

The May 2018 Clark

Sixth Clark of the 51st Ziu

1. Results of the April 2018 Clark

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

51RZ16 – The Standing Rules (Senate) Act

Introduced by Sir Lüc da Schir (Senator BE)

Agreed to by the Cosä 119-28 (16 abstained), by the Senäts 2-1 (2 abstained)

The Cosä passed a Vote of Confidence in the Government 131-32 .

Members of the Cosä voted as follows:

Name	Party	Seats	RZ 16	VoC
Miesträ Schivä	FreeDems	16	Per	Üc
Viteu Marcianüs	FreeDems	16	Per	Üc
Dien Tresplet	FreeDems	16	Aus	Üc
Alexandreu Soleighlfred	MRPT	9	Per	Üc
Ben Putnam	MRPT	8	Per	Üc
Erschéveþ da Schir	MRPT	17	Per	Üc
Ian Plätschisch	MRPT	17	Per	Üc
Txoteu Davinescu	MRPT	15	Per	Üc
Iac Marscheir	MRPT	17	Per	Üc
Mximo Carbonel	REP	4	Per	Non
Ian da Bitour	RUMP	14	Did not vote	
Éovart Grischun	RUMP	16	Did not vote	
Litz Cjantscheir	RUMP	14	Con	Non
Eovart Xhorxh	RUMP	14	Con	Non
			119-28 (16)	131-32

Senators voted as follows:

Name	Province	RZ16
Sevastáin Pinátsch	Atatürk	Aus
Lüc da Schir	Belacostä	Per
Glüc da Dhi	Cézembre	Aus
Ma la Mha	Florenciä	Did not vote
Gödafrïeu Válcadác'h	Fiovä	Per
Cresti Siervicül	Maricopa	Did not vote
Magniloqueu Épiqueu da Lhiun	Maritiimi-Maxhestic	Did not vote
Trotxä Betinëir	Vuode	Con
		2-1 (2)

2. This Month's Business

The Sixth Clark of the 51st Ziu runs from May 1st to 21st 2018/XXXIX.
Voting on the Clark is open until the 21st of May at 7:30 PM Talossan time.

The following bills have been presented for consideration:

51RZ17 – The Bar Reformation Act

Introduced by Viteu Marcianüs (Attorney-General)

51RZ18 – The Commas Matter Act (Bar Refor. Secondary Legislation)

Introduced by Viteu Marcianüs (MC-FreeDems)

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, May 1st 2018/XLVI
The Secretary of State / El Secretar d'Estat
Sir Martì-Páir Furxhéir*

A. Full text of all bills on the Clark

51RZ17 - The Bar Reformation Act

WHEREAS the development of an independent judiciary is a benchmark of a developed democracy;

WHEREAS the judiciary as it exists in Talossa today is sorely underdeveloped;

WHEREAS while many factors contribute to the underdevelopment of the judiciary in Talossa, one factor, the inability to admit new members to the bar, stands out as one that can be rectified;

WHEREAS Talossa is in dire needs of qualified individuals to be admitted to the bar.

THEREFORE, El Lexhatx § C, 1.6 is hereby repealed in its entirety;

FURTHERMORE, El Lexhatx § C, 2, is hereby amended to read as follows: The Officers of the Royal Household shall have no fixed terms of office, and shall not be removed from office by the dissolution of the Cosa. The Officers of the Royal Household are appointed and removed by the King on the recommendation of the Prime Minister. The four exceptions to this are that the Secretary of State shall be appointed by the Prime Minister acting alone and may be removed by law; the Burgermeister of Inland Revenue shall be named in the same way as the Secretary of State; and the Commissioner of the Civil Service, who shall be appointed by the King, for a two year renewable term, after being recommended by a legislative civil service committee and approved by a two-thirds majority vote in the Cosa and a majority vote of the Senäts in favor of appointment. The Chancellor may be removed by the King on the recommendation of the Senäts.

FURTHERMORE, the following section is added to the El Lexhatx as § G,11:

12. The National Bar of Talossa is hereby established.

12.1. The National Bar of Talossa shall be governed by the five Justices of the Uppermost Cort, who shall set forth the procedure, ethics, and standards for those seeking admission to the National Bar of Talossa.

12.1.1 The Justices of the Uppermost Cort may, at their discretion, devolve their authority to a group made up of no less than three individuals admitted to practice law to set forth the requirements of admission to the bar, except the waiver described in G.12.2.3.1.

12.2. The National Bar of Talossa shall possess the sole authority to admit new individuals to practice law in the Courts of Talossa established under Article XVI of the Organic Law.

12.2.1. Admission to the Bar shall be limited to those who are eligible to vote in National Elections, and who satisfy any reasonable requirement set forth by the National Bar of Talossa.

12.2.2. The National Bar of Talossa shall set the standards for admission, which may include a test or legal training it views as necessary, to determine if an individual possess the legal knowledge and character necessary to practice law in the national courts of Talossa, except as those described in G.12.2.3.

12.2.2.1. An individual who has met the requirements set by the National Bar of Talossa is not entitled to practice law in in the national courts until the National Bar of Talossa has decreed they are eligible to do so.

12.2.2.2. The National Bar of Talossa may deny admission to individuals they think unworthy, provided those

factors do not violate any other Organic or Statutory provision.

12.2.3. An individual who has earned a degree in the practice of law in their home country, or has been admitted to practice law in their home country, or has completed one year of legal education as well as legal training in their home country, may seek a waiver from the requirements set forth by National Bar of Talossa, which may grant said waiver with the consent of no less than two Justices of the Uppermost Cort.

12.2.3.1. The Uppermost Cort may increase the number of Justices required to give consent as it deems necessary, but may only decrease the number to the statutory limits with the same number of Justices required to give consent.

12.2.3.2. The Uppermost Cort may not devolve this waiver.

12.3. It shall be a criminal offense for any person to knowingly or recklessly practice law in Talossa without express statutory permission, or without the permission of the National Bar of Talossa.

12.3.1. The above provision is not applicable to individuals who represent themselves, known as pro se individuals, or to any individual who is a member of or has received authority by the Ministry of Justice to represent the Government in any Court throughout Talossa.

12.3.2. The following office holders may, at the discretion of the Chancellor, be exempt from the above requirements and shall be granted full membership to the bar while they hold such office, for the purpose of performing their official duties: the Prime Minister, the Distain, Judges of the Uppermost Cort, and Judges of any inferior Cort.

12.3.3. An Attorney General, as head of the Ministry of Justice, who is not admitted to their bar in their own right, is a de facto and de jure member of the bar for the duration that they hold that office.

12.4. The National Bar of Talossa shall set, as it deems necessary, the Code of Conduct to govern attorneys.

12.4.1. An individual admitted may have their admission revoked for cause with the consent of no less than four members Uppermost Cort of Talossa; in such a circumstance, the individual is no longer permitted to practice law in the national courts of Talossa.

12.4.2. All members of the bar admitted prior to the adoption of this statute shall continue to be deemed automatically admitted and may continue to practice law.

12.5. Any rules, regulations and/or code of conduct not set by a statute, Talossan Law or by the Organic Law, shall be a matter for the Bar to set itself as far as permissible by the aforementioned Laws.

This statute shall come into effect no later than six months after the requirements of Article X of the Organic Law have been satisfied. At its discretion, the Uppermost Cort may, immediately upon passage, begin to draft and promulgate Rules for admission, which, if the Uppermost Cort so chooses, may take effect no sooner than three months after the requirements of Article X of the Organic Law have been satisfied.

Uréu q'estadra sã,
Viteu Marcianüs (Attorney-General)

51RZ18 - The Commas Matter Act (Bar Refor. Secondary Legislation)

WHEREAS 50RZ27 having previously been passed by the Ziu and vetoed by the Crown,

WHEREAS our time in Talossa is better spent arguing over whether prima facie modification, not material modification, is more relevant than something essential as needing to sleep, thereby SETTING THE PRECEDENT THAT THE EXACT LETTER OF THE LAW MATTERS;

WHEREAS if the Ziu plans to make legislative intent a thing in Talossa, it should really start filing a section of Acts clearly identified as "legislative intent" to be filed in the database for easy reference;

WHEREAS the Member of the Cosa has sought to reintroduce an act previously passed but vetoed, but with necessary modification to render this act unnecessary, but now finds it necessary to also hopper this act, to bring everything IN COMPLIANCE WITH THE EXACT LETTER OF THE ORGANIC LAW, hereby introduces the following secondary legislation, as borrowed and paraphrased from certain foreign documents in "[o]rder to [pass] a more perfect" act, hereby re-introduces this Act, having previously been passed by the Ziu in the 50th Cosà under 50RZ27, and previously subjected to the Crown's veto, is is concurrently reintroduced in the same Clark of this secondary legislation, as to ensure it meets THE COMMA OF THE LAW pursuant to Article X, section 6 of the Organic Law, whereby a bill may become law upon passage by a simple majority of the Ziu in a subsequent term;

WHEREAS this act is only effective upon passage of the primary legislation, and if this act is subject to a veto, it will be reintroduced, verbatim, in the next term, and so forth shall each act be hoppered and clarked until something better is offered;

THEREFORE without any reference to any provision in the Organic Law proscribing such an measure, as none exist, the Ziu hereby modifies the Bar Reformation Act, in style and clarification, having now been rehoppered and passed in the same Clark, and as such, el Lexhatx as § G,11 shall read as:

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he Officers of the Royal Household shall have no fixed terms of office, and shall not be removed from office by the dissolution of the Cosa. The Officers of the Royal Household are appointed and removed by the King on the recommendation of the Prime Minister. The four exceptions to this are that the Secretary of State shall be appointed by the Prime Minister acting alone and may be removed by law; the Burgermeister of Inland Revenue shall be named in the same way as the Secretary of State; and the Commissioner of the Civil Service, who shall be appointed by the King, for a two year renewable term, after being recommended by a legislative civil service committee and approved by a two-thirds majority vote in the Cosa and a majority vote of the Senäts in favor of appointment. The Chancellor may be removed by the King on the recommendation of the Senäts.

FURTHERMORE, the following section is amended to the el Lexhatx to read as § G,11:

11. The National Bar of Talossa is hereby established.

11.1. The National Bar of Talossa shall be governed by the five Justices of the Uppermost Cort, who shall set forth the procedure, ethics, and standards for those seeking admission to the National Bar of Talossa.

11.1.1 The Justices of the Uppermost Cort may, at their discretion, devolve their authority to a group made up of no less than three individuals admitted to practice law to set forth the requirements of admission to the bar, except the waiver described in G.11.2.3.1.

11.2. The National Bar of Talossa shall possess the sole authority to admit new individuals to practice law in the Courts of Talossa established under Article XVI of the Organic Law.

11.2.1. Admission to the Bar shall be limited to those who are eligible to vote in National Elections, and who satisfy any reasonable requirement set forth by the National Bar of Talossa, as noticed prior to the date of the applicant's petition.

11.2.2. The National Bar of Talossa shall set the standards for admission, which may include a test or legal training it views as necessary, to determine if an individual possess the legal knowledge, as well as character and fitness, necessary to practice law in the national courts of Talossa, except as those described in G.11.2.3, and provided the candidate had notice of such requirements, which shall mean the National Board of Talossa publishing said requirements in the Courthouse, prior to the date of the applicant's petition.

11.2.2.1. An individual who has met the requirements set by the National Bar of Talossa is not entitled to practice law in in the national courts until such time as they petition the National Bar of Talossa, which has then decreed that said petition has been granted.

11.2.2.2. The National Bar of Talossa may deny an applicant's petition provided those factors do not violate any other Organic or Statutory provision, and with a formal explanation provided only to the individual, which main contain instruction as to how to remedy said issue; the decision to deny an application shall remain confidential, as well as the reasoning, unless the applicant so chooses to disclosed that information, or if the applicant makes false statements in public as to materially misrepresent the actions of the National Bar of Talossa.

11.2.3. An individual who has earned a degree in the practice of law in another jurisdiction, their home country, or has been admitted to practice law in another jurisdiction, their home country, or has completed one year of legal education as well as legal training in another jurisdiction, their home country, provided that jurisdiction is a recognized sovereign state by the Kingdom of Talossa, may petition the Uppermost Cort for a waiver to the requirements set forth by the National Bar of Talossa, and upon granting of such a waiver, shall be subjected to the same character and fitness standards as any other applicant and subject to approval by the National Bar of Talossa, provided such standards were previously noticed prior to the date of petition for waiver; the Uppermost Cort may also, if it chooses, in granting the petition for waiver, also decree that the applicant has meet the character and fitness standards, and such a decree shall serve as an a permit to practice law in the national courts; all waivers shall require the consent of no less than two Justices of the Uppermost Cort.

11.2.3.1. The Uppermost Cort may increase the number of Justices required to give grant a waiver but may only decrease the number to the statutory limits with the same number of Justices then required to give consent.

11.2.3.2. The Uppermost Cort may not devolve this the power to grant a waiver.

11.3. It shall be a criminal offense for any person to knowingly or recklessly practice law in Talossa without express statutory permission, or without the permission of the National Bar of Talossa.

11.3.1. The above provision is not applicable to an individual who represent themselves, known as pro se party, or to any individual who is a member of or has received authority by the Ministry of Justice to represent the Government in any Court throughout Talossa. Nor shall that provision apply to those individuals who have been granted permission to represent a party pro hac vice, which may only be granted by the Cort exercising jurisdiction over the matter, supplemented to any appellate Cort, upon such terms as the Cort may deem appropriate.

11.3.2. The following office holders may, at the discretion of the Chancellor, be exempt from the above requirements and shall be granted full membership to the bar while they hold such office, for the purpose of performing their official duties: the Prime Minister, the Distain, Judges of the Uppermost Cort, and Judges of any inferior Cort.

11.3.3. An Attorney-General, as head of the Ministry of Justice, who is not admitted to their bar in their own right, is a de facto and de jure member of the bar for the duration that they hold that office.

11.4. The National Bar of Talossa shall set, as it deems necessary, the Code of Conduct to govern attorneys.

11.4.1. An individual admitted may have their admission revoked for cause with the consent of no less than four members Uppermost Cort of Talossa; in such a circumstance, the individual is no longer permitted to practice law in the national courts of Talossa.

11.4.2. All members of the bar admitted prior to the adoption of this statute shall continue to be deemed automatically admitted and may continue to practice law.

11.5. Any rules, regulations and/or code of conduct not set by a statute, Talossan Law or by the Organic Law, shall be a matter for the Bar to set itself as far as permissible by the aforementioned Laws.

This statute shall come into effect no later than one months after ratification by the Crown, to be measured against the six months of the initial statute, as to provide a total of **seven** months for compliance of the institutions herein, provided it is in full compliance with the Organic Law. All other provisions of the original act not contravened by this act shall remain in force as law provided the original act receives the necessary simple majority of the Ziu, with this Act only superseding it upon passage and notwithstanding the Crown's veto. Finally, as there

are no stylistic points necessary in this act, the Secretary of State or Scribe of Abbaville may, at their discretion upon codification only, make such necessary formatting changes (i.e., Cosa to Cosâ) as necessary to reflect a singular, cohesive act.

Uréu q'estadra sâ,
Viteu Marcianüs (MC-FreeDems)