

Denmark - Constitution

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Part IV [The Parliament]

Section 28 [Membership]

The Parliament shall consist of one assembly of not more than one hundred and seventy-nine Members, of whom two Members shall be elected on the Faeroe Islands and two Members in Greenland.

Section 29 [Right to Vote]

(1) Any Danish subject whose permanent residence is in the Realm, and who has the age qualification for suffrage provided for in Subsection (2) shall have the right to vote at Parliament elections, provided that he has not been declared incapable of conducting his own affairs. It shall be laid down by Statute to what extent conviction and public assistance amounting to poor relief within the meaning of the law shall entail disfranchisement.

(2) The age qualification for suffrage shall be such as has resulted from the Referendum held under the Act dated the 25th March, 1953. Such age qualification for suffrage may be altered at any time by Statute. A Bill passed by the Parliament for the purpose of such enactment shall receive the Royal Assent only when the provision on the alteration in the age qualification for suffrage has been put to a Referendum in accordance with Section [42 \(5\)](#), which was not resulted in the rejection of the provision.

Section 30 [Eligibility for Membership]

(1) Any person who has a right to vote at Parliament elections shall be eligible for membership of the Parliament, unless he has been convicted of an act which in the eyes of the public makes him unworthy of being a Member of the Parliament.

(2) Civil servants who are elected Members of the Parliament shall not require permission from the Government to accept their election.

Section 31 [Elections]

(1) The Members of the Parliament shall be elected by general and direct ballot.

(2) Rules for the exercise of the suffrage shall be laid down by the Elections Act, which, to secure equal representation of the various opinions of the Electorate, shall prescribe the manner of election and decide whether proportional representation shall be adopted with or without elections in single-member constituencies.

(3) In determining the number of seats to be allotted to each area regard shall be paid to the number of inhabitants, the number of electors, and the density of population.

(4) The Elections Act shall provide rules governing the election of substitutes and their admission to the Parliament, and also rules for the procedure to be adopted where a new election is required.

(5) Special rules for the representation of Greenland in the Parliament may be laid down by Statute.

Section 32 [Period]

(1) The members of the Parliament shall be elected for a period of four years.

(2) The King may at any time issue writs for a new election with the effect that the existing seats be vacated upon a new election. Provided that writs for an election shall not be issued after the appointment of a new Ministry until the Prime Minister has presented himself to the Parliament.

(3) The Prime Minister shall cause a general election to be held before the expiration of the period for which the Parliament has been elected.

(4) No seats shall be vacated until a new election has been held.

(5) Special rules may be provided by Statute for the commencement and determination of Faeroe Islands and Greenland representation in the Parliament.

(6) If a Member of the Parliament becomes ineligible his seating the Parliament shall become vacant.

(7) On approval of his election each new Member shall make a solemn declaration that he will adhere to the Constitution Act.

Section 33 [Validity of Election]

The Parliament itself shall determine the validity of the election of any Member and decide whether a Member has lost his eligibility or not.

Section 34 [Inviolability]

The Parliament shall be inviolable. Any person who attacks its security or freedom, or any person who issues or obeys any command aiming thereat shall be deemed guilty of high treason.

Part V [Procedures of the Parliament]

Section 35 [Constitutional Session]

(1) A newly elected Parliament shall assemble at twelve o'clock noon on the twelfth week-day after the day of election, unless the King has previously convoked a meeting of its Members.

(2) Immediately after the proving of the mandates the Parliament shall constitute itself by the election of a President and Vice-Presidents.

Section 36 [Sessional Year]

(1) The sessional year of the Parliament shall commence on the first Tuesday of October, and shall continue until the first Tuesday of October of the following year.

(2) On the first day of the sessional year at twelve o'clock noon the Members shall assemble for a new session of the Parliament.

Section 37 [Location]

The Parliament shall meet in the place where the Government has its seat. Provided that in extraordinary circumstances the Parliament may assemble elsewhere in the Realm.

Section 38 [Account of the General State of the Country]

(1) At the first meeting in the sessional year the Prime Minister shall render an account of the general state of the country and of the measures proposed by the Government.

(2) Such account shall be made the subject of a general debate.

Section 39 [Meetings]

The President of the Parliament shall convene the meetings of the Parliament, stating the Order of the Day. The President shall convene a meeting of the Parliament upon a requisition being made in writing by at least two-fifths of the Members of the Parliament or the Prime Minister, stating the Order of the Day.

Section 40 [Privileges of Ministers]

The Ministers shall ex officio be entitled to attend the sittings of the Parliament and to address the Parliament during the debates as often as they may desire, provided that they abide by the Rules of Procedure of the Parliament. They shall be entitled to vote only when they are Members of the Parliament.

Section 41 [Bills]

(1) Any Member of the Parliament shall be entitled to introduce Bills and other measures.

(2) No Bill shall be finally passed until it has been read three times in the Parliament.

(3) Two-fifths of the Members of the Parliament may request of the President that the third reading of a Bill shall not take place until twelve week-days after its passing the second reading. The request shall be made in writing and signed by the Members making it. Provided that there shall be no such postponement in connection with Finance Bills, Supplementary Appropriation Bills, Provisional Appropriation Bills, Government Loan Bills, Naturalization Bills, Expropriation Bills, Indirect Taxation Bills, and, in emergencies, Bills the enactment of which cannot be postponed owing to the intent of the Act.

(4) In the case of a new election and at the end of the sessional year all Bills and other measures which have not been finally passed, shall be dropped.

Section 42 [Referendum]

(1) Where a Bill has been passed by the Parliament, one-third of the Members of the Parliament may within three week-days from the final passing of the Bill request of the President that the Bill be subjected to a Referendum. Such request shall be made in writing and signed by the Members making the request.

(2) Except in the instance mentioned in Subsection (7), no Bill which may be subjected to a Referendum, confer Subsection (6), shall receive the Royal Assent before the expiration of the time limit mentioned in Subsection (1), or before a Referendum requested as aforesaid has take place.

(3) Where a Referendum on a Bill has been requested the Parliament may within a

period of five week-days from the final passing of the Bill resolve that the Bill shall be withdrawn.

(4) Where the Parliament has made no resolution in accordance with Subsection (3), notice to the effect that the Bill will be put to a Referendum shall without delay be given to the Prime Minister, who shall then cause the Bill to be published together with a statement that a Referendum will be held. The Referendum shall be held in accordance with the decision of the Prime Minister not less than twelve and not more than eighteen week-days after the publication of the Bill.

(5) At the Referendum votes shall be cast for or against the Bill. For the Bill to be rejected a majority of the electors taking part in the voting, however, not less than thirty per cent of all persons entitled to vote, shall have voted against the Bill.

(6) Finance Bills, Supplementary Appropriation Bills, Provisional Appropriation Bills, Government Loan Bills, Civil Servants (Amendment) Bills, Salaries and Pensions Bills, Naturalization Bills, Expropriation Bills, Taxation (Direct and Indirect) Bills, as well as Bills introduced for the purpose of discharging existing treaty obligations shall not be subject to a decision by Referendum. This provision shall also apply to the Bills referred to in Sections [8](#), [9](#), [10](#), and [11](#), and to such resolutions as are provided for in Section [19](#), if existing in the form of a law, unless it has been provided by a special Act that such resolutions shall be put to a Referendum. Amendments of the Constitution Act shall be governed by the rules laid down in [Section 88](#).

(7) In an emergency a Bill that may be subjected to a Referendum may receive the Royal Assent immediately after it has been passed, provided that the Bill contains a provision to that effect. Where under the rules of Subsection (1) one-third of the Members of the Parliament request a Referendum on the Bill or on the Act to which the Royal Assent has been given, such Referendum shall be held in accordance with the above rules. Where the act is rejected by the Referendum, an announcement to that effect shall be made by the Prime Minister without undue delay and not later than fourteen days after the Referendum was held. From the date of such announcement the Act shall become ineffective.

(8) Rules for Referenda, including the extent to which Referenda shall be held on the Faeroe Islands and in Greenland, shall be laid down by Statute.

Section 43 [Taxes]

No taxes shall be imposed, altered, or repealed except by Statute; nor shall any man be conscripted or any public loan be raised except by Statute.

Section 44 [Naturalization]

(1) No alien shall be naturalized except by Statute.

(2) The extent of the right of aliens to become owners of real property shall be laid down by Statute.

Section 45 [Finance Bill]

(1) A Finance Bill for the next financial year shall be laid before the Parliament not later than four months before the beginning of such financial year.

(2) Where it is expected that the reading of the Finance Bill for the next financial year will not be completed before the commencement of that financial year, a Provisional Appropriation Bill shall be laid before the Parliament.

Section 46 [Finance Act]

(1) Taxes shall not be levied before the Finance Act or a Provisional Appropriation Act has been passed by the Parliament.

(2) no expenditure shall be defrayed unless provided for by the Finance act passed by the Parliament, or by a Supplementary Appropriation Act, or by a Provisional Appropriation Act passed by the Parliament.

Section 47 [Auditing of Public Accounts]

(1) The Public Accounts shall be submitted to the Parliament not later than six months after the expiration of the financial year.

(2) The Parliament shall elect a number of Auditors. Such Auditors shall examine the annual Public Accounts and see that all the revenues of the State have been duly entered therein, and that no expenditure has been defrayed unless provided for by the

Finance Act or some other Appropriation Act. The Auditors shall be entitled to demand all necessary information, and shall have a right of access to all necessary documents. Rules providing for the number of Auditors and their duties shall be laid down by Statute.

(3) The Public Accounts together with the Auditors' Report shall be submitted to the Parliament for its decision.

Section 48 [Rules of Procedure]

The Parliament shall lay down its own Rules of Procedure, including rules governing its conduct of business and the maintenance of order.

Section 49 [Publicity]

The sittings of the Parliament shall be public. Provided that the President, or such number of Members as may be provided for by the Rules of Procedure, or a Minister shall be entitled to demand the removal of all unauthorized persons, whereupon it shall be decided without a debate whether the matter shall be debated at a public or a secret sitting.

Section 50 [Participation]

In order to make a decision more than one-half of the Members of the Parliament shall be present and take part in the voting.

Section 51 [Committees]

The Parliament may appoint committees from among its Members to investigate matters of general importance. Such committees shall be entitled to demand written or oral information both from private citizens and from public authorities.

Section 52 [Proportional Representation in Committees]

The election by the Parliament of Members to sit on committees and of Members to perform special duties shall be according to proportional representation.

Section 53 [Discussion]

With the consent of the Parliament any Member thereof may submit for discussion any matter of public interest and request a statement thereon from the Ministers.

Section 54 [Petitions]

Petitions may be submitted to the Parliament only through one of its Members.

Section 55 [Control of Civil and Military Administration]

By Statute shall be provided for the appointment by the Parliament of one or two persons, who shall not be Members of the Parliament, to control the civil and military administration of the State.

Section 56 [Freedom of Members]

The Members of the Parliament shall be bound solely by their own conscience and not by any directions given by their electors.

Section 57 [Immunity of Members]

No Member of the Parliament shall be prosecuted or imprisoned in any manner whatsoever without the consent of the Parliament, unless he is caught in flagrante delicto. Outside the Parliament no Member shall be held liable for his utterance in the Parliament save by the consent of the Parliament.

Section 58 [Remuneration]

The Members of the Parliament shall be paid such remuneration as may be Provided for in the Elections Act.