

## **5. NORUEGA**

### **5.1 CONSTITUTION 1814**

#### A. FORM OF GOVERNMENT

##### **Article 1**

The Kingdom of Norway is a free, independent, indivisible and inalienable Realm. Its form of government is a limited and hereditary monarchy.

#### B. THE EXECUTIVE POWER, THE KING AND THE ROYAL FAMILY AND RELIGION

##### **Article 3**

The Executive Power is vested in the King, or in the Queen if she has succeeded to the Crown pursuant to the provisions of Article 6 or Article 7 or Article 48 of this Constitution. When the Executive Power is thus vested in the Queen, she has all the rights and obligations which pursuant to this Constitution and the Law of the Land are possessed by the King.

##### **Article 4**

The King shall at all times profess the Evangelical-Lutheran religion.

##### **Article 5**

The King's person is sacred; he cannot be censured or accused. The responsibility rests with his Council.

##### **Article 6**

The order of succession is lineal, so that only a child born in lawful wedlock of the Queen or King, or of one who is herself or himself entitled to the succession, may succeed, and so that the nearest line shall take precedence over the more remote and the elder in the line over the younger.

An unborn child shall also be included among those entitled to the succession and shall immediately take her or his proper place in the line of succession as soon as she or he is born into the world.

The right of succession shall not, however, belong to any person who is not born in the direct line of descent from the last reigning Queen or King or a sister or brother thereof, or is not herself or himself a sister or brother thereof.

When a Princess or Prince entitled to succeed to the Crown of Norway is born, her or his name and time of birth shall be notified to the first Storting in session and be entered in the record of its proceedings.

For those born before the year 1971, Article 6 of the Constitution as it was passed on 18 November 1905 shall, however, apply. For those born before the year 1990 it shall nevertheless be the case that a male shall take precedence over a female.

##### **Article 7**

If there is no Princess or Prince entitled to the succession, the King may propose his successor to the Storting, which has the right to make the choice if the King's proposal is not accepted.

## **Article 8**

The age of majority of the King shall be laid down by law.

As soon as the King has attained the age prescribed by law, he shall make a public declaration that he is of age.

## **Article 9**

As soon as the King, being of age, accedes to the Government, he shall take the following oath before the Storting: "I promise and swear that I will govern the Kingdom of Norway in accordance with its Constitution and Laws; so help me God, the Almighty and Omniscient."

If the Storting is not in session at the time, the oath shall be made in writing in the Council of State and be repeated solemnly by the King at the first subsequent Storting.

## **Article 1**

(Repealed)

## **Article 11**

The King shall reside in the Realm and may not, without the consent of the Storting, remain outside the Realm for more than six months at a time, otherwise he shall have forfeited, for his person, the right to the Crown.

The King may not accept any other crown or government without the consent of the Storting, for which two thirds of the votes are required.

## **Article 12**

The King himself chooses a Council from among Norwegian citizens who are entitled to vote. This Council shall consist of a Prime Minister and at least seven other Members. The King apportions the business among the Members of the Council of State as he deems appropriate. Under extraordinary circumstances, besides the ordinary Members of the Council of State, the King may summon other Norwegian citizens, although no Members of the Storting, to take a seat in the Council of State. Husband and wife, parent and child or two siblings may never sit at the same time in the Council of State.

Everyone who has a seat in the Council of State has the duty frankly to express his opinion, to which the King is bound to listen. But it rests with the King to make a decision according to his own judgment.

If any Member of the Council of State is of the opinion that the King's decision conflicts with the form of government or the laws of the Realm, it is his duty to make strong remonstrances against it, as well as to enter his opinion in the records. A Member who has not thus protested is deemed to have been in agreement with the King, and shall be answerable in such manner as may be subsequently decided, and may be impeached by the Storting before the Court of Impeachment.

## **Article 31**

All decisions drawn up by the King shall, in order to become valid, be countersigned. Decisions relating to military command are countersigned by the person who has presented the matter, while other decisions are countersigned by the Prime Minister or, if he has not been present, by the highest-ranking Member of the Council of State present.

**Article 32**

The decisions adopted by the Government during the King's absence shall be drawn up in the King's name and be signed by the Council of State.

**Article 33**

(Repealed)

**Article 34**

The King shall make provisions concerning titles for those who are entitled to succeed to the Crown.

**Article 35**

As soon as the Heir to the Throne has completed her or his eighteenth year, she or he is entitled to take a seat in the Council of State, although without a vote or responsibility.

**Article 36**

A Princess or Prince entitled to succeed to the Crown of Norway may not marry without the consent of the King. Nor may she or he accept any other crown or government without the consent of the King and the Storting; for the consent of the Storting two thirds of the votes are required. If she or he acts contrary to this rule, they and their descendants forfeit their right to the Throne of Norway.

**Article 37**

The Royal Princes and Princesses shall not personally be answerable to anyone other than the King, or whomever he decrees to sit in judgment on them.

**Article 38**

(Repealed)

**Article 39**

If the King dies and the Heir to the Throne is still under age, the Council of State shall immediately summon the Storting.

**Article 40**

Until the Storting has assembled and made provisions for the government during the minority of the King, the Council of State shall be responsible for the administration of the Realm in accordance with the Constitution.

**Article 41**

If the King is absent from the Realm unless commanding in the field, or if he is so ill that he cannot attend to the government, the person next entitled to succeed to the Throne shall, provided that he has attained the age stipulated for the King's majority, conduct the government as the temporary executor of the Royal Powers. If this is not the case, the Council of State will conduct the administration of the Realm.

**Article 42**

(Repealed)

**Article 43**

The choice of trustees to conduct the government on behalf of the King during his minority shall be undertaken by the Storting.

**Article 44**

The Princess or Prince who, in the cases mentioned in Article 41, conducts the government shall make the following oath in writing before the Storting: "I promise and swear that I will conduct the government in accordance with the Constitution and the Laws, so help me God, the Almighty and Omniscient."

If the Storting is not in session at the time, the oath shall be made in the Council of State and later be presented to the next Storting.

The Princess or Prince who has once made the oath shall not repeat it later.

**Article 45**

As soon as their conduct of the government ceases, they shall submit to the King and the Storting an account of the same.

**Article 46**

If the persons concerned fail to summon the Storting immediately in accordance with Article 39, it becomes the unconditional duty of the Supreme Court, as soon as four weeks have elapsed, to arrange for the Storting to be summoned.

**Article 47**

The supervision of the education of the King during his minority should, if both his parents are dead and neither of them has left any written directions thereon, be determined by the Storting.

**Article 48**

If the Royal Line has died out, and no successor to the Throne has been designated, then a new Queen or King shall be chosen by the Storting. Meanwhile, the Executive Power shall be exercised in accordance with Article 40.

**C. RIGHTS OF CITIZENS AND THE LEGISLATIVE POWER**

**Article 69**

When the Storting is not assembled, it may be summoned by the King if he finds it necessary.

**Article 74**

As soon as the Storting is constituted, the King, or whoever he appoints for the purpose, shall open its proceedings with a speech, in which he shall inform it of the state of the Realm and of the issues to which he particularly desires to call the attention of the Storting. No deliberations may take place in the presence of the King.

When the proceedings of the Storting have been opened, the Prime Minister and the Members of the Council of State have the right to attend the Storting and, like its Members, although without voting, to take part in any proceedings conducted in open session, while in matters discussed in closed session only insofar as permitted by the Storting.

**Article 77**

When a Bill has been approved by the Storting in two consecutive meetings, it is sent to the King with a request that it may receive the Royal Assent.

**Article 78**

If the King assents to the Bill, he appends his signature, whereby it becomes law.

If he does not assent to it, he returns it to the Storting with a statement that he does not for the time being find it expedient to give his assent. In that case the Bill must not again be submitted to the King by the Storting then assembled.

**Article 79**

If a Bill has been passed unaltered by two sessions of the Storting, constituted after two separate successive elections and separated from each other by at least two intervening sessions of the Storting, without a divergent Bill having been passed by any Storting in the period between the first and last adoption, and it is then submitted to the King with a petition that His Majesty shall not refuse his assent to a Bill which, after the most mature deliberation, the Storting considers to be beneficial, it shall become law even if the Royal Assent is not accorded before the Storting goes into recess.