



Varkonia

Constitution Act 2020

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Constitution Act 2020

An Act to consolidate the laws relating to the Constitution of the Grand Duchy of Varkonia.

Part 1 Preliminary

1 Short title

This Act may be cited as the *Constitution Act 2020*.

2 Object

This Act declares, consolidates and modernises the Constitution of Varkonia.

3 References to the Sovereign

A reference in this Act to the Sovereign is a reference to the Queen or King for the time being, and, if necessary, includes the Queen's or King's heirs and successors.

4 Application of law

1. The laws of Varkonia, as validly created, apply to all persons within the territory of Varkonia.
2. This section does not affect the power of Varkonia to legislate extraterritorially.

Part 2 The King of Nox

5 The King of Nox

The King of Nox continues in existence.

6 Demise of the Crown

There is no line of succession to the Crown.

7 Powers of the King

1. The King shall—
 - a. Represent the Grand Duchy of Varkonia as the Figurehead of the nation.
 - b. Conduct general diplomacy on behalf of Varkonia
 - c. Act as the arbitrator of Senatorial Affairs
2. The King may

- a. Veto any decision of the Senate, the veto decision being final.
 - i. The King must communicate a veto decision to the Clerk of the Senate for it to take effect.
 - ii. The King must not veto a decision more than 7 days after it is made.
- b. Veto the Red Duke's decision to remove a senator, reinstating the removed senator.
- c. Be the tie-breaker vote in the event that the Senate reaches deadlock.

Part 3 The Red Duke

8 The Red Duke

- 1. There is a Red Duke of Varkonia.
- 2. The term of the Red Duke is indefinite.
 - a. Should the Red Duke resign, pass or cease to maintain the position for whatever reason—
 - i. The Senate shall immediately upon the vacancy, appoint a replacement from within the legislative body using a simple majority

9 Powers of the Red Duke

- 1. The Red Duke shall—
 - a. Represent The Grand Duchy of Varkonia as the Head of State in international affairs; and
 - b. Conduct general diplomacy on behalf of Varkonia.

The Red Duke may—

- a. appoint senators based on the results of an election during peacetime or;
 - i. to make sure there are at least 5 senators or;
 - ii. as he sees fit during times of war or;
- b. remove senators
 - i. when their term has expired or;
 - ii. as he sees fit, subject to the King's veto.
- c. grant or revoke peer titles; or
- d. appoint and remove judges; or
- e. appoint and remove individuals to represent Varkonia internationally; or
- f. enlist or dismiss domestic or foreign soldiers or individuals relevant to the defence of Varkonia.
- g. Negotiate and discuss treaties or alliances with foreign entities.
- h. propose and call votes on legislation within the senate chamber, without casting a vote himself

Part 4 The Senate

Division 1 Composition of the Senate

10 The Senate

1. The Senate shall be elected by the citizens of Varkonia.
 - a. The Red Duke shall act as the election authority, tallying votes and declaring the winners when necessary.
 - b. Elections for the Senate shall occur on a monthly basis.
 - i. Citizens shall be able to declare their candidacy on the 17th of each month until the voting period begins.
 - ii. There shall be a period of 36 hours commencing on the 2nd to last day of each month where citizens will be able to vote for declared candidates.
 - c. All citizens of Varkonia shall receive (3) choices to allocate to three candidates of their choosing.
 - i. Candidates may not vote for themselves.
 - d. Any Candidate that receives 10% or more of the national vote shall be elected to the Senate
2. The Senate must compose of at least 5 senators
 - a. The Red Duke must act to appoint further senators if this threshold is not reached by the electoral process.

11 Powers of the Senate

1. The Senate may, without limiting any of its other powers—
 - a. create, amend or repeal the laws of Varkonia; or
 - b. enter into, or ratify, treaties; or
 - c. declare, or levy, a war against any group of persons; or
 - d. enter into alliances; or
 - e. determine the territory that forms Varkonia; or
 - f. authorise negotiation strategies or diplomatic offers; or
 - g. declare individuals *personae non gratae*.
2. The powers enumerated in subsection (1) must only be exercised by the Senate.

12 Powers how exercised

1. The Senate may only exercise its powers by attaining a simple majority on a resolution in the chamber.
2. Any senator or the Red Duke may propose a resolution.
3. Notwithstanding subsection (2), only the following persons may propose a resolution to exercise the Senate's power—

- a. under subsections 12(1)(c) and (e)—the Red Duke; or
- b. under subsection 12(1)(d)—the Red Duke or the Speaker.

13 Senator conduct

- 1. A senator must, after being appointed to the Senate, take the Oath of Office set forth in the schedule to this Constitution.
- 2. A senator is not conferred any duties or powers until taking the Oath of Office.
- 3. A senator must not breach the Oath of Office.

Division 2 Speaker of the Senate

14 Speaker of the Senate

- 1. There is a Speaker of the Senate.
- 2. The Speaker is an elected office.
- 3. The Speaker shall—
 - a. liaise, and maintain communications, between the King, the Red Duke and the senators; and
 - b. maintain and foster strong relationships with the external territories of Varkonia; and
 - c. represent Varkonia internationally to sovereign states, alliance blocs and other international organisations; and
 - d. ensure, in conjunction with the Clerk, that relevant information about Varkonia is communicated publicly and internationally in accurate wording.
 - e. be responsible for accepting or postponing for further discussion the initiation of voting on legislation within the chamber

15 Powers of the Speaker

The Speaker may—

- a. present prosecutions against criminals to the Judiciary Committee; or
- b. act as the diplomatic representative of Varkonia internationally; or
- c. enter into diplomatic negotiations on behalf of Varkonia; or
- d. with the approval of the Senate, form or enter into alliances and ratify treaties;

16 Further powers of the Speaker

- 1. The Red Duke may, by legislative instrument, grant further powers to the Speaker.
- 2. A legislative instrument made under this section automatically repeals at the time voting for the office of Speaker commences.
- 3. The creation, or amendment, of a legislative instrument under this section must be communicated to the Clerk to be effective.
- 4. To remove any doubt, a legislative instrument made under this section does not require approval by the Senate.

17 Limitations on diplomatic powers of the Speaker

1. This section applies where the Speaker engages in diplomacy with other nations.
2. The Speaker must, in good faith, represent the true and faithful position and agreed policy of the Senate.
3. The Speaker must not, without Senate approval, negotiate on contentious issues.

Division 3 Clerk of the Senate

18 Clerk of the Senate

1. There is a Clerk of the Senate.
2. The Clerk is an elected office.
3. The Clerk must—
 - a. maintain the authority of the Senate, and protect its rights and privileges; and
 - b. coordinate senate proceedings; and
 - c. manage business of the Senate; and
 - d. maintain order of the Senate during debate; and
 - e. post senate updates to the Varkonia subreddit; and
 - f. ensure, in conjunction with the Speaker, that all relevant information about Varkonia is publicly available in accurate wording on the Varkonia subreddit; and
 - g. tally votes cast by senators.
4. In this section—

Senate updates include all Acts passed by the Senate, treaties entered into or ratified by the Senate, alliances authorised by the Senate and all changes to the territory of Varkonia.

19 Powers of the Clerk

1. The Clerk may, in a Senate meeting, remove the speaking privileges of a disorderly senator.
2. The Clerk, when exercising a power under subsection (1), must do so only for a reasonable time not exceeding more than one hour.

20 Managing voting of the Senate

1. The Clerk, Red Duke or Speaker may, on any vote (including resolutions) called by the Speaker of the Senate or the Red Duke—
 - a. declare the vote closed 48 hours after it was called; and
 - b. tally the votes cast by the Senators; and
 - c. state whether the ayes or noes have it.
2. In the event of equal aye and noe votes, the Clerk must call upon the King to cast a deciding vote within 24 hours.

Division 5 Internal Senatorial Elections

21 Eligibility for election

Candidates for elected offices within the senate must be senators..

22 Time frames for elected positions from the Senate

1. This section applies when there is a vacancy in an elected office within the Senate.
2. The Red Duke must conduct an election for the office.
3. There will be a period of 8 hours for eligible persons to declare their candidacy for the office.
4. There will be a period of 16 hours for senators to cast their votes.
5. The Red Duke must then tally the votes and declare a winner.
6. In the event that the Senate does not reach a majority consensus within 24 hours, the Red Duke must call upon the King to cast a deciding vote within 24 hours.

23 Term of office

Once elected, an office-bearer shall hold the office until the earliest of the following—

- a. notwithstanding any subsequent subsection, if the election occurred as a result of a casual vacancy—when the term of the predecessor would otherwise have ended under subparagraph (b); or
- b. one month after being elected; or
- c. the office-bearer is removed under this Constitution.

Part 5 Miscellaneous

24 Inconsistency

When a law of the Senate is inconsistent with this Constitution, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

25 Treaties

Treaties validly ratified by Varkonia under this Constitution form part of the law of Varkonia.

26 Constitutional Amendments

For a vote to pass to modify the constitution a $\frac{2}{3}$ majority must be obtained for any senate vote to do so.

Schedule

As a Senator of the Grand Duchy of Varkonia it is my duty and responsibility to contribute in a meaningful way toward the betterment of the nation. I vow to represent Varkonia and its people well and abide by the laws and protocols therein. I shall behave in a way that brings respect unto the office I hold as Senator. It is my responsibility to participate in Varkonian decision-making, vote on matters, and provide a clear rationale behind my decisions and actions when appropriate. I understand that the Senate rules as a collective body, and that there may not always be unanimous agreement. I recognize that respectful deliberation is how we overcome disagreements and that I shall ultimately follow the will of the Senate under Varkonian Law. With dignity, I shall relinquish my office when I am no longer able to uphold this oath. I shall accept any relinquishment as seen fit by the Red Duke with or without reason, understanding that this office is a privilege granted unto me, not one that I am entitled to. My duty is to govern well in the King's name.