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Constitution of the Kingdom of United Counties

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Constitution of the Kingdom of United Counties

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Preamble

The people of the Kingdom of United Counties, under God's blessing and the majestic Sovereign's grace, do ordain and establish this constitution, in order to ensure citizens' rights as human beings, including justice, domestic tranquility, equality, liberty, democracy and legality, and in order to keep the world's peace and justice, uphold the value of the priority of human rights, and preserve the everlasting friendship with all peace-loving nations, which shall be totally, perpetually and faithfully observed by Rabian People as a whole.

Chapter I General provisions

Article 1

1. Kingdom of United Counties shall be a united, democratic, social, and secular monarchy.
2. All ethnic groups are equal, consisting Anglofrench and Chinese, and all rights shall be preserved for those ethnic groups.
3. The name 'Rabbistan' is as effective as the name 'Kingdom of United Counties'. Abbreviations 'KUC' and 'RBS' also represents the Kingdom of United Counties.

Article 2

1. The National flag of the Kingdom of United Counties is made up of three identical multicoloured stripes, consisting red, green and blue and a design including cross and Barenolope.
2. The National coat of arms has a round shape, consisting a design of cross and Barenolope, the Crown, ears of wheat and stars.
3. The National anthem shall be '*God save the Queen*'.

Article 3

1. The sovereignty of the Kingdom falls on the citizens of the Kingdom as a whole.
2. The territory of the Kingdom according to existing national boundaries shall not be altered except by resolution of the legally-effective Union Assembly.

Article 4

1. The legislative, executive and judicial powers of the Kingdom of United Counties shall be derived from people.
2. The authorities of the Kingdom shall be decentralised.

Article 5

1. Supremacy of this Constitution shall be admitted by all authorities, organisations and individuals. The dignity of Constitution is inviolable.
2. It is a fundamental duty for all authorities, organisations and individuals to preserve the supremacy and dignity of the constitution determinedly.
3. This constitution shall apply to all parts of the Kingdom of United Counties, except for some dominions and realms, which shall be designated and authorised by the Parliament.

Chapter II The Crown

Article 6

1. The Sovereign, alternatively named, King or Queen, shall be the Head of state of the Kingdom of United Counties, representing the Kingdom of United Counties in home and abroad.
2. The appointment, inheritance, accession and enthronement of the Sovereign shall be decided by the Parliament according to laws.

Article 7

1. The Sovereign shall reign only with the consent from the Parliament.
2. The Sovereign's rights must be verified by the Parliament which had regulated as the lines below, in accordance to laws:
 - a) Promulgation of amendments of the constitution, laws, executive orders and treaties.
 - b) Convocation of the Parliament and the Union Assembly.
 - c) Dissolution of the current cabinet with the consent of the result of a referendum.
 - d) Proclamation of general election of members of the Parliament.
 - e) Attestation of the appointment and dismissal of Secretaries and Ministers of State and other officials as provided for by law, and of full powers and credentials of Ambassadors, Secretaries and Ministers.
 - f) Attestation of general and special amnesty, commutation of punishment, reprieve, and restoration of rights.
 - g) Awarding of honours.
 - h) Attestation of instruments of ratification and other diplomatic documents.
as provided for by law.
 - i) Receiving foreign ambassadors and ministers.
 - j) Performance of ceremonial functions.
 - k) Proclaiming entering of the state of emergency, the state of war, making peace and issuing mobilisation orders.
3. The Sovereign shall not have power relating to the government.

Article 8

1. No property can be given to, or received by, the Royal House, nor can any gifts be made therefrom, without the authorisation of the Central Executive Office.
2. The Royal properties shall be authorised by the Central Executive Office.

Article 9

1. Specific issues within the Royal House, including communications with the public, shall be operated by the Royal Household Agency considering the Sovereign's will.
2. The Royal Household Agency is a authority that is directly subordinate to the Central Executive Office.

Article 10

1. The Sovereign is the Commander-in-chief of the Rabian Armed Forces.
2. All military orders shall be authorised by the Sovereign in order to be put into effect.

Chapter III Basic rights and duties of citizens

Article 11

1. Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authorities.
2. The Rabian people therefore acknowledge inviolable and inalienable human rights as the basis of every community, of peace and of justice in the world.
3. The following basic rights shall bind the legislature, the executive and the judiciary as directly applicable law.

Article 12

1. The persons possessing the nationality of the Kingdom shall be the citizens of the Kingdom.
2. The conditions necessary for being a Rabian national and the circumstances of depriving nationality of the Kingdom shall be determined by law.

Article 13

1. Every person shall have the right to free development of his personality insofar as he does not violate the rights of others or offend against the constitutional order or the moral law.
2. Every person shall have the right to life and physical integrity. Freedom of the person shall be inviolable. These rights may be interfered with only pursuant to a law.

Article 14

1. All persons shall be equal before law.
2. Men and women shall have equal rights. The Kingdom shall promote the actual implementation of equal rights for women and men and take steps to eliminate disadvantages that now exist.
3. No person shall be favoured or disfavoured because of gender, parentage, race, language, homeland and origin, faith, or religious or political opinions. No person shall be disfavoured because of disability.

Article 15

1. Entrustment of peer and peerage are permitted and verified by the Kingdom.
2. Peer and peerage shall be identification of honour of the entrusted persons themselves, or their ancestors, but not identifying privileges.
3. Peers and citizens are equal before law.

Article 16

1. Citizens shall enjoy the freedoms below according to law except for circumstances which shall be determined by law.
 - a) Freedom of speech
 - b) Freedom of teaching, writing and publication
 - c) Freedom of academic researches, in the various fields of literature, culture, science and so on
 - d) Freedom of residence and migration
 - e) Freedom of privacy of correspondence
 - f) Freedom of association
 - g) Freedom of petition and assembly
 - h) Freedom of religious belief

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i) Freedom of thoughts

Article 17

1. Citizens shall have the rights below in accordance with law, and all authorities cannot deprive these rights without legal procedures.

- a) Right of existence
- b) Right of work
- c) Right of property
- d) Right of complaint
- e) Right of election, recall, being elected, initiative and referendum
- f) Right of taking public examinations and holding public offices
- g) Right of receiving compulsory education

Article 18

1. All rights and freedoms are guaranteed by this Constitution, all laws, legislations, ordinances and statutes.

2. All rights and freedoms can be enjoyed only when not interrupting other citizens' enjoyment of rights and freedoms and not against the national interest, public welfare, social order and other circumstances regulated by law.

3. Any public functionary, who, in violation of law, infringes upon the rights and freedoms of any person shall, in addition to being to disciplinary measures in accordance with law, be held responsible under criminal and civil law. The injured person may, according to law, claim compensation from the government for damage sustained.

Article 19

1. The deprivation of citizens' basic rights and freedoms must be declared by the Constitutional Tribunal in accordance with law.

2. The order of deprivation made by the Constitutional Tribunal must be verified for a second time by the Supreme Court of the Kingdom.

Article 20

1. Citizens shall perform the duties below in accordance with law in order to obtain the legal qualification to enjoy rights and freedoms.

- a) Duty of performing military services and other civil defence services
- b) Duty of receiving compulsory education
- c) Duty of paying taxes in accordance with law
- d) Duty of preserving dignity and interest of the Kingdom
- e) Duties under war condition which had determined by law

Article 21

1. Personal physical freedom shall be guaranteed to the people. Except in case of flagrante delicto as provided by law, no person shall be arrested or detained otherwise than by a judicial or a police organ in accordance with the procedure prescribed by law. No person shall be tried or punished otherwise than by a law court in accordance with the procedure prescribed by law. Any arrest, detention, trial, or punishment which is not in accordance with the procedure prescribed by law may be resisted.

When a person is arrested or detained on suspicion of having committed a crime, the organ making the arrest or detention shall in writing inform the said person, and his designated relative

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or friend, of the grounds for his arrest or detention, and shall, within 24 hours, turn him over to a competent court for trial. The said person, or any other person, may petition the competent court that a writ be served within 24 hours on the organ making the arrest for the surrender of the said person for trial.

The court shall not reject the petition mentioned in the preceding paragraph, nor shall it order the organ concerned to make an investigation and report first. The organ concerned shall not refuse to execute, or delay in executing, the writ of the court for the surrender of the said person for trial.

When a person is unlawfully arrested or detained by any organ, he or any other person may petition the court for an investigation. The court shall not reject such a petition, and shall, within 24 hours, investigate the action of the organ concerned and deal with the matter in accordance with law.

Article 22

1. Except those in active military service, no person shall be subject to trial by a military tribunal.
2. The exercise of a military tribunal shall be in accordance with law.

Chapter IV The legislature

Article 23

1. The sole legislative organisation of the Kingdom of United Counties is the Parliament.
2. Parliament of Rabbistan is bicameral, which contains a House of Lords and a House of Commons.
3. Resolutions adopted by the Union Assembly, which is impermanent, shall be unchangeable and supreme, representing the volition of Rabian people.

Section A House of Commons

Article 24

1. The election of Members of Parliament (MP) of the House of Commons shall be in accordance with the *General Election Act [Cap. 41]*.
2. The resolutions made by the House of Commons shall be more effective legally than the House of Lords.

Article 25

1. One Assembly period of the House of Commons shall be less than 5 years. Within a period of time of 5 years, a general election shall be held to elect new Members of Parliament for a new Assembly period.
2. The Prime Minister of the Assembly period have the right to declare an early general election.
3. A Assembly period shall last from the inauguration of the newly elected MPs to the next general election day.
4. One year within an assembly period shall contain 2 sessions, one from end of March to the beginning of August, and the other from end of October to near Christmas.

Article 26

1. Registration of a party shall be in accordance with law, by legal procedures.
2. The whip of a party shall be elected by a party assembly, then, if, after a general election, the party has obtain the majority of the House of Commons, shall become the Prime Minister of that Assembly period.
3. Other issues in related to the general election shall be regulated by laws.

Article 27

1. The House of Commons shall exercise the powers of supervising the executive, legislative powers which contain enactment, revision and abolishment of laws, and decide the financial affairs.

Section B House of Lords

Article 28

1. Members of Parliament of the House of Lords shall not be elected.
2. The qualification of a Member of Parliament of the House of Lords shall be through legal procedures.

Article 29

1. The House of Lords have the right to decide the affairs of revising and assisting the enactment of the financial decisions, and the right of procrastinate vetoing a legislation adopted by the House of Commons for one year.

Section C Union Assembly

Article 30

1. Union Assembly shall be proclaimed to open by the Sovereign in accordance with law with a parliamentary verification.
2. Only when attendance exceeds the 3/4 of quorum, the assembly shall be effective legally.
3. Qualification of Members of the Union Assembly shall be determined by law which had adopted by the Union Assembly.

Article 31

1. Union Assembly shall be convened when issues related to important national interest, which includes declaring wars, making peace, amending over 1/2 articles of the constitution before amendment, signing important international treaties, changing institution and other issues regulated by law.
2. Resolutions shall be promulgated by the Sovereign, which is stipulated in the preceding chapters.

Article 32

1. Convening a Union Assembly shall be ahead of the meeting date for at least 1 month, in order to make time for the preparation and examining the proposals, or the convocation will be invalid.
2. When the convocation is invalid, the proposals already examined shall be deliberated by the joint session of both Houses of the Parliament.

Chapter V The executive

Article 33

1. The supreme executive organisation of the Kingdom is the Central Executive Office which contains functional departments, ministries, offices, agencies, directorates and authorities.
2. The exercise of the executive power shall be in accordance with law.
3. Central Executive Office shall be considered equally as 'Her Majesty's Government', 'central government', 'the Government' and 'central authorities'.
4. The Cabinet is made up of all Secretaries of State, which shall be the highest decision-making body of the Government.
5. The Central Executive Office is responsible for the Parliament.

Article 34

1. Prime Minister is the head of the Government, shall exercise the leadership of the Government.
2. Election of Prime Minister had stipulated in the preceding chapters.

Article 35

1. Central Executive Office have the right to conduct ordinary issues of the Government.
2. Members of the Government shall be civilian personnels.

Article 36

1. The Prime Minister have the right to nominate and recall the governmental secretaries and ministers.
2. Serving Secretaries and Ministers of State, without the approval of the Prime Minister, cannot be prosecuted. However, this provision does not prevent prosecutorial rights.
3. Impeachment power of the Prime Minister belongs to the Constitutional Tribunal.

Article 37

1. The Central Executive Office shall exercise the functions below in accordance with laws:
 - a) Administer the law faithfully; conduct affairs of state.
 - b) Manage foreign affairs.
 - c) Conclude treaties. However, it shall obtain prior or, depending on circumstances, subsequent approval of the Parliament.
 - d) Administer the civil service, in accordance with standards established by law.
 - e) Prepare the budget, and present it to the Parliament.
 - f) Enact executive orders in order to execute the provisions of this Constitution and of the law. However, it cannot include penal provisions in such executive orders unless authorized by such law.
 - g) Decide on general amnesty, special amnesty, commutation of punishment, reprieve, and restoration of rights.

Article 38

1. All laws and cabinet orders shall be signed by the competent Secretary of State and countersigned by the Prime Minister.

Chapter VI The judiciary

Article 39

1. The whole judicial power is vested in a Supreme Court and in such inferior courts as are established by law.
2. No extraordinary tribunal shall be established, nor shall any organ or agency of the Executive be given final judicial power.
3. All judges shall be independent in the exercise of their conscience and shall be bound only by this Constitution and the laws.

Article 40

1. The Supreme Court is vested with the rule-making power under which it determines the rules of procedure and of practice, and of matters relating to attorneys, the internal discipline of the courts and the administration of judicial affairs.
2. Public procurators shall be subject to the rule-making power of the Supreme Court.
3. The Supreme Court may delegate the power to make rules for inferior courts to such courts.

Article 41

1. Judges shall not be removed except by public impeachment unless judicially declared mentally or physically incompetent to perform official duties. No disciplinary action against judges shall be administered by any executive organ or agency.

Article 42

1. The Supreme Court shall consist of a Chief Justice and such number of justices as may be determined by law; all such judges excepting the Chief Justice shall be appointed by the Central Executive Office.
2. The appointment of the justices of the Supreme Court shall be reviewed by the people at the first general election of members of the House of Commons following their appointment, and shall be reviewed again at the first general election of members of the House of Commons after a lapse of 10 years, and in the same manner thereafter.
3. In cases mentioned in the foregoing paragraph, when the majority of the voters favours the dismissal of a judge, he shall be dismissed.
4. Matters pertaining to review shall be prescribed by law.
5. The justices of the Supreme Court shall be retired upon the attainment of the age as fixed by law. All such justices shall receive, at regular stated intervals, adequate compensation which shall not be decreased during their terms of office.

Article 43

1. The judges of the inferior courts shall be appointed by the Central Executive Office from a list of persons nominated by the Supreme Court. All such judges shall hold office for a term of ten (10) years with privilege of reappointment, provided that they shall be retired upon the attainment of the age as fixed by law.
2. The judges of the inferior courts shall receive, at regular stated intervals, adequate compensation which shall not be decreased during their terms of office.

Article 44

1. The Supreme Court is the court of last resort with power to determine the constitutionality of any law, order, regulation or official act.

Article 45

1. Trials shall be conducted and judgment declared publicly. Where a court unanimously determines publicity to be dangerous to public order or morals, a trial may be conducted privately, but trials of political offences, offences involving the press or cases wherein the rights of people as guaranteed in Chapter III of this Constitution are in question shall always be conducted publicly.

Article 46

1. The Constitutional Tribunal, together with the Supreme Court, shall verify the laws adopted by the Parliament and assented by the Sovereign whether they are violating or not of the Constitution.

2. Impeachment of the Prime Minister and other senior officials of all public functional organisations shall be decided by the Constitutional Tribunal.

Chapter VII Local administrative affairs

Article 47

1. The principle administrative divisions of the Kingdom of United Counties shall be counties and regions.
2. Regulations concerning organisation and operations of local public entities shall be fixed by law in accordance with the principle of local autonomy.

Article 48

1. The local public entities shall establish assemblies as their deliberative organs, in accordance with law.
2. The chief executive officers of all local public entities, the members of their assemblies, and such other local officials as may be determined by law shall be elected by direct popular vote within their several communities.

Article 49

1. Local public entities shall have the right to manage their property, affairs and administration and to enact their own regulations within law.

Article 50

1. A special law, applicable only to one local public entity, cannot be enacted by the Parliament without the consent of the majority of the voters of the local public entity concerned, obtained in accordance with law.

Article 51

1. The property of an principle administrative division, that is, the belonging of a ethnic group, which can be both Anglofrench ethnic group and Chinese ethnic group, shall be decided by history and population in accordance with law.
2. Local affairs, especially communications, holidays, languages and education, shall be carefully considered according to the ethnic property and the laws.
3. The local governments shall provide specialised social services to the citizens of different ethnic property in order to preserve their rights and facilitate their lives according to the laws.

Chapter VIII Basic national policies

Article 52

1. The national defence of the Kingdom of United Counties shall have as its objective the safeguarding of national security and the preservation of world peace.
2. The organisation of national defence shall be prescribed by law.

Article 53

1. The land, sea and air forces of the whole country shall be above personal, regional, or party affiliations, shall be loyal to the state, and shall protect the people.
2. No political party and no individual shall make use of armed forces as an instrument in a struggle for political powers.

Article 54

1. The foreign policy of the Kingdom of United Counties shall, in a spirit of independence and initiative and on the basis of the principles of equality and reciprocity, cultivate good-neighbourliness with other nations, and respect treaties, in order to protect the rights and interests of Rabian citizens residing abroad, promote international cooperation, advance international justice and ensure world peace.

Article 55

1. National economy shall seek to effect equalisation of land ownership and restriction of private capital in order to attain a well-balanced sufficiency in national wealth and people's livelihood.

Article 56

1. All land within the territory of the Kingdom of United Counties shall belong to the whole body of citizens. Private ownership of land, acquired by the people in accordance with law, shall be protected and restricted by law. Privately-owned land shall be liable to taxation according to its value, and the Government may buy such land according to its value.
2. Mineral deposits which are embedded in the land, and natural power which may, for economic purposes, be utilised for the public benefit shall belong to the State, regardless of the fact that private individuals may have acquired ownership over such land.
3. If the value of a piece of land has increased, not through the exertion of labour or the employment of capital, the State shall levy thereon an increment tax, the proceeds of which shall be enjoyed by the people in common.
4. In the distribution and readjustment of land, the State shall in principle assist self-farming land-owners and persons who make use of the land by themselves, and shall also regulate their appropriate areas of operation.
5. Public utilities and other enterprises of a monopolistic nature shall, in principle, be under public operation. In cases permitted by law, they may be operated by private citizens.
6. With respect to private wealth and privately-operated enterprises, the State shall restrict them by law if they are deemed detrimental to a balanced development of national wealth and people's livelihood.
7. Cooperative enterprises shall receive encouragement and assistance from the State.
8. Private citizens' productive enterprises and foreign trade shall receive encouragement, guidance and protection from the State.

Article 57

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1. The State shall, by the use of scientific techniques, develop water conservancy, increase the productivity of land, improve agricultural conditions, plan for the utilisation of land, develop agricultural resources and maintain the industrialisation of agriculture.

Article 58

1. Within the territory of the Kingdom, all goods shall be permitted to move freely from place to place.

Article 59

1. Financial institutions shall, in accordance with law, be subject to State control.
2. The State shall extensively establish financial institutions for the common people, with a view to relieving unemployment.
3. With respect to Rabian citizens residing abroad, the State shall foster and protect the development of their economic enterprises.

Article 60

1. The State shall provide suitable opportunity for work to people who are able to work.
2. The State, in order to improve the livelihood of labourers and farmers and to improve their productive skill, shall enact laws and carry out policies for their protection.
3. Women and children engaged in labour shall, according to their age and physical condition, be accorded special protection.
4. Capital and labour shall, in accordance with the principle of harmony and cooperation, promote productive enterprises. Conciliation and arbitration of disputes between capital and labour shall be prescribed by law.
5. The State, in order to promote social welfare, shall establish a social insurance system. To the aged and the infirm who are unable to earn a living, and to victims of unusual calamities, the State shall give appropriate assistance and relief.

Article 61

1. The State, in order to consolidate the foundation of national existence and development, shall protect motherhood and carry out the policy of promoting the welfare of women and children.

Article 62

1. The State, in order to improve national health, shall establish extensive services for sanitation and health protection, and a system of public medical service.

Article 63

1. Education and culture shall aim at the development among the citizens of the national spirit, the spirit of self-government, national morality, good physique, scientific knowledge, and the ability to earn a living.

Article 64

1. All children shall receive free primary education which is compulsory.
2. All citizens above legal school age who have not received primary education shall receive supplementary education free of charge and shall also be supplied with books by the Government.

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Article 65

1. All public and private educational and cultural institutions in the country shall, in accordance with law, be subject to State supervision.
2. Educational budget shall be set properly according to the laws and local circumstances.

Article 66

1. The State shall safeguard the livelihood of those who work in the fields of education, sciences and arts, and shall, in accordance with the development of national economy, increase their remuneration from time to time.
2. The State shall encourage scientific discoveries and inventions, and shall protect ancient sites and articles of historical, cultural or artistic value.
3. The State shall give encouragement or subsidies to the following enterprises or individuals:
 - a) Educational enterprises in the country which have been operated with good record by private individuals;
 - b) Educational enterprises which have been operated with good record by Rabian citizens residing abroad;
 - c) Persons who have made discoveries or inventions in the fields of learning and technology; and
 - d) Persons who have rendered long and meritorious services in the field of education.

Chapter IX Amendment and interpretation to this Constitution

Article 67

1. Laws, statutes, acts, executive orders and ordinances that are in conflict with the Constitution shall be null and void.
2. When doubt arises as to whether or not a law is in conflict with the Constitution, interpretation thereon shall be made by the Constitutional Tribunal.
3. Interpretational power of this Constitution falls on the Constitutional Tribunal.

Article 68

1. Amendments to this Constitution shall be initiated by the Parliament, through a concurring vote of two-thirds or more of all the members of each House and shall thereupon be submitted to the people for ratification, which shall require the adoption during the Union Assembly session which is convened legally.
2. Amendments when so ratified shall immediately be promulgated by the Sovereign in the name of the people, as an integral part of this Constitution.

Article 69

1. This Constitution shall be effective as of the Royal Assent of this Constitution is published.

