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THE
CONSTITUTION
OF THE
REPUBLIC OF
ICELAND



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THE CONSTITUTION OF THE REPUBLIC OF ICELAND

CHAPTER ONE

ARTICLE 1

Iceland is a republic with a constitutional government.

ARTICLE 2

The legislative power is jointly vested in the Althing (Parliament) and the President of the Republic of Iceland. The Executive power is exercised by the President and other governmental authorities in accordance with this Constitution and other laws of the land. The judicial power is exercised by the judiciary.

CHAPTER TWO

ARTICLE 3

The President shall be elected by the people.

ARTICLE 4

Any person not less than thirty-five years of age who fulfils the qualifications necessary to vote for the Althing, with the exception of the residence qualification, is eligible for the Presidency.

ARTICLE 5

The President shall be elected by a direct, secret ballot of those who are entitled to vote for the Althing. A presidential candidate shall be formally proposed by not less than fifteen hundred voters and not more than three thousand. The candidate, if there is more than one, who receives the majority of votes, is the legally elected President. If there is only one candidate he is returned unopposed.

Further provisions shall be made by law for the candidature and election of the President, and it may be provided thereby that the number of proposers shall in each quarter of the country be proportionate to the number of voters.

ARTICLE 6

The President's term of office begins on the first day of August and ends on the thirty-first day of July four years later. The election of the President takes place in June or July of the year in which the term ends.

ARTICLE 7

If the President dies or resigns prior to the expiry of his term, a new President shall be elected for a period ending on the thirty-first day of July of the fourth year from the election.

ARTICLE 8

If the office of President becomes vacant or if the President temporarily cannot hold office because of residence abroad, illness, or other reasons, the Prime Minister, the Speaker of the United Althing, and the Chief Justice of the Supreme Court shall exercise the presidential power. The Speaker of the United Althing shall preside at their meetings. In a divergence of opinion the majority shall prevail.

ARTICLE 9

The President must not be a member of the Althing or receive emoluments in the interest of any public or private enterprise.

Allowances from the national treasury to the President or those who execute the presidential authority shall be established by law. It shall be unlawful to reduce presidential allowances during the term of office.

ARTICLE 10

On assuming office the President takes an oath or makes an affirmation to uphold the Constitution. Two identical texts shall be made, one to be preserved by Althing and the second to be enrolled in the National Archives.

ARTICLE 11

The President is not answerable for his official actions. The same applies to those who execute the presidential authority.

The President cannot be prosecuted on a criminal charge except with the consent of the Althing.

The President shall cease to hold office before his term expires if this is approved by a plebiscite held in accordance with a resolution adopted by three-fourths of the members of the United Althing. This plebiscite shall be held within two calendar months from the date of adoption of the said resolution, during which period the President shall not hold office.

If the said resolution be defeated in the plebiscite, the Althing shall be immediately dissolved and preparations made for a new election.

ARTICLE 12

The President shall have his residence in Reykjavík or the environs.

ARTICLE 13

The President exercises his authority through his Ministers. The Cabinet has its seat in Reykjavík.

ARTICLE 14

The Cabinet is responsible for all acts of the Government. The responsibility of Ministers is established by law. The Althing may impeach Ministers for the discharge of their official duties. The Court of Impeachment has jurisdiction in such matters.

ARTICLE 15

The President appoints the Cabinet and accepts ministerial resignations. He determines the number of Ministers and assigns their duties.

ARTICLE 16

The President presides over the State Council which is composed of his Ministers.

Laws and important Government measures shall be submitted to the President in Council.

ARTICLE 17

Cabinet meetings shall be held in order to discuss new legislative proposals and important political measures. Furthermore, Cabinet meetings shall be held when one of the Ministers so desires. The Prime Minister shall preside over such Cabinet meetings.

ARTICLE 18

The Minister who has proposed a measure shall, as a rule, submit it to the President.

ARTICLE 19

The Presidential signature countersigned by a Minister validates a legislative measure or an act of Government.

ARTICLE 20

The President shall make the appointments to all such offices as are provided by law.

No person may hold office unless he is an Icelandic citizen. Each official shall take an oath or make an affirmation to uphold the Constitution.

The President may remove from office any official whom he has appointed.

The President may transfer officials from one office to another on the condition that their official income shall not be diminished, and that they shall have an option between such transfer and retirement with a pension or old-age allowance as prescribed by law.

Certain classes of officials in addition to those mentioned in Art. 61 may be legally exempted.

ARTICLE 21

The President concludes treaties with other states. Except with the consent of the Althing, he may not make such agreements if they entail renouncement of or servitude on territory or territorial waters or if they imply constitutional changes.

ARTICLE 22

The President shall summon the Althing every year and determine when the session shall close. The Althing must not adjourn till the Budget has been passed. The President may also summon the Althing to extraordinary sessions when necessary.

ARTICLE 23

The President may adjourn meetings of the Althing for a certain period of time, but not for more than two weeks nor more than once a year. But the Althing may authorise the President to deviate from these provisions.

ARTICLE 24

The President may dissolve the Althing. A new election must take place before two calendar months have elapsed from the date of dissolution. The Althing shall reassemble not later than eight calendar months after its dissolution.

ARTICLE 25

The President may have Bills and proposals for resolutions submitted to the Althing.

ARTICLE 26

If the Althing has passed a Bill it shall be submitted to the President for approval not later than two weeks after it has been passed, and upon such approval shall be enforced as law. If the President disapproves a Bill it shall nevertheless become valid but shall as soon as circumstances permit be submitted to a plebiscite by secret ballot and if rejected shall become invalid but otherwise retain its legal force.

ARTICLE 27

All laws shall be published. The form of publication and the enforcement of laws shall be in accordance with the law of the land.

ARTICLE 28

In the event of extreme urgency the President may issue provisional laws in the interval between sessions of the Althing. Such laws must not, however, be contrary to the Constitution and they shall always be submitted to the Althing as soon as it reassembles.

If the Althing does not approve a provisional law it shall become invalid.

A Provisional Budget may not be issued if the Althing has passed the Budget for the fiscal year.

ARTICLE 29

The President may decide that the prosecution for an offence be withdrawn if there are cogent reasons. He grants pardon and amnesty. Except with the consent of the Althing he may not absolve a Minister from prosecution or from the sentence imposed by the Court of Impeachment.

ARTICLE 30

The President grants, either in person or through the Government, exemptions from laws in accordance with the prevailing practice.

CHAPTER THREE

ARTICLE 31

The Althing shall be composed of up to 52 members elected by the people in a secret ballot. There shall be:—

- (a) Eight members for Reykjavík. Their election shall be by proportional representation. An equal number of substitutes shall be elected at the same time and in the same manner.
- (b) Six members, one for each of the following towns: Hafnarfjörður, Ísafjörður, Siglufjörður, Akureyri, Seydisfjörður and Vestmannaeyjar.
- (c) Twenty-seven members for the constituencies, other than towns, which are at present represented by one or two members. In two-member constituencies election shall be by proportional representation and an equal number of substitutes shall be elected at the same time and in the same manner. If a member for any of the constituencies, which are represented by one member only, dies during his term of election, another member shall be elected in his place for the remainder of the period.
- (d) Up to eleven members for equalisation between parties, so that each of them shall be represented as nearly as possible in proportion to the number of votes obtained in the General Election. At the General Election any party may present a nation-wide panel of candidates, in which case voters are free to vote either for such a panel or for the candidate or candidates of the electoral district. Candidates of a party which has presented a nation-wide panel at a General Election and obtained equalisation seats shall at the conclusion of the election occupy these in the order which they take on the panel. At least every other of the ten topmost seats of such a panel shall be occupied by candidates of constituencies outside Reykjavík. The equalisation seats shall in other respects be arranged in accordance with the Election Act. An equal number of substitutes shall be elected for equalisation seats at the same time and in the same manner.

The members shall be elected for a period of four years.

ARTICLE 32

The Althing is divided into an Upper and a Lower House. One-third of the members sit in the Upper House and two-thirds in the Lower House. Should the number of members be such as to make impossible a division by thirds the odd members shall sit in the Lower House.

ARTICLE 33

All persons, men and women, who are 21 years of age or older at the time of election, are Icelandic subjects and have been domiciled in the country for 5 years prior to an election, shall have the right to vote. No person shall have the right to vote unless of unblemished character and financially responsible.

A married woman shall be considered financially responsible even though her property be held in the name of her husband.

Further enactments regarding parliamentary elections are laid down in the Election Act.

ARTICLE 34

Every citizen qualified to vote is eligible for the Althing.

Judges who do not hold administrative office are not eligible for the Althing.

CHAPTER FOUR

ARTICLE 35

The Althing shall be summoned for a regular session every year on the fifteenth day of February or, if a holiday, on the following weekday, unless the President has already appointed another date earlier in the year for the opening of the session.

This may be amended by law.

ARTICLE 36

The Althing is inviolate. No person may disturb its peace or violate its freedom.

ARTICLE 37

The Althing shall be convened in Reykjavík, but under special circumstances the President may convene the Althing at some other place in Iceland.

ARTICLE 38

Each House is individually entitled to introduce and pass Bills and proposals for resolutions. Each House individually or unitedly may send addresses to the President.

ARTICLE 39

Each House may appoint committees of its members in order to investigate important matters of public interest. The House may grant authority to such committees to demand reports, oral or written, from Government officials or private persons.

ARTICLE 40

No tax may be imposed, altered or abolished except by law; nor may loans binding upon the State be raised, nor any State property or interest therein be sold or in any other way disposed of except by law.

ARTICLE 41

No disbursements may be made unless authorised in the Budget or the Supplementary Budget.

ARTICLE 42

A Finance Bill for the coming fiscal year containing an estimate of the revenue and expenditure of the State shall be submitted to the Althing immediately on reassembling for a regular session.

Finance Bills and Supplementary Finance Bills shall be introduced in the United Althing and passed in three readings.

ARTICLE 43

The United Althing shall elect by proportional representation three salaried Auditors, who shall annually audit the national revenue and

expenditure accounts to ascertain whether the entire revenue has been included and whether any unauthorised disbursements have been made. They may, individually or jointly, request all reports and documents which they may deem necessary. The accounts for each fiscal year shall then be incorporated into one aggregate account and a Bill for the approval thereof be submitted to the Althing together with the comments of the Auditors.

The Auditors are, individually or jointly, entitled to examine the accounts and books of the State Treasurer as well as those of the Ministries for the current or past year. They shall submit their comments, if any, to their successors in writing.

ARTICLE 44

No Bill, with the exception of the Finance and the Supplementary Finance Bill, may be passed without three readings in each House.

ARTICLE 45

The first House which passes a Bill shall submit the Bill in the form in which it was passed to the other House. Should amendments be made here the Bill shall be returned to its source of origin, where, if again amended, the same procedure shall be followed.

Should no agreement be reached both Houses shall meet in a conclave, and the matter be settled in one reading by the United Althing.

When the Althing meets in a joint session more than one half of the members of each House must be present and take part in the voting in order to constitute a quorum, the majority of votes prevailing in all particulars. Bills, other than Finance and Supplementary Finance Bills, shall not be finally passed unless supported by two-thirds of the votes cast.

ARTICLE 46

The Althing itself decides whether its members are legally elected and also whether a member is disqualified.

ARTICLE 47

Each new member shall as soon as his election has been approved take an oath or make an affirmation to uphold the Constitution.

ARTICLE 48

Members of the Althing are bound solely by their conviction and not by any orders from their constituents.

Government officials who may be elected to the Althing do not require the permission of the Government to accept election, but they must take measures for the discharge of their functions in a manner deemed satisfactory by the Government and without expense to the Treasury.

ARTICLE 49

No member may be arrested for debt during a session of the Althing without the permission of the House of which he is a member, nor may he be placed under restraint or an action brought against him unless he is found *in flagrante delicto*.

No member may be made responsible outside the Althing for statements made by him in the Althing, except with the permission of the House concerned.

ARTICLE 50

If a member is disqualified he shall forfeit his seat.

ARTICLE 51

Ministers by virtue of their office have the right to attend meetings of the Althing and are entitled to take part in the debates as often as they may desire, subject to parliamentary procedure; but they have a right to vote only if they are at the same time elected members of the Althing.

ARTICLE 52

Each House and the United Althing elects its own Speaker.

ARTICLE 53

Neither House may pass a resolution unless more than one half of the members of the House are present at the meeting and register their votes.

ARTICLE 54

Each member is at liberty to introduce in the House of which he is a member any matter of general nature and to request a Ministerial report thereon, subject to the permission of that House.

ARTICLE 55

Neither House may admit any matter unless introduced by a member of that House.

ARTICLE 56

If a House does not find any reason to pass a resolution it may refer the subject to a Minister.

ARTICLE 57

The meetings of both Houses and those of the United Althing shall be public. But the Speaker or the quorum stipulated by the rules of the House may demand that all non-members be excluded. The meeting shall then decide whether the matter shall be debated at a public or a closed session.

ARTICLE 58

The rules of procedure of the United Althing and those of both Houses shall be determined by law.

CHAPTER FIVE

ARTICLE 59

The organisation of the judiciary cannot be established except by law.

ARTICLE 60

The judges shall settle all disputes as to the extent of the power of administrative officers. But no one seeking a judicial ruling thereunto can evade obeying temporarily an order of the administrative officers by submitting the matter to judicial decision.

ARTICLE 61

Judges shall in the performance of their official functions be guided solely by the law. Judges who do not also hold administrative offices cannot be discharged from office except by a judicial ruling, nor may they be transferred to another office against their will except in the event of re-organisation of the judiciary. A judge who has reached the age of 65 may, however, be allowed to resign from office without reduction of salary.

CHAPTER SIX

ARTICLE 62

The Evangelical-Lutheran Church shall be the State Church and as such it shall be supported and protected by the State.

This may be altered by law.

ARTICLE 63

The people are entitled to form societies for the worship of God in conformity with their individual convictions; but nothing may be preached or practiced which is prejudicial to public order and morality.

ARTICLE 64

No person may lose his civil or national rights on account of his religious conviction nor must he therefore refuse to perform any civic duty.

No person is obliged to contribute to any religious worship against his conviction.

If a person is not a member of the State Church of Iceland nor of any other recognised religion he shall pay to the University of Iceland or to a designated scholarship fund of that University dues otherwise payable to the Church.

This may be amended by law.

CHAPTER SEVEN

ARTICLE 65

Any person who is arrested shall be brought before a judge without undue delay, and if not released at once, the judge shall, within 24 hours, give a reasoned ruling as to whether he shall be detained. If the person may be released on bail the ruling shall contain provisions as to its nature and amount.

An appeal to a higher court may immediately be made against a judicial ruling, the procedure of notification and appeal against such rulings being the same as in criminal cases.

No person may be taken into custody for an offence merely punishable by fines or imprisonment.

ARTICLE 66

The home shall be inviolate. Houses may not be searched, nor any letters or other documents be detained and examined, except by judicial warrant or by a special provision of law.

ARTICLE 67

The right of private ownership is inviolate. No one shall be forced to surrender his property unless required by public exigency, in which case a law must be passed and full compensation paid.

ARTICLE 68

No alien may acquire citizenship except by law. The right of aliens to own immovable property shall be subject to law.

ARTICLE 69

No restriction may be imposed upon individual freedom of employment, unless legislated for as being required by the common good.

ARTICLE 70

Whosoever is unable to provide for himself or his dependents shall, subject to duties prescribed by law, be entitled to support from public funds, unless his maintenance rests upon others.

ARTICLE 71

If parents cannot afford to educate their children, or if the children are orphaned or destitute, their education and maintenance must be defrayed from public funds.

ARTICLE 72

Every person has the right to express his thoughts in print, but is responsible for such utterances before the courts. Censorship and other restrictions on the freedom of the press may never be enacted.

ARTICLE 73

Societies may be formed for every lawful purpose without previous authorisation. No society may be dissolved by act of Government, but it may be temporarily suspended, in which case an action for dissolution must immediately be brought.

ARTICLE 74

People are entitled to assemble unarmed. The police have the right to be present at all public gatherings. Open-air meetings may be forbidden when it is feared that they may cause riots.

ARTICLE 75

Every person able to carry arms shall be obliged to take part in the defence of the country according to provisions which may be detailed by law.

ARTICLE 76

The right of autonomy of urban and rural communities under the supervision of the Government shall be determined by legislation.

ARTICLE 77

Taxation shall be determined by legislation.

ARTICLE 78

Privileges reserved for nobility, titles and rank must never be enacted.

ARTICLE 79

Proposals, whether amendatory or supplementary to this Constitution, may be introduced at regular as well as extraordinary sessions of the Althing. If the proposal is passed by both Houses, the Althing shall be dissolved immediately and a General Election be held. If both Houses pass the resolution without amendments it shall be ratified by the President of the Republic and come into force as a Constitutional Act.

If the Althing passes an amendment to the status of the Church affairs, according to Article 62, it shall be submitted to a plebiscite by secret ballot for acceptance or rejection.

ARTICLE 80

By this Constitutional Act the Constitution of the Kingdom of Iceland, of the eighteenth day of May nineteen hundred and twenty, the Constitutional Acts of the twenty-fourth of March nineteen hundred and thirty-four, of the first day of September nineteen hundred and forty-two and the fifteenth day of December nineteen hundred and forty-two shall cease to be in effect and become null and void.

ARTICLE 81

This Constitutional Act comes into force when the Althing so resolves, provided that the Act has been passed in a secret ballot by the majority of voters in the country.

TEMPORARY PROVISIONS

Upon the coming into force of this Constitution the United Althing shall elect the President of Iceland for the first time in accordance with the provisions governing the election of the Speaker of the United Althing. The Presidential term of office shall expire on the thirty-first day of July nineteen hundred and forty-five.

Aliens who, prior to the coming into effect of this Constitution have been enfranchised and made eligible for the Althing or have obtained the right to hold public office shall retain the said rights. Danish citizens who under Article 75 of the Constitution of the eighteenth day of May nineteen hundred and twenty would have obtained such rights shall, from the coming into force of this Constitutional Act until six calendar months after negotiations regarding the rights of Danish citizens in Iceland can be commenced, also acquire and retain the said rights.

RESOLUTION

CONCERNING THE COMING INTO FORCE OF THE
CONSTITUTION OF THE REPUBLIC OF ICELAND

(Passed by the Althing on the sixteenth day of June nineteen hundred and forty-four)

WHEREAS the provisions of Article 81 of the Constitution of the Republic of Iceland as to ballot by all voters of the country have been fulfilled,

THE ALTHING with reference to the said Article

RESOLVES THAT the Constitution shall come into force upon Saturday the seventeenth day of June nineteen hundred and forty-four with a declaration by the Speaker of the United Althing in session.

In accordance with a declaration by the Speaker of the United Althing, convened at Lögberg on Thingvellir on the seventeenth day of June nineteen hundred and forty-four the Constitution came into force at two o'clock in the afternoon of that same day.