

2022 Constitutional Amendment Act

No. 21 of 2022
Adopted on 22/07/2022

AN ACT

Of the Parliament of the Bayer Free State
No. 21 of 2022

Be it enacted by this Parliament, That, this legislation shall be cited as the “2022 Constitutional Amendment (Amendment the Second) Act”.

Article 1. Clarification of the Right to Democracy

In Article 14 of the Constitution, “of the Bayer Free State” shall be inserted after “government”.

Article 2. Requirements for Members of Parliament

In Article 32 of the Constitution, the following section shall be appended:

“Section 3

No person shall become a Member of Parliament without having been a citizen of the Bayer Free State for at least four out of the six months preceding the time of appointment to the office.”

Article 3. Requirements for the Head of State

In Article 43 of the Constitution, the following section shall be appended:

“Section 3

No person shall hold the Office of the Head of State without having been a citizen of the Bayer Free State for at least sixteen out of the eighteen months preceding the time of appointment to the office; if that person has been convicted of a major criminal offense within the twelve months preceding the time of appointment to the office; or if that person bears allegiance to a foreign state.”

Article 4. Requirements for the Prime Minister

In Article 44 of the Constitution, the following section shall be appended:

“Section 3

No person shall hold the Office of the Prime Minister without having been a citizen of the Bayer Free State for at least four out of the six months preceding the time of appointment to the office; if that person has been convicted of a major criminal

offense within the six months preceding the time of appointment to the office; or if that person bears allegiance to a foreign state.”

Article 5. Vacancy of the Head of State and the Prime Minister

In Article 43 Section 2 of the Constitution, the following shall be appended:

“Whenever both the Office of the Head of State and the Office of the Prime Minister are vacant, the Chief Justice shall assume the ownership of the guild, and the executive powers and duties of the Head of State until either a new Head of State is elected, or a new Prime Minister is appointed by Parliament, in which case the ownership of the guild shall temporarily be held by the Chief Justice, and the Prime Minister shall assume all executive powers and duties until a new Head of State is elected.”

Article 6. The Election Commission

The following shall be inserted to the Constitution:

“Part VII. The Election Commission

Article 61.A. Establishment

For the purpose of organizing elections and referendums, there shall be an independent Election Commission.

Article 61.B. Composition

The Election Commission shall have at least two members selected by Parliament by a simple majority, once of whom shall be a judge, and shall be subjected to scrutiny and impeachment as any other officer. No person shall become a member of the Election Commission without having been a citizen of the Bayer Free State for at least four out of the six months preceding the time of appointment to the office; or if that person bears allegiance to a foreign state.

Article 61.C. Powers and Duties

The Election Commission shall have the powers and duties to organize and administer all elections and referendums mandated by these articles and by statutes, and all matters thereof as prescribed by statutes.

Article 61.D. Functioning

The functioning and procedures of the Election Commission shall be provided by statutes enacted by Parliament.

Article 61.E. Prohibition of Certain Executive Orders and Legislation Being Enacted before Elections

During the campaigning period as prescribed by statutes, or on the day of the election, no executive order or legislation concerning the composition, functions, duties, and powers of the Election Commission, election procedures, the number of elected candidates, or qualifications of voters, and candidates may be enacted, except when temporarily and properly authorized by the Head of State or the Prime Minister with no objection offered by Parliament in times of crisis, in which case the election shall be postponed until the end of the crisis.”

Article 7. Arms Restriction

In Article 13 of the Constitution, the following shall be appended: “For the purpose of public safety and state security, the government may impose reasonable and appropriate restrictions on arms and any aspects thereof.”

Article 8. Prohibition of Acts of Attainder

The following Article shall be inserted to the Constitution:

Article 75. Prohibition of Acts of Attainder

Parliament may not pass any act whose sole purpose is to single out particular individuals for punitive purposes, to impose punishments upon them, and to do so without the benefit of a fair trial.

Article 9. Revocation

Article 2, 3, and 4 of the 2022 Election Act shall hereby be repealed.

Article 10. Effect

This amendment to the Constitution shall go into effect upon being enacted in accordance with the Constitution.

I certify that, this document is a fair and authentic copy of an Act which originated from, and is approved by the required majority of Parliament.

A stylized handwritten signature in black ink, consisting of a large 'P' followed by 'tr' and a long horizontal stroke.

Speaker of Parliament

In witness whereof, we have approved and set our hands on this document on this twenty-second day of the month of July, in the year two thousand and twenty-two, and in the third year of our State.

A handwritten signature in black ink, featuring a large 'P' followed by 'tr' and a long horizontal stroke, with a large 'K' written to the right.

Head of State and Prime Minister