



The April 2014 Clark

Third Clark of the 46th Ziu

1. Results of the March 2014 Clark

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

46RZ05 – The Chancery reform bill

Introduced by Sir Marti-Páir Furxhéir (Secretary of State)

Agreed to by the Cosă 127-14 (26 abstained), by the Senäts 7-1

46RZ06 – The 46th Cosa Budget Act

Introduced by Sir Glüc da Dhi (Seneschal, on behalf of His Majesty's Government)

Agreed to by the Cosă 132-23 (12 abstained), by the Senäts 5-1 (2 abstained)

The Cosă passed a Vote of Confidence in the Government 131-36 .

Members of the Cosă voted as follows:

Name	Party	Seats	RZ 5	RZ 6	VoC
Alexandreu Soleighlfred	MRPT	14	Per	Per	Üc
Lüc da Schir	MRPT	14	Con	Per	Üc
Éovart Andrinescu	MRPT	14	Per	Per	Üc
Magniloqueu Épiqueu da Lhiun	MRPT	14	Aus	Per	Üc
Mximo Carbonel	RPT	4	Aus	Per	Üc
Quedéir Castiglhá	RUMP	11	Per	Con	Üc
Marti-Páir Furxhéir	RUMP	1	Per	Per	Üc
Ma la Mha	RUMP	12	Did not vote		
Cresti Siervicül	RUMP	12	Per	Per	Üc
Ian da Bitour	RUMP	12	Did not vote		
Alexandreu Davinescu	RUMP	12	Per	Per	Non
Eovart Xhorxh	RUMP	12	Per	Con	Non
Danihel Txechescu	RUMP	12	Per	Per	Üc
Txec dal Nordselvä	RUMP	12	Per	Aus	Non
Gödafríeu Válcadác'h	ZRT	9	Per	Per	Üc
C. Carlüs Xheraltescu	ZRT	9	Per	Per	Üc
Óin Ursüm	ZRT	9	Per	Per	Üc
Antaglla Xhenerös Somelieir	ZRT	8	Aus	Per	Üc
Moritz Fernaodescu	ZRT	9	Did not vote		
			127-14 (26)	132-23 (12)	131-36

Senators voted as follows:

Name	Province	RZ5	RZ6
Brad Holmes	Atatürk	Con	Per
Tric'hard Carschaleir	Belacostă	Per	Per
Glüc da Dhi	Cézembre	Per	Per
Pòl d'Auribuérg	Florenciă	Per	Aus
Miestră Schivă	Fiovă	Per	Per
Dien Tresplet	Maricopa	Per	Aus
Mick Preston	Maritiimi-Maxhestic	Per	Per
Trotxă Betinėir	Vuode	Per	Con
		7-1	5-1 (2)

2. This Month's Business

The Third Clark of the 46th Ziu runs from April 1st to 21st 2014/XXXV.
Voting on the Clark is open until the 21st of April at 7:30 PM Talossan time.

The following bills have been presented for consideration:

46RZ07 – I very much disliked the Stasi Act (I Mud Stasi)

Introduced by Magniloqueu Épiqeu da Lhiun (MC-MRPT)

46RZ08 – NOLITE IN IVRE PIGRARI Act (NoPig)

Introduced by Magniloqueu Épiqeu da Lhiun (Attorney-General)

46RZ09 – NOLITE REFORMARE IN PEIVS Act (NoRip)

Introduced by Magniloqueu Épiqeu da Lhiun (Attorney-General)

46RZ11 – The Humanity Is For Everyone Amendment

Introduced by Magniloqueu Épiqeu da Lhiun (MC-MRPT)

46RZ12 – The Organic Law Amendment (Citizenship (Baseball Is Not The Only Sport)) Bill

Introduced by Dame Miestră Schivă (Senator-FV)

46RZ13 – The Organic Law Amendment (Citizenship (Prodigal Sons)) Bill

Introduced by Dame Miestră Schivă (Senator-FV)

46RZ14 – El Proxhet "Non Fostent Tirë 'N Büreucrătică Glhepească"

Introduced by Dame Miestră Schivă (Senator-FV)

46RZ15 – The Talossan Monetary Policy Reform Act (and Coin Design)

Introduced by Sir Glüc da Dhi (Seneschal)

46RZ16 – The Fix the Magistrates Court Act

Introduced by King Txec (MC-RUMP)

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

The following motion is to be voted on by the Cosă 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, April 1st 2014/XLVI
The Secretary of State / El Secretar d'Estat
Sir Marti-Pair Furxhéir*

A. Full text of all bills on the Clark

46RZ07 - I very much disliked the Stasi Act (I Mud Stasi)

WHEREAS it is known that, especially the United States and Great Britain, are slowly building totalitarian surveillance society; and,

WHEREAS we also realise that the British Schedule 7 acts to diminish freedom of speech and journalists' activities in the Commonwealth; and,

WHEREAS the European yes-politicians are meek in face of the United States due to self-interest; and,

WHEREAS it is also known that the privacy of correspondence, post and telecommunications laws of Germany have been deliberately tweaked in order to allow the United States an easier access thereunto; now,

THEREFORE the Ziu, and verily, the whole nation of Talossa, in face of their powerlessness, fiercely condemn these states and the European Parliament for their perjury to avert damages from the people they represent. We are aghast that these politicians should be furthering contracts as "Safe Harbour", "TTIP" and the like to circumvent privacy protection guidelines and laws of the European Union, and that they should acquiesce to the surrender of privacy and freedom of speech out of cowardice and accommodativeness.

FURTHERMORE the nation expresses its spiritual succour to the Whistleblower Edward Snowden who is "trapped" in Russia, to Wikileaks Founder Julian Assange who is confined in the Ecuadorian Embassy in London, to journalist David Miranda who was forced to cooperate with the police at the Londoner Airport, without the right to a counsel or the right to remain silent for nine hours under Schedule 7, and all the other journalists that cannot return to Great Britain due to Schedule 7, a tool to deprive the British people of their Constitutional Rights disguised as an anti-terror statute.

MOREOVER the nation asks the Ziu and the Senate to consider giving to Edward Snowden the Senatorial Medal of Honour, for his outstanding service to humanity and for his courage to step forward and peril his life for his cause.

Uréu q'estadra sã,
Magniloqueu Épiqueu da Lhiun (MC-MRPT)

46RZ08 - NOLITE IN IVRE PIGRARI Act (NoPig)

WHEREAS the Ziu holds that it is detrimental to Talossa's justice system that courts are allowed not to give reason for dismissal of an appeal and not to react at all, and;

WHEREAS this endangers the course of a fair trial, and;

WHEREAS we want everybody to get a fair trial, and;

WHEREAS the Uppermost Court must, under Org.XVI.6., already supply plaintiffs with a written statement as to why it does not want to hear a case, and that other courts need not seem insensible, now;

THEREFORE the Ziu enacts:

that a new subsection shall be created in Title D, Section 2, Subsection 5 of the Lexhatx, reading:

2.5.1. The Ministry of Justice is solemnly charged with monitoring the justice system. This duty shall include, but not be limited to, the following tasks:

2.5.1.1. The Ministry of Justice shall make freely and publicly available to citizens a procedure by which they may securely and easily report the wrongful actions or failure to act of a judge or other officers of the courts.

2.5.1.2. The Ministry of Justice shall keep records of these reports, and investigate those that seem credible in the Ministry's best judgement. The Ministry shall report the results of its investigations and its recommendations to the Ziu, as it sees fit to do so.

2.5.1.3. The Ministry of Justice must respond to every complainant with the result of any investigations, notification of any action, or an explanation of inaction. Should the Ministry refuse to carry out an investigation, it must supply the complainant with a written justification of its decision.

2.5.1.4. The Ministry of Justice need not wait for a complaint in order to carry out such an investigation, but may initiate this scrutiny on its own, where it seems necessary.

and **FURTHERMORE** title G, section 4, subsection 2 of the Lexhatx shall be changed followingly:

4.2., which currently reads:

Appeals or other actions brought before the Uppermost Court shall be heard within 90 calendar days from the date of assignment by the Clerk of Courts. Should this time elapse and no decision be rendered as to whether the Uppermost Court will hear the matter brought before it, the court will have implied unwillingness to hear the case and the decision of the lower court shall be upheld without prejudice. Parties may then re-file their appeal a final time after waiting an additional 90 days. If the court declines to hear, or fails to respond within 90 days, the decision of the lower court shall be upheld and no further appeal shall be permitted.

shall henceforth read:

4.2. Appeals or other actions brought before any national court shall be heard within 90 calendar days from the date of assignment by the Clerk of Courts.

4.2.1. The court, if it decides not to hear the case or appeal, shall issue a written statement justifying its decision within the time frame given in 4.2.

4.2.2. If a court does not comply with 4.2. or 4.2.1., it may be subject to an investigation for non-feasance conducted by the Ministry of Justice."

Noi urent q'estadra sâ,

Magniloqueu Épiqueu da Lhiun (Attorney-General)

Baron Alexandru Davinescu (MC-RUMP)

Dien Tresplet (Senator-MA)

46RZ09 - NOLITE REFORMARE IN PEIVS Act (NoRip)

WHEREAS the process of appeals is a way for plaintiff and accused to protect themselves of unjust trials; and,
WHEREAS we want not to infringe upon this right to appeal, or to strike fear that the result might be worse when appealed; now,

THEREFORE know all citaxhiens by these present, that Title G, Section 4 of the Lexhatx shall be changed as follows:

A new subsection 4.3. shall be created after G.4.2., reading:

4.3. Under the principle of reformatio in peius, the worsening change of a verdict, no appellate court shall be allowed to change an appealed ruling in such a manner that would be disadvantageous to the petitioner.

4.3.1. In civil actions, appeals may be ruled in a detrimental manner to the appellant (reformationes in peius) only when both parties submit appeals.

4.3.2. In criminal procedures, reformationes in peius are forbidden whenever the appeal is lodged by the convict or in favour of the convict. In case of appeals from both parties, reformationes in peius detrimental to the convict shall be forbidden.

Uréu q'estadra sã,
Magniloqueu Épiqeu da Lhiun (Attorney-General)

46RZ11 - The Humanity Is For Everyone Amendment

WHEREAS the Organic Law, and especially, the Covenant of Rights have been designed for the protection of the people against the state and other people; and,

WHEREAS it seems to be against any humanitarian reason that the Covenants are only guaranteed to Citizens of Talossa, but not eventual refugees we might get, or tourists, prospectives, or visitors; and,

WHEREAS I would like to think that we have no policy of Guantánamobaying non-Talossan citizens when they commit any crime; now

THEREFORE the Ziu approves that the following changes to the Organic Law's **Covenant of Rights** be commended to the citizenry for ratification:

- **THE PREAMBLE**, which currently reads:

The Covenant of Rights and Freedoms guarantees the rights and freedoms set out in them to all Talossan citizens, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. These Covenants shall be interpreted in a manner consistent with Talossan custom and tradition, and with the aim in mind of preserving and enhancing the ethnic heritage of the Talossan nation and the peace, order, and good government for the Kingdom of Talossa.

shall be amended to read:

The Covenant of Rights and Freedoms guarantees the rights and freedoms set out in them to **every person**, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. These Covenants shall be interpreted in a manner consistent with Talossan custom and tradition, and with the aim in mind of preserving and enhancing the ethnic heritage of the Talossan nation and the peace, order, and good government for the Kingdom of Talossa.

- **THE THIRD COVENANT**, which currently reads:

Talossans have the right to peaceful assembly whether in private facilities or in the open air, provided that such assembly neither disrupts traffic or legal commercial activity, or unduly inconveniences people. Talossans have the right to freely organize political parties and other organizations, subject to their own laws of membership, and this right may not be abridged except with regards to organizations which advocate the use of violence or intimidation to attain political or other ends, or which seek to restrain any person or group of people from the exercise of their rights as granted under these Covenants.

shall be amended to read:

Every person has the right to peaceful assembly, whether in private facilities or in the open air, provided that such assembly neither disrupts traffic or legal commercial activity, nor unduly inconveniences people. **Every person has the right to freely organise any kinds of organisations**, subject to their own laws of membership, and this right may not be abridged except with regards to organisations which advocate the use of violence or intimidation to attain political or other ends, or which seek to restrain any person or group of people from the exercise of their rights as granted under these Covenants, **or organisations that are otherwise anti-organic**. However, political parties may only be registered and headed by Talossan citizens, in order to preserve the political power vested in the people of Talossa. Notwithstanding this limitation for the political parties, political parties are subject to their own laws of membership.

- **THE FOURTH COVENANT**, which currently reads:

Under the principle that "A Man's Room is His Kingdom," the right of the people to privacy and security in their persons, homes, papers, correspondence, and property, against unreasonable searches and seizures, shall not be violated. The privilege of the writ of habeas corpus shall not be suspended. No person may be arrested or detained without a warrant issued by a judge, except in cases of flagrante

delicto. No warrants shall be issued except on probable cause, and must particularly describe the place to be searched and the person or things to be seized. The right to privacy for public figures must be balanced by the public's right to know, in matters affecting politics, elections, campaigns, and governing. The intentional withholding of political information which reasonable voters might find helpful, profitable, or informative, violates the public's right to know.

shall be amended to read:

Under the principle that "A Man's Room is His Kingdom," any person's right to privacy and security in their persons, homes, papers, correspondence, and property, against unreasonable searches and seizures, shall not be violated. The privilege of the writ of habeas corpus shall not be suspended. No person may be arrested or detained without a warrant issued by a judge, except in cases of flagrante delicto. No warrants shall be issued except on probable cause, and must particularly describe the place to be searched and the person or things to be seized. The right to privacy for public figures must be balanced by the public's right to know, in matters affecting politics, elections, campaigns, and governing. The intentional withholding of political information which reasonable voters might find helpful, profitable, or informative, violates the public's right to know.

- THE FIFTH COVENANT, which currently reads:

Any person charged with an offence shall be presumed innocent until proven guilty, and has the right to request information on his legal rights. No accused person shall be twice put in jeopardy of life, liberty, or property for the same offence, or without due process of law; nor shall any citizen be compelled in any criminal case to bear witness against himself. Excessive fines, and cruel and bizarre punishments, shall not be inflicted.

shall be amended to read:

Any person charged with an offence shall be presumed innocent until proven guilty, and has the right to request information on his legal rights. No accused person shall be twice put in jeopardy of life, liberty, or property for the same offence, or without due process of law; nor shall any person be compelled in any criminal case to bear witness against himself. Excessive fines, and cruel and bizarre punishments, shall not be inflicted.

- THE SEVENTH COVENANT, which currently reads:

No person shall be found guilty on account of any act or omission, unless, at the time of the act or omission, it constituted an offence under Talossan or international law, or was criminal according to the general principles of law recognized by the community of civilized nations, as interpreted by Talossan courts in line with Talossan traditions and needs.

will be amended to read followingly, because international law does not apply to Talossa and convicting someone in a Talossan court of law because Lala-Land prohibits dancing with your shoes on is not cool:

No person shall be found guilty on account of any act or omission, unless, at the time of the act or omission, it constituted an offence under Talossan law, or under an international law recognised by the Kingdom of Talossa, or was criminal according to the general principles of law recognised by the community of civilized nations, as interpreted by Talossan courts in line with Talossan traditions and needs.

- THE EIGHTH COVENANT, which currently reads:

Talossa shall never tax nor purport to tax, unduly burden, outlaw or abridge for its citizens any right to acts of: peaceful assembly; religious worship or affiliation; political speech or expression or affiliation; religious or historical or scientific or philosophical belief; abortion (being the freely conscious ability for a woman to make a determination on the continuation of her pregnancy), consensual sexual activity

(between two consenting people of an age of responsibility), contraception; marriage (between consenting adults regardless of their sex, unless they are consanguineous up to the fourth degree of relationship), civil unions (and equivalents), divorce; adoption; advance health care directives; attempted suicide; euthanasia; the reading of any book; and the writing or use of any language. Neither shall any person be made to answer in any Talossan court for the alleged, admitted, or actual violation of any foreign law restricting or denying any right to or forbidding any act enumerated above.

shall be amended to read:

Talossa shall never tax nor purport to tax, unduly burden, outlaw or abridge for any person any right to acts of: peaceful assembly; religious worship or affiliation; political speech; religious or historical or scientific or philosophical belief; abortion (being the freely conscious ability for a woman to make a determination on the continuation of her pregnancy), consensual sexual activity (between two consenting people of an age of responsibility), contraception; marriage (between consenting adults regardless of their sex, unless they are consanguineous up to the fourth degree of relationship), civil unions (and equivalents), divorce; adoption; advance health care directives; attempted suicide; euthanasia; the reading of any book; and the writing or use of any language. The rights to political expression or affiliation, additionally, shall be held by Talossan citizens, and these rights are not to be taxed, nor purported to tax, unduly burdened, outlawed or abridged. **Neither shall any person be made to answer in any Talossan court for the alleged, admitted, or actual violation of any foreign law restricting or denying any right to or forbidding any act enumerated above.

Uréu q'estadra sã,
Magniloqueu Épiqeu da Lhiun (MC-MRPT)

46RZ12 - The Organic Law Amendment (Citizenship (Baseball Is Not The Only Sport)) Bill

WHEREAS the current "3 strikes" provision of OrgLaw XVIII, 10, whereby a citizen loses their citizenship on not voting in three consecutive elections, is a form of compulsory voting;

AND WHEREAS this is a "bug" rather than a feature;

AND WHEREAS there should be a way to maintain one's citizenship without having to vote;

BE IT ENACTED by the Ziu of Talossa, to be endorsed by the people in referendum, that the Organic Law, XVIII, 10, which currently reads:

If any citizen should fail to vote in an election for the Cosa, he shall be deemed to have incurred a "strike", unless the Secretary of State believes that the failure to vote may have been unintentional, or the King believes that the citizen's record and the circumstances of his failure to vote warrant an exception being made, in either of which cases no strike shall be incurred. If any citizen incurs strikes in three consecutive elections, he shall be deemed to have renounced his citizenship.

shall be replaced in its entirety by:

"Any citizen who neither votes in any general election nor responds to any national census established by law for a period of two years, as calculated at any Election Deadline, shall be deemed to have renounced his citizenship."

Noi urent q'estadra sã,

Dame Miestrã Schivă (Senator-FV)

Sir Cresti Siervicül (MC-RUMP)

C. Carlüs Xheraltescu (MC-Liberal Congress)

46RZ13 - The Organic Law Amendment (Citizenship (Prodigal Sons)) Bill

WHEREAS it seems naturally just that a former citizen, who will be known to many current citizens, should not have to go through the same exacting process for restoring citizenship as brand new citizens;

BE IT ENACTED by the Ziu of Talossa, to be endorsed by the people in referendum, that the Organic Law, XVIII, 11, which currently reads:

A Citizen who has voluntarily renounced his citizenship (in any fashion) may go through the normal citizenship procedure to have his citizenship restored. This procedure may also be skipped and full citizenship restored by an act of the Ziu, if it deems that the applicant merits extraordinary consideration.

shall be replaced in its entirety by:

"The Ziu may, by statute, establish expedited renaturalisation procedures for former citizens who have renounced their citizenship under either of the two preceding sections."

Noi urent q'estadra sã,
Dame Miestră Schivă (Senator-FV)
Sir Cresti Siervicül (MC-RUMP)
C. Carlüs Xheraltescu (MC-Liberal Congress)

46RZ14 - El Proxhet "Non Fostent Tirë 'N Büreucräticâ Glheþeascâ"

WHEREAS it is a principle of the current Government that bureaucracy should be minimised;
and **WHEREAS** we can't remember a good reason why the Translator Corps of el Büreu del Glheþ Talossán in the Ministry of Culture really needs its own leader distinct from el/la Ladintsch Naziunál;

BE IT ENACTED by the King and Ziu of Talossa that El Lexhátx, Title D, sub-sub-section 2.7.2, which currently reads (emphasis added)

*2.7.2. The Büreu del Glheþ Talossán (Language Bureau), administered by the Ladintsch Naziunál. This Bureau shall specifically promote the use of the Talossan language, shall work in concert with all extra-governmental societies and groups to do the same, and shall advise the Department of the Census in the Chancery regarding the creation of Talossan names for citizens who request them. Within the Büreu there shall be a division known as the Talossan Translation Service whose task shall be to translate official or historical documents into el Glheþ Talossan. **The Translation Service shall be led by a Director appointed by the Ladintsch Naziunál.***

shall be amended by the deletion of **the last sentence, in bold.**

Noi urent q'estadra sâ,
Dame Miesträ Schivă (Senator-FV)
Sir Cresti Siervicül (MC-RUMP)
King Txec (MC-RUMP)

46RZ15 - The Talossan Monetary Policy Reform Act (and Coin Design)

WHEREAS Talossa wants coins as a symbol of the nation, and

WHEREAS the laws of the United States prohibit the making, uttering, or passing any coins of any metal or alloys of metals, even of original design, intended for use as current money, and

WHEREAS the Talossan responsible for producing the coins is resident in the United States and would like to be in compliance with that law, now

THEREFORE we, the Ziu, hereby enact the following replacements for subsections 1 through 7 of Title C, Section 7 of the Lexhatx:

7.1. Base Unit of Account. The base unit of account for the Kingdom of Talossa is hereby established and styled the "BENT." The plural of the bent is "BENCE." Convenient shortenings such as "tubbence" and "thrubcence" shall be understood and recognised by the government, and may appear on collectable tokens (colloquially "coinage", though they shall not constitute current money). This unit of account is fixed to \$0.025 in the currency of the United States of America.

7.2. Second Unit of Account. A second unit of account, which shall have the fixed denomination of sixty (60) bence, is hereby established and styled the "LOUIS," which shall also be officially recognised by the shortened name "LOU." The plural of the lou is "LOUISE." Convenient colloquialisms for the denominations of louise are encouraged, specifically "Brock" for a single lou, "Costello" for five louise, "Ferrigno" for ten louise, "Rawls" for twenty louise, and so forth.

7.2.1. The commonly-used symbols *ℓ* and *¢* shall be officially adopted for the louis and bent, respectively, and these symbols shall be used in accordance with common practice: *¢* to be used as a separator of the two denominations, with louise on the left of the symbol and bence on the right; *ℓ* may also be used to indicate amounts in whole louise, by placing the symbol to the left of the amount.

7.3. Creation and Issuance of Collectable Tokens. The Royal Bank & Post is exclusively authorised to design, cause to be created, issue, and distribute collectable tokens (colloquially "coinage", though they shall not constitute current money) in any denomination of whole bence. The Royal Bank & Post is authorised to imprint the denomination of any coinage with its price in louise, rather than in bence, as it sees fit.

7.3.1 Current Token Design. The first issue of Talossan collectable tokens ("coins") shall have, on the obverse, the Chinese character "ben" upon a shield, with a crown above the shield; above the crown shall be the curved inscription "REGIPäTS TALOSSáN", and below the shield shall be the curved inscription of the year of issue (both the

Common Era in Arabic numerals and the year of the Kingdom of Talossa in Roman numerals). On the reverse shall be an image of a dandelion, a large "1", and the inscription "VIENS LUİç".

7.4. Talossan Currency. The currency of the Kingdom of Talossa shall be beer, which has been, and continues to be, thankfully and conveniently distributed worldwide.

7.5 Provisions Against Counterfeit Currency. The Royal Bank & Post shall take care to be clear that non-alcoholic "beer" is, in fact, not beer at all, and thus is not currency. Official terminology is hereby established that counterfeit currency denominated in louise are to be called "Alcindors" and counterfeit currency demoninated in bence are to be called "Afflecks" or "Hills."

7.6. Distribution and Redemption of Currency. Talossan currency shall be distributed in exchange for foreign currency, and may be redeemed for the same with the Royal Bank & Post according to policies of exchange to be established by that body.

7.7. Consular Exchange of Currency. Consulates of the Kindom of Talossa may be established at any establishment applying to become a consulate and wishing to exchange local currency for quantities of Talossan currency. Such application shall be made to the Ministry of Foreign Affairs, which shall consult with the Royal Bank & Post before establishing any new consulate. The Kingdom shall provide a plaque or other sign to the establishment, which shall identify it as a consulate of the Kingdom of Talossa. - Bill authored by the Minister of Finance

Uréu q'estadra sâ,
Sir Glüc da Dhi (Seneschal)

46RZ16 - The Fix the Magistrates Court Act

WHEREAS too often in recent times the Magistrates Court has been non-functional due to conflicts with the Organic Law and El Lexhatx; and

WHEREAS this is a problem that affects the smooth operation of the Cort system;

THEREFORE be it resolved by the Ziu that Title G Section 10 which currently reads:

10. There shall be a Magistrate's Court (Cort dels Edilicieux) for the trial of all cases arising under the laws of the Kingdom of Talossa, both civil and criminal. (39RZ18)

10.1. The Magistrate Court shall consist of not less than two and no more than three Magistrates. No member of the Uppermost Cort and/or person(s) barred by Article XVI, Section 3 of the Organic Law, from being a Judge and/or non-citizens may be a Magistrate. Magistrates shall be chosen and removed as provided in Article XVI, Section 1 & Section 4 of the Organic Law.

10.2. Except as otherwise provided by law, or rule or order of court, the judicial power of the Magistrate's Court with respect to any action, suit or proceeding may be exercised by a single magistrate, who may preside alone and hold a regular or special session of court at the same time other sessions are held by other magistrates.

10.3. The business of the Magistrate's Court shall be divided among the magistrates as provided by the rules and orders of the court. The magistrates shall elect one of their number as Chief Magistrate, who shall be responsible for the observance of such rules and orders, and shall divide the business and assign the cases so far as such rules and orders do not otherwise prescribe.

10.4. Any final judgment of the Magistrate's Court (and such other magistrate's orders as are made appealable by the rules and orders of the Uppermost Court) may be appealed to the Uppermost Court. The time and procedures for bringing such appeals may be specified by the rules and orders of the Uppermost Court, but in the absence of such rules appeals of a Magistrate's Court judgment must be filed with the Uppermost Court within 15 days of the date the judgment is issued by the magistrate.

10.5. In any criminal trial, no sentence of banishment or revocation of citizenship recommended by the Magistrate's Court shall be effective unless approved by a unanimous vote of the Uppermost Cort.

Shall be amended to read:

10. There shall be Magistrate Courts (Corts dels Edilicieux) for the trial of all cases arising under the laws of the Kingdom of Talossa, both civil and criminal. (39RZ18)

10.1. The Magistrate Courts shall consist of not less than two and no more than three separate Magistrate Courts, each magistrate distributed to separate chambers. No member of the Uppermost Cort and/or person(s) barred by Article XVI, Section 3 of the Organic Law, from being a Judge and/or non-citizens may be a Magistrate. Magistrates shall be chosen and removed as provided in Article XVI, Section 1 & Section 4 of the Organic Law.

10.2. Except as otherwise provided by law, or rule or order of court, the judicial power of the Magistrate Courts with respect to any action, suit or proceeding shall be exercised by a single magistrate, who shall preside alone and hold a regular or special session of court at the same time other sessions are held by other magistrates.

10.3. The business of the Magistrate Courts shall be divided among the individual magistrates as provided by the rules and orders of the courts. The magistrates shall elect one of their number as Chief Magistrate, who shall be responsible for the observance of such rules and orders, and shall divide the business and assign the cases so far as such rules and orders do not otherwise prescribe.

10.4. Any final judgment of a Magistrate's Court (and such other magistrate's orders as are made appealable by the rules and orders of the Uppermost Court) may be appealed to the Uppermost Court. The time and procedures for bringing such appeals may be specified by the rules and orders of the Uppermost Court, but in the absence of such rules appeals of a Magistrate's Court judgment must be filed with the Uppermost Court within 15 days of the date the judgment is issued by the magistrate.

10.5. In any criminal trial, no sentence of banishment or revocation of citizenship recommended by a Magistrate's

Court shall be effective unless approved by a unanimous vote of the Uppermost Court.

FURTHERMORE The following sections of El Lexhatx shall also be amended:

Title A Section 9.5 which currently reads:

9.5. All members of the Ziu, the Cabinet, the Uppermost Court, the Magistrate's Court, the Chancery, or the Royal Treasury must report the following information to the Ministry of Foreign Affairs within 15 days of assuming the aforementioned office or of a change in micronational status, whichever is later:

Shall be amended to read:

9.5. All members of the Ziu, the Cabinet, the Uppermost Court, the Magistrate's Courts, the Chancery, or the Royal Treasury must report the following information to the Ministry of Foreign Affairs within 15 days of assuming the aforementioned office or of a change in micronational status, whichever is later:

Title C Section 1.7.2 which currently reads:

1.7.2. Dismissed secretaries shall be entitled to an appeal of their removal. The dismissed party may contest their dismissal by bringing complaint before the Magistrate's Court. The court shall consider if any of the petitioners rights, afforded by Organic, statutory or civil law code, have been violated. The court shall have the authority to order reinstatement where appropriate or dismiss the complaint, thus sustaining the dismissal.

Shall be amended to read:

1.7.2. Dismissed secretaries shall be entitled to an appeal of their removal. The dismissed party may contest their dismissal by bringing complaint before a Magistrate's Court. The court shall consider if any of the petitioners rights, afforded by Organic, statutory or civil law code, have been violated. The court shall have the authority to order reinstatement where appropriate or dismiss the complaint, thus sustaining the dismissal.

Uréu q'estadra sã,
King Txec (MC-RUMP)