



Supreme Court  
Sentence Nr. S0256/2025  
Date of Sentence: 2 of July 2025 CET  
Type of procedure: Constitutionality and Interpretation  
Judge: Ad007What/726771774498537494  
Timezone referred in this sentence: CET

## I. Factual Background

The Senate proposed the law CL. 6.XX Senatorial Procedures Act

The Chancellor of the Senate requested the SC to check the constitutionality of Article 10 Of this law that states;

***“ARTICLE 10. SENATE SEATS***

***10.1. The size of the Senate shall be determined by motion of the Senate, in accordance with Article 2.2.1 of the Constitution.***

***10.2. Any Senator may motion to set or amend the number of Senate seats, provided that:***

***10.2.1. The proposed size is no fewer than 10 and no greater than 20;***

***10.2.2. The motion receives the affirmative vote of at least a total supermajority of the Senate;***

***10.2.3. The motion is passed prior to the official commencement of the next Senatorial election, including the opening of candidate registration.***

***10.3. If the size of the Senate is not determined in § 10.2, the Senate shall be composed of 12 Senators.”***

## II. Grounds for the Judgement

The Supreme Court understands that anything related to the Constitution in its material must be regulated under a Constitutional Law. Because of this limitation a Constitutional Law is not allowed to delegate these capabilities as they are exclusive to CL.

We also understand that CL can always limit and adapt these topics as long as it is in accordance with the constitution. This capability of regulation is implicit in the constitution and does not have to be expressively mentioned.

What can be expressibly mentioned in the constitution, and limits CL's, is;

- Limitation on the extent of constitutional law, setting the limits of that CL.
- Prohibition to be further regulated by CL.
- Obligation to further regulate by CL.

The Senate cannot set or delegate any substantive element reserved to CL to another type of law, decision-making process, or body, such as through ordinary laws, motions, or similar mechanisms. For example, if the Senate wishes to change the number of senators, it must amend Constitutional Law itself, not simply pass a regular law or delegate this authority



elsewhere.

### **Judgment**

1. We declare article 10 of the mentioned Bill unconstitutional and we order the voting procedure to be stopped until it has been modified or removed. At the same time we order the rest of the bills to be reviewed to be in accordance with this sentence.
2. Thus, by this my sentence, counted from the day of the publication of this sentence, I pronounce, command and sign it

Signed,

Ad007What/726771774498537494

*Justice and Chief of the Supreme Court  
in name of the Courts of Julia*