



Form of Government Act and Diet Act of Finland Helsinki 1947

Bjarni Benediktsson – Form of Government Act and Diet Act of Finland Helsinki 1947

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FORM OF GOVERNMENT ACT
AND DIET ACT
OF FINLAND



HELSINKI

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MINISTRY FOR FOREIGN AFFAIRS
HELSINKI 1947

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FORM OF GOVERNMENT ACT OF FINLAND

Promulgated at Helsinki (Helsingfors), July 17, 1919.

Whereas Finland has become an independent and sovereign State, it has been deemed necessary to develop and consolidate its constitution by new statutes having the character of fundamental laws, which, while securing the necessary stability of the State, enlarge the powers of the National Assembly, and guarantee the legal rights and liberties of the citizens. Therefore, in conformity with the decision of the Diet, taken in accordance with the procedure prescribed in Article 60 of the Diet Act of July 20, 1906, the following Form Government for Finland is hereby sanctioned.

CHAPTER I.

General provisions.

Article 1. Finland is a sovereign Republic, its constitution being established by this Form of Government Act and by other fundamental laws.

Article 2. Sovereign power in Finland belongs to the people, represented by their delegates assembled in Diet.

Legislative power shall be exercised by the Diet in conjunction with the President of the Republic.

Supreme executive power is vested in the President of the Republic. In addition to the President there shall be for the general

government of the State, a Council of State consisting of a Prime Minister and the necessary number of ministers.

The judicial power shall be exercised by independent tribunals and, in final instance, by the Supreme Court and the Supreme Administrative Court.

Article 3. The territory of the Finnish Republic is indivisible. Its boundaries cannot be modified except with the consent of the Diet.

Article 4. The rights of Finnish citizenship belong to every person born of Finnish parents and to every woman of foreign nationality who has married a Finnish citizen.

A citizen of another country may be admitted to Finnish citizenship in accordance with the conditions and procedure laid down by law.

CHAPTER II.

General rights and legal protection of Finnish citizens.

Article 5. All Finnish citizens shall be equal before the law.

Article 6. Every Finnish citizen shall be protected by law as to life, honour, personal liberty and property.

The labour of citizens shall be under the special protection of the State.

Expropriation of property for general need with full compensation shall be regulated by law.

Article 7. Every Finnish citizen shall have the right of sojourn in his country, of freely choosing his place of residence and of travelling from one place to another, unless otherwise provided by law.

The right of Finnish citizens to leave the country is regulated by special provisions.

Article 8. Every Finnish citizen shall have the right to worship in public and in private upon condition that he does not violate the law or good morals; he shall be at liberty also, in conformity with such special regulations as may govern the matter, to leave the religious community to which he belongs and to join another such community.

Article 9. The fact of belonging to any special religious community or of not belonging to any such community shall in

no way detract from the rights and duties of Finnish citizens. In respect to public posts and offices restrictions defined by law shall, however, remain in force until otherwise enacted.

Article 10. Finnish citizens shall enjoy freedom of speech and the right of printing and publishing written or pictorial representations without any previous authorization. They shall also be free to meet, without any previous interference for the discussion of public affairs and for any other legitimate purpose. They shall also enjoy the right of forming associations not contrary to law or good morals.

The rules concerning the exercise of these rights shall be issued by law.

Article 11. The domicile of Finnish citizens shall be inviolable.

The conditions under which domiciliary searches may be ordered and carried out shall be determined by law.

Article 12. The secrecy of postal, telegraphic and telephonic communication shall be inviolable, unless exceptions are provided by law.

Article 13. A Finnish citizen shall be tried by no other court than that which by law has jurisdiction over him.

Article 14. Finnish and Swedish shall be the national languages of the Republic.

The right of Finnish citizens to use their mother tongue, whether Finnish or Swedish, before the courts and the administrative authorities, and to obtain from them documents in such languages, shall be guaranteed by law; care shall be taken that the rights of the Finnish speaking population and the rights of the Swedish speaking population of the country shall be promoted by the State on similar grounds.

The State shall provide for the intellectual and economic needs of the Finnish speaking and Swedish speaking populations on similar grounds.

Article 15. No title of nobility nor other hereditary dignity shall be conferred in the Republic.

Article 16. These provisions concerning the general rights of Finnish citizens shall constitute no obstacle to the establishment by law of restrictions which are necessary in time of war or insurrection and at any time whatsoever as far as persons in military service are concerned.

CHAPTER III.

Legislation.

Article 17. The organization and the functions of the Diet are regulated by the Diet Act.

Article 18. The right of proposing the enactment of a new law or the amendment, interpretation, or repeal of a law in force shall belong to the President as well as to the Diet.

The President of the Republic shall exercise his right of initiating legislation by introducing bills to the Diet. Bills shall be drafted by the Council of State. According to the nature of the matter the opinion of the Supreme Court or of the Supreme Administrative Court or of both these Courts may be requested upon such bills.

The exercise of the right of the Diet to initiate legislation is determined by the Diet Act.

Article 19. Bills adopted by the Diet shall be submitted to the President of the Republic for his sanction. The President may, on such bills, request the opinion of the Supreme Court or the Supreme Administrative Court or of both these Courts, according to the nature of the question involved.

The bill must be sanctioned in the wording adopted by the Diet. If a bill is not sanctioned by the President, it shall nevertheless come into force without his sanction if the Diet, after a new election, re-adopts it without amendment by a majority vote. Otherwise the bill shall be regarded as having lapsed.

If the President has not sanctioned a bill within three months after it has been submitted for his sanction, this shall be regarded as a refusal of sanction.

Article 20. The preamble of every law shall include a statement that it has been enacted in conformity with the decision of the Diet, and, if the law has been enacted in accordance with the procedure required for the enactment of fundamental laws, this too shall be stated.

Every law, whether it be sanctioned or whether it come into force without the sanction of the President, shall be signed by the President and countersigned by the competent Minister, after which it shall be published by the Council of State in the Statute Book of Finland.

Article 21. The right of the President to issue decrees is determined by Article 28.

Article 22. Laws and decrees as well as bills submitted by the Government to the Diet, and the replies, representations, and other documents addressed by the Diet to the Government shall be drawn up in the Finnish and the Swedish languages.

CHAPTER IV.

Government and administration.

Article 23. The President of the Republic shall be elected by the people of Finland from among the natural born citizens of Finland. His term of office shall be six years.

The election of the President shall be made by three hundred presidential electors. In choosing these electors, the regulations in force for elections to the Diet shall be observed in respect to suffrage and eligibility, and, in so far as applicable, also to the mode of election, the procedure of voting, and the designation of deputy-electors.

The choosing of electors shall take place on the fifteenth and sixteenth of January; and on the fifteenth of February following the electors shall assemble under the chairmanship of the Prime Minister to elect the President. The vote shall be by secret ballot. If a candidate obtains more than half of the votes cast, he shall be declared elected; otherwise a new ballot shall immediately be taken, and if no candidate obtains an absolute majority this time, another ballot shall be taken between the two candidates who obtain the highest number of votes on the second count. In case of an equal number of votes the decision shall be by lot.

If a member of the Diet is elected President, his mandate as a member shall cease. A State official, who is elected President shall be regarded as having resigned his office.

If a day fixed in Paragraph 3 of this Article or elsewhere in this Form of Government Act falls upon a Sunday or public holiday, the nearest following workday shall be substituted for it.

Article 24. The President shall enter upon the execution of his office on the first of March following his election, and in the

presence of the Diet shall make at this time the following solemn vow:

»I, (full name), elected by the people of Finland President of the Republic of Finland, do hereby vow that in the execution of my office of the President I will truly and faithfully obey and uphold the constitution and the laws of the Republic, and that I will to my utmost power promote the welfare of the people of Finland.»

Article 25. If the President is prevented from discharging the duties of his office, these shall be exercised by the Prime Minister. If his disability is a lasting one, a new President shall be elected as soon as possible, who shall enter on the execution of his office immediately after the election.

Article 26. For the exercise of his functions the President shall receive an annual emolument, the amount of which shall be fixed by law, and which shall be neither increased nor diminished during his term of office.

Article 27. The President shall have power to summon the Diet to an extraordinary session, to issue orders for elections to the Diet, to open and close the sessions of the Diet, to order new elections, and to dissolve the Diet.

Article 28. In cases not otherwise provided for in this present Form of Government Act and where such a right has not been vested in the Council of State, the President shall have the right to issue decrees upon matters which have heretofore been regulated by administrative provisions, as well as decrees regulating the execution of laws, the administration of State property, and the organization and operation of administrative services and public institutions. Decrees shall contain no provision implying a modification of a law.

The procedure for the issue and publication of decrees shall be the same as provided in Article 20, Paragraph 2, in respect to laws.

Article 29. In particular cases, after hearing the opinion of the Supreme Court, the President may, by granting pardon, remit or reduce a sentence. In respect, however, to the pardoning of a member of the Council of State or of the Chancellor of Justice, existing special stipulations must be observed. A general amnesty may be granted only by special law.

The President may also grant dispensation from the provisions of the law in cases in which the law allows of such dispensations.

Article 30. The President shall be Commander-in-Chief of the armed forces of Finland; he shall have the power in time of war to transfer his command to another.

Article 31. The President may grant Finnish citizenship to a citizen of another country and may release a Finnish citizen from his citizenship.

Article 32. The President shall supervise the administration of the State, and for this purpose he may require information from the heads or the governing bodies of public departments and institutions, and he may order inspections to be made.

Article 33. The President shall determine the relations of Finland to foreign powers, yet the treaties concluded with foreign powers must be approved by the Diet in so far as they contain stipulations falling within the domain of legislation or otherwise requiring, according to the constitution, the consent of the Diet. Decisions of peace and war shall be taken by the President with the consent of the Diet.

All communications to foreign powers or to the diplomatic representatives of Finland abroad must be made through the Minister to whose competency the management of foreign affairs belongs.

Article 34. The decision of the President shall be made in the Council of State upon the report of the Minister to whose competency the question involved belongs.

To become valid, presidential decisions must be signed by the President and countersigned by the Minister who has reported upon the matter. This rule, however, shall not apply to the matters referred to in Articles 32 and 47.

If the decision of the President concerns the entire Council of State, it shall be countersigned by the appropriate reporter¹⁾ of the Council.

Special rules are issued on the reporting of military matters of command or appointments, and also regarding the countersigning of presidential decisions on such matters.

The countersigner of a decision made by the President shall be responsible for the correctness of the instrument in which it is laid down.

¹⁾ The civil servant who reports on the matter concerned to the Council of State.

Article 35. If a Minister finds a decision made by the President to be contrary to law, he shall refer his opinion to the Council of State, which shall thereupon proceed as is set forth in Article 45. If the decision is contrary to a fundamental law the Minister must refuse his countersignature.

Article 36. The members of the Council of State, who must enjoy the confidence of the Diet, shall be appointed by the President from among natural born citizens of Finland known for their honesty and ability.

The Minister responsible for the administration of justice, and at least one other Minister must have legal training.

Article 37. The Council of State shall have a Chancellor of Justice, who must possess an outstanding knowledge of the law. The Chancellor of Justice shall have by his side a deputy Chancellor of Justice, who in case of need shall take his place.

Article 38. The Council of State shall consist of as many Ministries as are necessary for the different branches of administration. Each Ministry shall be headed by a Minister.

The number of Ministries and the general determination of their spheres of competency shall be confirmed by law, but the detailed rules concerning the distribution of work among the Ministries and the organization of the Council of State in other respects shall be enacted by decree.

Article 39. The Prime Minister shall be chairman of the Council of State; in case he is unable to attend, his place shall be taken by the highest-ranking Minister present. When the President of the Republic attends he shall preside over the Council.

Article 40. The matters devolving upon the Council of State shall be handled in plenary session, excepting when matters of a specific nature by decree have been committed for decision to a Minister in his capacity as head of a Ministry.

A quorum of the Council shall consist of five members.

Article 41. The Council of State shall execute the decisions of the President and decide on matters which according to the law fall within its competence, as well as on other questions of government and administration which have not in the present Form of Government Act or in any other law or decree, been either reserved for the President or committed to a Minister in his capacity as head of a Ministry or to an inferior authority.

The extent to which matters relating to the administration of justice, the University of Helsinki, and the Armed Forces, are withdrawn from the competence of the Council of State, is defined by special regulations.

Article 42. If the Council of State is in doubt as to its competence definitively to decide any matter, the President of the Republic shall settle this question of competence.

Article 43. The members of the Council of State shall be responsible to the Diet for the execution of their office.

Every member of the Council of State who has taken part in the settlement of any matter by the Council shall be responsible for the decision reached, unless he shall have placed his dissension on record in the minutes.

Article 44. All questions considered by the Council of State must have been prepared by the competent Ministry.

Each Ministry shall supervise administration within its own sphere of activity, and shall take measures to enforce the laws, decrees and decisions of the Council of State.

Article 45. If it should happen that a decision taken by the President which is to be executed by the Council of State is found to be contrary to law, the Council, after hearing the opinion of the Chancellor of Justice, shall request the President to withdraw or modify his decision, and, if the President nevertheless adheres to his decision, the Council must declare that the decision cannot be enforced.

Article 46. The Chancellor of Justice must see that authorities and officials comply with the law and perform their duties so that no person shall suffer injury to his rights.

It shall be the duty of the Chancellor of Justice to act as public prosecutor in the Supreme Court and in the Supreme Administrative Court, and generally to guard the interests of the State in these courts, as well as to institute prosecutions in other tribunals or cause them to be instituted when he shall deem it necessary. In his capacity as Supreme Public Prosecutor, the Chancellor of Justice must also exercise supervision over all public prosecutors and the latter must comply with his decisions.

The Chancellor of Justice shall have the right to assist at the sessions of the Council of State and those of all tribunals and public departments, and he shall have access to the minutes of

the Council of State and of its Ministries, tribunals and other public authorities.

Article 47. If the Council of State or any of its members act in a manner contrary to the law in the exercise of their functions, it is incumbent upon the Chancellor of Justice to make a representation upon the subject, and at the same time to indicate in what respect the act is illegal. If no heed is taken of such representation, the Chancellor of Justice shall have his opinion recorded in the minutes of the Council of State, and he shall also have the right to advise the President of the matter. If the illegality is of such a nature as to involve a prosecution against a member of the Council of State before the High Court mentioned in Article 59, and if the President orders such a prosecution to take place, it shall be carried out by the Chancellor of Justice. If the President finds that there is no ground for an indictment, the Chancellor of Justice shall be free to report on the case to the Diet. If the President decides upon an indictment of the Chancellor of Justice, the prosecution of the case shall be conducted by the person designated by the President for that purpose.

If the President in discharging the duties of his office should commit illegal acts, the Chancellor of Justice must make a representation upon the subject as provided above. If the Chancellor of Justice or the Council of State finds that the President is guilty of high treason or treason, the Chancellor or the Council shall report on the matter to the Diet. And should the Diet, by a three-fourths majority vote, decide to arraign the President, the Chancellor shall prosecute him before the Supreme Court, and in the meantime the President shall abstain from the exercise of his functions. Except in such cases as are provided for above the President shall not be arraigned for his administrative acts.

Article 48. The Chancellor of Justice shall submit each year to the President and to the Diet a report upon the measures that he has taken, and his observations on the observance of the laws.

The Chancellor of Justice shall upon request give the President and the Council of State information and advice.

Article 49. At each regular session the Diet shall elect for a period of three years at a time, in accordance with the procedure provided for the election of its own Speaker, a person distinguished

in the law who shall be the Solicitor to the Diet. The Solicitor, in conformity with the instructions given him by the Diet, shall supervise the observance of the laws in the proceedings of courts and other authorities. There shall be elected also, for the same period and in accordance with the same procedure, a Deputy Solicitor who shall act for the Solicitor in case of the latter's disability.

The Solicitor to the Diet shall have the same right as the Chancellor of Justice to assist at the sessions of the Council of State and of tribunals and public departments, to have access to the minutes of the Council of State and of its Ministries, tribunals and other authorities, and, under the responsibility imposed by law upon public prosecutors, to prosecute or cause to be prosecuted complaints for malfeasance or nonfeasance in office.

The Solicitor shall present to the Diet an annual report on the administration of his office, on the state of the administration of the law, and on the defects which he has noticed in legislation.

(Thus amended on November 10, 1933.)

Article 50. For the purpose of general administration, Finland shall remain divided into provinces, circuits and communes,

Changes in the number of provinces shall be made by law; the Council of State shall decide all other changes concerning administrative divisions, unless otherwise provided by law.

In redrawing the boundaries of the administrative districts these, as far as circumstances permit, shall be so constituted as to contain populations speaking only one language, Finnish or Swedish, or to make their lingual minorities as small as possible.

Article 51. The administration of each province shall be headed by a Governor.

The administration of the communes shall rest on the principle of local self-government as prescribed by special laws. The manner and extent of application of local autonomy to more extensive districts than communes shall also be regulated by law; the regulations contained in Article 50, Paragraph 3, shall be followed in fixing the boundaries of these districts.

Article 52. Public departments now existing or hereafter created for different branches of the administration of the State are governed by special regulations.

CHAPTER V.

The judiciary.

Article 53. The Supreme Court is the highest court of appeal in suits at law; moreover it shall supervise judges and executive authorities in their administration of justice.

Article 54. The Supreme Court shall be composed of a President and of the necessary number of Councillors of Justice.

Matters pertaining to the judicial administration which, by reason of special regulations, fall within the jurisdiction of the Supreme Court shall be prepared by the Ministry to which questions concerning the administration of justice are assigned. The Head of this Ministry shall take part in the deliberations of the Supreme Court upon these matters.

In the Supreme Court decisions may be given by five members unless for the settlement of certain questions a larger or smaller number of members is specially required by law.

Article 55. Provisions referring to general tribunals of first instance and of appeal are laid down in law.

Article 56. The Supreme Administrative Court shall, unless otherwise specially provided, be the court of last resort in cases of appeal involving administrative law. This court shall also supervise the administration of justice by subordinate authorities in the field of administrative law.

Article 57. The Supreme Administrative Court shall be composed of a President and of the necessary number of Councillors of Administration. The provisions of Article 54, Paragraph 3, in regard to quorum in the Supreme Court, shall apply also to this court.

Article 58. The Supreme Court and the Supreme Administrative Court, when they deem an amendment or interpretation of a law or decree necessary, shall address to the President a request for such a measure of legislation.

Article 59. In case of arraignment of the Chancellor of Justice, a member of the Council of State, of the Supreme Court or of the Supreme Administrative Court, for an illegal act committed in the exercise of their functions, the case shall be tried by a special

court called the High Court of Impeachment, governed by special constitutional provisions.

If an arraignment be decided upon by the Diet, the Solicitor to Diet shall act as prosecutor.

Article 60. Special tribunals other than that mentioned in Article 59 shall be provided for by law.

No fortuitous tribunal may be established.

CHAPTER VI.

Public finance.

Article 61. Taxes, including customs duties, shall be laid by law for an indeterminate or a limited period. The same applies to the abolition or modification of a previously imposed tax or compulsory service.

A tax established for a limited period shall not be collected beyond such period except in the case provided for in Article 69, Paragraph 1.

Article 62. The general principles with regard to fees to be paid for the official services of Government officials and for documents issued by them, as well as for the use of postal services, railways, canals, hospitals, schools and other public establishments belonging to the State, shall be fixed by law.

Article 63. Revenue-yielding properties and enterprises belonging to the State shall be managed and exploited according to general principles established by law.

Article 64. The consent of the Diet shall be necessary for the raising of a public loan.

Article 65. The principles governing new budgets for public departments and institutions, as well as the modification and abrogation of principles previously established, shall be regulated by law, as shall also the matter of pension rights. New public offices and departments shall be created only within the limits of the annual budget.

New extraordinary pensions or subventions shall be granted only from appropriations voted for this purpose by the Diet.

Article 66. The annual budget, in which must be included the receipts and expenditures for the financial year, shall be adopted

by the Diet and promulgated in the same manner as is required for the promulgation of laws.

Special regulations determine whether a fund not designed to meet the annual needs of the State shall be excluded from the budget.

Article 67. No tax or other revenue which must be collected in accordance with the laws or decrees in force for the year may be excluded from the budget of that year.

Article 68. Interests and annuities on public debts and other grants designated to meet some State liability, as well as other expenditure which must be defrayed in accordance with regulations in effect during the fiscal year, must be included without deductions in the budget. The budget must also include an estimated grant for covering expenses based upon laws or decrees but not entered in the budget as special items, as well as a sufficient grant to be placed at the disposal of the Government for unexpected needs.

Other items of expenditure contained in the budget shall be subjected to examination and decision by the Diet for each fiscal year.

Appropriations voted by the Diet on its own initiative shall be included in the budget as conditional.

The budget must show resources sufficient to meet expenditure.

Article 69. If the budget is not adopted by the Diet before the beginning of the year, although the budget bill has been submitted by the Government at least two months before the expiration of the Parliamentary session, the expenditures mentioned in Article 68, Paragraph 1, shall be defrayed, and the revenues necessary for this purpose shall be collected provisionally as before.

If alterations to the approved budget appear to be absolutely necessary, a supplementary budget bill shall be submitted to the Diet.

Article 70. The appropriations contained in the budget shall not be exceeded, nor shall they be carried forward from one fiscal year to another, unless provisions for this are made in the budget, nor shall an appropriation be transferred from a part separately voted on by the Diet to another part of the budget.

Independently of the budget everyone shall have the right to demand from the State what is legally due to him.

Article 71. For the examination of Treasury accounts and balance-sheets there shall be an Auditing Office which must satisfy itself that the figures in the accounts are correct, that the receipts and expenditures are legal, and that the budget has been complied with.

At every regular session of the Diet there shall be appointed five State Auditors, who shall, on behalf of the Diet, supervise the observance of the budget and examine the condition and administration of the Treasury. These Auditors shall follow instructions prescribed by the Diet, and they shall be entitled to obtain from the competent authorities any necessary information and documents. They shall be elected, by proportional vote, by the Electors¹⁾ of the Diet. In the same manner there shall be elected also the necessary number of Deputy Auditors.

Article 72. The rules concerning the monetary currency of Finland shall be enacted by law.

Article 73. The Bank of Finland shall be placed under the guarantee and care of the Diet and under the supervision of Trustees elected by the Diet.

The Bank of Finland shall be administered by regulations adopted in accordance with the procedure prescribed for the enactment of laws.

The Diet shall determine how the profits of the Bank shall be used for the needs of the State.

Article 74. Landed property, taxes, or revenue-yielding rights of the State shall not be alienated or mortgaged except as authorized by law.

The tenant of State-owned land shall nevertheless have the right to purchase such land in fee simple in accordance with special rulings.

CHAPTER VII.

National defence.

Article 75. Every Finnish citizen must take part in, or make his contribution to, the defence of the Country as prescribed in law.

¹⁾ (i.e. the members of the Diet entrusted with electing the members of Parliamentary Committees.)

Every conscript, unless he otherwise desires, shall if possible be enrolled in a military unit of which the rank and file speak his own mother tongue (Finnish or Swedish), and shall receive his training in that language. Finnish shall be the language of command of the Armed Forces.

Article 76. If the Armed Forces are to be mobilized the President shall issue an order in the Council of State to this effect. When this order has been given, the Council shall take measures for meeting the expenditure which ensues, and the Diet shall be convoked if it is not in session.

CHAPTER VIII.

Education.

Article 77. The University of Helsinki shall retain its right of self-government.

New regulations concerning the principles of the organization of the University shall be issued by law; but details concerning the University shall be regulated by decree. In both cases the Senate of the University must be previously consulted.

Article 78. The State shall promote the study of, and higher instruction in, technical, agricultural, and commercial sciences and other applied sciences, as well as the practice of, and higher instruction in, the fine arts, by maintaining and establishing for all these branches special schools of higher learning in so far as these are not represented at the University, or by giving grants in aid to private institutions created for this purpose.

Article 79. The State shall maintain at its own expense or, if necessary, subsidize schools for secondary education as well as for higher elementary education. The principles of the organization of State-owned schools shall be established by law.

Article 80. The principles governing the organization of elementary education, the obligations of the State and the Commune to support elementary schools as well as the establishment of compulsory education, shall be determined by law.

Education in the elementary schools shall be free to all.

Article 81. The State shall maintain, or if necessary, subsidize institutions for instruction in the technical professions, in agri-

culture and its subsidiary branches, in commerce and navigation, and in the fine arts.

Article 82. The right to establish private schools or other private institutions of education and to organize instruction therein shall be regulated by law.

Instruction given at home shall be subject to no supervision by the authorities.

CHAPTER IX.

Religious communities.

Article 83. The organization and administration of the Evangelical Lutheran Church is regulated by ecclesiastical law.

Other existing religious communities shall be governed by rules which are or shall be prescribed on their behalf.

New religious communities may be founded subject to the provisions of the law.

CHAPTER X.

Public offices.

Article 84. Except where otherwise provided in this Article only Finnish citizens shall be appointed to public office.

Employments of a technical nature, teaching posts in the University or comparable institutions, posts of teacher of foreign languages in the schools, and of translators in public departments, as well as honorary consular posts and the posts of clerical assistants and other temporary-staff positions in Legations and Consulates, may be held by other than Finnish citizens.

Article 85. Examinations for appointment to public office shall be regulated by decree except where such matters are regulated by law. Exemption from the qualifications prescribed by decree may for special reasons be granted by the Council of State; this however, shall not apply to judicial appointments.

Article 86. The general principles upon which appointment to public offices of the State may be made shall be ability, capacity and proved civic virtue.

Article 87. The President of the Republic shall appoint:

- (1) The Chancellor of Justice and his Deputy;
- (2) The Archbishop and Bishops and the Chancellor of the University;
- (3) The Presidents of the Supreme Court and of the Supreme Administrative Court, and, upon the recommendation of the Supreme Court, the members of that Court and the Presidents of the Courts of Appeal, as well as, upon recommendation of the Supreme Administrative Court, the members of that Court;
- (4) The members of the Courts of Appeal and the Professors of the University and of the Institute of Technology;
- (5) The Heads of the Central Administrative Offices and the Provincial Governors, upon the recommendation of the Council of State, and Members of the Central Administrative Offices;
- (6) The Officials in the President's Chancellery and, upon the recommendation of the proper authority, the Reporters to the Council of State, to the Supreme Court, and to the Supreme Administrative Court; and
- (7) Ministers Plenipotentiary and Consuls (missi), upon the recommendation of the Council of State.

Article 88. Judges of Circuit Courts, Burgomasters, and Chairmen of Land-Partition Courts shall be appointed by the Supreme Court.

In compliance with special regulations appointment to certain posts shall be made as follows:

- (1) to tribunals, by the Supreme Court or by the superior Court in whose jurisdiction the employment falls, and to the Supreme Administrative Court, by that Court; and
- (2) in administrative offices and in schools, by the Council of State, the Minister, the Provincial Government, or the governing body of the Office to which the employment belongs.

Appointment to other public offices shall be made by the Council of State, unless the right of appointment has been reserved to the President or committed to some other authority.

Article 89. Nominations of members of a central administrative Board as well as to posts mentioned in Article 87, Paragraph 4, and in Article 88, shall ensue subject to reservations contained in Article 90, and, the post having been announced open for application, on the basis of a nomination list on which the authority to which the application is addressed puts those three of the applic-

ants who in accordance with prescribed principles have the best merits. The Supreme Court shall give its opinion on the nomination list for a post as member of a Court of Appeal.

If the appointment is made by the same authority to which the applications are addressed, no nomination list shall be drawn up. In accordance with special regulations, certain other administrative posts may also be filled by a procedure different from that prescribed in Paragraph 1 of this Article.

Article 90. For appointments to posts in the University, in the Institute of Technology, in the Evangelic Lutheran Church and the Greek Orthodox Church, to the office of Burgomaster and of Alderman in towns and to offices and employments in the Bank of Finland special regulations are in force.

Officers of the Army and of the Navy shall be appointed by the President. Special regulations shall be issued concerning other matters of military promotion and instruction.

Article 91. No judge shall be deprived of his office except by a lawful trial and judgement. Nor shall he, without his own consent, be transferred to another post, except in the case of re-organization of the judiciary.

The right of other officials to retain their offices shall be regulated by a special law.

The law may impose, even for irremovable officials, an obligation to retire at a fixed age or because of infirmity involving incapacity for work.

Special regulations shall define the rights and duties of officials whose offices are abolished.

Article 92. In the exercise of public functions the law must be strictly followed under penalty of law.

If a provision in a decree is contrary to a fundamental or other law, it shall not be applied by a judge or other official.

Article 93. Every official is responsible for the measures that he takes or to which he contributes in his capacity as a member of a collegiate public office. A reporter is likewise responsible for a decision taken upon his report unless he has recorded his dissenting opinion in the minutes.

Whoever suffers a violation of his right or injury as a result of an illegal measure or negligence by an official has the right to demand that the official in question be punished and pay damages, or he can lay an information against the official

demanding his indictment in accordance with the formalities prescribed by law.

The responsibility, if any, of the State for damages caused by an official shall be governed by special regulations.

CHAPTER XI.

Final provisions.

Article 94. The election of the first President of the Republic shall be made by the Diet and shall take place immediately after the present Form of Government Act comes into force. The election shall be by secret ballot. If a candidate obtains more than half of the votes cast he shall be proclaimed elected. Otherwise a new ballot shall immediately be held, and if no candidate obtains an absolute majority this time, another ballot shall be held between the two candidates who on the second count obtained the largest number of votes. In case of an equal number of votes the decision shall be by lot.

Article 95. The present Form of Government Act shall be in all its parts an irrevocable fundamental law. It cannot be amended, interpreted or repealed, nor can it be departed from except in accordance with procedure prescribed for fundamental laws in general.

The following laws are repealed by the present law: The Form of Government Act of August 21, 1772, and the Act of Union and of Security of February 21 and April 3, 1789, as well as provisions contained in other laws and decrees, which are in conflict with the present Form of Government Act.

The provisions necessary for bringing the present Form of Government Act into effect shall be issued by law.

To be observed by whomsoever it may concern.

Helsinki, July 17, 1919.

Regent:

Mannerheim

Minister of Justice: *Söderholm.*

DIET ACT

Adopted at Helsinki (Helsingfors), January 13, 1928.

Whereas, by reason of the adoption of the Form of Government Act of July 17, 1919 and on the experience acquired, it has been judged necessary to bring certain modifications to the Diet Act of July 20, 1906, there is hereby sanctioned, by the resolution of the Diet, taken in conformity with the dispositions of Article 60 of the said Act, the Diet Act for the Republic of Finland of which the following is the text:

CHAPTER I

General Principles

Art. 1. The Diet represents the people of Finland.

Art. 2. The Diet forms a single chamber, composed of two hundred Representatives.

Art. 3. Elections to the Diet shall take place every three years and simultaneously throughout the country.

Meanwhile the President of the Republic, if he judges it necessary, has the right to order new elections before the expiration of the period of three years provided for in Paragraph 1. In this case the elections which immediately follow these shall take place, if there is no new dissolution of the Diet, the third year after the preceding elections.

The mandate of the Representative shall take effect as soon as he has been declared elected and shall continue until the new elections have been held.

Art. 4. Representatives are elected by direct and proportional suffrage; for these elections the country shall be divided into electoral districts numbering a minimum of twelve and a maximum of eighteen.

When local circumstances necessitate an exception to the proportional procedure, one or several districts, besides the number indicated above, can be established for the purpose of electing a single Representative.

At elections every elector shall have the same right to vote.

The right to vote cannot be exercised by proxy.

Detailed provisions relative to districts, to dates, and to the procedure of elections shall be given by special law.

Art. 5. Whosoever shall seek to hinder freedom of the vote by persuasion of bribery shall be liable to a maximum of three months' imprisonment. If he has employed force or threats, he shall be liable to a prison term of from one month to a year; if he is an official, he shall be in addition removed from office.

An official who takes advantage of his public authority to influence the election of Representatives shall be removed.

An employer who does not grant an elector in his employment the opportunity to use his right to vote shall be liable to a fine.

Art. 6. Every Finnish citizen, man and woman, who before the year in which the election takes place has reached twenty-one years of age, shall be an elector.

The following shall be deprived of the right to vote: whoever

- 1) is under guardianship;
- 2) has not during the last three years been carried present on the lists of the civil register as a Finnish citizen;
- 3) has been committed to a workhouse or forced labour for vagrancy, until the expiration of the third year counting from the year in which he has been set free;
- 4) has been deprived by judicial decree of his right to vote or of his civil rights, or has been declared unworthy of serving the country or of acting on behalf of another, whether or not the decree be final;
- 5) is convicted of having, at the time of the election of Representatives, bought or sold votes or of having made attempts in this direction, or has voted in more than one place, or has by force or threats disturbed the freedom of vote; he shall

be deprived of his right to vote until the expiration of the sixth year counting from the year in which final judgement was rendered.

(Thus amended November 24, 1944.)

Art. 7. Every elector shall be eligible to become a Representative, without regard to residence.

However, eligibility shall not extend to those who are in active military service.

(Thus amended November 24, 1944.)

Art. 8. Every person elected Representative who loses his eligibility shall lose his mandate.

Art. 9. The Chancellor of Justice, members of the Supreme Court and of the Supreme Administrative Court as well as the Judicial Delegate of the Diet cannot be Representatives. If a Representative is named or elected to any of these functions, he shall cease to be a Representative.

Art. 10. Whoever is, by virtue of the electoral law, declared elected Representative, cannot resign except for legal obstacle or for another cause approved by the Diet.

Art. 11. Every Representative should act according to justice and truth in the exercise of his mandate. He should observe the fundamental laws and is not bound by any other limitation.

Art. 12. Access to the sessions and the exercise of his mandate cannot be refused to a Representative.

Art. 13. No Representative should be prosecuted or deprived of his liberty because of opinions expressed by him in the Diet or because of his attitude during the proceedings, unless the Diet has authorized it by a vote having mustered at least five-sixths of the votes cast.

(Thus amended November 3, 1944.)

Art. 14. In the course of a session of the Diet no Representative should be arrested, without the consent of the Diet, for criminal offense, unless a tribunal has ordered his arrest or unless he has been taken in the act of committing a criminal offense punishable by at least six months' imprisonment.

A Representative who while proceeding to a session is arrested

for a cause other than that provided for in Paragraph 1, should be freed if the Diet decides upon it.

The Speaker should be informed immediately of the arrest of a Representative.

Art. 15. If someone abuses by act or word a Representative while the latter is proceeding to a session of the Diet or returning from it or in the course of a session, and knowing that a Representative is concerned, or if someone, the session ended, commits assault upon a Representative because of the way in which he has exercised his mandate, the circumstance that the infraction has been committed against a Representative shall be considered particularly aggravating.

That which is stated here of Representatives shall apply also to secretaries as well as to other officials and employees of the Diet.

Art. 16. Every Representative shall enjoy a parliamentary indemnity paid by the funds of the State; moreover, his travelling expenses in proceeding to a session and returning from it shall be reimbursed.

The parliamentary indemnity and the travelling expenses shall be fixed by law; such a bill shall be handled as stipulated in Article 70.

In the said law shall also be determined the indemnity to which, during a recess or after the close of a session, the following are entitled: members of the Finance Committee and the Committee for Foreign Affairs, as well as Representatives appointed for the verification of communications emanating from the Diet and of the resolution of the Diet.

Art. 17. To every Representative who does not present himself in due time at the session of the Diet, or who is, without authorization by the latter and without accepted hindrance, absent from a sitting, the Diet can impose the loss of the parliamentary indemnity or a part of it. Every Representative who does not amend his conduct can be declared by the Diet to have forfeited his mandate.

Every Representative who undergoes a punishment depriving him of liberty shall forfeit his indemnity during this time.

CHAPTER II.

Opening and Closing of Sessions of the Diet and Dissolution of the Diet

Art. 18. The Diet convenes in the capital of the State except when a hostile invasion or other serious cause makes it impossible or compromises the security of the Diet; in this case, another place of assembly shall be assigned by the President of the Republic.

Art. 19. The ordinary session of the Diet shall begin yearly, without special convocation, on February 1, unless the preceding session has appointed another date, and shall terminate after having continued for one hundred and twenty days, with or without interruption. The Diet shall nevertheless have the right to decide whether it will break up sooner or later.

Art. 20. If the President of the Republic, in the course of an ordinary session, orders new elections, the Diet shall be dissolved on the day that the President of the Republic causes to be proclaimed. In this case, the Diet shall re-assemble in ordinary session after the new election on the first day of the first month which begins after a delay of ninety days reckoning from the dissolution, or on a previous day fixed by the President of the Republic.

If the new elections are ordered after the closing of an ordinary session so that the elections cannot be concluded before February 1 following, the re-assembly of the Diet in ordinary session shall be put off to the first day of the month which follows the publication of the results of the elections.

Art. 21. The President of the Republic shall have the right to convoke the Diet in extraordinary session and to determine the date when this session shall end.

An extraordinary session of the Diet should not be convoked to a date prior to the fifteenth day reckoning from the publication of the convocation, and should not continue beyond the last working day preceding the beginning of the ordinary session.

An extraordinary session should not deal with matters other than those which caused the convocation or which otherwise are submitted to it by the Government, as well as affairs which are germane to the foregoing.

Art. 22. The orders of the President of the Republic aimed at in Articles 18, 20, and 21 should be promulgated in the order established for the promulgation of laws and decrees.

The decision relative to new elections shall further be made known to the provincial governors and to authorities and commissions charged with the organization of elections.

A r t. 23. On the day preceding the day when the Diet should assemble for the first time after the election, all Representatives shall be obliged, beginning at twelve o'clock noon and in the order named by placard, to present their full powers to the person or persons commissioned by the President of the Republic for this purpose. It should be proved at the time of the verification of powers that these powers have been delivered by competent authority and are in good and due form.

An alphabetical list of duly validated Representatives should be held at the disposal of the Diet before twelve o'clock noon of the following day.

A full power presented later should be immediately verified, conforming to Paragraph 1, and shown to the Speaker as soon as it has been approved. Mention of it should be made in the list provided by Paragraph 2, in the same manner as any other change arising in the composition of the Diet.

A r t. 24. If the power of a Representative has not been approved, the Diet shall have the right to consider whether this Representative can nevertheless take a seat in the Diet.

If, by virtue of the present law, the qualification of a Representative is contested, the Diet should likewise pronounce on this question, unless the same contest has been, by way of appeal made on the elections, already submitted or is capable of being submitted to the decision of competent authority.

Any other question relative to the validity of the elections cannot be submitted to the examination of the Diet, except when it is claimed that an act manifestly criminal has been committed at the time of the elections or of any proceeding relating to the elections, or that an indubitable error has occurred at the verification of the results of the elections. In these cases, when it appears also that the criminal proceeding or error has been able to affect the issue of the elections and that a rectification can no longer be demanded by way of appeal, the Diet has power to rectify the result conforming to the electoral law.

A person whose qualification as Representative is contested shall nevertheless keep his mandate until it has been invalidated.

A r t. 25. On the first day of the session, the Diet assembles at noon in a plenary sitting which shall begin with a roll-call following the list provided for in Article 23. At this sitting the Diet shall elect from among its members the Speaker and two Deputy Speakers.

Then the Speaker and Deputy Speakers shall deliver one after the other before the assembled House this solemn declaration:

»I, . . . , affirm that I shall maintain with all my power, in the exercise of my functions, the rights of the people of Finland, of the Diet and of the Government in conformance with the Constitution.»

Until this declaration has been taken, the senior member shall preside over the Diet.

In case of the death or resignation of the Speaker or of a Deputy Speaker in the course of the session, a new Speaker or Deputy Speaker should be immediately elected.

A r t. 26. The President of the Republic causes the date and hour of the opening of the session to be proclaimed; the opening should not take place later than the third working day counting from the assembly of the Diet. On the day and hour indicated, the Representatives should assemble, after divine service, at the House, where the President of the Republic shall greet the Representatives and shall declare open the session of the Diet. The Speaker, in the name of the Diet, shall reply to the welcoming speech.

A r t. 27. At the time of the closing of the session the Representatives shall assemble, after divine service, on the day and hour fixed by the President of the Republic, at the House, where the Speaker shall tender to the President of the Republic the greetings of the Diet and shall deliver its resolution, after which the President of the Republic shall declare the closure of the session of the Diet.

CHAPTER III

Introduction of Affairs in the Diet

A r t. 28. At the time of the opening of the session, the President of the Republic shall make known the propositions of the Government which are delivered to the Diet.

Propositions which could not then be sent to the Diet can be submitted for consideration subsequently.

A proposition of the Government can, if there is reason to do so, be taken back.

Art. 29. At every ordinary session of the Diet, at the time of its opening or within a delay of three months of the opening, a statement should be delivered to it concerning measures taken by the Government as a result of the resolutions of the Diet and about any other important issue relating to public administration and to the country's relations with foreign powers.

Art. 30. At the time of every ordinary session a budget bill shall be delivered to the Diet for the coming financial year.

At every ordinary session of the Diet there should likewise be presented a statement concerning the administration and status of the public finances.

State auditors appointed by the Diet are bound to report to it conforming to the provisions in force on this subject.

Art. 31. The Diet shall have the right to admit for consideration any motion duly made by a Representative. Such motion can be:

- 1) a motion of law, containing a bill, drawn up in legal form, aiming at the adoption of a new law or at the amendment, interpretation or abrogation of a law in force, or a bill on a matter regulated previously by administrative provisions;
- 2) a motion of finance, containing the proposal to include an appropriation in the budget for the coming financial year;
- 3) a motion of vote, containing a proposal that the Diet recommend to the Government to take certain measures in a matter which is within the competency of the Government.

Relative to the enactment of ecclesiastic laws, special provisions are in force.

Art. 32. Every motion should be presented in writing before noon of the fourteenth day counting from the opening of the first ordinary session after elections, but of the tenth day at other ordinary sessions. A Representative shall not have the right to make a motion after this date unless it be directly justified by a resolution of the Diet or a Government proposition presented to the Diet or the resumption of a proposition or another issue arising in the course of the session. In any case, no motion can be made

later than noon of the seventh day counting from the day when the author of the motion should be considered as having been acquainted with the issue in point.

Every motion should be justified.

Questions of different character should not be included in the same document.

Art. 33. Relative to the right of motion of the Representative Assembly [Landsting] of Aaland, special provisions are in force.

Art. 34. In a matter which is within the competency of the Government and which does not require the concurrence of the Diet, the Government can, by a proposition, request the opinion of the Diet.

Art. 35. If the consideration of a matter has not been terminated at an ordinary session, it shall be continued, with the exception of cases provided for in Articles 36 and 37, at the following ordinary session, unless the elections intervene.

Art. 36. If the Government desires to make, outside of the order of the day, a communication or account concerning the administration of public affairs or the relations with foreign powers, this shall be read in the House and laid on the table to a subsequent sitting. The debate on the matter having been declared ended, the Speaker shall propose to the Diet to pass to the order of the day by the adoption of a declaration formulated thus: «The Diet, after having received the communication, shall pass to the order of the day.»

The Diet can either adopt simple passage to the order of the day, or the justified passage to the order of the day proposed in the course of the debate, or refer the matter to a competent committee. If the matter is referred to a committee, the latter will propose a justified passage to the order of the day; the final substance of the justified passage shall be determined by the Diet.

The consideration of a point in question here cannot be continued at a subsequent session.

Art. 37. If a Representative desires to ask a question of a member of the Government on a matter which is within this minister's competency, he shall present it in writing in precise terms to the Speaker, whose duty it is to forward it to the minister concerned. On the day and hour agreed to by the Speaker, the minister shall answer orally or in writing, unless he considers that he should abstain from answering; in this case, the motives for the refusal

should be brought to the attention of the Diet. In a matter of this sort there can be neither debate nor resolution in the Diet.

If a Representative wishes to interpellate a member of the Government on an affair which is within the competency of the latter, so that the matter may be considered by the Diet, he should present the interpellation to the Speaker in form and substance as provided by Paragraph 1. When the interpellation has been read to the Diet and laid on the table and if at least twenty Representatives, including the authors, have approved it in writing it shall be, without preliminary discussion in the Diet, through the good offices of the Speaker, brought in writing to the attention of the minister concerned. The minister is bound to reply within fifteen days after notification, on the day and hour agreed upon by him and by the Speaker, unless the Government, within the same delay, has made known that the character of the matter does not permit any reply; the motives for the refusal should be brought to the attention of the Diet. After a reply, or the communication that there is no reply, has been delivered and the debate is declared closed, the Speaker shall move to pass to the order of the day by this form: »After having heard the explanation given, the Diet passes to the order of the day.»

The Diet can either adopt simple passage to the order of the day, or the justified passage proposed in the debates, or decide to refer the matter to the Committee on the Constitution or, if the character of the matter demands it, to another committee. If the matter is referred to a committee, the latter should propose a justified passage to the order of the day, of which the final substance shall be determined by the Diet.

The consideration of a point in question here cannot be continued at a subsequent session.

Art. 38. Special law shall prescribe the competency of the Diet to judge the legality of measures taken in the execution of their office by members of the Government and the Chancellor of Justice, and the procedure to follow in the examination of affairs of this nature.

CHAPTER IV

Preparation of Affairs.

Art. 39. Within three days reckoning from the opening of the first session after the elections, the Diet shall appoint the Electors, at least forty-five in number, with the necessary number of substitutes, in view of the election of members to the Diet committees.

The Electors and their substitutes shall be elected by proportional vote, and their mandate shall continue during all sessions until new elections, unless the Diet decides, on the proposal of the Speakers' Conference, upon proceedings for a new election of Electors.

Art. 40. At the time of an ordinary session, there shall be constituted, within five days of the opening of the session, a Committee on Fundamental Laws, a Committee on Laws, a Committee for Foreign Affairs, a Finance Committee and a Bank Committee. The Committee on Fundamental Laws, the Committee on Laws and the Committee for Foreign Affairs should each be composed of at least seventeen members, the Finance Committee of at least twenty-one, and the Bank Committee of at least eleven members. At the same time substitutes numbering at least one quarter of the regular members of each committee shall be selected.

In addition to these standing committees the Diet can also, in case of need, establish extraordinary committees; to such a committee, if it is composed of at least eleven members, there can also be referred matters which, considering their character, otherwise should be prepared by a standing committee.

If a committee deems it necessary that the number of its members or substitutes be increased, it should make a proposal to the Diet to this effect.

Every committee shall have the right to divide, when matters demand it, into sub-committees of whom each shall make reports in the name of the committee. Regarding the sub-committees, which should each consist if at least eleven members, the stipulations for committees in the present law shall be enforced.

In extraordinary sessions the Diet shall establish committees which are necessary for the preparation of matters submitted to that session.

Art. 41. If the Electors cannot agree on the designation of members of the committees, the proportional vote shall be applied.

Art. 42. Within five days after the opening of the session the Diet will establish, for the preparation of certain matters provided by Article 66, the Grand Committee comprising at least forty-five members; these, together with the necessary substitutes, shall be elected in the manner stipulated for the selection of Electors.

Art. 43. The Finance Committee will continue, if the Diet so decides, its work even when the Diet is in recess or after the closing of a session.

The Committee for Foreign Affairs will meet on the summons of the Government likewise during a recess of the Diet or after the closing of a session.

Art. 44. A member of the Government cannot be a member of a committee.

A member whose official activity is being examined by a committee or who is personally on trial should not participate in the handling of such a matter within a committee.

Art. 45. The committees and Electors of the Diet as well as the examiners provided for in Article 85 shall elect from among themselves a chairman and a vice-chairman at each session.

The senior member of each committee shall convoke the first meeting and preside over it until the chairman is chosen.

Every committee shall have the right to designate, for a fixed question, one or more reporters charged with communicating all necessary information to the plenary sitting of the Diet or to the Grand Committee.

Art. 46. The Committee on Fundamental Laws shall be charged with preparing matters which have been referred to it relative to the establishment, amendment, interpretation or abrogation of fundamental laws, or to all legislation intimately connected with fundamental law.

It is the duty of this Committee also to examine bills which have been referred to it relative to the establishment, amendment, or abrogation of the Order of Work of the Diet or of dispositions concerning the elections within the Diet according to the proportional system, as well as of instructions for the Judicial Delegate of the Diet.

It is likewise the duty of this Committee to examine the state-

ment made by the Government and mentioned in Article 29, and to make proposals justified by this statement.

Matters proceeding from the right of the Diet to examine the legality of official measures taken by members of the Government and the Chancellor of Justice shall likewise be prepared by this Committee.

It is the duty of the Committee on Fundamental Laws to award arbitration between the Diet and the Speaker, when the latter has refused to submit for consideration a question raised or to put a matter to the vote.

Art. 47. The Committee on Laws shall be charged with preparing matters which have been referred to it relative to the establishment, amendment, interpretation, or abrogation of law.

Art. 48. The Committee for Foreign Affairs shall be charged with preparing questions relating to the treaties, or the provisions contained in treaties, which, according to the Form of Government, should be approved by the Diet; it shall also prepare other questions relating to foreign affairs, the decision of which requires the consent of the Diet, as well as all questions of foreign policy which may be referred to it.

The Committee should receive, as often as circumstances require, a statement by the Government concerning the relations of the country with foreign powers; the Committee can, if it judges it necessary, express its opinion on this statement.

The Committee shall also examine the report aimed at in Article 29, in as far as it regards relations with foreign powers, and make such proposals as the matter may require.

The members of the Committee should observe the discretion that the Government may impose upon them in the case in point.

Art. 49. The Finance Committee should have access to all the accounts and acts of the Treasury. In the opinion which the Committee will give on the state of public finances and on the report of the State Auditors, it will be its duty to pronounce on the manner in which the budget has been observed and public economy administered, and to make proposals which may be justified by these facts.

The budget bill shall also be referred to the Finance Committee, as well as other finance propositions of the Government and motions of finance made by the Diet. In its opinion on the budget bill the Committee should treat all points of appropriation together. In

this same opinion, the Committee should make proposals on the manner of procuring the resources for the expenditures.

Every proposition for additions to the budget should be treated by the Committee in the same manner as the budget bill.

It is also the duty of the Committee to examine proposals which may be referred to it relative to the establishment, amendment, or abrogation of instructions for the State Auditors.

Art. 50. The Bank Committee shall be charged with studying the administration and situation of the Bank of Finland, the action of the Bank Trustees and the Board of the Bank, and the state and management of funds found under the guarantee of the Diet, and with making reports on it.

The Committee is bound to make necessary proposals relating to the establishment, amendment, or abrogation of regulations for the Bank of Finland and of instructions for the Bank Trustees, as well as relating to other provisions concerning the Bank of Finland and to prepare Government propositions and other proposals relating thereto. No decision should be taken on the disposal of the profit of the Bank of Finland before hearing the Bank Committee.

It shall likewise be the duty of the Committee to prepare matters referred to it concerning the banks and the monetary system of the country.

Art. 51. Every committee should assemble at the latest two days after its formation and send, in proportion to its preparation, on each matter to the plenary sitting of the Diet the opinion which that matter requires.

If a member is hindered from taking part in the consideration of a matter, a substitute shall be summoned in his place. A quorum is not attained unless two-thirds of the members are present.

If a member of a committee is absent from a meeting without excuse or special authorization, the Diet can condemn him to the loss in whole or in part of his parliamentary indemnity, as stated in Article 17, and, if this is repeated, can declare him deprived of his mandate as a member of the committee.

Every member who has not accepted the resolution of the committee shall have the right to express in writing his dissenting opinion, but without retarding the opinion of the committee in that way.

Art. 52. Members of the Government shall have the right to attend meetings and take part in debates of the committees, unless the committee decides otherwise in the case in point.

The Speakers and Deputy Speakers shall have the right to attend the meetings of the committees.

All members of the Diet as well as the Secretary and any other Diet official assigned by the Speaker for this purpose shall have the right to attend meetings of the Grand Committee.

Art. 53. If a committee deems that it needs to have access to a dossier relating to a question treated by a public authority or administration which is not under the jurisdiction of the Diet, or to obtain oral or written information from these, the Prime Minister or minister concerned shall take, on the demand of the committee, measures so that these documents or information may be communicated to it without delay. If they cannot be communicated, the refusal should be justified.

Art. 54. The Speaker and Deputy Speakers and the chairmen of the committees shall constitute the Speakers' Conference.

It shall be the duty of the Speakers' Conference to make necessary proposals to the Diet on the general organization of the work of the Diet, as well as on the establishment, amendment, or abrogation of the law concerning the basis of the budget for the secretariat of the Diet, the Order of Work of the Diet and provisions relating to the elections within the Diet according to the proportional system, as well as instructions for officials of the Diet.

CHAPTER V

Procedure for Business in Plenary Sitting and in the Grand Committee

Art. 55. It shall be the duty of the Speaker to issue the summons to plenary sittings; to present matters and conduct debates; to move resolutions; to maintain order at the sittings and to watch that nothing contrary to fundamental law be discussed; and to close the plenary sitting.

The Speaker should take part neither in the debates nor in the votes, nor make suggestions other than those which are necessary for enforcing fundamental laws, resolutions, or the Order of Work of the Diet.

The Speaker, in case of hindrance, shall be replaced by the first Deputy Speaker; and in case of hindrance for the latter, by the second Deputy Speaker.

Art. 56. The debates of a plenary sitting shall be public, unless the Diet has decided otherwise in the case in point.

Art. 57. Except for contrary provisions below, each Representative shall have the right to gain the floor in the order in which he demands it, and to speak freely to the record and express his opinion on all questions submitted to debate and on the legality of all that occurs in the Diet. No person should speak before the floor has been granted to him, or outside of the record.

Art. 58. Every Representative should preserve a serious and dignified bearing. No one should be permitted to express himself about the Government or particular persons in a manner injurious, mocking, or otherwise unseemly. Anyone who violates these provisions will be called to order by the Speaker and, if he persists, will be deprived of the floor. In other respects it shall be the duty of the Diet to judge whether a Representative who has disturbed the order should receive the admonitions and remonstrance of the Speaker; or whether he shall be excluded for a determined period not exceeding two weeks from the sittings of the Diet or be brought to justice, or whether there is no consequence to ascribe to the incident.

Art. 59. The members of the Government and the Chancellor of Justice, in the same manner as the Judicial Delegate of the Diet, shall have the right to attend plenary sittings and to take part in the debates, but not in resolutions, unless they are members of the Diet. If one of the above persons requests the floor, it shall be given to him by favoured turn.

Art. 60. When a committee shall have elected, conforming to Article 45, a reporter for a special matter, he shall benefit, when he takes the floor in the same matter, by favoured turn.

Art. 61. One who is not of the Evangelical Lutheran confession cannot take part in the consideration of proposals relating to the ecclesiastical law of the Evangelical Lutheran Church or to the ecclesiastical conditions of Evangelical Lutheran parishes in general.

Art. 62. A Representative may take part in a discussion concerning a matter in which he is personally interested, but not in the decision taken on this subject.

Art. 63. The propositions of the Government, in the same manner as motions of law, should not be submitted to a final decision before the competent committee has given its opinion thereon.

Reports which according to fundamental law shall be submitted to the Diet are also subject to preparatory examination by a committee.

Finance motions and motions of vote which have not been rejected after having been on the table, should likewise be submitted for examination by a committee.

Art. 64. If a matter provided for in Paragraphs 1 and 2 of Article 63 is not from its first presentation immediately referred unanimously to a committee it should lie on the table until one of the following sittings, and should then be referred to a committee.

Art. 65. The opinion of a committee should at its first presentation be laid on the table. At the following presentation, it should whether or not there has been a debate, be laid on the table anew, if two or more members demand it, but at the third it can no longer be delayed.

The stipulations of the preceding paragraph shall not be concerned with the opinion of the Grand Committee which should meanwhile, from its first presentation, be laid on the table if two or more Representatives demand it.

Art. 66. If a committee opinion concerns the adoption or rejection of a bill, the question should pass three distinct readings in plenary sitting.

At the first reading, the opinion of the committee shall be read, and the right of pronouncing upon it is given to the Representatives. After the debate has been declared closed, the matter is referred, without decision in points of substance, to the Grand Committee which is bound to give its opinion and make justified proposals.

At the second reading, the opinion of the Grand Committee shall be read, after which the Diet shall proceed to an examination of the bill and shall decide on each point of it. If the proposal of the Grand Committee is approved *in toto*, the second reading is declared ended. If the proposal of the Grand Committee is not approved without changes, the bill is recommitted in the wording it has received by the resolution of the Diet to the Grand Committee, which is bound to urge the bill without or with change or to propose its rejection. If the Grand Committee has proposed changes, the

Diet shall decide on the adoption or rejection of these, after which the second reading is declared ended.

If the opinion of the Grand Committee contains a bill, the rejection of the bill in its entirety should not be proposed on the occasion of the second reading.

In the course of the second reading the Diet shall have the right to demand a new opinion from the special committee which first prepared the matter or from another special committee. The Grand Committee has the same right.

At the third reading, which shall take place not earlier than the third day after the completion of the second reading, the matter is presented for final decision; the Diet can then either adopt the bill in the wording approved at the second reading, or reject it.

A bill which has obtained a majority from the third reading can nevertheless be left pending. A proposal in this sense should be made before the proposal tending towards the adoption or rejection of the bill has been made; in this case, unless the bill has been rejected by vote, the matter should be delivered at the following plenary sitting; if the proposal tending to leave the matter pending is then urged by a third of all members of the Diet, the bill should, in the text approved at the third reading, remain pending until the first ordinary session after elections.

Art. 67. In order to become a resolution of the Diet, every bill concerning the adoption, amendment, interpretation, or abrogation of a fundamental law should, after having been treated as provided in Article 66, at the third reading be approved by a majority of votes to be left pending until the first ordinary session after elections and should be adopted without change at this session by a resolution assembling at least two-thirds of the votes cast.

Nevertheless if a bill referring to a fundamental law has been declared urgent in plenary sitting by a resolution assembling at least five-sixths of the votes cast, the matter should be resolved without being left pending, and the resolution should be taken as stated in Paragraph 1.

The above stipulations relating to fundamental laws shall be applied to the privileges of the Estates.

Art. 68. The stipulations of Article 66 should likewise be observed when there is concerned an impost to be collected during a time either indeterminate or limited, or the contracting of a State loan, yet in such a way that a bill referring to a new or aug-

mented impost, or to the indeterminate prolongation at the same rate of an impost fixed for a limited time, or to the contracting of a State loan, may not be left pending, and that a bill referring to a new or augmented impost destined to be collected for a time exceeding one year, shall be considered dropped if it has not received two-thirds of the votes cast at the third reading.

In the case where a bill referring to a new or augmented impost destined to be collected during a time exceeding one year is dropped at the third reading, the matter should be re-committed to the Finance Committee, which is bound to give its advice on the question whether the impost should be fixed for one year, and to propose the text of a bill relating to the collection of the impost.

In the case where a bill referring to an augmented impost destined to be collected during a time of one year is dropped at the third reading, it shall be re-committed to the Finance Committee, which is bound to give its advice on the question whether the impost is to be prolonged at the same rate, and to propose the text of a bill relating to the prolongation of the impost.

The Diet shall decide at the third adjourned reading on the adoption or rejection of the bill drafted by the Finance Committee as provided in Paragraphs 2 and 3; an opinion relating to it shall not be laid on the table, unless the Diet decides otherwise.

Stipulations herein provided for imposts shall be in force with relation to public encumbrances.

Art. 69. Proposals tending towards the adoption of such provisions contained in a treaty concluded between Finland and a foreign power as are within the legislative sphere shall be considered, whether the provisions be included in a peace treaty or other treaty, according to Article 66 and, if fundamental law is concerned, according to Paragraph 1 of Article 67. However, in these cases, a bill should not be left pending.

A proposal aiming at the adoption by the Diet of a provision, contained in a treaty, by which the State is bound to maintain during a certain time legal provisions in force, as well as a proposal aiming at the adoption of a treaty, or of a provision contained in a treaty, which, without touching the legislative domain, by the terms of the Constitution requires the consent of the Diet or in which the Government desires the consent of the Diet, shall be considered without regard for the order stipulated in Article 66, and the matter shall be decided by the majority of votes. A proposal

aiming at a change in the frontiers of the State which constitutes a reduction of territory must nevertheless be carried by at least two-thirds of the votes cast to be considered approved by the Diet.

Art. 70. At the examination of a bill relating to parliamentary indemnity, the provisions of Article 66 should likewise be observed, yet in such a way that a matter of this nature cannot be left pending and that the bill is considered dropped if it is not approved at the third reading by at least two-thirds of the votes cast.

Art. 71. The Diet has the right to refer also to the Grand Committee matters other than those provided for in Articles 66, 67, 68, and 70. In this case, the provisions of Article 66 shall be applied in such a way that the matter is submitted to only two readings and is decided at the second.

In a matter which has not been referred to the Grand Committee, the Diet can decide that the matter should be submitted to two readings and that the final decision should be taken at the second, which in this case shall take place not earlier than the third day after the first reading.

In matters of this nature a proposal to leave the matter pending should not be made.

Art. 72. A question introduced by a Government proposition at an extraordinary session and which does not concern fundamental law cannot be left pending, but should be decided at the same session.

Art. 73. A bill which has been left pending, or which has not been sanctioned by the President of the Republic, should be introduced at the first ordinary session after the election and should, after an opinion by the competent committee, be either adopted without change, or rejected.

The decision relative to the adoption or rejection shall be taken by majority vote with the exception of the case provided for in Paragraph 1 of Article 67.

Art. 74. The fact that a bill has been left pending, or that a bill adopted by the Diet has not been sanctioned, shall not constitute an obstacle to a new Government proposition or motion on the same subject. If the Diet has, after such a proposition or motion, adopted a new bill, the bill left pending, or not sanctioned, shall be considered dropped.

Art. 75. A proposal aiming at the assessment of a new impost, or at the alteration of a previous impost, or at the prolongation of an impost fixed for a limited time, or at the contracting of a State loan should, even if the amount in question is included in the budget bill, be considered in the Diet as a matter apart.

A proposal made by a Representative and tending to bring to the budget a new appropriation not observed in the estimates of the budget bill, can be taken up for final consideration only if it has been duly made by financial motion which has been submitted to the examination of the Finance Committee and, in case of need, preparatively also to that of the special committee which the proposed appropriation particularly concerns.

Art. 76. If the Diet, in examining the proposal of the Finance Committee relating to the budget, has not adopted it without change, the bill, in the amended form approved by resolution of the Diet, shall be re-committed to the Finance Committee, which is bound to give its opinion on the changes brought by the Diet. If the Finance Committee proposes changes in the resolution of the Diet, the latter will decide on the adoption or rejection of the Committee's proposal.

Art. 77. There should be no resolution on a matter debated until the Diet, on the proposal of the Speaker, shall have declared the debate closed.

Art. 78. When a question is to be decided, the Speaker shall put the matter to a vote, on the basis of the discussion, in such a way that «Yes» or «No» shall express the resolution of the Diet.

If several proposals for resolution exist, one shall be placed against another until all have been voted upon. The text and order of the proposals should be approved by the Diet before they are put to a vote. Remarks on the text and order of the proposals can be made, but no later discussion on a point of substance is admissible.

There can be no vote on the question whether there should be or not a vote.

Art. 79. A member who has not adhered to a resolution shall have the right to notify his divergent opinion to the record; but such a communication should not be debated.

Art. 80. The Speaker should not refuse to introduce for consideration a question raised or to make a proposal to vote, unless he deems it contrary to a fundamental law or to another law, or

otherwise to a decision already taken by the Diet; the opinion of the committee shall be the proof.

A r t. 8 1. A resolution cannot be changed at the verification of the record.

At the time of the verification of the record, the statement of any Representative and the debate following can be removed with his consent and with that of the Diet, unless the resolution is obviously based upon the above.

A r t. 8 2. A Representative absent at the time of the resolution taken on a matter has the right to have entered later in the record the fact that he has not taken part in the resolution, but he cannot make any observation on it.

CHAPTER VI

Measures Relating to the Bank of Finland and the National Pensions Fund

(Title amended May 31, 1937.)

A r t. 8 3. In order to exercise control over the administration and activities of the Bank of Finland and over the funds found under the guarantee of the Diet, the latter shall name nine Bank Trustees and determine their instructions.

Among the Trustees, three, who form the Reduced Committee of Trustees, should handle all questions which by the terms of the instructions do not devolve upon the Greater Committee, comprising nine members. A quorum of the Greater Committee shall consist of six members.

If a member of the Reduced Committee is excused or resigns, he shall be replaced by a member of the Greater Committee.

Trustees shall be elected at the first ordinary session after the elections, and their mandate shall begin as soon as they have been elected and shall continue until the new election of Trustees. They are elected by the Electors of the Diet. There shall be designated at the time of the selection the three members of the Reduced Committee and two substitutes among the six other Trustees who should replace each of the members of the Reduced Committee, as well as the order of this replacement. If no agreement is reached on the selection, the proportional vote shall be applied.

In the same manner as stipulated in the preceding paragraph for the selection of Trustees, the Electors shall select annually, at the ordinary session, five Auditors in view of the revision for the current year in which the management of the Bank and of the said funds should be submitted after the year has run out, and a substitute for each Auditor.

A r t. 8 3 a. In order to exercise control over the administration and activities of the National Pensions Fund, the Diet shall appoint twelve Trustees and determine their instructions.

The Trustees are selected at the first ordinary session of the Diet after the elections. Their mandate shall begin as soon as the selection has taken place and shall continue until the Diet has performed the new selection. There shall be appointed two substitutes for each Trustee.

The selection shall be performed by the Electors of the Diet. If no agreement is reached on the selection, the proportional vote shall be applied.

(Added May 31, 1937.)

CHAPTER VII

The Communication of Opinions and Resolutions of the Diet

A r t. 8 4. A bill adopted by the Diet shall be delivered, with a letter of advice, to the President of the Republic in view of the sanction and promulgation of the law. If the bill is not sanctioned by the President, this fact should be brought to the attention of the Diet within three months counting from the sending for sanction of the bill. If the Diet is not assembled, notification of this fact should take place when the Diet has assembled.

Other resolutions of the Diet on propositions of the Government, as well as petitions to address the Government that the Diet otherwise has voted, should also be brought to the attention of the President in writing emanating from the Diet.

A r t. 8 5. Writings emanating from, and the resolution of, the Diet shall be drawn up and forwarded by the secretariat of the Diet under the supervision of five examiners elected by the Diet from its midst. Examiners shall be elected for one session.

The examiners and the necessary number of substitutes shall be elected, if the Diet cannot reach an agreement, by proportional vote.

No despatch should leave the Diet before being approved by the Diet or the five examiners provided in the first paragraph.

Art. 86. The resolution of the Diet shall be signed by all the Representatives, but the other writings by the Speaker and Deputy Speakers alone.

CHAPTER VIII

Particular Provisions

Art. 87. Government propositions should be treated in the first place as well in plenary sitting as in the midst of the committees.

Art. 88. In the transaction of business in the Diet, the Finnish or Swedish language shall be used.

The opinions and reports of committees as well as the written proposals of the Speakers' Conference and of the Committee for the Secretariat, should be drawn up in these two languages.

Written communications addressed by the Government to the Diet should likewise be drawn up in Finnish and Swedish.

Art. 89. The secretariat of the Diet shall be found under the supervision of the Committee for the Secretariat, composed of the Speaker, the Deputy Speakers, and four Representatives who, if the Diet cannot agree on their selection, are elected by proportional vote.

The basis for the budget of the secretariat shall be prescribed by law.

Art. 90. The Order of Work of the Diet, provisions relating to elections within the Diet according to the proportional system, as well as rulings for the officials of the Diet shall be determined by the Diet.

Art. 91. Government propositions, committee opinions, writings addressed by the Diet to the President of the Republic, the record and the resolution of the Diet should be published in print.

Art. 92. All expenses occasioned by the Diet shall be paid from the public funds.

Art. 93. If a day fixed by the present law for a special case falls upon a Sunday or public holiday, the following working day is understood.

If a delay fixed by the present law in view of a measure to be taken at a session of the Diet shall begin to run while the Diet is assembled, but expire during a recess, the remaining days of the fixed delay shall be counted from the day when the Diet meets anew. The fixed delay shall be counted in its totality from this day in case it began to run during a recess.

Final Provision

Art. 94. The present Diet Act, by which are abrogated the Diet Act of July 20, 1906, and the laws of December 31, 1917, May 29, 1918, October 22, 1918, and April 17, 1919, which amended the said Diet Act, carries in all its parts the force of fundamental law; it cannot be amended, interpreted, or abrogated, nor can deviations be made from it except in the order stipulated in general for fundamental law.

Provisions which in virtue of the laws are in force with relation to the Diet Estates of Finland should be applied to the Diet in the composition that it has in virtue of the present law, unless the latter stipulates otherwise.