatives will be chosen by the members of the House of Representatives by a simple majority vote.
- 38.21 The Deputy Chairman of the House of Representatives will be a member of the Senate recommended by the Senate.
- 38.22 The functions of the House of Representatives are the implementation of policy, organization of the State, application, management, review of policy.
- 38.23 The members of the House of Representatives will be appointed by the Monarch.
- 38.24 Detailed regulations regarding the conduct of the elections shall be laid down.
- 38.25 The President has the right, subject to the exception laid down in the following Paragraph, to convene the Parliament and to close it. The Monarch has the right to prorogue Parliament for three months or to dissolve it. The prorogation, closing or dissolution of the Parliament may only be proclaimed before the assembled Parliament.



- 38.26 The regular convocation of the Parliament shall be issued at the beginning of every year in the form of a Monarchical edict, indicating the place, day and hour of the assembly.
- 38.27 The sessions of the Parliament during the course of the year shall be decreed by its President.
- 38.28 When a period of prorogation has expired, a fresh summons convening the Parliament shall be issued within one month in the form of an edict.
- 38.29 Should the Parliament be dissolved, new appointments must take place within six weeks. The newly appointed Representatives shall then be summoned to meet within fourteen days.
- 38.30 In the case of an accession of the Throne, the Parliament shall be convened to an extraordinary session within 30 days for the purpose of receiving the declaration of the Monarch of taking the oath of allegiance.
- 38.31 If the Parliament has already been dissolved, the new appointments shall be expedited so that it may be convened at the latest on the fortieth day after the succession of the new sovereign.
- 38.32 At its first regularly convened sitting, the Parliament shall proceed, under the chairmanship of its oldest member of each House to the election of a Chairman and deputy chairman as prescribed herein to direct its business for the current year.
- 38.33 The Representatives shall be bound to attend in person at the seat of the Government in compliance.
- 38.34 If a Representative is impeded from attending, he must, on receiving the first notice of convocation, promptly notify the Government and subsequently the President, stating the reasons preventing his attendance. If the impediment is of a permanent nature, a new appointment shall be made, if applicable, if the Representative cannot be replaced by the substitution system.
- 38.35 The Parliament shall be opened with due solemnity by the Monarch, in person or by his proxy. All the new members shall do the following declaration to the Monarch or his proxy:  
“I hereby undertake to observe the Principles of the Kingdom of God, the reign of the Monarch, the State Constitution and the existing laws and to promote in Parliament, the welfare of the country, without any ulterior motives, to the best of my ability and conscience. So help me God.”
- 38.36 Subsequent members of the Parliament shall take this oath before the President.
- 38.37 The Parliament shall be closed by the Monarch, in person or by his proxy.
- 38.38 No Representative may be arrested while the Parliament is in session without the assent of that body unless he is apprehended *in flagrante delicto*.
- 38.39 The members of the Parliament shall vote solely according to their oath and their convictions. They shall never be made to answer for their votes; for their utterances at sittings of the Parliament or its committees, they shall be



responsible to the Parliament alone and can never be sued before a court of justice in respect thereof.

- 38.40 The exercise of disciplinary powers shall be regulated by rules of procedure to be issued by Parliament.
- 38.41 For a decision of the Parliament to be valid, at least two-thirds of the statutory number of Representatives must be present and it must be adopted by an absolute majority of the members present, except as may otherwise be provided in the present Constitution or in the rules of procedure. The same rules shall apply to elections which the Parliament has to undertake.
- 38.42 In the event of an equal division of votes, the President shall have the casting vote: for an election in Parliament, after the third round of voting and in all other cases after the first round.
- 38.43 Complaints relating to elections shall be referred to the State Court.
- 38.44 The Parliament shall adopt its rules of procedure by a resolution and with due regard to the provisions of the present Constitution.

### **39. Activities of Parliament**

- 39.1 In particular, the following matters shall fall within the sphere of activity of the Parliament:
- 39.1.1 participation in the work of legislation in accordance with the Constitution;
  - 39.1.2 the resolution on the annual report furnished annually by the Government on the whole of the State administration;
  - 39.1.3 the submission of suggestions and complaints and the exercise of control with regard to the State administration as a whole;
  - 39.1.4 to bring defects or abuses which it has observed in the State administration directly to the notice of the Monarch or complaints and to request their redress. The results of the enquiry instituted in respect of such matters and the measures ordered in consequence shall be communicated to the President.
  - 39.1.5 Unless it contains any other stipulation, a law shall come into force on the expiry of seven days after the date of its publication in the National Legal Gazette.
  - 39.1.6 The right of initiative with regard to legislation, that is bills, shall appertain to the Monarch who can consult the Executive and/or Parliament for further steps to be taken in that regard.
  - 39.1.7 After the proclamation of the state, the Monarch has the right to promulgate acts to regulate the state and the state organs.
  - 39.1.8 The President will have the right to promulgate Presidential Orders subject to the approval of the Monarch;
  - 39.1.9 All acts will be promulgated in the National Legal Gazette.

#### **40. Amendment of Constitution and other Acts**

- 40.1 The Constitution may not be altered in any way except by the Monarch.
- 40.2 The Monarch may decide to hold a referendum on any matter in the Constitution or in the Monarchy's sole discretion.
- 40.3 The manner and extent of the publication of laws, finance resolutions, treaties, regulations, resolutions of international organizations and of the law applicable by reason of international treaties shall be regulated by law.
- 40.4 For the law applicable in Syno Aurelius by reason of international treaties, a publication may be arranged in a simplified form, in particular as a reference publication to foreign codes.

#### **41. The President and Vice President**

- 41.1 The first President is appointed by the Monarch for a term of five years. The second and every further President will be elected by the citizens of Syno Aurelius every five years.
- 41.2 The President is the executive head of state and will exercise all powers not exercised by the Monarch, and also those being directed to him or her by the Monarch.
- 41.3 The President convenes and close Parliament and has the right to address Parliament on any issue in any session without having a vote.
- 41.4 The Vice-President: Executive Affairs will assist the President in all matters assigned to him by the President or the Monarch.
- 41.5 When the seat of the President is vacant, the Monarch will decide who will take over the responsibilities of the President until a new President is elected.
- 41.6 The first appointed President will be appointed as Chairman of the Sr Executive, Ambassador Pleni Potentiary of State Affairs and Special Envoy of State when his term of President has expired and he has not made himself available for election or in the event that another President is elected.

#### **42. Chancellor of Exchequer**

- 42.1 The Chancellor of the Exchequer is appointed by the Monarch and shall administer the financial assets of the State in accordance with principles which it shall lay down after approval by the President.
- 42.2 The Chancellors shall have the following special powers and duties:

- (i) To ensure that the Constitution is observed;
- (ii) To audit the accounts of the State Treasury and to transmit the same to the Parliament, together with its report and proposals;
- (iii) To append its signature to acknowledgements in respect of debts and securities made out against the State Treasury in pursuance of a previous resolution of the Parliament;
- (iv) To carry out special tasks entrusted to it by the for the preparation of future proceedings of the latter;
- (v) In urgent cases, to bring matters to the notice of the Monarch or the Government, and to lodge representations, protests or remonstrances in the case of any menace to or violation of constitutional rights;
- (vi) Should the circumstances require it, to propose the convocation of the Parliament.

#### **43. Secretary of State**

- 43.1 The Secretary of State is a member of parliament without a vote but with the right to participate in any discussion of any house.  
The Secretary of State is also the Prinicerius and Special Envoy representing the Monarch.
- 43.2 The Secretary of State has the responsibility to clear and approve all Staff and Personnel.

#### **44. Members of Parliament**

- 44.1 A Member of Parliament of Syno Aurelius is a representative of all Syno Aurelius, shall enjoy a free seat and can only be recalled by the Monarch.
- 44.2 Arrest or detention of a member of Parliament, search of his/her place of resident and place of work, vehicle or any personal search shall be permitted only by prior consent of the chairman of Parliament.
- 44.3 A member of Parliament shall have the right not to testify about facts disclosed to him/her in the capacity of a Member of parliament. Seizure or extraction of written materials related to this issue shall be inadmissible. This right shall be retained by a Member of Parliament after his/her term of office expires.
- 44.4 A Member of Parliament shall not be held liable for the views expressed inside or outside the Parliament while performing his/her duties.





- 44.5 A Member of Parliament shall be guaranteed unhindered conditions for exercising his/her powers.
- 44.6 A Member of Parliament shall receive remuneration prescribed by the Monarch. Respective state services shall ensure personal safety of a Member of Parliament based on his/her application.
- 44.7 A Member of Parliament shall not hold any office in public service or be engaged in entrepreneurial activity.
- 44.8 A Member of Parliament shall not hold any office in public service or be engaged in entrepreneurial activity.
- 44.9 A Member of Parliament may not be engaged in public activities.
- 44.10 Cases of conflict of interests shall be defined by the Rules of Procedure of Parliament.
- 44.11 Issues of recognition or early termination of powers of a Member of Parliament shall be decided on by Parliament.
- 44.12 Decisions of the Parliament may be appealed to the State court.
- 44.13 The powers of the Member of Parliament shall be terminated early if he/she:
- 44.13.1.1 submits a personal application on termination of powers to the Parliament;
  - 44.13.1.2 holds a position incompatible with his/her status or is engaged in incompatible activity;
  - 44.13.1.3 fails to attend without good reason more than half of regular sittings during the regular session;
  - 44.13.1.4 has been convicted by a court judgment, which has entered into legal force;
  - 44.13.1.5 has been recognized as a (mental) support recipient and admitted to respective inpatient care establishment, has been found missing or dead by court;
  - 44.13.1.6 dies;
  - 44.13.1.7 loses citizenship of Syno Aurelius;
  - 44.13.1.8 is subject to termination of his/her powers by decision of the State court.

#### **45. Chairperson and Deputy Chairpersons of Parliament**

- 45.1 The first Chairman of Parliament of Syno Aurelius shall be appointed by the Monarch, thereafter the Parliament shall elect the Chairperson for its term of office by a majority of its full composition by secret ballot, under the Rules of Procedure.
- 45.2 The Chairperson of Parliament shall chair over the work of the Parliament, ensure free expression of opinion, sign the acts adopted by the Parliament, and fulfil other powers prescribed by the Rules of Procedure.

- 45.3 The Chairperson of Parliament shall exercise full administrative functions in the House of Parliament as prescribed by the Rules of Procedure.
- 45.4 The Parliament of Syno Aurelius shall elect a first deputy chairperson and deputy chairpersons for its term of office by a simple majority of members.

#### **46. Parliamentary Bureau and Committees**

- 46.1 To organize the work of the Parliament, the Parliamentary Bureau shall be established, consisting of the chairperson and deputy chairpersons of Parliament and chairpersons of parliamentary committees.
- 46.2 Committees shall be created in the Parliament to prepare legislative issues beforehand, facilitate implementation of decisions, and exercise control over activities of the organs accountable to the Government and Parliament.

#### **47. Investigative and Other Temporary Commissions of Parliament**

- 47.1 Investigative or other temporary commissions shall be created in the Parliament as Parliamentary Portfolio Committees, in cases envisaged by the Constitution and the Rules of Procedure, as well as by initiative at least of one-third of members of Parliament and it shall report to the Chairman of Parliament;
- 47.2 Decision on creation of a temporary commission shall be adopted by the Parliament according to the rule prescribed by the Rules of Procedure.
- 47.3 The decision on creation of a temporary investigative commission shall be adopted by support on one-third of the full composition of Parliament.

#### **48. Question and Interpellation of a Member of Parliament**

- 48.1 A Member of Parliament shall be entitled to appeal with a question to the Government, other organ accountable to the parliament, a member of the Government, state organs of the territorial units at all levels and state institutions. Providing timely and full response to the question of the Member of Parliament is mandatory.

#### **49. Session and Sitting of Parliament**

- 49.1 The Parliament shall meet in its official capacity for a regular session twice a year.
- 49.2 The sessions shall be between February and December unless otherwise informed by the Monarch;
- 49.3 The President of Syno Aurelius shall convene an extraordinary session of Parliament at the request of the Chairperson of Parliament, no less than one-fourth of members of Parliament, and the Government during the period between the sessions, or convene a special sitting in the course of a regular session. Unless an act of summoning is issued within 48 hours according to the procedure prescribed by the Rules of Procedure of the Parliament. A special sitting of the Parliament shall be held only according to the agenda defined by the initiator and shall close once the agenda has been exhausted.
- 49.4 Voting at a plenary sitting of Parliament shall be open or secret. Voting is open, except for the cases envisaged by the Constitution and the law.
- 49.5 A member of the Government and an official accountable to the Parliament or a head of organ accountable to the Parliament shall be entitled a obligated to attend upon request sittings of Parliament, its committee or commission, to provide answer to the questions raised during the sitting and submit a report of activities performed. The Parliament, a committee, or a commission shall hear such an official immediately upon request.

#### **50. Law-making and Rules of Decision-making**

- 50.1 The Monarch, the Government and a Member of Parliament have the right of legislative initiative.
- 50.2 The Parliament shall discuss a draft law submitted by the Government upon its request extraordinarily.
- 50.3 A law shall be considered adopted if supported by a majority of the members present but no less than one-third of full composition of the Parliament unless other rule of adopting laws is prescribed by the Constitution.
- 50.4 A statutory law shall be considered adopted if supported by a majority of full composition of the Parliament unless other rule of adopting statutory laws is prescribed by the Constitution.

## **51. Signature and Promulgation of a Law**

- 51.1 During the period of formation and establishment, the Monarch may promulgate and pass the laws necessary to establish the Country;
- 51.2 A decision or law passed by Parliament shall be submitted to the President of Syno Aurelius within 7 Days;
- 51.3 The President shall sign and promulgate the law or return it to the Parliament with justified remarks within 14 days;
- 51.4 If the President returns the law, the Parliament shall put the President's remarks to a vote;
- 51.5 Adoption of remarks requires the same number of votes as for initial adoption of this type of law;
- 51.6 If remarks are adopted, the final version of the law shall be submitted to the President within 7 days for who signs and promulgates it within 7 days;
- 51.7 If the Parliament rejects the President's remarks, an initial version of the law shall be put to a vote;
- 51.8 A statutory law shall be considered adopted if it is supported by a majority of full composition of Parliament;
- 51.9 A law shall be submitted to the President within 3 days who signs and promulgates it within 3 days;
- 51.10 If the President does not sign the law, nor return it to Parliament with justified remarks, nor promulgate it, the Chairperson of Parliament shall sign and promulgate it within 5 days after this timeframe expires'
- 51.11 A law shall enter into force on the 15<sup>th</sup> day from its promulgation in the Syno Aurelius Gazette official organ unless another date is defined by the same law;
- 51.12 The Monarch has full veto rights and powers;

## **52. International Agreements**

The Monarch of Syno Aurelius shall ratify, denounce and annual international treaties.

## **53. Impeachment**

- 53.1 The Monarch cannot be impeached as the Monarch has to approve any impeachment.

- 53.2 No less than two-thirds of full composition of Parliament shall have the right to raise the question of impeachment of a Member of the Senior Executive of State, if their action violates the Constitution or contains signs of crime. The case shall be transferred to the State Court, which shall consider and submit its conclusion to the President within 30 days.
- 53.3 If the State Court conclusion confirms signs of crime or violation of the Constitution in the actions of the official, the Monarch shall decide for the impeachment of official within no later than 15 days after submission of the conclusion.
- 53.4 The President of Syno Aurelius shall be considered impeached if the Monarch so decides.
- 53.5 A member of the Senior Executive, the Executive and the Government, shall be considered impeached if the Monarch so decides.
- 53.6 Impeachment within the timeframe defined in Paragraph 2 of this Article, initiating an impeachment procedure on the same ground shall be inadmissible.
- 53.7 Officials listed in this Article, except member of the Government, shall only be removed from office by means of impeachment.
- 53.8 Impeachment procedure of the President of Syno Aurelius during the state of emergency or the state of war shall be inadmissible.



SYNO AURELIUS

## **CHAPTER FOUR**

### **President of Syno Aurelius**

#### **54. Status of the President**

- 54.1 The President of Syno Aurelius is the Executive Head of State of Syno Aurelius, the guarantor of unity and national independence of the country.
- 54.2 The President of Syno Aurelius shall represent Syno Aurelius in foreign relations on request of the Monarch.
- 54.3 The President of Syno Aurelius shall be a co-signatory on official documents on the request of the Monarch.
- 54.4 The President shall have the right to issue Presidential Orders without consulting Parliament. The Monarch has to approve such Presidential Orders.

#### **55. Rules of Election of the President**

- 55.1 The President of Syno Aurelius shall be appointed for 5 years by the Monarch.
- 55.2 Any citizen of Syno Aurelius having the right to vote, who has attained the age of 30 and who has been a citizen of Syno Aurelius for at least 3 years, may be appointed or elected as President of Syno Aurelius.

#### **56. President's Oath, Termination of Term of Office, Immunity, Conflict of Interest and Succession**

- 56.1 Prior to assuming the office, the newly elected President of Syno Aurelius shall address the people and take the following oath of office:

“I, the President of Syno Aurelius, do solemnly affirm before God, the nation and the Monarch, that I will support and defend the Monarchy and the Constitution of Syno Aurelius, the independence, unity, and indivisibility of the country; that I will faithfully perform the duties of the President, will care for the security and welfare of the citizens of my country, and for the revival and might of my nation”.

- 56.2 The term of office of the President of Syno Aurelius shall be terminated and the term of office of the newly elected President of Syno Aurelius shall be commence once the oath is taken by the newly elected President.



- 56.3 The President of Syno Aurelius shall enjoy personal immunity. No one shall have the right to arrest or bring criminal proceeding against the President of Syno Aurelius while in office except the Monarch.
- 56.4 The President of Syno Aurelius cannot be a member of a political party.
- 56.5 In case of the inability of the President of Syno Aurelius to exercise powers or in case of early termination of the term of office, the Chairperson of the Parliament shall perform the duties of the President of Syno Aurelius.

## **57. Powers of the President**

- 57.1 The President of Syno Aurelius shall:
- 57.1.1 with the consent of the Government carry out representative powers in foreign relations, negotiate with other states and international organizations, conclude international treaties, accepts accreditation of ambassadors and other diplomatic representatives of other states and international organizations; upon nomination of the Government appoint and dismiss ambassadors of Syno Aurelius and other heads of diplomatic representations;
  - 57.1.2 sets elections of Parliament and local self-governance in accordance with the Constitution and rule prescribed by the statutory law;
  - 57.1.3 exercise other powers as defined by the Constitution.
- 57.2 The President of Syno Aurelius shall have the right to set a referendum on issues defined in the Constitution and law at the request of the Monarch, the Parliament of Syno Aurelius, the Government of Syno Aurelius, no less than 50% of all voters within 30 days after such a request is received. A referendum shall not be held in order to adopt or repeal a law, to grant amnesty or pardon, to ratify or denounce international treaties, as well as concerning the issues that envisage restriction of fundamental constitutional rights of individuals. Issues related to setting and conducting referendum shall be defined by the statutory law.
- 57.3 The President of Syno Aurelius shall have the right to address the people. The President shall annually submit a report on crucial state-related issues to the Parliament.

## **58. Countersignature**

58.1 Legal act(s) of the President of Syno Aurelius shall require the approval and countersignature of the Monarch. A legal act that requires countersignature shall be promulgated and shall entail legal consequences only after countersignature.

58.2 Countersignature shall not be required for legal acts of the President of Syno Aurelius related to:

58.2.1 setting parliamentary elections, dissolving the Parliament, convening sessions and sittings of Parliament;

58.2.2 concluding constitutional agreement.

## **59. General Financial Matters**

### **59.1 National Revenue Fund**

59.1.1 There is a National Revenue Fund into which all money received by the national government must be paid, except money reasonably excluded by an Act of Parliament.

59.1.2 Money may be withdrawn from the National Revenue Fund only –

- (i) On instruction / authorization issued by the Monarch;
- (ii) By the Governor of the National State Bank, or
- (iii) As a direct charge against the National Revenue Fund, when it is provided for in the Constitution or an Act of Parliament.
- (iv) TEN (10%)

### **59.2 Equitable Shares and Allocations of Revenue**

59.2.1 The approval from the Monarch must provide for –

- (i) The equitable division of revenue raised nationally among the national, provincial and local spheres of government;
- (ii) The determination of each province's equitable share of the provincial share of that revenue; and
- (iii) Any other allocations to provinces, local government or municipalities from the national government's share of that revenue, and any conditions on which those allocations may be made.



### 59.3 **National Budget**

59.3.1 National budgets must promote transparency, accountability and the effective financial management of the economy, debt and the public sector.

59.3.2 National legislation must prescribe –

- (i) The form of national budgets;
- (ii) When it must be tabled; and
- (iii) Must show the sources of revenue and the way in which proposed expenditure will comply with national legislation.

59.3.3 Budgets in each sphere of government must contain –

- (i) Estimates of revenue and expenditure, differentiating between capital and current expenditure;
- (ii) Proposals for financing any anticipated deficit for the period to which they apply; and
- (iii) An indication of intentions regarding borrowing and other forms of public liability that will increase public debt during the ensuing year.

### 59.4 **Treasury Control**

59.4.1 National legislation must establish a national treasury and prescribe measures to ensure both transparency and expenditure control in each sphere of government, by introducing –

- (i) Generally recognised accounting practice;
- (ii) Uniform expenditure classifications; and
- (iii) Uniform treasury norms and standards.

59.4.2 The national treasury must enforce compliance with the measures established in terms of subsection (1).

### 59.5 **Procurement**

59.5.1 When an organ of state in the national sphere of government, or any other institution identified in national legislation, contracts for goods or services,

it must do so in accordance with a system which is fair, equitable, transparent, competitive and cost-effective.

59.5.2 Subsection (1) does not prevent the organs of state or institutions referred to in that subsection from implementing a procurement policy providing for –

- (i) Categories of preference in the allocation of contracts; and
- (ii) The protection or advancement of persons, or categories of persons, disadvantaged by unfair discrimination.

59.5.3 National legislation must prescribe a framework within which the policy referred to in subsection (2) must be implemented.

## 59.6 **Government Guarantees**

59.6.1 The Government may issue Government Guarantees on request by the Monarch or the President or the Chancellor of the Exchequer and the national government may guarantee a loan and or financial instruments and or financial paper;

59.6.2 Each year, every government must publish a report on the guarantees it has granted.

## 59.7 **Remuneration of Persons Holding Public office**

59.7.1 The Monarch will establish a framework for determining –

- (i) The salaries, allowances and benefits of all appointments, including the Executive, all officials and functionaries of Syno Aurelius, including members of Parliament, Ministers and, Deputy Ministers.

59.7.2 The Monarch may change, edit, delete or add to the individual Remuneration of Government Officials, Service Providers, Contractors and Citizens.

## 59.8 **Financial and Fiscal Commission**

### 59.8.1 **Establishment and functions**

- (i) There is a Financial and Fiscal Commission of the Monarchy which makes recommendations envisaged in this Chapter, or in national

legislation, to Parliament, provincial legislatures and any other authorities determined by national legislation.

- (ii) The Commission is independent and subject only to the Monarch, the Constitution and the law, and must be impartial.
- (iii) The Commission must function in terms of an Act of Parliament and, in performing its functions, must consider all relevant factors.

#### **59.8.2 Reports**

- (i) The Commission must report regularly both to Parliament and to the provincial legislatures.

#### **59.8.3 State Bank**

##### **59.8.3.1 Establishment**

The National State Bank of Syno Aurelius, the NSB, is the central bank of the Monarchy and of the Country and is regulated in terms of an Act of Parliament.

##### **59.8.3.2 Primary Object**

- (i) The primary object of the National State Bank is to issue, manage and protect the value of the currency in the interest of balanced and sustainable economic growth in the Monarchy and the Country.
- (ii) The National State Bank, in pursuit of its primary object, must perform its functions independently and without fear, favour or prejudice, but there must be regular consultation between the Bank and the Chancellor of the Exchequer.

##### **59.8.3.3 Powers and Functions**

- (i) The powers and functions of the National State Bank are those customarily exercised and performed by central banks, which powers and functions must be determined by an Act of Parliament and must be exercised or performed subject to the conditions prescribed in terms of that Act.
- (ii) The Board of the National Bank sets the management of the National Bank of Syno Aurelius. Members of



the Board of the National Bank shall be appointed by the Monarch for a term of seven years.

- (iii) The National Bank shall be independent in its activities.
- (iv) The National State Bank shall be accountable to the Monarch represented by the Chancellor of the Exchequer and annually submit an activity report to it.
- (v) Only the National State Bank shall have the right to money emission. The name and unit of money shall be the Paladin Dollar.
- (vi) Competences and rules of functioning as well as guarantees for independence of the National State Bank shall be defined by the statutory law.
- (vii) The National State Bank has the following duties:
  - Monetary
  - Fiscal
  - Economic
  - Regulatory
  - Supervisory
  - Official Banker of the State
  - Banker of Last Resort
  - Treasury
  - Banking
  - Investment

## **60. Taxation**

Taxation of Citizens directly or indirectly or through levies or fees will be authorized by the Monarch.

# SYNO AURELIUS

## CHAPTER FIVE

### Judiciary and Prosecutor's Office

#### **61. Judicial Authority**

- 61.1 The judicial authority of the Monarchy is vested in the courts.
- 61.2 The courts are independent and subject only to the Constitution and the law, which they must apply impartially and without fear, favour or prejudice.
- 61.3 No person or organ of state may interfere with the functioning of the courts.
- 61.4 Organs of state, through legislative and other measures, must assist and protect the courts to ensure the independence, impartiality, dignity, accessibility and effectiveness of the courts.
- 61.5 An order or decision issued by a court binds all persons to whom an organ of state to which it applies.
- 61.6 The Executive Judge President is the head of the judiciary and exercises responsibility over the establishment and monitoring of norms and standards for the exercise of the judicial functions of all courts.
- 61.7 The Monarchy is exempted from any legal actions whatsoever.

#### **62. Judicial System**

- 62.1 The courts are:
- (i) The State Court;
  - (ii) The State Appeal Court; and
  - (iii) Any other court established or recognised in terms of an Act of Parliament, or by the Monarch.

#### **63. State Court**

- 63.1 The State Court consists of a minimum of one and a maximum of five judges.
- 63.2 A matter before the State Court must be heard by at least one judge.
- 63.3 The State Court:
- (i) Is the highest court of the Monarchy; and
  - (ii) May decide-
    - (a) Constitutional matters; and

- (b) Any other matter, if the State Court grants leave to appeal on the grounds that the matter raises an arguable point of law of general public importance which ought to be considered by that Court; and
- (iii) Makes the final decision whether a matter is within its jurisdiction.

63.4 Only the State Court may-

- (i) Decide on the constitutionality of any parliamentary or provincial Bill, if such matter is referred to it by the Monarch;
- (ii) Decide on the constitutionality of any amendment to the Constitution, if applicable.

63.5 The State Court makes the final decision whether an Act of Parliament, any other act or regulation or conduct of the President is constitutional.

63.6 A constitutional matter includes any issue involving the interpretation, protection or enforcement of the Constitution.

#### **64. State Appeal Court**

64.1 The State Appeal Court consists of the Executive Judge President and the judges of the State Court.

64.2 A matter before the State Appeal Court must be decided by at least two judges of the State Court who did not preside in the matter appealed against and designated for such hearing by the most senior judge of the State Court.

64.3 The State Appeal Court may decide appeals in any matter arising from the State Court.

64.4 The State Appeal Court may decide only-

- (i) Appeals; and
- (ii) Issues connected with appeals.

#### **65. Other Courts**

All courts other than those referred to above may decide any matter determined by an Act of Parliament or referred to it by the State Court.

## **66. Court Procedures**

All courts function in terms of national legislation, and their rules and procedures must be provided for in terms of national legislation.

## **67. Powers of Courts in Constitutional Matters**

When deciding a constitutional matter within its power, a court-

- 67.1 must declare that any law or conduct that is inconsistent with the Constitution is invalid to the extent of its inconsistency; and
- 67.2 may make order that is just and equitable, including
  - (i) an order limiting the retrospective effect of the declaration of invalidity; and
  - (ii) an order suspending the declaration of invalidity for any period and on such terms as it deems fit.

## **68. Inherent Power**

The State Court and the State Appeal Court each has the inherent power to protect and regulate their own process, and to develop the common law, taking into account the interests of justice.

## **69. Appointment of Judicial Officers**

- 69.1 Any appropriately qualified person who is a fit and proper person may be appointed as a judicial officer by the Executive Judge President.
- 69.2 Any person to be appointed to the State Court must also be a citizen of Syno Aurelius.
- 69.3 The Monarch as head of the Monarchy, appoints the Executive Judge President, and on the recommendation of the Executive Judge President, also appoints the Chief Justice.
- 69.4 The other judges of the State Court are appointed by the Executive Judge President, after consulting the Monarch.
- 69.5 Before judicial officers begin to perform their functions, they must take an oath or affirm, that they will uphold and protect the Constitution.

## **70. Appointment of Acting Judges**

The Executive Judge President may appoint a judge to serve as an acting Deputy Chief Justice or as any person to act as judge of the State Court if there is a vacancy in any of those offices, or if the person holding such an office is absent.

## **71. Terms of Office and Remuneration**

- 71.1 A judge holds office until he or she attains the age of 70.
- 71.2 The salaries, allowances and benefits of judges are determined by the Monarch.

## **72. Removal**

- 72.1 A judge may be removed from office only if the Monarch or the Executive Judge President finds that the judge suffers from an incapacity, is grossly incompetent or is guilty of gross misconduct.
- 72.2 The Executive Judge President may suspend a judge who is the subject of an investigation.

## **73. Prosecuting Authority**

- 73.1 There will be a single national prosecuting authority in the Monarchy, structures in terms of an Act of Parliament, and consisting of:
  - (i) A National Director of Public Prosecutions, who is the head of the prosecuting authority, and is appointed by the Executive Judge President; and
  - (ii) Other Public Prosecutions and prosecutors as determined and appointed by the Executive Judge President.
- 73.2 The Prosecuting Authority has the power to institute criminal proceedings on behalf of the state, and to carry out any necessary functions incidental to instituting criminal proceedings.
- 73.3 The National Director of Public Prosecutions and other prosecutors must be appropriately qualified;



73.4 National legislation must ensure that the prosecuting authority exercises its functions without fear, favour or prejudice.

73.5 The National Director of Public Prosecutions –

- (i) Must determine, with the concurrence of the Cabinet member responsible for the administration of justice, prosecution policy, which must be observed in the prosecution process;
- (ii) Must issue policy directives which must be observed in the prosecution process;
- (iii) May intervene in the prosecution process when policy directives are not complied with; and
- (iv) May review a decision to prosecute or not to prosecute, after consulting the relevant Director of Public Prosecutions and after taking representations within a period specified by the National Director of Public Prosecutions, from the following:
  - (a) The Accused person.
  - (b) The Complainant.
  - (c) Any other person or party whom the National Director considers to be relevant.

73.6 The Cabinet member responsible for the administration of justice must exercise final responsibility over the prosecuting authority.

73.7 All other matters concerning the prosecuting authority must be determined by national legislation.

#### **74. Other matters concerning administration of justice**

74.1 National legislation may provide for any matter concerning the administration of justice that is not dealt with in the Constitution, including-

- (i) Training programmes for judicial officers;
- (ii) Procedures for dealing with complaints about judicial officers; and
- (iii) the participation of people other than judicial officers in court decisions.

74.2 A judge of the State court must be a citizen of Syno Aurelius of any age with at least a LL. B degree and/or at least ten years professional legal experience.

74.3 A judgment of the State Court shall be final.

- 74.4 The State Court shall award a judgment on behalf of Syno Aurelius. Judicial acts shall be binding. Failure to comply with the court judgement or interference in execution shall be punishable by law.
- 74.5 Court hearings shall be open. Closed hearings shall be permitted only in the cases determined by the Executive Judge President. A court judgment shall be declared publicly.
- 74.6 Legal proceedings shall be conducted in English. An individual not having a command of the official language shall be provided with an interpreter.
- 74.7 The law applicable in Syno Aurelius in the absence of any Act or law, shall be the international acceptable and established rules in international law, alternatively the Roman Dutch Law, in the sole discretion of the judges.



## **CHAPTER SIX**

### **State Defence and Security**

#### **75. Defence Forces**

- 75.1 Defensive war and protection of the Citizens and the assets of the Country shall be a sovereign right of Syno Aurelius.
- 75.2 Defence of Syno Aurelius shall be every citizen's duty. Rules for military service shall be determined by law.
- 75.3 Unification of organs in charge of state and public security with defence forces during the state of war shall be permitted by the Decree issued by the Monarch.
- 75.4 The defence forces of Syno Aurelius shall act by the orders of the Minister of Defence according to the law, and during state of emergency and state of war by orders of the Monarch.
- 75.5 The Monarch is the Commander-in-Chief of the Armed Forces, Defence and Military, Intelligence and State Security, Police Safety and Security and Civil Defence.
- 75.6 The Crown Prince is the Deputy Commander-in-Chief of the Armed Forces, Defence and Military, Intelligence and State Security, Police Safety and Security and Civil Defence.

#### **76. State of Emergency and State of War**

- 76.1 In case of the armed attack or a direct threat of the armed attack of Syno Aurelius, only the Monarch of Syno Aurelius shall declare the state of war.
- 76.2 During a state of emergency or state of war the Monarch of Syno Aurelius shall have the right to restrict by decree any rights listed in this Constitution.
- 76.3 Decision of revocation of a state of emergency or state of war shall be decided by the Monarch.
- 76.4 For the purposes of state defence, in special cases as well as in cases prescribed by law, the Monarch shall make a decision on the entry, use and movement of military forces of another state in the country.

#### **77. National Defence Council**

Competences and rule of functioning of the National Defence Council shall be determined by law.

## CHAPTER SEVEN

### Revision of the Constitution

#### **78. Rules of Revision of the Constitution**

The Constitution can only be amended by the Monarch.



*Karolys Ignatius von Lotharinge*

14 May 20119

**SIGNED BY: Karolys Ignatius von Lotharinge**  
Monarch of Syno Aurelius

Date

*In Deo Speramus*

*In God we Trust.*

SYNO AURELIUS



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