

The September 2019 Clark

Fifth Clark of the 53rd Ziu

1. Results of the August 2019 Clark

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

53RZ20 – The Communication with the People Bill

Introduced by Dame Miesträ Schivä (MC-FreeDems)

Agreed to by the Cosä 120-48 (16 abstained), by the Senäts 7-1

53RZ22 – The Ain't it Fun Act

Introduced by Sir Ian Plätschisch (Senator-MM)

Agreed to by the Cosä 136-48, by the Senäts 7-1

53RZ23 – The Spreading the Word Act

Introduced by Sir Ian Plätschisch (Senator-MM)

Agreed to by the Cosä 136-32 (16 abstained), by the Senäts 7-1

The Cosä and Senäts disagreed on the following bill:

53RZ21 – The Talossa is Not Wittenberg Act

Introduced by Sir Ian Plätschisch (Senator-MM)

Rejected by the Cosä 44-64 (76 abstained), agreed to by the Senäts 4-2 (2 abstained)

The Cosä passed a Vote of Confidence in the Government 136-48 .

Members of the Cosä voted as follows:

Name	Party	Seats	RZ 20	RZ 21	RZ 22	RZ 23	VoC
Jordan Placie	AMP	13	Did not vote				
Txoteu Davinescu	AMP	14	Per	Per	Per	Per	Üc
Cresti Nouacastrea-Läxhirescu	AMP	13	Per	Per	Per	Per	Üc
Marti-Páir Furxhéir	FreeDems	16	Aus	Con	Per	Aus	Üc
Miesträ Schivä	FreeDems	20	Per	Aus	Per	Per	Üc
C. Carlüs Xheraltescu	FreeDems	16	Per	Aus	Per	Per	Üc
Dien Tresplet	FreeDems	20	Per	Aus	Per	Per	Üc
Eiric Börnatfiglheu	FreeDems	17	Per	Per	Per	Per	Üc
Erschéveþ da Schir	MODRADS	20	Per	Aus	Per	Per	Üc
Éovart Grischun	RUMP	16	Con	Con	Con	Con	Non
Eovart Xhorxh	RUMP	16	Con	Con	Con	Per	Non
Bénéditsch Ardpresteir	RUMP	16	Con	Con	Con	Con	Non
			120-48 (16)	44-64 (76)	136-48	136-32 (16)	136-48

Senators voted as follows:

Name	Province	RZ20	RZ21	RZ22	RZ23
Sevastáin Pinátsch	Atatürk	Per	Per	Per	Per
Lüc da Schir	Belacostă	Per	Per	Per	Per
Thor Deyaert	Cézembre	Per	Con	Per	Per
Ieremiac'h Ventrutx	Florençiä	Con	Con	Con	Con
Gödafrïeu Válcadác'h	Fiovă	Per	Per	Per	Per
Cresti Siervicül	Maricopa	Per	Aus	Per	Per
Ian Plätschisch	Maritiimi-Maxhestic	Per	Per	Per	Per
Viteu Marcianüs	Vuode	Per	Aus	Per	Per
		7-1	4-2 (2)	7-1	7-1

2. This Month's Business

The Fifth Clark of the 53rd Ziu runs from September 1st to 21st 2019/XL.

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

The following bills have been presented for consideration:

53RZ24 – The Efficient Justice Bill

Introduced by Dame Miestră Schivă (MC-FreeDems)

53RZ25 – The What Do Secretaries Do All Day? Act

Introduced by Dame Miestră Schivă (MC-FreeDems)

53RZ26 – The Bartholomew Cubbins Act

Introduced by Sir Ian Plätschisch (Senator-MM)

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, September 1st 2019/XLVI
The Secretary of State / El Secreter d'Estat
Sir Glüc da Dhi*

A. Full text of all bills on the Clark

53RZ24 - The Efficient Justice Bill

WHEREAS the current Government considers it advisable to make the Judicial branch of government more efficient and reliable;

AND WHEREAS part of this is restoring a Court of First Instance where quick decisions can be made without having to involve the Cort pü inalt;

AND WHEREAS we consider it inadvisable to recreate the old "Magistrate's Court", but instead to try something new;

AND WHEREAS another part of this is resolving the current situation where members of the Cort pü inalt have no incentive to regularly be involved in Talossa, leading to lengthy delays in justice;

AND WHEREAS justice delayed is justice denied;

AND WHEREAS these are properly two different issues, but the solution chosen for the second issue depends on the first issue, and if the first is rejected we would have to figure out a better solution for the second anyway;

AND WHEREAS El Lexhátx G is currently misnumbered, and we might as well fix that while we're at it;

BE IT ENACTED by the King, Cosà and Senäts in Ziu assembled that:

A. Justices of the Peace

The following section be added to El Lexhátx G:

13.1. Any citizen of Talossa who has satisfied the Ministry of Justice of their knowledge of Talossan law and jurisprudence, and of their good character, may be recommended to the King to be named as a Justice of the Peace.

13.2. The Clerk of Courts shall appoint, by random selection, a Justice of the Peace to serve as a Court of First Instance for any case arising under the law of Talossa, with the exception of those cases reserved to the Cort pü Inalt by the Organic Law.

13.3. If the selected JP shall have any real or apparent conflict of interest in deciding the case, they shall recuse themselves and another shall be selected by the Clerk of Courts.

13.4. All justices of the Cort pü Inalt shall fulfil at least the same qualifications as to legal knowledge as a Justice of the Peace.

13.5. Justices of the Peace may be removed from office by the Cort pü inalt, upon presentation of a preponderance of evidence by the Ministry of Justice that their good character or their legal knowledge is no longer satisfactory.

B. Justice Delayed is Justice Denied:

The following section be added to El Lexhátx G:

14.1.1. The Secretary of State shall accept service of any complaints or claims to the Cort pü inalt or a Justice of the Peace, on behalf of all citizens. The Secretary of State shall email notice of said complaints or claims to the concerned citizen, and affirm to the Cort that they did so on that date (the "date of service").

14.1.2 If either party in a case before the Cort fails to respond to such a notice as specified in section 14.1.1 within sixty (60) days of the date of service, the Cort may enter default judgement against that party at the request of the other party. Default judgment can only be entered for a period of three months after default.

14.2. If any Cort fails to respond to the assignment of a Case by the Clerk of Courts within fourteen (14) days, then the Clerk of Courts shall instead assign the case to a Justice of the Peace, or to a different Justice of the Peace, as

provided above.

14.3. If any Cort fails to respond to motions or pleadings from either party within fourteen (14) days, then the Clerk of Corts shall re-assign the case to a Justice of the Peace, or to a different Justice of the Peace, as provided above.

C. That all the existing sections of El Lexhátx G be renumbered consecutively.

Uréu q'estadra sã,
Dame Miestră Schivă (MC-FreeDems)

53RZ25 - The What Do Secretaries Do All Day? Act

WHEREAS prior to the most recent Civil Service reforms, the job descriptions of Permanent Secretaries within Ministries were to be set in law;

AND **WHEREAS** this was abolished as too cumbersome;

AND **WHEREAS** this means now there is no actual legal definition of what job descriptions actually are, except that they must be published;

AND **WHEREAS** this opens the possibility of future fights between Minister and PermSec;

BE IT ENACTED by the King, Cosă and Senäts in Ziu assembled that El Lexhátx C.1.1.2, which currently reads:

1.1.2. Secretaries shall serve as the administrative chief of their respective Offices tasked with the day to day operation of the Office's work, and/or for any other special role assigned to them when their position is created. Secretaries shall implement Government policy within the bounds of Organic and statutory law, in the manner in which they deem appropriate. The functions of all Offices and the job descriptions of their Permanent Secretaries shall be made publicly available by the relevant Ministry. (52RZ4) (53RZ2)

shall be amended by the **addition** of the following:

Job descriptions shall be set by the Minister at the time of the appointment of a new Permanent Secretary, and during the time in office of that particular Secretary, may only be changed with the consent of that Secretary.

Uréu q'estadra sã,

Dame Miestră Schivă (MC-FreeDems)

53RZ26 - The Bartholomew Cubbins Act

WHEREAS In most democracies, wearing too many hats is a bad thing, but

WHEREAS Conflicts of interest become less important when the alternative is that nothing happens at all, and

WHEREAS We are currently forcing separation between roles that, by themselves, do not see very much action

THEREFORE Lex.C.1.1.3, which currently reads:

An individual may not hold the offices of Seneschal, Distáin, Justice of the Uppermost Court, Monarch, or any cabinet portfolio while simultaneously holding an active appointment to a secretary office. In addition, any Secretaries within the Ministry of Justice may not serve as a judge in any inferior court.

is struck in full.

Uréu q'estadra sã,

Sir Ian Plätschisch (Senator-MM)