



The October 2009 Clark

Third Clark of the 40th Ziu

1. Results of the September 2009 Clark

The following bill received Royal Assent and have been passed into law:

40RZ101 – Carfree Day Resolution

Introduced by Sir X. Pol Brigă (Senator-CZ)

Agreed to by the Cosă 149-9, by the Senäts 4-1 (1 abstained)

The Cosă and Senäts disagreed on the following bills:

40RZ05 – The Freedom of Information and Privacy (Gov.) Act Take 1

Introduced by Éovart Grischun (MC-PP/FGP)

Agreed to by the Cosă 149-9, rejected by the Senäts 1-4 (1 abstained)

40RZ06 – The Senate Reform II Amendment

Introduced by Tímopi Asmourescu (MC-PP)

Agreed to by the Cosă 146-12, rejected by the Senäts 1-5

The Cosă and Senäts both rejected the following bill:

40RZ102 – Ratification of Sir Samuhel for the Cort pü Inalt

Introduced by Ián, Duke of Lupul (King of Talossa)

Rejected by the Cosă 28-70 (60 abstained), by the Senäts 2-2 (2 abstained)

The Cosă passed a Vote of Confidence in the Government 140-18 .

Members of the Cosă voted as follows:

Name	Party	Seats	RZ 5	RZ 6	RZ 101	RZ 102	VoC
Tony Weckström	DPD	3	Per	Con	Per	Con	Üc
Flip Molinar	FGP	1	Per	Per	Per	Con	Üc
Tric'hard Carschaleir	FGP	1	Per	Per	Per	Per	Üc
Alexandreu Soleighfred	FGP	1	Per	Per	Per	Con	Üc
Éovart Grischun	FGP/PP	2	Per	Per	Per	Con	Üc
Joseph Walkland	PP	5			Did not vote		
Tímopi Asmourescu	PP	9	Per	Per	Per	Con	Üc
Dréu Gavárpic'h	PP	9	Per	Per	Per	Con	Üc
Breneir Tzaracomprada	PP	9	Per	Per	Per	Con	Üc
Vit Caçeir	PP	5			Did not vote		
Mataiwos Vürinalt	PP	8	Per	Per	Per	Per	Üc
Iac Marabuérg	PP	5	Per	Per	Per	Per	Üc
			149-9	146-12	149-9	28-70 (60)	140-18

Name	Party	Seats	RZ 5	RZ 6	RZ 101	RZ 102	VoC
Danihel Forestal	PP	9	Per	Per	Per	Con	Üc
Õin Ursüm	PP	5	Per	Per	Per	Per	Üc
Glüc da Dhi	PP	3	Per	Per	Per	Con	Üc
Ma la Mha	RUMP	30	Per	Per	Per	Aus	Üc
Ian da Bitour	RUMP	15	<i>Did not vote</i>				
Bleic'h Ianescu	RUMP	15	<i>Did not vote</i>				
Mick Preston	RUMP	15	Per	Per	Per	Aus	Üc
Cjara Brainerd	RUMP	15	Per	Per	Per	Aus	Üc
Danihel Lupulet	RUMP	15	Per	Per	Per	Con	Üc
Xhorxh Asmour	ZPT	9	Per	Per	Per	Per	Non
Viteu Marcianüs	ZPT	9	Con	Con	Con	Con	Non
Fritz von Buchholtz	ZPT/FGP	2	<i>Did not vote</i>				
			149-9	146-12	149-9	28-70 (60)	140-18

Senators voted as follows:

Name	Province	RZ5	RZ6	RZ101	RZ102
Brad Holmes	Atatürk	Con	Con	Per	Per
Nic Casálmac'h	Belacostä	Con	Con	Aus	Aus
X. Pol Brigä	Cézembre	Per	Per	Per	Aus
Ieremiac'h Ventrutx	Florenciä	Con	Con	Con	Con
Iusti Canun	Maricopa	Aus	Con	Per	Con
Alexandreu Davinescu	Maritiimi-Maxhestic	Con	Con	Per	Per
Trotxä Betiñéir	Vuode	<i>Did not vote</i>			
		1-4 (1)	1-5	4-1 (1)	2-2 (2)

2. This Month's Business

The Third Clark of the 40th Ziu runs from October 1st to 21st 2009/XXX.

Voting on the Clark is open until the 21st of October at 7:30 PM Talossan time.

The following bills have been presented for consideration:

40RZ07 – The Human Rights Day Act

Introduced by Breneir Tzaracomprada (MC-PP)

40RZ08 – The Changing the Age Act

Introduced by Dréu Gavárpic'h (MC-PP)

40RZ09 – The Freedom of Information and Privacy (Gov.) Act

Introduced by Éovart Grischun (MC-PP/FGP)

40RZ10 – The Senate Reform II Amendment

Introduced by Tímopi Asmourescu (MC-PP)

The full text of these bills is available in the appendix.

The following motion is to be voted on by the Cosä only:

Vote of Confidence

Do you wish the current Government to continue in its term of office?

3. Judicial Decisions

Pursuant to Lex.G.12.1, the Chancery announces that no decisions were rendered by any national court since the publication of the last Clark.

4. Prime Dictates

Pursuant to Lex.H.2.7.1, the Chancery announces that no Prime Dictates were issued since the publication of the last Clark.

*Ordered printed today, October 1st 2009/XLVI
The Secretary of State / El Secretar d'Estat
Mick Preston*

A. Full text of all bills on the Clark

40RZ07 - The Human Rights Day Act

40RZ7 - The Human Rights Day Act

WHEREAS, the struggle to secure respect for human dignity and liberty continues since the start of the modern human rights movement with the promulgation of the Universal Declaration of Human Rights (UDHR), and

WHEREAS, upon passage of the UDHR by the UN General Assembly on 10 December 1948, the United Nations declared December 10th to be World Human Rights Day, and

WHEREAS, Talossa, since its founding in 1979, has consistently been at the forefront of efforts to further respect for the rule of law, for individual liberty and for protection of and the freedom to actualize one's individual dignity, and

WHEREAS, Talossa, stands with our brothers and sisters of the human family who continue to struggle for the most basic of human rights, and for whom the principles expressed in the UDHR are both a beacon of hope and a call to action.

THEREFORE, be it resolved, that the Ziu of the Kingdom of Talossa, commit to the following action:

The Ziu hereby declares the 10th of December a new national holiday known as Human Rights Day.

A suggested method to celebrate Human Rights Day is reviewing Article XIX of The Organic Law and/or the Universal Declaration of Human Rights.

Uréu q'estadra sa

Breneir Tzaracomprada (MC - PP)**

Uréu q'estadra sã,

Breneir Tzaracomprada (MC-PP)

40RZ08 - The Changing the Age Act

WHEREAS the author of this bill was a Talossan citizen when he was 14, and

WHEREAS 14 is way too young, and

WHEREAS a more appropriate age for citizenship would be 15, now

THEREFORE be it enacted that Article XVIII, Section 7 of the Organic Law be edited to read:

Children born after 1 January 1989/X, one (or both) of whose biological or adoptive parents is a Talossan citizen at the time of the birth, are native-born Talossan citizens ("Dandelions") and shall automatically have full voting rights when they register themselves with the Minister of Immigration on or after their 15th birthday. Notification shall consist of writing a "What Talossa Means to Me" Essay.

IN ADDITION, be it enacted that Article VII, Section 1 be edited to read: The Cosâ is the national legislative assembly and is elected by universal popular vote by all adult citizens (age 15 and over).

FURTHERMORE, let it be known that wherever else within both the Organic Law and the statutory law the age of adulthood is recorded as 14 it shall be understood as the age of 15.

HOWEVER, all citizens who will be under the age of 15 years old before the passing of this referendum shall be "grandfathered in" under the old law and shall keep their former legal status.

Uréu q'estadra sâ,
Dréu Gavárpíc'h (MC-PP)

40RZ09 - The Freedom of Information and Privacy (Gov.) Act

40RZ9 - The Freedom of Information and Privacy (Gov.) Act

WHEREAS there has been a call for greater levels of transparency from the government and it's agencies, and

WHEREAS we should take measures to ensure this, and

WHEREAS this will probably be a sufficient enough measure to last the test of time without further measure ever being required, and

WHEREAS at the same time we should take measures to protect certain information from scrutiny for the sakes of privacy and security, now

THEREFORE be it resolved by the Ziu that the government of the Kingdom of Talossa has the duty and responsibility to make public information about and held by the government's cabinet ministries and sub offices within the guidelines set below,

SECTION 1: INFORMATION AVAILABLE FOR REQUEST

1. A citizen may only request access to information that has been recorded on paper, computer file, video file and/or audio file. Unrecorded opinion does not fall within the scope of this legislation.
2. A citizen may request information regarding the business of the government's executive offices and the government's cabinet ministries so long as the information being requested does not conflict with SECTIONs 2, 4 or 5 of this act.
3. Leaders of political parties may access some personal contact details as set out in SECTION 5 of this act.

SECTION 2: INFORMATION EXEMPT FROM REQUEST

The type of information not available for access is outlined as follows:

1. Records that are of a personal nature where the disclosure of such records would clearly infringe a citizen's individual privacy in accordance with the Sixth Covenant of Article XIX (Covenant of Rights and Freedoms) of the 1997 Organic Law of the Kingdom of Talossa. This also includes private medical, counseling, or psychological records.
2. Records of a law enforcement or military agency only when the records meet one or more of the following criteria:
 1. The records would identify informants or witnesses,
 2. The records would identify undercover officers,
 3. The records would provide personal information of officers or officer's family members,
 4. The records would provide details of current operations or protocol. This includes details of communication codes and plans of deployment.
 5. The records would endanger the life or safety of officers or officer's families if the information was disclosed.
 6. The records are of an ongoing investigation.
3. Records that fall within the scope of medical practitioner - patient privilege, attorney - client privilege, religious figure privilege, or any and all current and future privilege recognized by Statutory Law, Organic Law or Cort Rule.
4. Records of security measures and records that would hinder the body's ability to maintain the physical security of custodial or penal institutions occupied by persons arrested or convicted of a crime or admitted because of a mental disability.
5. Conversation logs that may be regarded as private may also be excluded from the scope of this legislation.

NB: This list of exclusions may be amended by future Statutory Laws that may be passed as seen fit by the Ziu.

SECTION 3: BURDEN OF PROOF

1. The burden of proof falls on the body that has been asked to disclose any and all requested information. The requester of the information does not have an obligation to provide an explanation for their request.

2. If a request for information is denied by the body then an explanation as to why the request has been denied must be given.
3. If a body fails to disclose requested information without a valid reason then the uppermost court, or any other court as set up by the Ziu, will reserve the right to force the body to disclose.
4. The Courts will also arbitrate cases in which a requester feels a given reason was not sufficient enough to deny the request.

SECTION 4: DATA PROTECTION

1. Personal information such as, but not limited to, private mailing addresses, contact telephone numbers and private email addresses, given names, ages, date of births and national security numbers shall be held on file and shall only be accessed by the Secretary of State or The King without prior permission of the person to whom the information relates to. In all other instances permission must be obtained by the person to whom the personal information relates to.
2. The type of information and records described in clause 1 above shall never be passed on to outside agencies for the purposes of data farming or market research. The details may be passed onto non-Talossan law enforcement agencies in the interest of international law enforcement and co-operation.
3. Personal Information described in clause 1 above shall never be published on any public website belonging to the Kingdom as an asset.

SECTION 5: INFORMATION AVAILABLE TO POLITICAL PARTY LEADERS

1. An Electorate Database shall be made available to political party leaders.
2. The Database shall only be accessible by leaders of parties which have been fully registered with the Chancery.
3. The Database shall contain the following information on each of the Kingdom's Citizens only: Name, Province, E-Mail address.
4. Measures shall be taken to ensure that the database is kept non-public and can only be viewed by the audience intended.

5. Additional information may be held upon the database against any given person ONLY if that person requests such information to be included.
6. Any citizen may request to opt-out of being included in this database for any reason at any time by notifying the database administrator.

and, **FURTHERMORE** the bill referenced 25RZ99 is hereby repealed due to the fact that the Freedom of Information sections above renders 25RZ99 unnecessary while adding a level of optional privacy to the same concept.

Uréu q'estadra sa

The Right Honourable Éovart Grischun (MC - PP, FGP)

El Túischac'h Flip Molinar (MC - FGP)

The Right Honourable Brad Holmes (Senator - Ataturk)

****Scribe's Note: This act repeals [The Election List Open to Everyone Act \(25RZ99\)](#) enacted by the 25th Cosa.**

Noi urent q'estadra sâ,

Éovart Grischun (MC-PP/FGP)

Brad Holmes (Senator-AK)

Flip Molinar (MC-FGP)

40RZ10 - The Senate Reform II Amendment

WHEREAS the first Senate Reform amendment failed to organically pass through the Senate and

WHEREAS that doesn't change the fact that Members of the Cosa can be removed from office while Senators cannot and

WHEREAS the last amendment was unfavorable to many Senators due to potential abuse and

WHEREAS we are all about having our cake AND eating it too so

THEREFORE, Article V Section 5 of the Organic Law is hereby amended to read:

A Senator vacates his seats if he fails to vote on two consecutive Clarks, or if he resigns from office, loses his citizenship, dies or is removed from office for misconduct in a manner prescribed by Talossan law, as described in applicable Talossan law, by the Uppermost Cort or any inferior court established by the Cosa or for official misconduct, as described by provincial law, by the provincial court holding appropriate jurisdiction over the Senate seat in question.

Uréu q'estadra sã,

Tímobi Asmourescu (MC-PP)