

CONSTITUTION OF THE REPUBLIC OF ICELAND

(No. 33, 17 June 1944, as amended 30 May 1984 and 31 May 1991)

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I.

Article 1

Iceland is a Republic with a parliamentary government.

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Article 2

Althingi and the President of Iceland exercise jointly legislative power. The President and other governmental authorities in accordance with this Constitution and other laws exercise executive power. Judges exercise judicial power.

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II.

Article 3

The President of Iceland shall be elected by the people.

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Any person who is thirty-five years of age and fulfils the requirements necessary to vote in elections to Althingi, with the exception of the residency requirement, is eligible to be elected President.

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The President shall be elected by direct, secret ballot of those who are eligible to vote in elections to Althingi. A presidential candidate shall be proposed by not less than 1500 voters and not more than 3000. The candidate, if there is more than one, who receives the most votes is duly elected President. If there is only one candidate, he is duly elected without a vote.

Further provision shall be made by law for the candidature and election of the President, and it may be provided that a specific number of proposers shall be from each quarter of the country in proportion to the number of voters there.

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The President's term of office begins on the 1st of August and ends on the 31st of July four years later. The election of the President takes place in June or July of the year in which the term ends.

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If the President dies or resigns prior to the expiry of his term, a new President shall be elected for a period ending on the 31st of July of the fourth year from the election.

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If the Office of President of the Republic becomes vacant or if the President is unable to perform his duties because of a stay abroad, illness, or other reasons, the Prime Minister, the President of Althingi and the President of the Supreme Court shall exercise presidential authority. The President of Althingi shall preside at their meetings. In a divergence of opinion among them, the majority shall prevail.

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The President of the Republic may not be a Member of Althingi or accept salaried employment in the

interest of any public institution or private enterprise.

Disbursements from State funds to the President or those who exercise presidential authority shall be established by law. These disbursements to the President may not be reduced during his term of office.

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On assuming office, the President shall take an oath or pledge to uphold the Constitution. Two identical originals shall be made of this oath or pledge. One is to be kept by Althingi and the other by the National Archives.

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The President of the Republic is not responsible for executive acts. The same applies to those who exercise presidential authority.

The President may not be prosecuted on a criminal charge except with the consent of Althingi.

The President may be removed from office before his term expires if approved by a majority vote in a plebiscite called pursuant to a resolution adopted by three-fourths of the Members of Althingi. This plebiscite shall be held within two months from the date of adoption by Althingi of the resolution. The President shall not perform his duties from the time the resolution is adopted by Althingi until the results of the plebiscite are known.

If the resolution by Althingi is not approved in the plebiscite, Althingi shall be immediately dissolved and new elections called.

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The President of the Republic shall reside in or near Reykjavik.

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The President entrusts his authority to Ministers.

The seat of Government is in Reykjavik.

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Ministers are responsible for all executive acts. The responsibility of Ministers is established by law. Althingi may impeach Ministers on account of their official acts. The Court of Impeachment decides such cases.

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The President appoints Ministers and discharges them. He determines their number and assignments.

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The State Council is composed of the President of the Republic and the Ministers and is presided over by the President.

Laws and important government measures shall be submitted to the President in the State Council.

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Ministerial meetings shall be held in order to discuss new legislative proposals and important State matters. Furthermore, ministerial meetings shall be held when one of the Ministers wishes to raise a matter there. The meetings shall be presided over by the Minister called upon by the President of the Republic to do so, who is designated Prime Minister.

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The Minister who has signed a measure shall, as a rule, submit it to the President.

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The Presidential signature validates a legislative act or government measure when countersigned by a Minister.

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The President makes appointments to public offices as provided by law.

No person may hold public office unless he has Icelandic nationality. Each official shall take an oath or pledge to uphold the Constitution.

The President may remove from office any official whom he has appointed.

The President may transfer officials from one office to another on the condition that their official remuneration is not reduced, and that they have an option between such transfer and retirement with a pension, or old-age allowance, as prescribed by law.

Certain categories of officials, in addition to those mentioned in Article 61, may be exempted by law from this provision.

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The President of the Republic concludes treaties with other States. Unless approved by Althingi, he may not make such treaties if they entail renouncement of, or servitude on, territory or territorial waters, or if they require changes in the State system.

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The President of the Republic shall convene Althingi not later than ten weeks after general elections. The President opens regular sessions of Althingi each year.

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The President of the Republic may adjourn sessions of Althingi for a certain period of time, but not for more than two weeks nor more than once a year. Althingi may, however, authorize the President to deviate from this provision.

If sessions of Althingi have been adjourned, the President of the Republic may nevertheless convene Althingi if necessary. The President, moreover, is obliged to do so upon request by a majority of the Members of Althingi.

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The President of the Republic may dissolve Althingi. A new election must take place before 45 days have elapsed since the dissolution was announced. Althingi shall convene not later than ten weeks after its dissolution. Members of Althingi shall keep their mandate until election day.

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The President of the Republic may have bills and draft resolutions submitted to Althingi.

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Article 26

If Althingi has passed a bill, it shall be submitted to the President of the Republic for confirmation not later than two weeks after it has been passed. Such confirmation gives it the force of law. If the President rejects a bill, it shall nevertheless become valid but shall, as soon as circumstances permit, be submitted to a vote by secret ballot of all those eligible to vote, for approval or rejection. If rejected, the law shall become void, but otherwise retain its force.

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All laws shall be published. The form of publication and the implementation of laws shall be in

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In case of urgency, the President may issue provisional laws when Althingi is not in session. Such laws must not, however, be contrary to the Constitution. They shall always be submitted to Althingi as soon as it convenes.

If Althingi does not approve a provisional law, or if it does not complete its consideration of the law within six weeks after convening, it shall become void.

A provisional budget may not be issued if Althingi has passed the budget for the fiscal year.

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Article 29

The President may decide that the prosecution for an offense be discontinued if there are strong reasons therefor. He grants pardon and amnesty. However, he may not absolve a Minister from prosecution or from a punishment imposed by the Court of Impeachment, unless approved by Althingi.

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Article 30

The President grants, either himself or through other government authorities, exemptions from laws in accordance with established practice.

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III.

Article 31

Althingi shall be composed of 63 Members elected by the people by secret ballot on the basis of proportional representation for four years in these constituencies:

1. Reykjavik constituency.

Includes Reykjavik.

2. Reykjanes constituency.

Includes: Gullbringusysla, Grindavíkurkaupstadur, Keflavíkurkaupstadur, Njarðvíkurkaupstadur, Kjosarsysla, Gardakaupstadur, Hafnarfjardarkaupstadur, Kopavogskaupstadur and Seltjarnarneskaupstadur.

3. Vesturland constituency.

Includes: Borgarfjardarsysla, Akraneskaupstadur, Myrasysla, Snaefellsnes- and Hnappadalssysla and Dalasysla.

4. Vestfirðir constituency.

Includes: Austur-Bardastrandarsysla, Vestur-Bardastrandarsysla, Vestur-Ísafjardarsysla, Bolungarvíkurkaupstadur, Ísafjardarkaupstadur, Norður-Ísafjardarsysla and Strandarsysla.

5. Norðurland vestra constituency.

Includes: Vestur-Hunavatnssysla, Austur-Hunavatnssysla, Skagafjardarsysla, Saudarkrokkaupstadur and Siglufjardarkaupstadur.

6. Norðurland eystra constituency.

Includes: Eyjafjardarsysla, Akureyrarkaupstadur, Dalvíkurkaupstadur, Ólafsfjardarkaupstadur, Sudur-Thingeyjarsysla, Husavíkurkaupstadur and Norður-Thingeyjarsysla.

7. Austurland constituency.

Includes: Norður-Mulasysla, Seyðisfjardarkaupstadur, Sudur-Mulasysla, Eskifjardarkaupstadur, Neskaupsstaður and Austur-Skaftafellssysla.

8. Sudurland constituency.

Includes: Vestur-Skaftafellssysla, Vestmannaeyjakaupstadur, Rangarvallasysla, Arnessysla and Selfoss.

Seats in Althingi are divided between constituencies in the following way:

a. Seats are divided between constituencies as follows:

Reykjavik constituency -- 14 seats

Reykjanes constituency -- 8 seats

Vesturland constituency -- 5 seats

Vestfirðir constituency -- 5 seats

Nordurland vestra constituency -- 5 seats

Nordurland eystra constituency -- 6 seats

Austurland constituency -- 5 seats

Sudurland constituency -- 6 seats

b. At least eight seats shall be allocated to constituencies before each election in accordance with provisions in the law on elections.

c. One seat may be allocated to a constituency after each election in accordance with provisions in the law on elections.

In allocating seats according to the election results, it shall be ensured to the extent possible that each political party having gained a seat in Althingi receive the number of Members of Althingi which is as closely as possible in accordance with the total number of votes it has obtained. In doing so, up to one fourth of the seats in each constituency, under subparagraphs a and b of paragraph 2 of this Article, may be allocated taking into account the election results in the country as a whole. The same applies to the allocation of a seat under subparagraph c of paragraph 2.

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Sessions of Althingi are held in one chamber.

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All persons who are 18 years of age or older when an election is held and have Icelandic nationality

have the right to vote in elections to Althingi. Permanent domicile in Iceland is also a requirement for voting when the election take place, unless exceptions from this rule are stipulated in the law on elections to Althingi.

Further provisions regarding elections to Althingi shall be laid down in the law on elections.

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Every national having the right to vote in elections to Althingi and an unblemished reputation is eligible to be elected to Althingi.

Judges of the Supreme Court, however, are not eligible.

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Article 35

Althingi shall convene for a regular session every year on the 1st of October or, if the day is a holiday, on the following weekday, and continue in session until the same date next year, unless the election period of Members of Althingi has elapsed earlier or Althingi has been dissolved.

The opening date of the regular session of Althingi may be changed by law.

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Althingi is inviolate. No person may disturb its peace or violate its freedom.

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Althingi shall normally convene in Reykjavik, but under special circumstances the President of the Republic may order that Althingi convene at another place in Iceland.

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Members of Althingi and Ministers are entitled to introduce bills and draft resolutions.

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Althingi may appoint committees of its Members in order to investigate important matters of public interest. Althingi may grant authority to such committees to request reports, oral or written, from officials as well as from individuals.

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Article 40

No tax may be imposed, altered or abolished except by law.

Nor may loans, binding upon the State, be raised or any real estate belonging to the State or the use thereof sold or in any other way disposed of, except by authority in law.

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No disbursement may be made unless authorized in the budget or the supplementary budget.

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A budget proposal for the coming fiscal year, containing a report on the revenue and expenditure of the State, shall be submitted to each regular session of Althingi upon it being convened.

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Althingi shall elect three Inspectors General who shall be remunerated for their work. They shall be

proportionally elected. The Inspectors General shall annually inspect the national revenue and expenditure accounts thoroughly and ascertain whether the entire revenue has been accounted for and whether any unauthorized disbursements have been made. They may, individually, two together or jointly, request all reports and documents which they deem necessary. The accounts for each fiscal year shall be incorporated into one aggregate account and a bill for the approval thereof be submitted to Althingi, together with the comments of the Inspectors General.

The Inspectors General are entitled, individually or jointly, to examine the accounts and books of the State Treasurer, as well as those of the Ministries, for the current or past year. They shall indicate to their successors in writing anything that they feel requires consideration.

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No bill may be passed until it has received three readings in Althingi.

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Regular elections to Althingi shall take place not later than at the end of the electoral term. The beginning and end of the electoral term is on the same day of the week in a month, counting from the beginning of the month.

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Althingi itself decides whether its Members are legally elected and also whether a Member has lost eligibility for election to Althingi.

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Each new Member of Althingi shall take a pledge to uphold the Constitution when his election has been approved.

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Members of Althingi are bound solely by their conviction and not by any instructions from their constituents.

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Article 49

No Member of Althingi may be subjected to custody on remand during a session of Althingi without the permission of Althingi, nor may a criminal action be brought against him unless he is caught in the act of committing a crime.

No Member of Althingi may be made responsible outside Althingi for statements made by him in Althingi, except with the permission of Althingi.

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If a Member of Althingi loses eligibility for election to Althingi, he forfeits those rights that the election brought him.

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Article 51

Ministers are entitled to a seat in Althingi and, by virtue of their office, have the right to participate in its debates as often as they may desire, but they must observe the rules of procedure. They have the right to vote only if they are at the same time Members of Althingi.

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Althingi elects a President, who presides over its proceedings.

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Article 53

Althingi may not take a decision unless more than half of its Members are present at the meeting and take part in the voting.

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Article 54

Each Member of Althingi may request, subject to the permission of Althingi, information from a Minister or an answer regarding a public matter, by tabling a question or requesting a report.

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Article 55

Althingi may not admit for consideration any matter unless introduced by one of its Members or a Minister.

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Should Althingi not find reason to take some other decision on a given matter it may refer it to a Minister.

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Meetings of Althingi shall be held in public. Nevertheless, the President of Althingi, or the quorum stipulated by the rules of procedure, may request that all those not Members of Althingi be excluded. The meeting shall then decide whether the matter shall be debated in a public or a closed session.

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The rules of procedure of Althingi shall be determined by law.

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The organization of the judiciary can only be established by law.

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Article 60

Judges settle all disputes regarding the competence of the authorities. No one seeking a ruling thereon can, however, temporarily evade obeying an order from the authorities by submitting the matter for a judicial decision.

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In the performance of their official duties, judges shall be guided solely by the law. Those judges who do not also have administrative functions cannot be discharged from office except by a judicial decision, nor may they be transferred to another office against their will, except in the event of re-organization of the judiciary. A judge who has reached the age of 65 may, however, be released from office, but Judges of the Supreme Court shall not lose any of their salary.

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Article 62

The Evangelical Lutheran Church shall be the State Church in Iceland and, as such, it shall be supported and protected by the State.

This may be altered by law.

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The people are entitled to establish communities for the worship of God in conformity with their individual convictions; however, nothing may be preached or practiced which is prejudicial to good morality and public order.

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No person may lose his civil or national rights because of his religion, nor may he refuse to perform any civic duty because of it.

No person is obliged to contribute personal dues to any religious worship other than his own.

If a person is not a member of the State Church or any other recognized religious group in the country, he shall pay to the University of Iceland or benefit fund of that university, as may be determined, dues otherwise payable to the State Church.

This may be altered by law.

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Any person who is arrested shall be brought before a judge without delay. If not released at once, the judge shall give a reasoned ruling within 24 hours as to whether he shall be remanded to custody. If the person may be released on bail, the ruling shall contain provisions as to its nature and amount.

An appeal to a higher Court may immediately be made against the ruling of the judge, the procedure of notification and appeal against such ruling being the same as in criminal cases.

No person may be subjected to custody on remand for an offence merely punishable by fines or punitive detention.

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The home shall be inviolate. Houses may not be searched, nor may any letters or other documents be detained and examined, except by judicial ruling or by a special provision of law.

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The right of ownership is inviolate. No one shall be obliged to surrender his property unless required by the common good; such surrender must be based on law and full compensation paid.

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No foreign national may acquire nationality except by law.

The entitlement of foreign nationals to hold rights to real estate in the country shall be determined by law.

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No restriction may be imposed upon individual freedom of enterprise, unless required by the common good. Such restriction must be based on law.

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Whoever is unable to provide for himself or his dependents shall, subject to obligations prescribed by law, be entitled to support from public funds, unless his maintenance rests upon others.

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If parents cannot afford to educate their children, or if the children are orphaned or destitute, their education and maintenance must be defrayed from public funds.

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Every person has the right to express his thoughts in print; nevertheless, he shall be responsible for them before the Courts. Censorship and other restrictions on the freedom of expression in print must never be

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People are entitled to form associations for any lawful purpose without having to seek authorization. No association may be dissolved by an executive measure. It may, however, be banned temporarily, in which case an action must immediately be brought for dissolution of the association.

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People are entitled to assemble unarmed. The police have the right to be present at public gatherings. Open-air meetings may be forbidden when it is feared that they may cause riots.

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Every person able to carry arms shall be obliged to take part in the defense of the country, as may be further provided by law.

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Proposals to amend or supplement this Constitution may be introduced at regular as well as extraordinary sessions of Althingi. If the proposal is adopted, Althingi shall immediately be dissolved and a general election held. If Althingi then passes the resolution unchanged, it shall be confirmed by the President of the Republic and come into force as constitutional law.

If Althingi passes an amendment to the status of the Church under Article 62, it shall be submitted to a vote for approval or rejection by secret ballot of all those eligible to vote.

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Temporary Provisions

Foreign nationals who, prior to the date of application of this constitutional law, have obtained the right to vote and have become eligible to be elected to Althingi or have obtained the right to hold public office, shall retain the said rights. Danish nationals who under Article 75 of the Constitution of 18 March 1920 would have obtained such rights had the law not been amended shall, from the date of entry into force of this constitutional law until six months after negotiations regarding the rights of Danish nationals in Iceland can start, also acquire the said rights and retain them.

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