

CONSTITUTION OF THE NETHERLANDS AUGUST 24, 1815, AS AMENDED TO 1963 (1)

FIRST CHAPTER OF THE KINGDOM AND ITS INHABITANTS

Art. 1 – The Kingdom of the Netherlands comprises the territory of the Netherlands, Surinam and the Netherlands Antilles.

Art. 2 – The Constitution shall be binding only for the territory of the Kingdom in Europe, in so far as the contrary does not appear therefrom.

Wherever the Kingdom is mentioned in the following articles, only the territory of the Kingdom in Europe shall be understood.

Paragraph 3 (*repealed*).

Art. 3 – Provinces and municipalities may be united and divided and new ones formed, by law.

The boundaries of the Kingdom, provinces, and municipalities may be changed by law.

Art. 4 – All persons who are on the territory of the Kingdom shall have equal rights to protection of their persons and goods.

The admission and expulsion of aliens and the general conditions under which, in respect of their extradition, treaties may be concluded with foreign powers shall be regulated by law.

Art. 5 – Every Netherlands subject shall be eligible for appointment to any office in the service of the State. No alien shall be eligible for such appointment save in accordance with the provisions of the law.

Art. 6 – It shall be declared by law who are Nederlanders and who are residents.

Naturalization shall take place by virtue of a law. The consequence of naturalization in respect of the wife and children under age of the naturalized person shall be regulated by law.

Art. 7 – No person shall require previous permission to publish thoughts or feelings by means of the printing press, without prejudice to every person's responsibility according to law.

Art. 8 – Every person shall have the right to present petitions to the competent authority, always provided he does so in writing.

Every petition must be signed by the petitioner. It may only be signed in the name of another person by virtue of a written power of attorney submitted with the petition. Incorporated bodies may present petitions to the competent authority, but only on matters appertaining to their particular sphere of activity.

Art. 9 – The right of association and assembly of residents is recognized.

The exercise of this right shall, in the interests of public order, be regulated and limited by law.

SECOND CHAPTER OF THE KING

FIRST SECTION OF SUCCESSION TO THE THRONE

Art. 10 – The Crown of the Netherlands is and shall remain vested in His Majesty William Frederick, Prince of Orange-Nassau, to be possessed by him and his legitimate descendants.

Art. 11 – The Crown shall pass by hereditary succession to the deceased King's descendants, sons taking precedence of daughters; the older child then taking precedence of the younger. Substitution shall taken place under the same rules; if there are no descendants of the deceased King the crown shall pass in like manner to the descendants, first of his parent, then of his grandparent in the line of succession, but not further removed from the deceased King than the third degree of consanguinity.

Art. 12 – *Repealed.*

Art. 13 – *Repealed.*

Art. 14 – *Repealed.*

Art. 15 – In respect of succession, abdication of the crown shall have the same consequences as death. Without prejudice to the provisions of the next Article, children born after the abdication shall be excluded from hereditary succession.

Art. 16 – The unborn child of a woman pregnant at the moment of the death of the King shall, in respect of the right to the crown, be regarded as already born. If still-born, it shall be deemed never to have existed.

Art. 17 – All the children born of a marriage contracted by a King without consulting the States-General, or contracted without legal sanction by a male or female person capable of inheriting the crown from the reigning King shall be excluded from hereditary succession, as shall the descendants of any such children.

As far as the possession of and the succession to the crown are concerned the contracting of such a marriage shall have the same consequence as death.

Art. 18 – If prospects exist that there will be no successor competent according to the Constitution, such a successor may be appointed by a law, the draft of which shall be introduced by the King.

The States-General, being convoked in double numbers to that end, shall deliberate and decide thereon in united assembly.

Art. 19 – If, on the death of the King, no successor competent according to the Constitution exists, the States-General shall be convoked by the Council of State in double numbers, within four months of the King's decease, in order to appoint a king in united assembly.

Art. 20 – As far as the succession is concerned, a King invested with the crown by appointment shall take the place of His Majesty William Frederick, Prince of Orange Nassau.

Art. 21 – The King cannot wear a foreign crown.

In no case can the seat of government be removed outside of the Kingdom.

SECOND SECTION

OF THE INCOME OF THE CROWN

Art. 22 – Besides the income from the domains ceded by the law of the 26th August, 1822, and returned to the State in 1848 as Crown Domains by the late King William II, the King shall receive from the Exchequer of the Kingdom an annual income of 2,500,000 florins.

Art. 23 – Summer and winter residences shall be prepared for the King for his use, for the maintenance of which, however, not more than 100,000 florins may be annually charged to the account of the Kingdom.

Art. 24 – The King and the members of the Royal House named in Articles 26, 28 and 29 shall be free from all personal imposts.

They shall not be exempt from any other tax.

Art. 25 – The King shall organise his household according as he shall think fit.

Art. 26 – The Consort of a reigning Queen shall enjoy from the Exchequer of the Kingdom an annual income of 200,000 florins; he shall continue to enjoy this income after the decease of the Queen, as long as he is a widower and retains the status of Netherlander.

A Queen shall enjoy, after the decease of the King, an annual income of 200,000 florins from the Exchequer of the Kingdom during her state of widowhood.

An annual income from the Exchequer of the Kingdom may be bestowed by law upon a King or a Queen who has relinquished the Crown.

Art. 27 – The eldest of the King's sons, or further male descendants, who is the heir presumptive to the crown, shall be the King's first subject and shall carry the title of Prince of Orange.

Art. 28 – The Prince of Orange shall receive from the Exchequer of the Kingdom an annual income of 200,000 florins, from the time when he shall have completed the age of eighteen years. This income shall be increased to 400,000 florins after the solemnisation of a marriage for which sanction had been granted by law.

After the death of the Prince of Orange, his widow shall receive from the Exchequer of the Kingdom an annual income of 200,000 florins during her widowhood.

Art. 29 – The daughter of the King who is heir presumptive to the Crown shall enjoy from the Exchequer of the Kingdom an annual income of 200,000 florins from the time she has reached the age of eighteen years. If she contracts a marriage, for which sanction has been granted by law, her consort shall enjoy equally from the Exchequer of the Kingdom an annual income of 200,000 florins; he shall continue to enjoy this income after the decease of the Princess, as long as he is a widower and retains the status of Netherlander.

After the decease of her consort the Princess shall receive as long as she remains unmarried, an annual income of 400,000 florins. The incomes mentioned in this article shall continue to exist in the event that a Prince of Orange is born subsequently.

Art. 30 – The amounts fixed in this Section may be changed by a law.

The Chambers of the States-General cannot pass such a law, nor any law to amend or repeal such a law, except with the votes of two thirds of the number of members constituting each of the Chambers.

THIRD SECTION OF GUARDIANSHIP OVER THE KING

Art. 31 – The King shall attain his majority on completing his eighteenth year.

This shall also apply to the Prince of Orange and to the King's daughter who is the heiress presumptive to the crown, should they become regent.

Art. 32 – The guardianship over the King whilst a minor shall be regulated, and the guardian or guardians appointed by a law.

The States-General shall deliberate and decide in united assembly upon the draft of that law.

Art. 33 – This law shall be enacted during the lifetime of the King for the event of his successor being a minor. Should this not have been done, some of the nearest relations by consanguinity of the minor King shall be consulted, if practicable, about the regulation of the guardianship.

Art. 34 – Before assuming the guardianship, every guardian shall take the following oath or make the following promise at a united assembly of the States-General, which oath or promise shall be administered by the president:

“I swear (promise) fealty to the King; I swear (promise) that I will sacredly perform all the duties which the guardianship lays upon me, and that I will particularly endeavor to inculcate upon the King attachment to the Constitution and love for his people. So help me, God Almighty! (That I promise!).”

Art. 35 – In the event of the disability of the King to exercise government, the necessary supervision of his person shall be provided for in accordance with the rules respecting the guardianship over a minor King laid down in Article 32.

The oath or promise to be taken or made by the guardian or guardians appointed to this end shall be formulated by law.

FOURTH SECTION OF THE REGENCY

Art. 36 – During the King's minority, royal authority shall be exercised by a regent.

Art. 37 – The regent shall be appointed by a law which may at the same time regulate the succession in the regency until the King's majority.

The States-General shall deliberate and decide upon the draft of this law in united assembly.

The law shall be enacted during the lifetime of the King for the event of his successor being a minor.

Art. 38 – Royal authority shall also be committed to a regent in the event of the disability of the King to exercise government.

Should the heads of the ministerial departments assembled in council consider that this case exists, they shall notify their findings to the Council of State and invite that council to give its advice within a specified time.

Art. 39 – If after the termination of the appointed period, they maintain their opinion, they shall convoke the States-General in united assembly in order to report the case to them, at the same time submitting the advice of the Council of State if this has been received.

Art. 40 – If the States-General in limited assembly are of opinion that the case described in the first paragraph of Article 38 exists, they shall so declare in a resolution which shall be promulgated by order of the President designated in the second paragraph of Article 118 and which shall enter into operation on the day of its promulgation. Failing such a President, the assembly shall appoint one.

Art. 41 – In the case provided for in Article 40, the Prince of Orange, or the King's daughter who is the heiress presumptive to the crown shall be regent according to law when they shall have completed their eighteenth year.

Art. 42 – Failing a Prince of Orange and a King's daughter who is the heiress presumptive to the crown, or if they have not completed their eighteenth year, the regency shall be provided for in the manner determined in Article 37; in the latter case until they shall have completed their eighteenth year.

Art. 43 – Royal authority shall also be exercised by a regent in case the King has temporarily relinquished the exercise of royal authority by virtue of a law of which he has submitted the draft. The States-General shall deliberate and decide in united assembly upon the draft of this law, which shall at the same time provide for the appointment of a regent.

Art. 44 – On assuming the regency the regent shall take the following oath or make the following promise at a united assembly of the States-General, which oath or promise shall be administered by the president.

"I swear (promise) fealty to the King; I swear (promise) that in exercising royal authority, as long as the King is a minor (as long as the King is unable to exercise government, or as long as the exercise of royal authority has been relinquished), I will always observe and uphold the Constitution.

I swear (promise) that I will defend and preserve, with all my power the independence and the territory of the State; that I will protect the general and particular liberty and the rights of all and each of the King's subjects, and will employ, for the maintenance and promotion of the general and particular welfare, all the means which the laws place at my disposal, as a good and true regent should do. So help me, God Almighty! (That I promise!)"

Art. 45 – If a regent becomes unable to exercise the regency, Articles 38, second paragraph, 39 and 40 shall apply. If the succession in the regency has not been regulated, then the first paragraph of Article 37 shall be applied.

Art. 46 – Royal authority shall be exercised by the Council of State:

1) On the death of the King, as long as succession to the throne has not been provided for according to Article 19, as long as no regent has been appointed for the minor successor to the throne, or as long as the successor to the throne, or the regent is absent.

2) In the cases provided for in Articles 40 and 45, as long as there is on regent or as long as the regent is absent; and on the death of the regent, as long as his successor has not been appointed and has not assumed the regency.

3) In case succession to the throne is uncertain and there is no regent, or the regent is absent.

Such exercise of royal authority shall cease according to law as soon as the competent successor to the throne or the regent has assumed his dignity. If the regency has to be provided for, the Council of State shall introduce the draft of the law for that purpose:

In the cases mentioned in paragraphs 1) and 2), within a period of one month after the assumption of the exercise of royal authority;

In the case mentioned in paragraph 3), within a period of one month after the succession to the throne has ceased to be uncertain.

Art. 47 – On the appointment of the regent or on the assumption of the regency by the Prince of Orange or by the King's daughter who is the heiress presumptive to the crown, a law shall determine the sum which shall be taken from the annual income of the crown for the cost of the regency. This provision may not be changed during the regency.

Art. 48 – As soon as the case described in Article 38 has ceased to exist, the States-General shall so declare in united assembly, by a resolution which shall be promulgated by order of the President mentioned in Article 40.

Art. 49 – This resolution shall be adopted on the proposal of the regent, or of at least twenty members of the States General. These members shall lodge their proposal with the President of the First Chamber, who shall immediately convoke the two chambers in united assembly.

If the session of the Chambers is closed, those members shall have the power themselves so to convoke the meeting of the Chambers.

Art. 50 – The heads of the ministerial departments and the guardian or guardians shall personally be bound to make a report to the Chambers of the States-General on the condition of the King or regent, as often as they are asked to do so.

Art. 104, third paragraph, shall in this matter also apply to the guardians.

Art. 51 – Immediately after the promulgation of the resolution described in Article 48, the King shall resume the exercise of government.

FIFTH SECTION OF THE INAUGURATION OF THE KING

Art. 52 – The King, having assumed government, shall be solemnly sworn and inaugurated as soon as possible within the city of Amsterdam, at a public and united assembly of the States-General.

Art. 53 – At this assembly the King shall take the following oath, or make the following promise, on the Constitution:

“I swear (promise) to the Netherlands people that I will always observe and uphold the Constitution. I swear (promise) that I will defend and preserve, with all my power, the independence and territory of the State; that I will protect the general and particular liberty and the rights of all and each of my subjects, and will employ for the maintenance and promotion of the general and particular welfare, all the means which the laws place at my disposal, as a good King should do.

So help me, God Almighty! (That I promise!).”

Art. 54 – After taking his oath or making the promise, homage shall be done to the King at the same assembly by the States-General, whose president shall pronounce the following solemn declaration, which shall then be sworn or confirmed by him and by each of the members individually:

“We receive you and do homage to you as King, in the name of the Netherlands people and by virtue of the Constitution; we swear (promise) that we will uphold your inviolability and the rights of your crown; we swear (promise) that we will do everything that good and true States-General should do.

So help us, God Almighty! (That we promise!).”

SIXTH SECTION OF THE POWER OF THE KING

Art. 55 – The King shall be inviolable; the ministers shall be responsible.

Art. 56 – The executive power shall be vested in the King.

Art. 57 – The King shall fix general administrative measures. Provisions which are to be maintained by means of penalties shall not be made in such measures otherwise than by virtue of the law.

The penalties which are to be inflicted shall be regulated by law.

Art. 58 – The King shall have the supreme direction of foreign relations.

He shall promote the development of the international legal order.

Art. 59 – The King shall not declare the Kingdom to be at war with another Power except with the previous consent of the States-General. This consent shall not be required when as a result of an actual state of war consultation with the States-General has appeared to be impossible.

The States-General shall discuss and decide on these matters in united assembly.

The King shall not declare a war between the Kingdom and another Power to be terminated except with the previous consent of the States-General.

Art. 60 – Agreements with other Powers and with organisations based on international law shall be concluded by or by authority of the King. If required by such agreements they shall be ratified by the King.

The agreements shall be communicated to the States-General as soon as possible; they shall not be ratified and they shall not enter into force until they have received the approval of the States-General.

The judges shall not be competent to judge of the constitutionality of agreements.

Art. 61 – Approval shall be given either explicitly or implicitly.

Explicit approval shall be given by an Act.

Implicit approval has been given if, within thirty days after the agreement has been submitted for that purpose to both Chambers of the States-General, no statement has been made by or on behalf of either Chamber or by at least one fifth of the constitutional number of members of either Chamber, expressing the wish that the agreement shall be subject to explicit approval.

The period referred to in the previous paragraph shall be suspended for the time of adjournment of the States-General.

Art. 62 – Except in the case referred to in Article 63, the approval shall not be required:

- (a) if the agreement is one with respect to which this has been laid down by law;
- (b) if the agreement is exclusively concerned with the execution of an approved agreement, provided the Act regulating the approval does not contain any reservations in this respect;
- (c) if the agreement does not impose considerable pecuniary obligations on the Kingdom and if it has been concluded for a period not exceeding one year;
- (d) if in exceptional cases of a compelling nature it would be decidedly detrimental to the interests of the Kingdom if the agreement were not to enter into force before it has been approved.

An agreement as referred to under (d) shall, however, be submitted to the approval of the States-General without delay. In this case Article 61 applies. If the States-General withhold their approval, the agreement shall be terminated as soon as shall be compatible with the provisions of the agreement.

An agreement shall not be concluded but subject to the reservation that it shall be terminated if the States-General withhold their approval, provided this should be decidedly detrimental to the interests of the Kingdom.

Art. 63 – If the development of the international legal order requires this, the contents of an agreement may deviate from certain provisions of the Constitution.

In such cases only explicit approval can be given; the Chambers of the States-General shall not approve a Bill to that effect but with a two-thirds majority of the votes cast.

Art. 64 – The provisions of the four preceding articles shall similarly apply to any accession to or any denunciation of agreements.

Art. 65 – The provisions of agreements the contents of which may be binding on anyone shall have this binding effect as from the time of publication. Rules with regard to the publication of agreements shall be laid down by law.

Art. 66 – Legal regulations in force within the Kingdom shall not apply if this application should be incompatible with provisions-binding on anyone-of agreements entered into either before or after the enactment of the regulations.

Art. 67 – Subject, where necessary, to the provisions of Article 63, certain powers with respect to legislation, administration and jurisdiction may by or in virtue of an agreement be conferred on organisations based on international law.

With regard to decisions made by organisations based on international law, Articles 65 and 66 shall similarly apply.

Art. 68 – The King shall have supreme authority over the Armed Forces.

Military officers shall be appointed by him. They shall be promoted, discharged or pensioned by him, according to rules to be laid down by law. Pensions shall be regulated by law.

Art. 69-71 Repealed.

Art. 72 – The King shall have the supreme direction of general finances. He shall fix the remuneration of all boards and officials who are paid from the exchequer of the Kingdom.

The law shall fix the remuneration of the Council of State, of the General Auditing Court, and of the Judicial power.

The King shall include the remunerations in the estimates of expenditure of the Kingdom. The pensions of officials shall be fixed by law.

Art. 73 – The King shall have the right of mintage. He may cause his image to be impressed on the coins.

Art. 74 – The King confers nobility. Foreign nobility may not be accepted by any Netherlands subject.

Art. 75 – Orders of Knighthood shall be founded by a law upon the King's proposal.

Art. 76 – Foreign orders to which no obligations are attached may be accepted by the King, and with his consent, by the princes of his House.

In no case may other Netherlands subjects or those aliens who are in the service of the Netherlands State accept foreign insignia of orders, titles, rank, or dignity, without the King's special leave.

Art. 77 – The King shall have the right to grant pardon in respect of penalties inflicted by judicial sentence.

He shall exercise this right after having ascertained the opinion of the judge designated for the purpose by general administrative measure.

Amnesty or annulment may not be granted except by a law.

Art. 78 – Dispensation from legal provisions may only be granted by the King with the authorisation of the law.

The law granting such authorisation shall name the provisions to which the right of dispensation shall extend.

Dispensation from the provisions of general administrative measures shall be permitted in so far as in that measure the King shall have explicitly reserved to himself power to do so.

Art. 79 – Disputes between provinces; between provinces and municipalities; between municipalities; and also between provinces or municipalities and drainage districts, peat-districts and peat-polders, not included among those referred to in Article 167 or those the settlement of which is committed by virtue of Article 168 to the ordinary judge or to a board entrusted with the adjustment of disputes arising from administrative law, shall be adjusted by the King.

Art. 80 – The King shall submit drafts of laws to the States-General and shall make such other proposals to them as he shall deem necessary.

He shall have the right to approve or disapprove the bills passed by the States-General.

Art. 81 – The manner of promulgating laws and general administrative measures and the time when they shall commence to be binding shall be regulated by law.

The form of promulgating laws shall be as follows:

We, &c., King of the Netherlands, &c.,

To all who shall see this or hear it read, greeting!

Be it known:

Whereas we have taken into consideration that, &c., (The reasons of the law)

Now therefore, we, having heard the Council of State, and with the joint deliberation of the States-General, have decreed and ordained, as we hereby do decree and ordain, &c. (The contents of the law)

Given, &c.

In case a Queen reigns or royal authority is exercised by a regent or by the Council of State, the modification necessary in consequence thereof shall be made in this form.

Art. 82 – The King shall have the right to dissolve the Chambers of the States-General, each one separately or both together. The decree whereby such dissolution is pronounced shall at the same time order the election of new chambers within forty days, and the assembly of the newly elected chambers within three months.

For the Chambers elected after dissolution, the duration of the session may be fixed by law for a period other than that appointed by Articles 95 and 101.

The Council of State, exercising royal authority, shall not exercise the right of dissolution.

SEVENTH SECTION

OF THE COUNCIL OF STATE, THE MINISTERS, THE UNDER -SECRETARIES OF STATE, AND THE PERMANENT BOARDS OF ADVICE AND COLLABORATION

Art. 83 – There is a Council of State, whose composition and powers shall be regulated by law.

The King shall be the President of the Council, and appoint the members.

The Prince of Orange and the King's daughter who is the heiress presumptive to the crown shall, by law, sit on the Council after they shall have completed their eighteenth year.

Art. 84 – The King shall submit to the consideration of the Council all the proposals to be made by him to the States-General or made by the States-General to him, and also all general administrative measures.

It shall be stated at the head of the decrees to be issued that the Council of State has been heard concerning them.

The King shall moreover consult the council of state on all agreements with other powers and organisations based on international law requiring the approval of the States-General, as well as on all matters in which he deems it necessary to do so.

The King, alone, decides and he shall in each instance notify his decision to the Council of State.

Art. 85 – The adjustment of disputes may be entrusted by law to the Council of State, or to a section of that Council.

Art. 86 – The King shall constitute ministerial departments.

He shall appoint Ministers thereof, and remove them from office at will. He may appoint ministers without portfolio.

He may appoint to a department one or more Under-Secretaries of State, who in all cases in which the Minister, Head of the Department, deems this necessary, may act as Minister in his place observant of his directions. The Under-Secretary of State is responsible on that account without prejudice to the responsibility of the Minister, Head of the Department.

The provisions on Ministers in this article and in Articles 55, 104, 106, 107, 120 and 178 are of similar application to him.

The Ministers shall provide for the enforcement of the Constitution and of other laws, in so far as such enforcement depends on the crown.

Their responsibility shall be regulated by law.

On assuming office they shall take the following oath or make the following promise, which oath or promise shall be administered by the King:

“I swear (promise) fidelity to the King and to the Constitution; I swear (promise) that I will faithfully perform all the duties which the office of a minister lays upon me.

So help me, God Almighty! (That I promise!).”

Before being permitted to take this oath or make this promise, they shall take the following oath (make the following declaration and promise) of vindication:

“I swear (declare) that in order to be appointed minister, I have not promised or given, directly or indirectly, any gifts or presents to any person under whatsoever name or pretext.

I swear (promise) that in order to do or refrain from doing anything whatsoever in this office, I will not accept, directly or indirectly, any promises or presents from anyone whomsoever.

So help me, God Almighty! (That I declare and promise!).”

All royal decrees and decisions shall be countersigned by one or more of the heads of the ministerial departments.

Art. 87 – The constitution of permanent boards of advice and collaboration with the government shall be regulated by virtue of laws which shall also contain rules and regulations respecting their appointment, composition, procedure, and powers.

THIRD CHAPTER OF THE STATES-GENERAL

FIRST SECTION OF THE COMPOSITION OF THE STATES-GENERAL

Art. 88 – The States-General shall represent the whole Netherlands people.

Art. 89 – The States-General shall be divided into a First Chamber and a Second Chamber.

Art. 90 – The members of the Second Chamber shall be elected direct by the inhabitants, the latter being Netherlands or recognised by law as Netherlands subjects, who have reached an age to be fixed by law, which age shall not be under twenty-one years. Each elector shall have one vote only.

It shall be determined by law what extent the exercise of elective franchise shall be suspended for military personnel, for the time during they are performing military service.

Those persons shall be debarred from the right of exercising elective franchise to whom that right has been denied by irrevocable sentence of a court of law; those who are lawfully deprived of their liberty; those, who, by virtue of an irrevocable sentence of a court of law have lost the right to dispose of or administer their property on account of insanity or imbecility; and those who have been deprived of parental authority or guardianship over one more of their children. Temporary or permanent loss of elective franchise shall be connected by law with irrevocable condemnation to a penalty involving loss of liberty for more than one year, or on account of mendicancy or vagrancy, as well as with more than two irrevocable sentences of a court of law for drunkenness in public, occurring within a period to be fixed by law.

Art. 91 – The Second Chamber shall consist of one hundred and fifty members, chosen on the basis of proportional representation within the limits to be determined by law.

All further matters relating to elective franchise and the method of election shall be regulated by law.

Art. 92 – The First Chamber shall consist of seventy-five members. They shall be chosen by the members or the provincial states, on the basis of proportional representation within the limits to be imposed by law.

Art. 93 – When the States-General are convoked in double numbers, the number of ordinary members of each chamber shall be increased by that number of extraordinary members, to be chosen in the same manner as the ordinary members.

The convoking decree shall at the same time indicate the day on which the election shall take place.

SECOND SECTION OF THE SECOND CHAMBER OF THE STATES-GENERAL

Art. 94 – To be eligible as a member of the Second Chamber a person must be a Netherlander or recognised by law as a Netherlands subject, must have reached the age of twenty-five years, and must not have ceased to be eligible or have been deprived of the right to vote by virtue of the regulation in the third paragraph of Article 90, with the exception of the judicial deprivation of liberty and the condemnation to a penalty involving loss of liberty other than on account of mendicancy or vagrancy or on account of drunkenness in public.

Art. 95 – The members of the Second Chamber shall be chosen for four years.

They shall vacate their seats simultaneously, and shall be re-eligible immediately.

Art. 96 – The members shall vote without mandate or instructions from the electors.

Art. 97 – When assuming office they shall take the following oath or make the following promise:

“I swear (promise) fidelity to the Constitution. So help me, God Almighty! (That I promise!).”

Before being permitted to take that oath or make that promise, they shall take the following oath (make the following declaration and promise) of vindication:

“I swear (declare) that in order to be appointed a member of the States-General, I have not promised or given, directly or indirectly, any gifts or presents to any person under whatsoever name or pretext.

I swear (promise) that in order to do or refrain from doing anything whatsoever in this office, I will not accept any promises or presents, directly or indirectly, from any person whomsoever.

So help me, God Almighty! (That I declare and promise!).”

These oaths (promises and declaration) shall be taken and made before the King or at the assembly of the Second Chamber before the president, authorised there to by the King.

Art. 98 – The President shall be appointed by the King for the duration of a session, from a list of three members submitted by the Chamber.

Art. 99 – The members shall receive an indemnity and a compensation for expenses incurred in the exercise of their functions according to rules to be fixed by law.

The President shall, in addition, be granted an annual allowance, the amount of which shall be fixed by law.

To the laws referred to in the preceding clause the provisions of the last paragraph of Article 30 shall apply. The members’ pensions shall be regulated by law.

Rules may also be laid down by law regarding the granting of a temporary allowance on retirement.

The pensions of widows and orphans of members or retired members shall be regulated by law.

THIRD SECTION OF THE FIRST CHAMBER OF THE STATES-GENERAL

Art. 100 – To be eligible as a member of the First Chamber, the same requirements must be fulfilled as for membership of the Second Chamber.

Art. 101 – The members of the First Chamber shall be chosen for six years. Article 96 shall apply to them.

On assuming office they shall take similar oaths (make similar promises and declarations) as have been fixed for members of the Second Chamber, either before the King or at assembly of the First Chamber, before the President thereto authorised by the King.

Every three years thirty-eight and thirty-seven members shall retire alternately. The retiring members shall be re-eligible immediately. The members shall receive a compensation for expenses incurred in the exercise of their functions according to rules to be fixed by law. The President shall, in addition, be granted an annual allowance, the amount of which shall be fixed by law.

To the law regarding the allowance the provisions of the last paragraph of Article 30 shall apply.

Art. 102 – The President shall be appointed by the King from among the members, for the duration of a session.

FOURTH SECTION PROVISIONS RELATING TO BOTH CHAMBERS

Art. 103 – No person can be a member of both Chambers simultaneously. Any person chosen simultaneously as a member of both Chambers shall declare which of those appointments he accepts.

Art. 104 – The ministers shall sit in both Chambers. They shall have as such only an advisory voice. They may arrange to be assisted at the assembly by such officials as they have designated for the purpose.

They shall furnish the Chambers, either orally or in writing, with any information desired, the furnishing of which cannot be regarded as being contrary to the interests of the State.

They may be invited by each of the Chambers to attend the assembly for that purpose.

Art. 105 – Both Chambers, each one separately or in united assembly, shall have the right of investigation to be regulated by law.

Art. 106 – A member of the States-General cannot simultaneously be a Minister, vice-president or member of the Council of State, President, Vice-President or member of, or Attorney-General or Solicitor-General to, the High Court, or President or member of the General Auditing Court, or King's commissioner in a province.

Nevertheless, a Minister who is chosen a member of the States-General on election may for a period of not more than three months hold both his ministerial post and his membership in the States-General. The law shall regulate, as far as necessary, the consequences of the union of membership of either of the Chambers with offices salaried from the Exchequer of the Kingdom, other than those excluded by the first paragraph. Military personnel on active service accepting membership of either of the two Chambers shall, during such membership, be regarded by law as not on active service. On ceasing to be members, they shall return to active service.

Art. 107 – The members of the States-General, as well as the Minister the commissioners referred to in the second paragraph of Article 120, and the officials referred to in the first paragraph of Article 104, shall be exempt from prosecution for anything they have said at the assembly or have submitted to it in writing.

Art. 108 – In so far as is not otherwise provided for by law, each Chamber shall examine the credentials of its newly elected members, and shall decide differences of opinion arising concerning those credentials or the election itself, according to rules to be laid down by law.

Art. 109 – Each Chamber shall appoint its clerk.

The clerk may not at the same time be a member of one of the Chambers.

Art. 110 – The States-General shall assemble at least once a year. Their ordinary session shall be opened on the third Tuesday in September.

The King shall convoke an extraordinary session as often as he shall consider necessary.

Art. 111 – The separate meetings of the two Chambers, and likewise the united meetings, shall be held in public .

The doors shall be closed when a tenth part of the members present require this, or when the President considers it necessary to do so.

The meeting shall decide whether it will debate with closed doors.

Regarding points dealt with at a meeting held with closed doors, a decision may be taken at that meeting.

Art. 112 – If on the death of the King or on the abdication of the crown the session is closed, the States-General shall meet without previous convocation.

This extraordinary meeting shall be held on the fifth day after the death or abdication. If the Chambers had been dissolved, this period shall begin to run as from the termination of the new elections.

Art. 113 – The session of the States-General shall be opened in a united assembly of the two Chambers by the King or by a commission acting on his behalf. It shall be closed in the same manner when he considers that the interests of the State do not require its continuation.

The ordinary annual session shall last at least twenty days, unless the King avails himself of the right described in Article 82.

Art. 114 – In dissolving either or both Chambers, the King shall at the same time close the session of the States-General.

Art. 115 – The Chambers may not deliberate or decide either separately or in united assembly if there are not more than one half of the members present.

Art. 116 – All decision about matters shall be taken by an absolute majority of the members voting. In the event of the votes being equally divided, the taking of the decision shall be postponed until a subsequent meeting.

If at this meeting, and likewise at a meeting attended by all the members, the votes are equally divided, the proposal shall be regarded as not having been passed.

Voting shall take place by calling over the names of the members, if one of the members so desires, and orally in that case.

Art. 117 – Voting for persons for the appointments or nominations mentioned in the Constitution shall take place by closed and unsigned voting papers.

The absolute majority of the voting members shall decide.

If the votes are equally divided, decision shall be by lot.

Art. 118 – In the case of a united assembly, the two Chambers shall be regarded as being only one, and their members shall take their seats, at will.

The President of the First Chamber shall conduct the meeting.

FIRST SECTION OF THE LEGISLATURE

Art. 119 – The legislative power shall be exercised jointly by the King and the States- General.

Art. 120 – The King shall send his proposals, either of law or others, to the Second Chamber in a written message or by a commission.

He may direct special commissioners designated by him to assist the Ministers in dealing with these proposals at the meetings of the States–General.

Art. 121 – The public debate on any of the King’s proposals’ which have been received shall always be preceded by an examination of that proposal.

In its by-laws the Chamber shall determine the manner in which such examination shall be made.

Art. 122 – The Second Chamber, and also the united assembly of the States-General, shall have the right to introduce changes in a proposal submitted by the King.

Art. 123 – If the Second Chamber resolves to pass the proposal, either unchanged or changed, it shall send it to the First Chamber accompanied by the following form:

The Second Chamber of the States-General sends to the First Chamber the enclosed proposal of the King, and is of opinion that it should be passed by the States-General in its present form.

If the Second Chamber resolves not to pass the proposal, it shall give notice thereof to the King, by means of the following form:

The Second Chamber of the States-General expresses to the King its thanks for his zeal in promoting the interests of the State, and respectfully requests him to consider the proposal which he has made.

Art. 124 – The First Chamber, duly observing Article 121, shall consider the proposal in the form in which it has been passed by the Second Chamber.

If it resolves to pass the proposal, it shall give notice thereof to the King and Second Chamber by means of the following forms.

To the King,

The States-General express to the King their thanks for his zeal in promoting the interests of the State, and agree to that proposal in its present form.

To the Second Chamber,

The First Chamber of the States-General notifies the Second Chamber that it has agreed to the proposal relative to..., which was sent to it by the Second Chamber on the...

If the First Chamber resolves not to pass the proposal, it shall give notice thereof to the King and to the Second Chamber by means of the following forms:

To the King,

The First Chamber of the States-General expresses to the King its thanks for his zeal in promoting the interests of the State, and respectfully requests him to reconsider the proposal which has been made.

To the Second Chamber.

To the Second Chamber.

The First Chamber of the States-General notifies the Second Chamber that it has respectfully requested the King to reconsider the proposal relative to..., which was sent to it by the Second Chamber on the...

Art. 125 – As long as the First Chamber has not taken a decision, the King shall continue to have the power to withdraw the proposal which he has made.

Art. 126 – The States-General shall have the right to make proposals of law to the King.

Art. 127 – The right of initiative in respect of such a bill shall belong exclusively to the Second Chamber, which shall consider the bill in the same manner as the King's bills, and after passing it shall send to the First Chamber by means of the following form:

The Second Chamber of the States-General sends to the First Chamber the enclosed bill, and is of opinion that the States-General should request the King's assent thereto.

It shall have the power to entrust one or more of its members with the written and oral defence of its bill in the First Chamber.

Art. 128 – If the First Chamber, after having deliberated on the bill in the usual manner, approves it, it shall send it to the King by means of the following form:

The States-General, considering that the enclosed bill might serve to promote the interests of the State, respectfully request the King's assent thereto.

It shall, furthermore, give notice thereof to the Second Chamber, by means of the following form:

The First Chamber of the States-General notifies the Second Chamber that it has agreed to the bill relative to ... received from the Second Chamber on the. . . , and in the name of the States-General has requested the King's assent thereto.

If the First Chamber does not approve the bill, it shall give notice thereof to the Second Chamber by means of the following form:

The First Chamber of the States-General has not found sufficient reason to request the King's assent to the bill returned herewith.

Art. 129 – Other proposals than drafts of laws may be made to the King by each chamber separately.

Art. 130 – The King shall notify the States-General as soon as possible whether he approves or disapproves a bill which has been passed by them. Such notification shall take place by means of one of the following forms:

The King, agrees to the bill,

Or the King is keeping the bill under consideration.

Art. 131 – All bills passed by the States-General and approved by the King shall acquire the force of law and shall be promulgated by the King.

The laws shall be inviolable.

Art. 132 – *Repealed.*

SIXTH SECTION OF THE BUDGET

Art. 133 – The estimates of all expenditure of the Kingdom, and the means for the defrayal thereof, shall be fixed by law.

Art. 134 – The drafts of the general budget laws shall be submitted by the King to the Second Chamber, immediately after the opening of the ordinary session of the States-General before the commencement of the period for which the estimates are intended. This period may not exceed two years.

Art. 135 – No chapter of the estimates of expenditure may comprise more than those for one department of general administration. Each chapter shall be comprised in one or more bills. Transference may be allowed by such a law.

Art. 136 – The rendering of account of state expenditure and revenue for each (branch of) service shall be made to the legislature in accordance with the provisions of the law, accompanied by the account approved by the auditing court.

FOURTH CHAPTER OF THE PROVINCIAL STATES AND MUNICIPAL GOVERNMENTS

FIRST SECTION OF THE COMPOSITION OF THE PROVINCIAL STATES

Art. 137 – The members of the Provincial States shall be elected direct for a number of years to be fixed by law by the inhabitants of the province, the latter being Netherlands or recognised by law as Netherlands subjects, who have reached an age to be fixed by law, which age shall not be under twenty-one years.

Election shall take place in accordance with the proportional representation principle within the limits to be determined by law.

The last sentence of the first paragraph and the second and third paragraphs of Article 90 shall apply.

They shall vacate their seats simultaneously, and shall be re-eligible immediately. To be eligible as a member of the provincial states a person is required to be a Netherlander or recognised by law as a Netherlands subject and an inhabitant of the province, to have completed the age of twenty-five years, not to be deprived of eligibility, or excluded from exercising elective franchise by virtue of the regulations made on the subject pursuant to the third paragraph of Article 90, with the exception of judicial deprivation of liberty and condemnation to a penalty involving loss of liberty otherwise than on account of mendicancy or vagrancy or on account of a fact showing drunkenness in public. The election of the members of the provincial states shall take place in the manner to be regulated by law.

Art. 138 – *Repealed.*

Art. 139 – The meetings of the states shall be public, with the same reservation as provided for in Article 111 in respect of the meetings of the Chambers of the States-General.

Art. 140 – The members of the states shall vote without mandate or instructions from the electors.

Art. 141 – With regard to deliberations and voting, the rules shall apply which are laid down in Articles 115, 116, 117, first paragraph, in respect of the Chambers of the States-General.

SECOND SECTION OF THE POWERS OF THE PROVINCIAL STATES

Art. 142 – The authority and powers of the states shall be regulated by law with due observance of the provisions contained in the following Articles of this section.

Art. 143 – To the states shall be left the regulation and administration of the domestic affairs of the province. They shall make the ordinances which they consider necessary in the provincial interests.

Art. 144 – Whenever the laws or general administrative measures so require, the states shall afford their co-operation in giving effect thereto.

Art. 145 – Each resolution of the states to introduce, modify or abolish a provincial tax shall require the King's approval. It may be laid down by law that also other ordinances shall, according to rules to be fixed by law, require the King's approval; the approval of such ordinances may not be refused otherwise than by means of a decree setting forth the reasons therefore, after the Council of State has been heard.

General rules with regard to provincial taxes shall be laid down by law.

Such taxes may not obstruct conveyance in transit, exportation to, or importation from, other provinces.

Art. 146 – The estimates of provincial revenue and expenditure to be drawn up annually by the states shall require the King's approval.

The fixation of the provincial account shall be regulated by law.

Art. 147 – The states may advocate the interests of their provinces and inhabitants to the King and to the States-General.

Art. 148 – The states shall appoint from their midst a board of deputies to which, according to rules to be laid down by law, the daily conduct and execution of affairs shall be entrusted, whether the states are assembled or not.

Art. 149 – The power of the King to suspend and annul the resolutions of the provincial states and of boards of deputies which are contrary to law or general interests shall be regulated by law.

Art. 150 – The King shall appoint in each province a commissioner entrusted with the execution of his commands.

This commissioner shall be the president of the meeting of the provincial states and of that of boards of deputies, and shall have a vote in the latter board.

His salary and the cost of his official residence shall be included in the estimates. Of expenditure of the Kingdom. It shall be decided by law whether other expenditure of the provincial government shall be for the account of the Kingdom.

THIRD SECTION OF MUNICIPAL GOVERNMENT

Art. 151 – The composition, organisation, and powers of municipal governments shall be regulated by law with due observance of the rules contained in the following Articles of this Section.

Art. 152 – At the head of the municipality there shall be a council whose members shall be elected direct for a specified number of years by the inhabitants of the municipality, the latter being Netherlands or recognised by law as Netherlands subjects, who have reached an age to be fixed by law, which age shall not be under twenty-one years.

Election shall take place in accordance with the proportional representation principle within the limits to be determined by law.

The last sentence of the first paragraph and the second and third paragraphs of Article 90 shall apply.

To be eligible as a member of the council, a person is required to be a Netherlander or recognised by law as a Netherlands subject and an inhabitant of the municipality, to have completed the age of twenty-three years, not to be deprived of eligibility or excluded from exercising the elective franchise by virtue of the regulations made on the subject pursuant to the third paragraph of Article 90, with the exception of judicial deprivation of liberty and condemnation to a penalty involving a loss of liberty otherwise than on account of mendicancy or vagrancy or on account of a fact showing drunkenness in public.

The election of the council shall take place in the manner to be regulated by law.

The president shall be appointed by the King from amongst members of the council or from amongst non-members, and shall be removed from office by the King.

Art. 153 – To the council shall be left the regulation and administration of domestic affairs of the municipality.

With due observance of rules to be laid down, the council may, in certain cases to be specified, entrust to other organs, under the council's supervision, the whole or a part of the administration of certain branchess of domestic affairs of the municipality, which branches are to be specified. It shall make the ordinances which it considers necessary in the interests of the municipality.

When laws, general administrative measures, or provincial ordinances so require, municipal governments shall afford their co-operation in giving effect thereto.

Should the regulation and administration of the municipal affairs be grossly neglected, a law may determine the manner in which the government of that municipality shall be provided for in deviation from the first and second paragraphs of this Article.

It shall be determined by law which authority shall replace the municipal government in the event of its failing to give effect to laws, general administrative measures, or provincial ordinances.

Art. 154 – The King's power to suspend and annul resolutions of municipal governments which are contrary to law or the general interests shall be regulated by law.

Art. 155 – The resolutions of municipal governments concerning such disposal of municipal property, or such other actions under civil law as are designated by law, as well as estimates of revenue and expenditure, shall be submitted to the approval of the boards of deputies.

The compilation of the estimates and the drawing up of the accounts shall be regulated by law.

Art. 156 – Resolutions of municipal governments concerning the introduction, modification, or abolition of a local tax shall require the King's approval. General rules regarding local taxes shall be laid down by law.

These taxes may not obstruct conveyance in transit, exportation to, or importation from, other municipalities.

Art. 157 – Municipal governments may advocate the interests of their municipalities and inhabitants to the King, States-General and states of the province to which they belong.

Art. 158 – Provision shall be made by law in affairs, interests, establishments, or works in which two or more municipalities are involved.

FIFTH CHAPTER OF PUBLIC BODIES FOR PROFESSIONS AND TRADES

Art. 159 – Bodies for certain professions and trades and groups thereof, and also for professional and economic life in general, may be instituted by law in order to take regulatory action. The composition, institution and powers of these bodies shall be regulated by law.

Art. 160 – To these bodies regulatory powers may be granted by law.

Art. 161 – The decisions of these bodies which conflict with the law or public interest may be suspended and annulled in accordance with regulations to be determined by law.

The law may render certain decisions of these bodies subject to approval in accordance with regulations to be determined by the law.

SIXTH CHAPTER OF OTHER BODIES WITH REGULATORY POWERS

Art. 162 – The law may give the power to issue orders to bodies other those mentioned in the Constitution.

SEVENTH CHAPTER OF THE JUDICIAL POWER

FIRST SECTION GENERAL PROVISIONS

Art. 163 – Throughout the Kingdom justice shall be administered in the name of the King.

Art. 164 – Civil and commercial law, civil and military penal law, procedure, and the organization of the judicial power, shall be regulated by law in general codes, without prejudice to the power of the legislature to regulate certain subjects in separate laws.

Art. 165 – Expropriation for reasons of public utility cannot take place except after a previous declaration by law that public utility requires expropriation and against previously received or previously assured compensation, all in accordance with rules laid down by law.

It shall be determined by law in which cases the previous declaration by law shall not be required. The requirement that the compensation shall be paid or assured beforehand shall not apply if war, danger of war, riot, fire, or flood require that possession be taken immediately.

This Article shall not apply to rights of fetching soil which existed in 1886.

Art. 166 – When in the public interests the public authority has to destroy property or render it unserviceable either permanently or temporarily, this shall take place against compensation, unless the contrary is stipulated by law.

The use of property for the preparation and effecting of military inundations, if required on account of war or danger of war, shall be regulated by law.

Art. 167 – All lawsuits about property or rights arising therefrom, about claims on account of debt and other civil rights, shall belong exclusively to the cognisance of the judicial power.

Art. 168 – The decision of lawsuits not connected with those referred to in Article 167 may be referred by law either to the ordinary judge or to a board entrusted with the decision of disputes arising from administrative law; such law shall regulate the procedure and the consequences of the decisions.

Art. 169 – The judicial power shall be exercised solely by judges designated by law. Such law may provide that persons not belonging to the judicial power shall also take part in the settlement of the lawsuits referred to in Article 167 and designated by that law.

Art. 170 – No person may be withdrawn against his will from the judge whom the law assigns to him.

The manner in which disputes about competency which have arisen between the administrative power and the judicial power shall be decided shall be regulated by law.

Art. 171 – Except in the cases determined by law, no person may be arrested otherwise than under an order of the judge stating the reasons for the arrest. This order must be served on the person against whom it is directed either at the moment of arrest or immediately afterwards.

The form of this order and the time within which all arrested persons must be heard shall be fixed by law.

Art. 172 – To enter a dwelling against the occupant's will shall only be permitted in the cases determined by law, by virtue of a special or general order given by an authority designated by law. The forms to which the exercise of this power shall be bound shall be regulated by law.

Art. 173 – The secrecy of letters entrusted to the postal service or to other public institutions of conveyance shall be inviolable, except by order of a judge in the cases described by law.

Art. 174 – The general forfeiture of the goods belonging to an offender may not be inflicted as a penalty for any crime.

Art. 175 – All judgements shall state the grounds upon which they are based, and in penal cases they shall indicate the legal provisions upon which the condemnation is based.

The pronouncement of sentence shall take place with open doors.

Without prejudice to the exceptions made by law, the hearings shall be public.

In the interests of public order and morality, the judge may depart from this rule.

For punishable acts designated by law, the provisions of the first and second paragraphs may also be departed from.

SECOND SECTION OF THE JUDICIAL POWER

Art. 176 – There is a supreme court of justice called the High Court of the Netherlands, the members of which shall be appointed by the King in conformity with the following Article.

Art. 177 – The occurrence of a vacancy shall be notified by the High Court to the Second Chamber of the States-General which, for the purpose of filling the vacancy, shall submit the names of three persons to the King in order that a selection may be made therefrom.

The King shall appoint the President and Vice-President from amongst the members of the High Court.

Art. 178 – The members of the States-General, the heads of the ministerial departments, the governors of Surinam and of the Netherlands Antilles, the members of the Council of State and the King's Commissioners in the provinces shall be liable to trial by the High Court, even after their retirement, for indictable acts committed in discharging their official duties, proceedings having been entered against them by the King or by the Second Chamber.

It may be determined by law that other officials and members of high boards shall be liable to trial by the High Court for punishable acts committed in the exercise of their functions.

Art. 179 – The High Court shall supervise the regular course and settlement of lawsuits, as well as the observance of the laws by the members of the judicial power and by those persons referred to at the conclusion of Article 169. If their proceedings, orders, and sentences are contrary to the laws, the High Court may annul them and render them inoperative according to the provisions to be made on the subject by law and without prejudice to the exceptions made by law.

The further powers of the High Court shall be regulated by law.

Art. 180 – The members of the judicial power shall be appointed by the King.

The members of the judicial power entrusted with the administration of justice, and the attorney-general to the High Court, shall be appointed for life.

It may be determined by law that on attaining a certain age they shall be retired.

They shall be deposed or removed from office by a verdict of the High Court in the cases designated by law.

At their own request the King may retire them.

If a board is entrusted with the decision of disputes arising from administrative law in the highest instance for the Kingdom, the first, second, third, and fifth paragraphs of this Article apply to the members thereof. They may be deposed or removed from office in the manner and cases designated by law.

This Article shall not apply to those who are entrusted exclusively with the administration of justice over persons belonging to the Armed Forces or with the decision of disciplinary cases.

EIGHTH CHAPTER OF RELIGION

Art. 181 – Every person shall profess his religious opinions with perfect liberty, without prejudice to the protection of society and its members against the violation of the penal laws.

Art. 182 – All religious communities in the Kingdom shall be afforded equal protection.

Art. 183 – The professors of the several religions shall all enjoy the same civil and civic rights, and shall have equal claim to the holding of dignities, offices, and employment.

Art. 184 – All public divine services within buildings and enclosed places shall be permitted, without prejudice to the measures required to ensure public order and peace. Subject to the same provision, public divine services outside buildings and enclosed places shall continue to be permitted where they are at present allowed according to laws and regulations.

Art. 185 – The stipends, pensions, and other revenues of whatsoever kind, which are at present received by the several religious denominations or by their ministers, shall remain assured to those denominations.

Those ministers who, up to the present, have not received any stipend or who have received an insufficient stipend from the Exchequer of the Kingdom, may be granted stipends or their existing stipends may be increased.

Art. 186 – The King shall see that all religious communities keep within the limits of obedience to the laws of the State.

Art. 187 – The government's intermediary shall not be required in corresponding with the heads of the several religious communities, or, without prejudice to responsibility according to law, in publishing ecclesiastical rules.

NINTH CHAPTER OF FINANCE

Art. 188 – No taxes may be levied on behalf of the Exchequer of the Kingdom, except by virtue of a law.

This provision shall also apply to imposts for the use of works and establishments of the Kingdom, in so far as the regulation of such imposts has not been reserved to the King.

Art. 189 – No privileges may be granted in the matter of taxes.

Art. 190 – The obligations of the State towards its creditors shall be guaranteed. The debt shall be considered every year for the purpose of promoting the interests of the creditors of the State.

Art. 191 – The weight, fineness, and value of the coinage shall be regulated by law.

Art. 192. The supervision and direction of the affairs of the mint and the decision of disputes about alloy, assay and other matters shall be regulated by law.

Art. 193 – There is a General Auditing Court, the composition and duties of which shall be regulated by law.

On the occurrence of a vacancy in this court, the Second Chamber of the States-General shall send the names of three persons to the King, who shall appoint therefrom.

The members of the Auditing Court shall be appointed for life.

The third, fourth and fifth paragraphs of Article 180 shall apply to them.

TENTH CHAPTER OF DEFENCE

Art. 194 – All Netherlanders who are able shall be bound to collaborate for the maintenance of the independence of the Kingdom and for the defence of its territory. This obligation may also be laid upon residents who are not Netherlanders.

Art. 195 – For the protection of the interests of the State there are the Armed Forces, composed of volunteers and conscripts. Obligatory military service shall be regulated by law. Such law shall also regulate the obligations in respect of the defence of the Kingdom which may be laid upon those persons who do not belong to the Armed Forces.

Art. 196 – The conditions upon which exemption from military service may be granted on account of serious conscientious objections shall be stated by law.

Art. 197 – Foreign troops may not be employed except by virtue of a law.

Art. 198 and 199 – *Repealed.*

Art. 200 – When, in the case of war, danger of war, or other exceptional circumstances, those conscripts who are not on active service are called up by the King to join the colours either wholly or partly “extra-ordinarily,” a draft of law shall be submitted without delay to the States-General for the purpose of enacting that the conscripts shall remain with the colours as long as necessary.

Art. 201 – All the expenditure for the armies of the Kingdom shall be defrayed from the Exchequer of the Kingdom. The billeting and maintenance of the troops, the transports and supplies of whatsoever nature required for the armies and works of defence of the Kingdom, cannot be laid

upon one or more inhabitants or municipalities, except according to general rules to be laid down by law and against compensation. The exceptions to these general rules for the event of war, danger of war, or other exceptional circumstances shall be fixed by law.

The King shall decide whether danger of war exists in the sense in which that term occurs in the laws of the Kingdom.

Art. 202 – For the maintenance of external or internal security, every part of the territory of the Kingdom may be declared by, or in name of, the King to be in a state of war or siege. The manner and cases in which this may be done shall be determined, and the consequences thereof regulated, by law. Such regulation may enact that the constitutional powers of the civil authority in respect of public order and police shall pass wholly or in part to the military authority, and that the civil authorities shall become subordinate to the military.

Moreover, the provisions of Articles 7, and 9, 172, and 173 of the Constitution may, in that case, be departed from. In the event of war, the first paragraph of Article 170 may also be departed from.

Art. 203 – For the maintenance of external or internal security, in extraordinary circumstances, it may be decreed by, or in the name of, the King, for any part of the territory of the Kingdom, that the constitutional powers of organs of civil authority in respect of public order and the police are transferred in whole or in part to other organs of civil authority. The manner in which such may take place and the occasions on which such may happen, shall be laid down by statute, which also provides the consequences. The provision of the third paragraph of Article 202 is thereby of equal application.

ELEVENTH CHAPTER OF THE WATER AFFAIRS ADMINISTRATION

Art. 204 – Rules regarding the administration of water affairs (“*Waterstaat*”), including supreme control and superintendence, shall be laid down by law with due observance of the provisions contained in the following Articles of the chapter.

Art. 205 – The King shall have the supreme control of everything that concerns water affairs (“*Waterstaat*”), irrespective of whether the cost thereof is paid from the Exchequer of the Kingdom or defrayed in some other manner.

Art. 206 – The provincial states shall have the superintendence of all works relating to water affairs, drainage districts, peat districts, and peat polders. Nevertheless the superintendence of certain works may be en-trusted to others by law. The states shall have the power, subject to the King’s approval, to make changes in existing organisations and regulations of drainage districts, peat districts, and peat polders to abolish drainage districts, peat districts, and peat polders and to establish new ones, and to fix new regulations for such institutions. The boards of such institutions, may submit to the provincial states proposals for the alteration of the organisations or regulations.

Art. 207 – The boards of drainage districts, peat districts, and peat polders may make ordinances in the domestic interests of those institutions in accordance with rules to be laid down by law.

TWELFTH CHAPTER OF EDUCATION AND POOR RELIEF

Art. 208 – Education shall be an object of constant solicitude on the part of the government.

The imparting of education shall be free, saving superintendence by the government, and moreover, in so far as general education, elementary as well as secondary, is concerned, saving the examination with regard to the ability and morality of the teacher, the whole to be regulated by law. Public education shall be regulated by law, every person's religious views being duly respected.

In each municipality the authorities shall impart sufficient public general elementary education in an adequate number of schools. According to rules to be laid down by law, deviation from this provision may be permitted, provided that opportunity is given for such education to be received. The standards of efficiency to be prescribed for education to be defrayed wholly or in part from public funds shall be regulated by law, with due observance in so far as private education is concerned, of ideological freedom.

These standards shall be regulated for general elementary education in such a manner as to guarantee equally well the efficiency of the private education defrayed entirely from public funds and public education. In these regulations the freedom of private education concerning the choice of means of instruction and that appointment of teachers shall, particularly, be respected.

Private general elementary education fulfilling conditions to be imposed by law shall be defrayed from public funds according to the same standards as public education.

The education upon which private general secondary education and preparatory university education shall be granted contributions from public funds shall be fixed by law.

The King shall cause a report of the condition on education to be made annually to the States-General.

Art. 209 – Poor relief shall be an object of constant solicitude on the part of the government, and shall be regulated by law. The King shall cause a detailed report of the relevant activities to be made annually to the States-General.

THIRTEENTH CHAPTER OF CHANGES

Art. 210 – Every proposal for the alteration of the Constitution shall explicitly indicate the proposed change. It shall be declared by a law that grounds exist for considering the proposal in the form in which that law fixes it.

Art. 211 – After the promulgation of this law, the chambers shall be dissolved. The new chambers shall consider that proposal, and cannot pass the alteration proposed to them in conformity with the aforesaid, law otherwise than by two thirds of the votes given.

Art. 212 – The changes in the Constitution fixed by the King and States-General shall be solemnly promulgated and added to the Constitution.

Art. 213 – The text of the Constitution may be brought into line by law with the Charter for the Kingdom of the Netherlands as it now reads or as it should subsequently come to read.

The provisions of Articles 210, 211 and 212 shall not apply in this respect.

Art. 214 – The text of the revised Constitution shall be promulgated by the King. The chapters, the sections of each chapter and the articles may be numbered consecutively by him; he shall, in so far as necessary, alter the references.

Art. 215 – The authorities, binding laws, rules and decrees existing at the moment of promulgation of a change in the Constitution shall continue to be maintained until they have been replaced by others in pursuance of the Constitution.

ADDITIONAL ARTICLES

I – The seigniorial rights concerning nomination or appointment of persons to public or ecclesiastical offices are hereby abolished.

The abolition of the remaining seigniorial rights and indemnification of the owners may be determined upon and regulated by law.

II – The first paragraph of Article 166 shall not be applied until the coming into force of the legal regulations respecting the cases in which no compensation shall be granted in case of the destruction of property or the rendering unserviceable, permanently or temporarily, of property.

III – The law mentioned in the fourth paragraph of Article 99 shall ensure no pensions to widows and orphans of ex-members of the Chamber who retired or died prior to January 1, 1921.

IV – 1) Indemnity as referred to in Article 99, to which claim may be laid under the regulations maintained in virtue of Article 215 of the Constitution, shall not be received by those members who hold the office of Minister, nor by those members who, in accordance with the standing orders of the Chamber, are excluded from attending its sessions.

2) The following provisions shall apply to a pension received by retired and retiring members of the Second Chamber of the States-General, under the regulations maintained in virtue of Article 215 of the Constitution, until such time as the entry into force of an enactment as referred to in the first sentence of the third paragraph of Article 99.

3) The pension shall not be received as long as a retired member holds office as Minister or if such member, after reelection, receives the indemnity referred to in Article 99.

4) The amounts of the pension and of its maximum may be modified by a law. Until such time as the entry into force of an enactment as referred to in the first sentence of the third paragraph of Article 99, the Chambers of the States-General may pass the relevant bill, including the bill amending or repealing such enactment, only by a two-thirds vote of the total membership of each Chamber.

5) The enactment referred to in the first sentence of the third paragraph of Article 99 shall provide that the regulations which it contains shall not apply and that, instead, the provisions concerning the pension referred to in the second paragraph of this article shall continue to be in force in respect of:

(a) any person who on the day preceding the date of the entry into force of that enactment is entitled to a pension as a retired member of the Second Chamber of the States-General and who, within a period of three months after the date of the entry into force of that enactment, expresses a wish to that effect in writing;

(b) any person who on the day preceding the date of the entry into force of that enactment is a member of the Second Chamber of the States-General and who, within a period of three months after the date on which he retired without being immediately re-elected and admitted, expresses a wish to that effect in writing.

V – Unless the Second Chamber of the States-General has in the meantime been dissolved, the *Centraal Stembureau* (i.e. Central Election Office) for the election of members of the Second Chamber of the States-General shall, within two months after the solemn promulgation of the amendment to the Constitution for increasing the number of members of the Chamber, on a day to be fixed by the King, declare fifty new members appointed to fill the new vacancies, in accordance with the following provisions. The Central Election Office shall, on the basis of the results of the latest election for the Second Chamber, ascertain how many seats should, in view of the increased number of members of the Chamber, be allocated to each list, on the proviso that no seats will be allocated to a group of lists, a set of identical lists, a or single list to which no seats were allocated as a result of the latest election. The number of seats already allocated to a certain list is then deducted from the number of seats thus allocated to the list. The vacancies thereafter remaining for a list are filled by corresponding application of the provisions of Chapter V of the Franchise Act, after the order of the names of the candidates on the list, referred to in Article N 19 of that Act, has been altered in so far as necessary and with due observance of the new list quota to be determined. If a candidate should have to be declared appointed on more than one list, the provisions of Article N 18 of the Franchise Act shall apply correspondingly.

As from the twenty-first day after the new members have been declared appointed, the Chamber shall be regarded as being composed in accordance with Article 91.

The new members shall retire simultaneously with the sitting members.

VI – Unless the First Chamber of the States-General has in the meantime been dissolved, an election for a new First Chamber shall be held within two months of the solemn promulgation of the amendment to the Constitution for increasing the number of members of the Chamber. As from the twenty-first day after the result of this election becomes known, the sitting members shall retire and the new members shall take their seats.

Article P 2, Article P 5 and the second paragraph of Article S 1 of the Franchise Act shall apply correspondingly.

Until further provisions have been laid down in this respect by law, the following amendments shall be made to the Franchise Act:

(a) In the second paragraph of Article P 1, the numbers 13, 13, 12 and 12 shall be replaced by 21, 19, 17 and 18.

(b) The fourth paragraph of Article P 1 shall read:

4) Every three years thirty-eight and thirty-seven members of the First Chamber shall retire alternately, namely the thirty-eight members elected in the provinces of North Brabant, Zeeland, Utrecht, Limburg, North Holland and Friesland and the thirty-seven members elected in the provinces of Gelderland, Overijssel, Groningen, Drenthe and South Holland alternately. The retiring members shall be immediately eligible for re-election.

(c) Article P 2 shall read:

When the First Chamber is dissolved it shall be decided by lot whether the thirty-eight or thirty-seven members referred to in the fourth paragraph of Article P 1 shall retire as from the third Tuesday in September in the third calendar year after the next third Tuesday in September.

Members not drawing this lot shall retire as from the third Tuesday in September in the sixth calendar year after the next third Tuesday in September. The retiring members shall be immediately eligible for re-election.

(d) In the second paragraph of Article Q 3 the words “ten candidates” shall be replaced by “fifteen candidates”.

VII – The supervision of the municipalities in reclaimed areas not yet apportioned to any province shall be regulated by law.

(1) English translation supplied by the Ministry of Foreign Affairs in July 1966. Ed.

FONTE:

A.J. Peaslee, *Constitutions of the Nations*, vol. II, 1950.