

# CONSTITUTION

## I. ORGANISATION OF THE STATE

### a) The National Assembly

#### Article 80\*

(Composition and Election)

The National Assembly is composed of deputies of the citizens of Slovenia and comprises ninety deputies.

Deputies are elected by universal, equal, direct, and secret voting.

One deputy of the Italian and one deputy of the Hungarian national communities shall always be elected to the National Assembly.

The electoral system shall be regulated by a law passed by the National Assembly by a two-thirds majority vote of all deputies.

Deputies, except for the deputies of the national communities, are elected according to the principle of proportional representation with a four-percent threshold required for election to the National Assembly, with due consideration that voters have a decisive influence on the allocation of seats to the candidates.

\*As amended by the Constitutional Act Amending Article 80 of the Constitution of the Republic of Slovenia, 25 July 2000 (Official Gazette of the Republic of Slovenia No. 66/00).

The original text of Article 80 read as follows:

The National Assembly is composed of deputies of the citizens of Slovenia and comprises ninety deputies.

Deputies are elected by universal, equal, direct, and secret voting.

One deputy of the Italian and one deputy of the Hungarian national communities shall always be elected to the National Assembly.

The electoral system shall be regulated by a law passed by the National Assembly by a two-thirds majority vote of all deputies.

#### Article 81

(Term of the National Assembly)

The National Assembly is elected for four years.

If the term of the National Assembly expires during a war or state of emergency, its term shall expire six months after the end of the war or state of emergency, or earlier if the National Assembly itself so decides.

Elections to the National Assembly are called by the President of the Republic. A new National Assembly shall be elected no sooner than two months and no later than fifteen days before the expiry of four years from the date of the first session of the previous National Assembly. If the National Assembly is dissolved, a new National Assembly shall be elected no later than two months after the dissolution of the previous one. The term of the previous National Assembly shall end on the first session of the new National Assembly, which shall be called by the President of the Republic no later than twenty days after the election of the new National Assembly.

**Article 82**  
(Deputies)

Deputies of the National Assembly are representatives of all the people and shall not be bound by any instructions.

The law shall establish who may not be elected a deputy, and the incompatibility of the office of deputy with other offices and activities.

The National Assembly confirms the election of deputies. In accordance with the law, an appeal may be made before the Constitutional Court against a decision of the National Assembly.

**Article 83**  
(Immunity of Deputies)

No deputy of the National Assembly shall be criminally liable for any opinion expressed or vote cast at sessions of the National Assembly or its working bodies.

No deputy may be detained nor, where such deputy claims immunity, may criminal proceedings be initiated against him without the permission of the National Assembly, except where such deputy has been apprehended committing a criminal offence for which a prison sentence of over five years is prescribed.

The National Assembly may also grant immunity to a deputy who has not claimed such immunity or who has been apprehended committing such criminal offence as referred to in the preceding paragraph.

**Article 84**  
(President of the National Assembly)

The National Assembly has a president who is elected by a majority vote of all deputies.

**Article 85**  
(Sessions of the National Assembly)

The National Assembly meets in regular and extraordinary sessions.

Regular and extraordinary sessions are called by the President of the National Assembly; an extraordinary session must be called if so required by at least a quarter of the deputies of the National Assembly or by the President of the Republic.

**Article 86**  
(Decision-making)

The National Assembly may pass decisions if a majority of deputies are present at the session. The National Assembly adopts laws and other decisions and ratifies treaties by a majority of votes cast by those deputies present, except where a different type of majority is provided by the Constitution or by law.

**Article 87**  
(Legislative Power of the National Assembly)

The rights and duties of citizens and other persons may be determined by the National Assembly only by law.

**Article 88**  
(Legislative Initiative)

Laws may be proposed by the Government or by any deputy. Laws may also be proposed by at least five thousand voters.

**Article 89**  
(Legislative Procedure)

The National Assembly shall pass laws in a multiphase procedure unless otherwise provided by its rules of procedure.

**Article 90\***  
(Legislative Referendum)

The National Assembly shall call a referendum on the entry into force of a law that it has adopted if so required by at least forty thousand voters.

A referendum may not be called:

- on laws on urgent measures to ensure the defence of the state, security, or the elimination of the consequences of natural disasters;
- on laws on taxes, customs duties, and other compulsory charges, and on the law adopted for the implementation of the state budget;
- on laws on the ratification of treaties;
- on laws eliminating an unconstitutionality in the field of human rights and fundamental freedoms or any other unconstitutionality.

The right to vote in a referendum is held by all citizens who are eligible to vote in

elections.

A law is rejected in a referendum if a majority of voters who have cast valid votes vote against the law, provided at least one fifth of all qualified voters have voted against the law.

Referendums are regulated by a law passed in the National Assembly by a two-thirds majority vote of deputies present.

\*As amended by the Constitutional Act Amending Articles 90, 97, and 99 of the Constitution of the Republic of Slovenia, which was adopted on 24 May 2013 and entered into force on 31 May 2013 (Official Gazette of the Republic of Slovenia No. 47/13).

The original text of Article 90 read as follows:

“The National Assembly may call a referendum on any issue which is the subject of regulation by law. The National Assembly is bound by the result of such referendum.

The National Assembly may call a referendum from the preceding paragraph on its own initiative, however it must call such referendum if so required by at least one third of the deputies, by the National Council or by forty thousand voters.

The right to vote in a referendum is held by all citizens who are eligible to vote in elections.

A proposal is passed in a referendum if a majority of those voting have cast votes in favour of the same.

Referendums are regulated by a law passed in the National Assembly by a two-thirds majority vote of deputies present.”

### **Article 91**

(Promulgation of Laws)

Laws are promulgated by the President of the Republic no later than eight days after they have been passed.

The National Council may within seven days of the passing of a law and prior to its promulgation require the National Assembly to decide again on such law. In deciding again, a majority of all deputies must vote for such law to be passed unless the Constitution envisages a higher majority for the passing of the law under consideration. Such new decision by the National Assembly is final.

### **Article 92**

(War and State of Emergency)

A state of emergency shall be declared whenever a great and general danger threatens the existence of the state. The declaration of war or state of emergency, urgent measures, and their repeal shall be decided upon by the National Assembly on the proposal of the Government.

The National Assembly decides on the use of the defence forces.

In the event that the National Assembly is unable to convene, the President of the Republic shall decide on matters from the first and second paragraphs of this article. Such decisions must be submitted for confirmation to the National Assembly immediately upon its next convening.

**Article 93**  
(Parliamentary Inquiry)

The National Assembly may order inquiries on matters of public importance, and it must do so when required by a third of the deputies of the National Assembly or when required by the National Council. For this purpose it shall appoint a commission which in matters of investigation and examination has powers comparable to those of judicial authorities.

**Article 94**  
(Rules of Procedure of the National Assembly)

The National Assembly has rules of procedure which it adopts by a two-thirds majority vote of deputies present.

**Article 95**  
(Remuneration of Deputies)

Deputies of the National Assembly receive such salary or remuneration as are established by law.