

Liechtenstein's Constitution

CHAPTER V: Parliament

Art 45

1. Parliament is the legal organ representing all the citizens of the Principality 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 Princely House and of the country while faithfully adhering to the principles laid down in this Constitution.
2. The rights appertaining to Parliament may only be exercised in the lawfully constituted assembly of that body.

Art 46

1. Parliament shall consist of 25 Representatives who shall be elected by the People by universal, equal, secret and direct suffrage according to the system of proportional representation. The Upper Country (Oberland) and the Lower Country (Unterland) shall each form a constituency. Of the 25 Representatives, 15 shall be elected by the Upper Country and 10 by the Lower Country.

2. In addition to the 25 Representatives, substitutes shall be elected in each constituency. For each three Representatives in a constituency, each electoral group shall have one substitute but if an electoral group has obtained one mandate it shall have at least one substitute.
3. Mandates shall be distributed among electoral groups which have obtained at least eight percent of the valid votes cast in the country as a whole.
4. The members of the Government and the Courts may not be members of Parliament at the same time.
5. Detailed regulations regarding the conduct of the elections shall be laid down in a special law.

Art 47

1. The Representatives shall be elected for four years, provided that the regular elections shall be held in the February or March of the year when the fourth year of their mandate ends. Representatives shall be eligible for reelection.
2. Annulled

Art 48

1. The Prince Regnant has the right, subject to the exception laid down in the following Paragraph, to convene Parliament, to close it, and, on warrantable grounds, which must on each occasion be communicated to the assembled Parliament, to prorogue it for three months or to dissolve it. The prorogation, closing or dissolution of Parliament may only be proclaimed before the assembled Parliament.
2. In pursuance of a substantiated written request submitted by not less than 1,000 citizens entitled to vote or of a resolution adopted by the communal assemblies of not less than three communes, Parliament must be convened.
3. Subject to the same conditions as in the preceding Paragraph, 1,500 citizens entitled to vote or four communes which have adopted resolutions to that effect at their communal assemblies may demand a referendum with regard to the dissolution of Parliament.

Art 49

1. The regular convocation of Parliament shall be issued at the beginning of every year in the form of a Princely edict, indicating the place, day and hour of the assembly.
2. The sessions of Parliament during the course of the year shall be decreed by its President.
3. When a period of prorogation has expired, a fresh summons convening Parliament shall be issued within one month in the form of a Princely edict.
4. Should a Representative be prevented from attending one or several consecutive sittings, a substitute from his electoral group shall sit and vote in his place.

Art 50

Should Parliament be dissolved, new elections must take place within six weeks. The newly elected Representatives shall then be summoned to meet within fourteen days.

Art 51

1. In the case of an accession to the Throne, Parliament shall be convened to an extraordinary session within 30 days for the purpose of receiving the declaration of the Prince Regnant as provided for in Art. 13 and of taking the oath of allegiance.
2. If Parliament has already been dissolved, the new elections shall be expedited so that it may be convened at the latest on the fortieth day after the accession of the new sovereign.

Art 52

1. At its first regularly convened sitting, Parliament shall proceed, under the chairmanship of its oldest member, to the election of a President and a Vice-President from among its members to direct its business for the current year.
2. Annulled

Art 53

The Representatives shall be bound to attend in person at the seat of the Government in compliance with the notice of convocation. 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 by-election shall be held, if the Representative cannot be replaced by the substitution system.

Art 54

1. Parliament shall be opened with due solemnity by the Prince Regnant, in person or by his proxy. All the new members shall swear the following oath to the Prince Regnant or his proxy:
"I hereby swear to observe 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."
2. Subsequent members of Parliament shall take this oath before the President.

Art 55

Parliament shall be closed by the Prince Regnant, in person or by his proxy.

Art 56

1. No Representative may be arrested while Parliament is in session without the assent of that body unless he is apprehended in flagrante delicto.
2. In the latter case, the arrest and the grounds therefore must be notified forthwith to Parliament, which shall decide whether the arrest is to be sustained. All papers relating to the case must be placed immediately at the disposal of Parliament if it so requests.
3. If a Representative is arrested at a time when Parliament is not in session, the National Committee must be notified forthwith, and informed at the same time of the grounds for the arrest.

Art 57

1. The members of 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 Parliament or its committees, they shall be responsible to Parliament alone and can never be sued before a court of justice in respect thereof.
2. The exercise of disciplinary powers shall be regulated by rules of procedure to be issued hereafter.

Art 58

1. For a decision of 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 Parliament has to undertake.
2. In the event of an equal division of votes, the President shall have the casting vote: for an election, after the third round of voting and in all other cases after the first round.

Art 59

1. Complaints relating to elections shall be referred to the Constitutional Court.
2. Parliament shall adjudicate on the validity of the election of its members and of the election as such on the basis of the election records and, if applicable, of the decision of the Constitutional Court (validation procedure)

Art 60

Parliament shall adopt its rules of procedure by a resolution and with due regard to the provisions of the present Constitution.

Art 61

Representatives shall receive from the State Treasury a daily allowance and travel expenses as prescribed by law.

Art 62

In particular, the following matters shall fall within the sphere of activity of Parliament:

- a. participation in the work of legislation in accordance with the Constitution;
- b. participation in the conclusion of treaties (Art. 8);
- c. the establishment of the annual budget and the authorization of taxes and other public dues;

- d. resolution on credits, loans and securities chargeable to the State and on the acquisition and alienation of landed property belonging to the administrative and financial assets of the State, subject to articles 63ter and 93;
- e. the resolution on the annual report furnished annually by the Government on the whole of the State administration;
- f. the submission of suggestions and complaints and the exercise of control with regard to the State administration as a whole (Art. 63);
- g. the impeachment of members of the Government before the Constitutional Court for breaches of the Constitution or of other laws;
- h. the passing of a resolution on a vote of no confidence in the Government or one of its members.

Art 63

1. Parliament shall have the right of control over the whole of the State administration, including the administration of justice. It shall exercise this right inter alia through an audit committee which it shall elect. Its right of control extends neither to the judgments of the courts nor to the functions assigned to the Prince.
2. Parliament may at any time bring defects or abuses which it has observed in the State administration directly to the notice of the Prince Regnant or the Government by the submission of memorials 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 Parliament.
3. Annulled
4. The representative of the Government must be given a hearing and shall be bound to answer interpellations addressed to him by members of Parliament.

Art 63bis

Parliament has the right to appoint investigational committees. It is obliged to do so when at least one quarter of the number of Representatives fixed by law requests this.

Art 63ter

Parliament shall appoint a finance committee to which the passing of resolutions on the acquisition and alienation of landed property belonging to the administrative and financial assets as well as participation in the administration of the financial assets may also be transferred by law.

Art 64

1. The right of initiative with regard to legislation, that is to say, the right of introducing bills, shall appertain to:
 - a. the Prince Regnant, in the form of Government bills;

- b. Parliament itself;
 - c. citizens with the right to vote, subject to the following provisions.
2. If not less than 1,000 citizens entitled to vote, whose signatures and qualification to vote are duly certified by the authorities of the commune in which they reside, submit a petition in writing or if at least three communes do so in the form of resolutions of the communal assembly in similar terms requesting the enactment, amendment or revocation of a law, such petition must be debated at the next session of Parliament.
 3. If a petition from one of the organs referred to under a) to c) above concerns the enactment of a law which has not already been provided for in the present Constitution and the adoption of which would involve public expenditure, whether in a single sum not provided for in the Finance Bill or in payments extending over a longer period, such petition shall only be discussed by Parliament if it is accompanied by proposals for providing the necessary funds.
 4. A petition submitted under the right of initiative and concerning the Constitution may only be brought by not less than 1,500 citizens entitled to vote or by at least four communes.
 5. Further detailed regulations regarding this popular initiative shall be laid down in a law.

Art 65

1. Without the participation of Parliament, no law may be issued, amended, or declared to be in force. For a law to become valid, it must in every case receive the assent of Parliament and be sanctioned by the Prince Regnant, countersigned by the responsible Head of the Government or his deputy and promulgated in the National Legal Gazette (Landesgesetzblatt). If the Prince does not give his assent within six months, it shall be deemed to have been refused.
2. In addition, a popular vote (referendum) shall be held under the conditions set forth in the following Article.

Art 66

1. Every law passed by Parliament that it does not declare to be urgent and every financial resolution that it does not declare to be urgent and that results in a new nonrecurrent expenditure of at least 500,000 francs or a new annually recurrent expenditure of 250,000 francs shall be subject to a popular vote if Parliament so decides or if at least 1,000 Liechtenstein citizens eligible to vote or at least three municipalities submit a request to that effect, in the manner provided for in article 64, within 30 days of the official announcement of the resolution of Parliament.
2. If the issue affects the Constitution as a whole or in part, the demand for a referendum must be made by not less than 1,500 citizens with the right to vote or by not less than four communes.
3. Parliament is authorized to call for a referendum on the adoption of any of the principles embodied in a proposed law.
4. The referendum shall be held by communes; the acceptance or rejection of the resolution on the enactment of the law shall be decided by an absolute majority of the valid votes recorded in the whole of the country.

5. Resolutions on the enactment of laws subject to a referendum shall not be submitted to the Prince Regnant for sanction until the referendum has been held or until the statutory period of thirty days within which a petition for a referendum may be submitted has expired without any such action.
6. If Parliament rejects a bill drawn up in due form and accompanied if necessary by proposals for providing the necessary funds and which has been submitted to it through the procedure of the popular initiative (Art. 64 Para. 1 lit. c), the said bill shall be submitted to a referendum. The acceptance of the bill by the citizens entitled to vote shall then have the same force as a resolution of Parliament otherwise necessary for the adoption of a law.
7. Further detailed regulations regarding the referendum shall be issued in the form of a law.

Art 66bis

1. Any resolution of Parliament concerning assent to a treaty (Art. 8) must be submitted to a referendum if Parliament so decides or if not less than 1,500 citizens with the right to vote or not less than four communes submit a petition to that effect, according to the procedure prescribed in Art. 64, within 30 days of the official publication of the resolution of Parliament.
2. In the referendum, the acceptance or rejection of the resolution by Parliament shall be decided by an absolute majority of the valid votes recorded in the whole of the country.
3. Further detailed regulations regarding the referendum shall be issued in the form of a law.

Art 67

1. Unless it contains any other stipulation, a law shall come into force on the expiry of eight days after the date of its publication in the National Legal Gazette.
2. The manner and extent of the promulgation 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. For the law applicable in Liechtenstein by reason of international treaties, a publication may be arranged in a simplified form, in particular as a reference publication to foreign codes.
3. The legal regulations coming into force in future and applicable to Liechtenstein by reason of the Agreement of 2 May 1992 on the European Economic Area shall be published in an EEA compendium of laws. The manner and extent of the publication in the EEA compendium of laws shall be regulated by law.

Art 68

1. Without the approval of Parliament, no direct or indirect taxes or any other public dues or general levies, under any designation whatsoever, may be imposed or collected. The fact that this approval has been given must be expressly mentioned in the tax demand notice.
2. The system by which all public taxes and dues are to be apportioned, their incidence on persons and objects, and the manner in which they are to be collected shall also require the approval of Parliament.
3. Taxes and dues shall normally be authorized for the period of one administrative year.

Art 69

1. With regard to the State administration, the Government shall submit to Parliament for examination and approval preliminary estimates of all expenditures and revenues for the coming administrative year, accompanied by proposals for the taxation which is to be levied.
2. In the first half of each administrative year, the Government shall submit to Parliament an exact statement relating to the preceding administrative year, showing the manner in which revenues approved and collected were applied to the purposes set forth in the preliminary estimates, with the provision, however, that if the latter have been exceeded on justifiable grounds Parliament must give its approval, and that in the absence of justification the Government shall be answerable.
3. Government shall be entitled, subject to the same conditions as above, to incur expenditure of an urgent character not provided for in the estimates.
4. Any savings attained with respect to individual budget items may not be used to cover excess expenditures with respect to other items.

Art 70

The Government shall administer the financial assets of the State in accordance with principles which it shall lay down in agreement with Parliament. It shall submit a report to Parliament together with the annual accounts (Art. 69 Para. 2).

CHAPTER VI: THE NATIONAL COMMITTEE

Art 71

The National Committee (Landesausschuss) shall be constituted to act in place of Parliament for any business which requires the participation of the latter or of its committees during the period between the adjournment, closing or dissolution of Parliament and the date of its next meeting, without prejudice, however, to the provisions of Art. 48 to 51 concerning the time limits for the reconvoation of Parliament and for the holding of new elections.

Art 72

1. The National Committee shall be composed of the President of Parliament, who shall be represented if unable to attend by his deputy, and of four other members, to be elected by Parliament from its midst, equal consideration being given to the Upper Country (Oberland) and the Lower Country (Unterland).
2. Under all circumstances, Parliament must be enabled to hold this election during the same session at which its prorogation, closing or dissolution is announced.

Art 73

The term of office of the National Committee shall expire when Parliament reconvenes.

Art 74

The National Committee shall have the following special powers and duties:

- a. to ensure that the Constitution is observed, that steps are taken for the execution of the decisions of Parliament, and, if Parliament should have been dissolved or adjourned, that it is reconvened within the prescribed time;
- b. to audit the accounts of the State Treasury and to transmit the same to Parliament, together with its report and proposals;
- c. 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 Parliament;
- d. to carry out special tasks entrusted to it by Parliament for the preparation of future proceedings of the latter;
- e. in urgent cases, to bring matters to the notice of the Prince Regnant or the Government, and to lodge representations, protests or remonstrances in the case of any menace to or violation of constitutional rights;
- f. should the circumstances require it, to propose the convocation of Parliament.

Art 75

The National Committee may not enter into any permanent obligation on behalf of the Principality and shall be responsible to Parliament for its conduct of affairs.

Art 76

1. The meetings of the National Committee shall take place as required at the seat of the Government upon convocation by the President.
2. For its decisions to be valid, at least three members must be present.

Art 77

During the sessions of the National Committee, its members shall receive the same daily allowance and travel expenses as the members of Parliament.