



# Constitution of the Principality of Liechtenstein

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## Constitution of the Principality of Liechtenstein of 5 October 1921<sup>1</sup>

We, Johann II, sovereign Reigning Prince of Liechtenstein, Duke of Troppau, Count of Rietberg, etc. etc. etc. by the Grace of God, make known herewith that the Constitution of 26 September 1862 has been amended by Us with the assent of Our Parliament as follows:

### Chapter I The Principality

#### Article 1<sup>2</sup>

1) The Principality of Liechtenstein is a union of two regions with eleven municipalities. The Principality of Liechtenstein shall serve to enable the people within its borders to live together in freedom and peace. The region of Vaduz (Oberland, Upper Country) consists of the municipalities of Vaduz, Balzers, Planken, Schaan, Triesen and Triesenberg; the region of Schellenberg (Unterland, Lower Country) consists of the municipalities of Eschen, Gamprin, Mauren, Ruggell and Schellenberg.

2) Vaduz shall be the capital and the seat of Parliament and the Government.

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<sup>1</sup> Translation from the authoritative German original.

<sup>2</sup> Article 1 amended by LGBL 2003 No. 186.

## Article 2

The Principality is a constitutional, hereditary monarchy on a democratic and parliamentary basis (articles 79 and 80); the power of the State is embodied in the Reigning Prince and the People and shall be exercised by both under the conditions set forth in the provisions of this Constitution.

Article 3<sup>1</sup>

The hereditary succession to the throne within the Princely House of Liechtenstein, the age of majority of the Reigning Prince and of the Hereditary Prince, and any applicable guardianship shall be laid down by the Princely House in the form of a Law on the Princely House.

Article 4<sup>2</sup>

1) The borders of the territory of the State may only be changed by means of a law. Changes to borders between municipalities, the establishment of new municipalities, and the unification of existing municipalities shall additionally require a majority decision of the Liechtenstein citizens eligible to vote who reside there.

2) Individual municipalities shall be entitled to secede from the union. The decision on whether to initiate a secession procedure shall be made by a majority of the Liechtenstein citizens eligible to vote who reside there. Secession shall be regulated by a law or, as the case may be, by an international treaty. If secession is regulated by a treaty, a second vote shall be held in the municipality after the treaty negotiations have been concluded.

## Article 5

The coat of arms of the State shall be that of the Princely House of Liechtenstein; the national colours shall be blue and red.

## Article 6

German shall be the national and official language.

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<sup>1</sup> Article 3 amended by LGBl. 2003 No. 186.

<sup>2</sup> Article 4 amended by LGBl. 2003 No. 186.

## Chapter II

### The Reigning Prince

#### Article 7

1) The Reigning Prince is the Head of State and shall exercise his rights pertaining to the powers of State in accordance with the provisions of this Constitution and of the other laws.

2) The person of the Reigning Prince shall not be subject to jurisdiction and shall not be legally responsible. The same shall apply to the member of the Princely House exercising the function of Head of State on behalf of the Reigning Prince pursuant to article 13bis.<sup>1</sup>

#### Article 8

1) The Reigning Prince shall represent the State in all its relations with foreign countries, without prejudice to the requisite participation of the responsible Government.

2) Treaties by which territory of the State would be ceded, State property alienated, sovereign rights or prerogatives of the State affected, a new burden imposed on the Principality or its citizens, or an obligation assumed that would limit the rights of the citizens of Liechtenstein<sup>2</sup> shall require the assent of Parliament to attain legal force.

#### Article 9

Every law shall require the sanction of the Reigning Prince to attain legal force.

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<sup>1</sup> Article 7 para. 2 amended by LGBL 2003 No. 186.

<sup>2</sup> "The term 'Landesangehörige' (Liechtenstein citizens) employed by the Constitution is to be understood as referring to all persons holding Liechtenstein national citizenship without distinction of sex." (LGBL 1971 No. 22).

Article 10<sup>1</sup>

1) The Reigning Prince shall take, through the Government and without participation of Parliament, the measures necessary for the execution and implementation of the laws and the measures pursuant to his rights of administration and supervision and shall issue the appropriate ordinances (article 92). In urgent cases, he shall take the necessary measures for the security and welfare of the State.

2) Emergency decrees may not suspend the Constitution as a whole or individual provisions thereof but may only limit the applicability of individual provisions of the Constitution. Emergency decrees may not curtail the right of each person to life, the prohibition of torture and inhuman treatment, the prohibition of slavery and forced labour, or the principle of *nulla poena sine lege*. Moreover, the provisions of this article, of articles 3, 13ter, and 113, and of the Law on the Princely House may not be limited by emergency decrees. Emergency decrees shall expire at the latest six months after they have been issued.

Article 11<sup>2</sup>

The Reigning Prince shall appoint the Judges in accordance with the provisions of the Constitution (article 96).

## Article 12

1) The Reigning Prince shall have the right of pardon, of mitigating or commuting legally adjudicated sentences, and of quashing initiated investigations.

2) Only upon the request of Parliament shall the Reigning Prince exercise his right of pardon or mitigation in favour of a Minister sentenced on account of his official acts.

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<sup>1</sup> Article 10 amended by LGBL 2003 No. 186.

<sup>2</sup> Article 11 amended by LGBL 2003 No. 186.

#### Article 13<sup>1</sup>

Every successor to the throne shall, prior to receiving the oath of allegiance, declare upon his Princely honour and dignity in a written proclamation that he will reign over the Principality of Liechtenstein in accordance with the Constitution and the other laws, that he will maintain its integrity, and that he will observe the rights of the Reigning Prince indivisibly and equally.

#### Article 13bis<sup>2</sup>

The Reigning Prince may entrust the next Heir Apparent of his House who has attained majority with the exercise of the sovereign powers held by him as his representative should he be temporarily prevented or in preparation for the Succession.

#### Article 13ter<sup>3</sup>

Not less than 1,500 Liechtenstein citizens shall have the right to submit a reasoned motion of no-confidence against the Reigning Prince. Parliament shall issue a recommendation on such a motion at its next meeting and order a popular vote (article 66 paragraph 6). If the motion of no-confidence is adopted in the popular vote, it shall be communicated to the Reigning Prince for consideration according to the Law on the Princely House. Within six months, the Reigning Prince shall announce to Parliament the decision made in accordance with the Law on the Princely House.

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<sup>1</sup> Article 13 amended by LGBl. 2003 No. 186.

<sup>2</sup> Article 13bis amended by LGBl. 2003 No. 186.

<sup>3</sup> Article 13ter inserted by LGBl. 2003 No. 186.

## Chapter III

### Responsibilities of the State

#### Article 14

The highest responsibility of the State shall be to promote the overall welfare of the People. For this purpose, the State shall be responsible for establishing and safeguarding law and for protecting the religious, moral and economic interests of the People.

#### Article 15

The State shall devote special attention to education and schooling. Education and schooling shall be designed and administered so that, through the cooperation of family, school and church, the members of the younger generation are endowed with religious and moral learning, patriotic attitudes, and skills for their future occupations.

#### Article 16

1) The entire system of education and instruction shall be under the supervision of the State, without prejudice to the inviolability of church teachings.

2) Education shall be universal and compulsory.

3) The State shall ensure that adequate compulsory instruction in the elementary subjects is given free of charge in public schools.

4) Religious instruction shall be given by the church authorities.

5) Nobody shall allow young persons in their charge to leave school without the degree of schooling prescribed for public elementary schools.

6) repealed<sup>1</sup>

7) repealed<sup>2</sup>

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<sup>1</sup> Article 16 para. 6 repealed by LGBL 1972 No. 8.

<sup>2</sup> Article 16 para. 7 repealed by LGBL 1972 No. 8.



8) Private instruction shall be permissible, provided that it conforms with the legal provisions governing the period of schooling, the educational aims, and the arrangements prevailing in the public schools.

#### Article 17

- 1) The State shall support and promote instruction and schooling.<sup>1</sup>
- 2) It shall provide appropriate stipends to help talented students without financial means attend institutes of higher education.

#### Article 18

The State shall be responsible for the public health system, shall support measures for the care of the sick, and shall seek by way of law to combat alcoholism and to reform alcoholics and work-shy persons.

#### Article 19

- 1) The State shall protect the right to work and the workers, especially women and young persons employed in trades and industry.
- 2) Sundays and holidays recognized by the State shall be observed as public days of rest, without prejudice to the legal provisions governing rest on Sundays and holidays.

#### Article 20

- 1) To improve the ability to work and to advance its economic interests, the State shall promote and support agriculture, the cultivation of alps, trades and industry; in particular, it shall promote insurance against damage that endangers work and goods and shall take measures to combat such damage.
- 2) It shall pay special attention to the design of a transportation infrastructure conforming to modern requirements.
- 3) It shall support landslide control measures, afforestation and drainage operations and shall turn its attention to and promote all efforts to open up new sources of income.

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<sup>1</sup> Article 17 para. 1 amended by LGBL 1972 No. 8.

## Article 21

The State shall have sovereign rights over bodies of water under the conditions set forth in the laws existing or to be enacted in this regard. The use, channelling of, and defence against the bodies of water shall be regulated by way of law and promoted, with due regard to the development of technology. Electricity rights shall be regulated by law.

## Article 22

The State shall exercise sovereignty over hunting, fishing and mining; when enacting laws in this regard, it shall protect the interests of agriculture and of municipal finances.

## Article 23

The currency and public credit system shall be regulated by the State.

## Article 24

1) Through the enactment of legislation, the State shall provide for equitable taxation that exempts a minimum subsistence level and draws more heavily on high assets and income.

2) The financial situation of the State shall be improved to the utmost possible extent, and special attention shall be paid to opening up new sources of revenue to meet public needs.

## Article 25

Public services for the poor shall be administered by the municipalities under the conditions set forth in specific laws. The State shall, however, exercise overall supervision of such services. It may grant appropriate subsidies to the municipalities, especially for the proper care of orphans, the mentally ill, the terminally ill, and the infirm.

## Article 26

The State shall support and promote insurance schemes for health, old age, disability, and fire.

## Article 27

1) The State shall provide for rapid court and enforcement proceedings that safeguard material rights and for administrative law proceedings conforming to the same principles.

2) The professional exercise of the representation of parties shall be regulated by law.

Chapter IV<sup>1</sup>**General Rights and Obligations of Liechtenstein  
Citizens<sup>2,3</sup>**Article 27bis<sup>4</sup>

1) Human dignity shall be respected and protected.

2) No one may be subjected to inhuman or degrading treatment or punishment.

Article 27ter<sup>5</sup>

1) Every person shall have the right to life.

2) The death penalty shall be prohibited.

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1 Title preceding article 27bis inserted by LGBl. 2005 No. 267.

2 "The term 'Landesangehörige' (Liechtenstein citizens) employed by the Constitution is to be understood as referring to all persons holding Liechtenstein national citizenship without distinction of sex." (LGBl. 1971 No. 22).

3 Title preceding article 27bis inserted by LGBl. 2005 No. 267.

4 Article 27bis inserted by LGBl. 2005 No. 267.

5 Article 27ter inserted by LGBl. 2005 No. 267.

## Article 28

1) Every Liechtenstein citizen<sup>1</sup> shall have the right to reside freely in any location within the territory of the State and to acquire all forms of property, in accordance with further detailed legal provisions.

2) The entry and exit, stay and residence of foreigners shall be governed by international treaties and by legislation.<sup>2</sup>

3) Persons present within the borders of the Principality shall be bound to observe its laws and shall be entitled to the protection afforded by the Constitution and the other laws.

## Article 29

1) Every Liechtenstein citizen<sup>3</sup> shall be entitled to civil rights in accordance with the provisions of this Constitution.

2) All Liechtenstein citizens<sup>4</sup> who have completed their 18th year, have their normal residence in Liechtenstein, and whose right to vote has not been suspended shall be entitled to all political rights in national matters.<sup>5</sup>

## Article 30

The acquisition and loss of Liechtenstein citizenship shall be determined by the laws.

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1 "The term 'Landesangehörige' (Liechtenstein citizens) employed by the Constitution is to be understood as referring to all persons holding Liechtenstein national citizenship without distinction of sex." (LGBL. 1971 No. 22).

2 Article 28 para. 2 amended by LGBL. 2008 No. 310.

3 "The term 'Landesangehörige' (Liechtenstein citizens) employed by the Constitution is to be understood as referring to all persons holding Liechtenstein national citizenship without distinction of sex." (LGBL. 1971 No. 22).

4 "The term 'Landesangehörige' (Liechtenstein citizens) employed by the Constitution is to be understood as referring to all persons holding Liechtenstein national citizenship without distinction of sex." (LGBL. 1971 No. 22).

5 Article 29 para. 2 amended by LGBL. 2000 Nr. 55.

## Article 31

1) All Liechtenstein citizens<sup>1</sup> shall be equal before the law. Public offices shall be equally open to them, subject to observance of the legal provisions.

2) Men and women shall enjoy equal rights.<sup>2,3</sup>

3) The rights of foreigners shall be determined in the first instance by international treaties, or, in their absence, by reciprocity.<sup>4</sup>

## Article 32

1) Personal liberty, the immunity of the home and the inviolability of letters and documents shall be guaranteed.

2) Except in the cases specified by law and in the manner prescribed by law, no person may be arrested or kept in custody, no houses, persons, letters or documents may be searched, and no letters or documents may be seized.

3) Persons arrested unlawfully and persons arrested or convicted and shown to be innocent shall be entitled to full compensation from the State as determined by the Courts. Whether and to what extent the State has a right of recourse against third parties in such cases shall be determined by the laws.

## Article 33

1) Nobody may be deprived of his ordinary Judge; special courts may not be instituted.

2) Penalties may only be threatened or imposed in accordance with the law.

3) An accused person shall be guaranteed the right of defence in all criminal matters.

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1 "The term 'Landesangehörige' (Liechtenstein citizens) employed by the Constitution is to be understood as referring to all persons holding Liechtenstein national citizenship without distinction of sex." (LGBl. 1971 No. 22).

2 Article 31 para. 2 amended by LGBl. 1992 No. 81.

3 "The laws shall determine the amendment of current law concerning the equal rights of men and women." (LGBl. 1992 No. 81).

4 Article 31 para. 3 amended by LGBl. 1992 No. 81.

## Article 34

- 1) The inviolability of private property shall be guaranteed; confiscations may only take place in such cases as determined by law.
- 2) Copyright shall be regulated by law.

## Article 35

- 1) Where demanded by the public welfare, property of any kind may be subject to assignment or encumbrance in return for indemnification that is reasonable, or if in dispute as determined by a Judge.
- 2) The procedure for expropriation shall be determined by law.

## Article 36

Commerce and trade shall be free within the limits prescribed by law; the admissibility of exclusive commercial and trade privileges for a specified period of time shall be regulated by law.

## Article 37

- 1) Freedom of religion and conscience shall be guaranteed for all.
- 2) The Roman Catholic Church is the National Church and as such shall enjoy the full protection of the State; other denominations shall be entitled to practice their creeds and to hold religious services within the limits of morality and public order.

## Article 38

Ownership and all other proprietary rights of religious communities and associations in respect of their institutes, foundations and other possessions devoted to worship, instruction, and charity shall be guaranteed. The administration of church property in the parishes shall be regulated by a specific law; the agreement of the church authorities shall be sought before the law is enacted.

## Article 39

The enjoyment of civil and political rights shall be independent of religious creed; religious creed may not be detrimental to civil obligations.

## Article 40

All persons shall have the right to freely express their opinion and to communicate their ideas verbally, in writing, in print or with images, within the limits of the law and morality; censorship may only be exercised in respect of public performances and exhibitions.

## Article 41

The right of free association and assembly shall be guaranteed within the limits prescribed by law.

## Article 42

The right to petition Parliament and the National Committee shall be guaranteed; not only individuals whose rights or interests are affected but also municipalities and bodies shall be entitled to have their wishes and requests brought before Parliament by a Member of Parliament.

## Article 43

The right of complaint shall be guaranteed. Every Liechtenstein citizen<sup>1</sup> shall be entitled to lodge a complaint regarding any action or procedure on the part of a public authority that is contrary to the Constitution, the law, or ordinances and that is detrimental to his rights or interests. Such complaint may be addressed to the immediately superior authority and may, if necessary, be pursued to the highest authority, to the extent that the stages of recourse are not limited by law. If a complaint thus submitted is rejected by the superior authority, the superior authority shall be required to disclose to the complainant the reasons for its decision.

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<sup>1</sup> "The term 'Landesangehörige' (Liechtenstein citizens) employed by the Constitution is to be understood as referring to all persons holding Liechtenstein national citizenship without distinction of sex." (LGBL 1971 No. 22).

## Article 44

1) Every man fit to bear arms shall be required, until the completion of his 60th year, to serve in the defence of the country in the event of emergency.

2) Except in this event, armed groups may only be formed and maintained to the extent deemed necessary for the provision of the police service and the preservation of internal order. Further detailed provisions in this regard shall be laid down by law.

## Chapter V Parliament

## Article 45

1) Parliament shall be the legal organ representing all Liechtenstein citizens<sup>1</sup> and as such shall be called upon to represent and assert the rights and interests of the People in relation to the Government in accordance with the provisions of this Constitution and to promote to the extent possible the welfare of the Princely House and of the country while faithfully adhering to the principles laid down in this Constitution.

2) The rights appertaining to Parliament may only be exercised in its lawfully constituted assembly.

## Article 46

1) Parliament shall consist of 25 Members who shall be elected by the People by universal, equal, secret and direct suffrage according to the system of proportional representation. The Upper Country (Oberland) and the Lower Country (Unterland) shall each form a voting district. Of the 25 Members of Parliament, 15 shall be elected by the Upper Country and 10 by the Lower Country.<sup>2</sup>

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1 "The term 'Landesangehörige' (Liechtenstein citizens) employed by the Constitution is to be understood as referring to all persons holding Liechtenstein national citizenship without distinction of sex." (LGBL 1971 No. 22).

2 Article 46 para. 1 amended by LGBL 1988 No. 11.



2) In addition to the 25 Members of Parliament, alternate Members of Parliament shall be elected in each voting district. Each electoral group shall be entitled to one alternate Member of Parliament for every three of its Members of Parliament in a voting district; but an electoral group shall be entitled to at least one alternate Member of Parliament if it has obtained a seat in a voting district.<sup>1</sup>

3) Seats shall be distributed among electoral groups that have obtained at least eight percent of the valid votes cast in the entire country.<sup>2</sup>

4) Members of the Government and the Courts may not be Members of Parliament at the same time.<sup>3</sup>

5) Further details regarding the conduct of the elections shall be laid down in a specific law.<sup>4</sup>

#### Article 47

1) The term of office in Parliament shall be four years, with the proviso that the regular elections to Parliament shall be held in February or March of the calendar year in which the fourth year ends. Re-election shall be permissible.<sup>5</sup>

2) repealed<sup>6</sup>

#### Article 48

1) The Reigning Prince shall have the right, subject to the exception laid down in the following paragraph, to convene Parliament, to prorogue it, and, on significant grounds to be communicated each time to the assembly, to adjourn it for three months or to dissolve it. Adjournment, prorogation or dissolution may only be proclaimed before the assembled Parliament.<sup>7</sup>

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1 Article 46 para. 2 amended by LGBL 1994 No. 46 and corrected by LGBL 1994 No. 56.

2 Article 46 para. 3 inserted by LGBL 1973 No. 49.

3 Article 46 para. 4 amended by LGBL 1997 No. 46.

4 Article 46 para. 5 inserted by LGBL 1997 No. 46.

5 Article 47 para. 1 amended by LGBL 1958 No. 1.

6 Article 47 para. 2 repealed by LGBL 1997 Nr. 46.

7 "Article 48 para. 1 of the Constitution shall be interpreted in such a manner that in the event of the dissolution of Parliament by the Reigning Prince a four-year term of the newly elected Parliament shall commence." (LGBL 1929 No. 5, Government Publication of 6 June 1929).

2) Pursuant to a substantiated written request by at least 1,000 Liechtenstein citizens eligible to vote or pursuant to a resolution adopted by the municipal assemblies of at least three municipalities, Parliament shall be convened.<sup>1</sup>

3) Subject to the same conditions as in the preceding paragraph, 1,500 Liechtenstein citizens eligible to vote or four municipalities, by means of resolutions of their municipal assemblies, may demand a popular vote on the dissolution of Parliament.<sup>2</sup>

#### Article 49

1) The regular convening of Parliament shall take place at the beginning of each year by Princely ordinance indicating the place, day and hour of the assembly.

2) The President shall order the meetings within the year.

3) When a period of prorogation has expired, Parliament shall be reconvened within one month by Princely ordinance.

4) Alternate Members of Parliament shall sit and vote in the place of a Member of Parliament from their electoral group who is unable to attend at one or several consecutive meetings.<sup>3</sup>

#### Article 50

Should Parliament be dissolved, new elections must be ordered within six weeks. The newly elected Members of Parliament shall then be convened within 14 days.

#### Article 51<sup>4</sup>

1) In the case of succession to the throne, Parliament shall be convened to an extraordinary meeting within 30 days to receive the declaration of the Reigning Prince as provided for in article 13 and to take the oath of allegiance.

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1 Article 48 para. 2 amended by LGBL. 1947 No. 55 and LGBL. 1984 No. 27.

2 Article 48 para. 3 amended by LGBL. 1947 No. 55 and LGBL. 1984 No. 27.

3 Article 49 para. 4 inserted by LGBL. 1939 No. 3.

4 Article 51 amended by LGBL. 2003 No. 186.

2) If Parliament has just been dissolved, new elections shall be expedited so that Parliament may be convened at the latest on the fortieth day after the succession to the throne has taken place.

#### Article 52

1) At its first meeting convened by law, Parliament shall, under the chairmanship of its oldest member, elect a President and a Vice-President from its ranks to direct its affairs for the current year.

2) repealed<sup>1</sup>

#### Article 53<sup>2</sup>

When a call to convene is issued, the Members of Parliament shall appear in person at the seat of the Government. If a Member is unable to appear, he must, on receiving the first call to convene, notify the Government and subsequently the President in a timely manner, stating the reason he is unable to appear. Should his inability to appear be permanent, a by-election shall be held if no replacement is available pursuant to the successor system.

#### Article 54

1) Parliament shall be opened with all due ceremony by the Reigning Prince in person or by his plenipotentiary. All new Members shall take the following oath before the Reigning Prince or his plenipotentiary:

“I swear to observe the State Constitution and the existing laws and to promote in Parliament the welfare of the country, without any ulterior motives, to the best of my ability and conscience, so help me God!”

2) Members entering Parliament later shall take this oath before the President.

#### Article 55

Parliament shall be prorogued by the Reigning Prince in person or by his plenipotentiary.

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<sup>1</sup> Article 52 para. 2 repealed by LGBL 1989 No. 71.

<sup>2</sup> Article 53 amended by LGBL 1939 No. 3.

## Article 56

1) No Member of Parliament may be arrested for the duration of the meeting period without the assent of Parliament, unless the Member is apprehended *in flagrante delicto*.

2) In the latter case, the arrest and the grounds therefor shall be notified immediately to Parliament, which shall decide whether the arrest is to be upheld. Upon the request of Parliament, all documents relating to the case shall be made available to Parliament immediately.

3) If a Member of Parliament is arrested at a time when Parliament is not in session, the National Committee shall be notified immediately of the arrest and the grounds therefor.

## Article 57

1) The Members of Parliament shall vote solely in accordance with their oath and their convictions. They shall never be made to answer for their votes, and for their utterances at meetings of Parliament or its committees only to Parliament, and legal action may never be taken against them in relation thereto.

2) The regulation of disciplinary powers shall be left to the rules of procedure to be issued.

## Article 58

1) A valid decision of Parliament shall require the presence of at least two thirds of the legally stipulated number of Members of Parliament and the absolute majority of the Members present, unless otherwise provided in this Constitution or in the rules of procedure. The same shall apply to elections to be undertaken by Parliament.

2) In the event of a tie, the President shall have the casting vote after the third round of voting for an election and after the first round in all other cases.

Article 59<sup>1</sup>

- 1) The Constitutional Court shall decide on election complaints.
- 2) Parliament shall verify the validity of the election of its Members and of the election as such on the basis of the election records and of any decision of the Constitutional Court (validation).

## Article 60

Parliament shall by resolution lay down its rules of procedure in accordance with the provisions of this Constitution.

Article 61<sup>2</sup>

Members of Parliament shall receive from the national treasury remuneration and travel expenses as determined by law.

## Article 62

The scope of action of Parliament shall chiefly encompass the following matters:

- a) participation in legislation in accordance with the Constitution;
- b) participation in the conclusion of treaties (article 8);
- c) the establishment of the annual budget and the authorization of taxes and other public dues;
- d) resolution on credits, loans and securities chargeable to the State and on the acquisition and alienation of landed property belonging to the administrative and financial assets of the State, subject to articles 63ter and 93;<sup>3</sup>
- e) resolution on the accountability report submitted annually by the Government on the entire State administration;
- f) requests, complaints, and supervision with respect to the State administration (article 63);<sup>4</sup>

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1 Article 59 amended by LGBL 1958 No. 1.

2 Article 61 amended by LGBL 1982 No. 13.

3 Article 62(d) amended by LGBL 2010 No. 372.

4 Article 62(f) amended by LGBL 2003 No. 186.

- g) the impeachment of Ministers before the Constitutional Court for violations of the Constitution or of other laws;<sup>1</sup>
- h) resolution on a motion of no-confidence against the Government or one of its Ministers.<sup>2</sup>

#### Article 63

1) Parliament shall have the right of supervision over the entire State administration, including the administration of justice. Parliament shall exercise this right *inter alia* through an Administration and Management Committee elected by Parliament. The supervisory right of Parliament shall not extend to the jurisprudence of the Courts or to the functions assigned to the Reigning Prince.<sup>3</sup>

2) Parliament shall at any time be at liberty to bring defects or abuses that it has observed in the State administration directly to the attention of the Reigning Prince or the Government by way of a remonstrance or complaint and to request a remedy. The results of the inquiry that shall be initiated into such a matter and the measures ordered in consequence shall be communicated to Parliament.<sup>4</sup>

3) repealed<sup>5</sup>

4) The representative of the Government must be given a hearing and shall be required to answer parliamentary questions addressed to him by Members of Parliament.

#### Article 63bis<sup>6</sup>

Parliament shall have the right to appoint committees of inquiry. It shall be required to do so when at least one quarter of the legally stipulated number of Members of Parliament so request.

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1 Article 62(g) amended by LGBL 2003 No. 186.

2 Article 62(h) inserted by LGBL 2003 No. 186.

3 Article 63 para. 1 amended by LGBL 2003 No. 186.

4 Article 63 para. 2 amended by LGBL 2003 No. 186.

5 Article 63 para. 3 repealed by LGBL 1989 No. 64.

6 Article 63bis inserted by LGBL 1989 No. 64.

Article 63ter<sup>1</sup>

Parliament shall appoint a finance committee to which the passing of resolutions on the acquisition and alienation of landed property belonging to the administrative and financial assets as well as participation in the administration of the financial assets may also be transferred by law.

## Article 64

1) The right of initiative with regard to legislation, i.e., the right of introducing bills, shall appertain to:

- a) the Reigning Prince, in the form of Government proposals;
- b) Parliament itself;
- c) Liechtenstein citizens eligible to vote, under the conditions set forth in the following provisions.

2) If at least 1,000 Liechtenstein citizens eligible to vote, whose signatures and right to vote have been certified by the municipal council of their domicile, submit a request in writing, or if at least three municipalities do so in the form of concurring resolutions of their municipal assemblies, to enact, amend or repeal a law, such a request shall be considered at the next meeting of Parliament.<sup>2</sup>

3) If the request from one of the organs referred to in (a) to (c) concerns the enactment of a law that has not already been provided for by this Constitution and the implementation of which would result either in a nonrecurrent expenditure not already provided for by the finance act or in an expenditure over a longer period, such request shall only be considered by Parliament if it is accompanied by a proposal to cover the necessary funds.

4) An initiative concerning the Constitution may only be brought by at least 1,500 Liechtenstein citizens eligible to vote or by at least four municipalities.<sup>3</sup>

5) Further detailed provisions regarding this popular initiative shall be laid down in a law.

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1 Article 63ter amended by LGBL 2010 No. 372.

2 Article 64 para. 2 amended by LGBL 1947 No. 55 and LGBL 1984 No. 27.

3 Article 64 para. 4 amended by LGBL 1947 No. 55 and LGBL 1984 No. 27.

## Article 65

1) Without the participation of Parliament, no law may be enacted, amended, or declared to be authentic. For any law to attain legal force, it must, in addition to the assent of Parliament, be sanctioned by the Reigning Prince, countersigned by the responsible Prime Minister or the Deputy Prime Minister, and promulgated in the Liechtenstein Legal Gazette (Landesgesetzblatt). If the Reigning Prince does not grant his sanction within six months, it shall be deemed to have been refused.<sup>1</sup>

2) Moreover, a popular vote (referendum) shall be held under the conditions set forth in the following article.<sup>2</sup>

## Article 66

1) Every law passed by Parliament that it does not declare to be urgent and every financial resolution that it does not declare to be urgent and that results in a new nonrecurrent expenditure of at least 500,000 francs or a new annually recurrent expenditure of 250,000 francs shall be subject to a popular vote if Parliament so decides or if at least 1,000 Liechtenstein citizens eligible to vote or at least three municipalities submit a request to that effect, in the manner provided for in article 64, within 30 days of the official announcement of the resolution of Parliament.<sup>3</sup>

2) If the resolution concerns the Constitution as a whole or individual parts thereof, the request must be made by at least 1,500 Liechtenstein citizens eligible to vote or by at least four municipalities.<sup>4</sup>

3) Parliament shall be authorized to call a popular vote on the inclusion of individual principles in a law to be enacted.

4) The popular vote shall be held according to municipality; the absolute majority of the valid votes cast in the entire country shall decide on acceptance or rejection of the resolution on enactment of the law.

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1 Article 65 para. 1 sentence 3 inserted by LGBL. 2003 No. 186.

2 Article 65 para. 2 amended by LGBL. 2003 No. 186.

3 Article 66 para. 1 amended by LGBL. 2010 No. 372.

4 Article 66 para. 2 amended by LGBL. 1947 No. 55 and LGBL. 1984 No. 27.



5) Resolutions on the enactment of laws subject to a referendum shall only be submitted to the Reigning Prince for sanction after the popular vote has been held or after the stipulated period of thirty days within which a request for a popular vote may be submitted has expired without a successful request being submitted.<sup>1</sup>

6) If Parliament rejects a bill that has been drawn up in due form and accompanied if necessary by a proposal to cover the necessary funds and that has reached it by way of a popular initiative (article 64 paragraph 1 subparagraph c), the bill shall be submitted to a popular vote. The acceptance of the bill by the Liechtenstein citizens eligible to vote shall then replace the resolution of Parliament otherwise necessary for the adoption of a law.

7) Further detailed provisions regarding the referendum shall be laid down by way of a law.

#### Article 66bis<sup>2</sup>

1) Every resolution of Parliament concerning assent to an international treaty (article 8) shall be subject to a popular vote if Parliament so decides or if at least 1,500 Liechtenstein citizens eligible to vote or at least four municipalities submit a request to that effect, in the manner provided for in article 64, within 30 days of the official announcement of the resolution of Parliament.

2) In the popular vote, the absolute majority of the valid votes cast in the entire country shall decide on acceptance or rejection of the resolution of Parliament.

3) Further detailed provisions regarding this referendum shall be laid down in a law.

#### Article 67

1) Unless it specifies otherwise, a law shall enter into force on expiry of eight days after the date of its promulgation in the Liechtenstein Legal Gazette (Landesgesetzblatt).

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<sup>1</sup> Article 66 para. 5 amended by LGBL 2003 No. 186.

<sup>2</sup> Article 66bis inserted by LGBL 1992 No. 27.

2) The manner and extent of the promulgation of laws, financial resolutions, international treaties, ordinances, resolutions of international organizations, and legal provisions applicable pursuant to international treaties shall be regulated by way of legislation. For the legal provisions applicable in the Principality of Liechtenstein pursuant to international treaties, a promulgation may be arranged in a simplified form, such as in particular publication by reference to foreign compendia of laws.<sup>1</sup>

3) The legal provisions applicable to Liechtenstein and those entering into force in the future pursuant to the Agreement of 2 May 1992 on the European Economic Area shall be promulgated in an EEA compendium of laws. The manner and extent of the promulgation in the EEA compendium of laws shall be regulated by way of legislation.<sup>2</sup>

#### Article 68

1) Without the approval of Parliament, no direct or indirect taxes or any other national dues or general levies, however they may be designated, may be imposed or collected. The fact that such approval has been given shall be mentioned explicitly in the tax demand notice.

2) The manner by which all public dues and levies are divided among and apportioned to persons and objects and the manner by which they are collected shall also require the approval of Parliament.

3) As a rule, the approval of taxes and dues shall be granted for an administrative year.

#### Article 69

1) The Government shall submit to Parliament for review and agreement a budget of all expenditures and revenues pertaining to the National Administration for the following administrative year, accompanied by a proposal for the taxes to be levied.

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<sup>1</sup> Article 67 para. 2 amended by LGBL 1996 No. 121.

<sup>2</sup> Article 67 para. 3 amended by LGBL 1995 No. 91.

2) For each expired administrative year, the Government shall communicate to Parliament, in the first half of the following administrative year, exact evidence of the use of the revenues approved and levied in conformity with the budget, subject to the authorization of justified budget overruns and subject to the accountability of the Government in the case of unjustified overruns.

3) Subject to the same proviso, the Government shall be entitled to incur urgent expenditures not provided for in the budget.

4) Any savings attained with respect to individual budget items may not be used to cover excess expenditures with respect to other items.

#### Article 70<sup>1</sup>

The Government shall administer the financial assets of the State in accordance with principles it shall determine in agreement with Parliament. The Government shall submit a report to Parliament together with the annual accountability report (article 69 paragraph 2).

## Chapter VI

### **The National Committee**

#### Article 71

For the period between an adjournment, prorogation, or dissolution of Parliament and the date it is reconvened, without prejudice to the provisions of articles 48 to 51 concerning the time limits for the reconvening or new elections of Parliament, there shall exist a National Committee in place of Parliament to handle affairs requiring the participation of Parliament or of its committees.

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<sup>1</sup> Article 70 amended by LGBL 2003 No. 186.

## Article 72

1) The National Committee shall be composed of the incumbent President of Parliament, who shall be replaced if unable to attend by the Vice-President, and of four other members to be elected by Parliament from its ranks, taking into equal account the Upper Country (Oberland) and the Lower Country (Unterland).

2) Under all circumstances, Parliament shall be given the opportunity to hold this election in the same meeting in which its adjournment, prorogation or dissolution is pronounced.

## Article 73

The term of office of the National Committee shall expire when Parliament reconvenes.

## Article 74

In particular, the National Committee shall have the following rights and duties:

- a) to ensure that the Constitution is observed, that the tasks of Parliament are executed, and that Parliament is reconvened at the right time if it has been dissolved or adjourned;
- b) to audit the accounts of the national treasury and to transmit them to Parliament, together with its report and its proposals;
- c) to append its signature to acknowledgements in respect of debts and securities made out against the national treasury with reference to a prior resolution of Parliament;
- d) to carry out special tasks mandated by Parliament for the preparation of future parliamentary debates;
- e) in urgent cases, to bring matters to the attention of the Reigning Prince or the Government, and to lodge remonstrances, protests or complaints in the case of any threat to or violation of constitutional rights;<sup>1</sup>
- f) should the circumstances so require, to request the convening of Parliament.

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<sup>1</sup> Article 74(e) amended by LGBL 2003 No. 186.

#### Article 75

The National Committee may not enter into any permanent obligation on behalf of the country and shall be responsible to Parliament for the conduct of its business.

#### Article 76

1) The meetings of the National Committee shall be convened by the President as necessary at the seat of the Government.

2) For its decisions to be valid, at least three members must be present.

#### Article 77

During their meetings, the members of the National Committee shall receive the same daily allowances and travel expenses as the Members of Parliament.

### Chapter VII

## The Government<sup>1</sup>

#### Article 78

1) Subject to the following provisions of this article, the entire National Administration shall be the responsibility of the collegial Government accountable to the Reigning Prince and Parliament in accordance with the provisions of this Constitution and the other laws.<sup>2</sup>

2) Specific affairs may be transferred by law or by virtue of legislative authorization to be handled independently by individual officials, Government offices or special commissions, subject to recourse to the collegial Government.<sup>3</sup>

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<sup>1</sup> Title preceding article 78 amended by LGBL 2003 No. 186.

<sup>2</sup> Article 78 para. 1 amended by LGBL 1972 No. 8.

<sup>3</sup> Article 78 para. 2 amended by LGBL 1964 No. 10.

3) Special commissions may be set up by law to decide on complaints in the place of the collegial Government.<sup>1</sup>

4) For the execution of economic, social and cultural tasks, special bodies, institutes and foundations under public law may be established by law and placed under the overall supervision of the Government.<sup>2</sup>

#### Article 79

1) The collegial Government shall consist of the Prime Minister and four other Ministers<sup>3</sup>.

2) The Prime Minister and the other Ministers shall be appointed by the Reigning Prince with the agreement of Parliament and on its proposal. An alternate shall be appointed in the same manner for the Prime Minister and for each of the other Ministers to represent the Minister in question in the meetings of the collegial Government if the Minister is unable to attend.<sup>4</sup>

3) On the proposal of Parliament, one of the Ministers shall be appointed by the Reigning Prince as the Deputy Prime Minister.<sup>5</sup>

4) The Ministers must be citizens of Liechtenstein and eligible for election to Parliament.<sup>6</sup>

5) When the collegial Government is appointed, care shall be taken that at least two Ministers are from each of the two regions. Their alternates shall be chosen from the same region.<sup>7</sup>

6) The term of office of the collegial Government shall be four years. Until a new Government has been appointed, the incumbent Ministers shall be responsible for carrying on Government business, unless article 80 applies.<sup>8</sup>

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1 Article 78 para. 3 amended by LGBL. 1964 No. 10.

2 Article 78 para. 4 amended by LGBL. 1964 No. 10.

3 Article 79 para. 1 amended by LGBL. 1965 No. 22

4 Article 79 para. 2 amended by LGBL. 1965 No. 22.

5 Article 79 para. 3 amended by LGBL. 1965 No. 22.

6 Article 79 para. 4 amended by LGBL. 2003 No. 186.

7 Article 79 para. 5 amended by LGBL. 1965 No. 22.

8 Article 79 para. 6 amended by LGBL. 1965 No. 22 and LGBL. 2003 No. 186.

Article 80<sup>1</sup>

1) If the Government should lose the confidence of the Reigning Prince or of Parliament, its authority to exercise its functions shall expire. Until a new Government takes office, the Reigning Prince shall appoint a transitional Government to manage the entire National Administration in the interim (article 78 paragraph 1), in application of the provisions of article 79 paragraphs 1 and 4. The Reigning Prince may also appoint Ministers of the outgoing Government to the transitional Government. Before the expiry of four months, the transitional Government shall submit to a vote of confidence in Parliament, unless the Reigning Prince appoints a new Government beforehand by mutual agreement with and on the recommendation of Parliament (article 79 paragraph 2).

2) If an individual Minister should lose the confidence of the Reigning Prince or of Parliament, the decision on the loss of the authority of the Minister to exercise his functions shall be taken by mutual agreement of the Reigning Prince and Parliament. Until a new Minister has been appointed, the official duties of the Minister shall be performed by the Minister's alternate.

Article 81<sup>2</sup>

For a decision of the collegial Government to be valid, at least four Ministers must be present and a majority of the Ministers present must vote in favour. In the event of a tie, the chairman shall have the casting vote. Voting shall be compulsory.

## Article 82

The grounds on which a Minister shall be excluded from the performance of an official act or may be debarred therefrom shall be determined by way of legislation.

Article 83<sup>3</sup>

The conduct of business by the Government shall be partly collegial, partly ministerial.

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<sup>1</sup> Article 80 amended by LGBL 2003 No. 186.

<sup>2</sup> Article 81 amended by LGBL 1965 No. 22.

<sup>3</sup> Article 83 amended by LGBL 1965 No. 22.

Article 84<sup>1</sup>

The collegial Government shall issue its rules of procedure by way of an ordinance.

Article 85<sup>2</sup>

The Prime Minister shall chair the Government. He shall see to the affairs directly entrusted to him by the Reigning Prince, shall countersign the laws and any decrees or ordinances issued by the Reigning Prince or a Regent, and shall enjoy the privileges to which the representative of the Reigning Prince is prescribed to be entitled at public ceremonies.

## Article 86

1) The Prime Minister shall submit oral or written reports to the Reigning Prince with regard to matters subject to the disposal of the Sovereign.

2) The texts of the sovereign resolutions issued on his proposal shall be signed by the Reigning Prince personally and shall additionally be countersigned by the Prime Minister.

## Article 87

The Prime Minister shall take his oath of office before the Reigning Prince or the Regent; the other Ministers and the State employees shall be sworn in by the Prime Minister.

Article 88<sup>3</sup>

If the Prime Minister should be unable to perform his responsibilities, the Deputy Prime Minister shall take over those functions that the Constitution explicitly accords to the Prime Minister. If the Deputy Prime Minister should also be unable to perform his responsibilities, the eldest Minister shall take his place.

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1 Article 84 amended by LGBL 1965 No. 22.

2 Article 85 amended by LGBL 1972 No. 8.

3 Article 88 amended by LGBL 1965 No. 22.



## Article 89

The Prime Minister shall sign the decrees and orders issued on the basis of collegial consideration by the Government; he shall also be entitled to supervise directly the conduct of business in the Government.

## Article 90

1) All of the more important matters assigned to be dealt with by the Government, especially the settlement of administrative disputes, shall be subject to the consideration and decision of the collegial Government. Certain less important matters may be delegated by law to be dealt with independently by the Ministers responsible in accordance with the distribution of Government affairs.<sup>1</sup>

2) Minutes of meetings shall be taken by the Permanent Government Secretary, or, if he should be unable to do so, by a substitute determined by the collegial Government.<sup>2</sup>

3) The Prime Minister shall execute the resolutions of the collegial Government. Only in the case that he believes a resolution violates existing laws or ordinances may he delay its execution; he shall then, however, immediately bring the matter to the attention of the Administrative Court, which shall, without prejudice to the right of appeal of a party, decide on the execution.<sup>3</sup>

Article 91<sup>4</sup>

To prepare matters to be decided collegially and to enable affairs to be handled independently that have been designated accordingly by law, the collegial Government shall distribute its affairs among the Prime Minister and the other Ministers at the beginning of their term in office. Mutual substitution shall be provided for in cases of inability to perform official functions.

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1 Article 90 para. 1 amended by LGBL 1965 No. 22.

2 Article 90 para. 2 amended by LGBL 1965 No. 22.

3 Article 90 para. 3 amended by LGBL 1965 No. 22 and LGBL 2003 No. 186.

4 Article 91 amended by LGBL 1965 No. 22.

Article 92<sup>1</sup>

1) The Government shall be responsible for the execution of all laws and of all legally permissible mandates by the Reigning Prince or Parliament.

2) The Government shall issue the ordinances necessary to give effect to the laws and the directly applicable international treaties; these ordinances must remain within the scope of the laws and the directly applicable international treaties.

3) To implement other treaty obligations, the Government may issue the necessary ordinances, provided that no enactments of laws are required.

4) The entire National Administration itself may only act within the limits of the Constitution, the laws, and treaty provisions; even in matters in which the law grants the Administration free discretion, the limits imposed thereon by the laws must be strictly observed.

## Article 93

The following matters in particular shall fall within the sphere of action of the Government:

- a) supervision of all authorities and employees subordinate to the Government and the exercise of disciplinary powers in respect of employees; supervision and disciplinary powers in respect of public prosecutors shall be determined by law;<sup>2</sup>
- b) allotment of the staff required for the Government and the other authorities;
- c) monitoring of the prisons and overall supervision of the treatment of prisoners on remand and of convicts;
- d) administration of State buildings;
- e) monitoring of the lawful and uninterrupted conduct of business of the ordinary courts;<sup>3</sup>
- f) submission of the report on its official activities to be presented annually to Parliament;

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<sup>1</sup> Article 92 amended by LGBL 2003 No. 186.

<sup>2</sup> Article 93(a) amended by LGBL 2008 No. 145 and LGBL 2011 No. 50.

<sup>3</sup> Article 93(e) amended by LGBL 2007 No. 346.

- g) drafting of Government proposals for submission to Parliament and the appraisal of proposals submitted to it for that purpose by Parliament;
- h) deciding on urgent expenditures not included in the budget;
- i) resolution on securities up to 250,000 francs, on the acquisition and alienation of landed property belonging to the financial assets up to 1,000,000 francs and belonging to the administrative assets up to 30,000 francs as well as, by virtue of legislative authorization, on the taking up of credits and loans.<sup>1</sup>

#### Article 94<sup>2</sup>

The organization of the Administration shall be regulated by law.

## Chapter VIII

### The Courts<sup>3</sup>

#### A. General Provisions<sup>4</sup>

#### Article 95<sup>5</sup>

1) The entire administration of justice shall be carried out in the name of the Reigning Prince and the People by legally bound Judges appointed by the Reigning Prince (article 11). The decisions of the Judges in the form of judgments shall be issued and drawn up “in the name of the Reigning Prince and the People”.

2) In the exercise of their judicial office within the lawful limits of their powers and when engaged in judicial proceedings, the Judges shall be independent. They shall include grounds with their decisions and judgments. The involvement of non-judicial organs in jurisprudence shall only be permissible to the extent explicitly provided for by the Constitution (article 12).

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<sup>1</sup> Article 93(i) inserted by LGBL. 2010 No. 372.

<sup>2</sup> Article 94 amended by LGBL. 1965 No. 22.

<sup>3</sup> Title preceding article 95 inserted by LGBL. 2003 No. 186

<sup>4</sup> Title preceding article 95 amended by LGBL. 2003 No. 186.

<sup>5</sup> Article 95 amended by LGBL. 2003 No. 186.

3) Judges within the scope of this article are the Judges of all ordinary Courts (articles 97 to 101), the Judges of the Administrative Court (articles 102 and 103), and the Judges of the Constitutional Court (articles 104 and 105).

#### Article 96<sup>1</sup>

1) The Reigning Prince and Parliament shall avail themselves of a joint body for the selection of Judges. The Reigning Prince shall chair this body and have the casting vote. He may appoint as many members to this body as the number of representatives delegated by Parliament. Parliament shall delegate one of its Members for each electoral group represented in Parliament. The Government shall delegate the Minister of Justice. The deliberations of the body shall be confidential. The body may only recommend candidates to Parliament with the consent of the Reigning Prince. If Parliament elects the recommended candidate, the Reigning Prince shall appoint this candidate as Judge.

2) If Parliament rejects the candidate recommended by the body, and if no agreement on a new candidate can be reached within four weeks, then Parliament shall recommend an opposing candidate and call a popular vote. In the event of a popular vote, Liechtenstein citizens eligible to vote shall also have the right to nominate candidates subject to the conditions of an initiative (article 64). If more than two candidates are voted on, the vote shall be conducted in two rounds in accordance with article 113 paragraph 2. The candidate obtaining the absolute majority of the votes cast shall be appointed as Judge by the Reigning Prince.

3) A Judge appointed *pro tempore* shall remain in office until a successor has been sworn in.

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<sup>1</sup> Article 96 amended by LGBL 2003 No. 186.

## B. The Ordinary Courts<sup>1</sup>

### Article 97<sup>2</sup>

1) Ordinary administration of justice shall be carried out in the first instance by the Princely Court of Justice in Vaduz, in the second instance by the Princely Court of Appeal in Vaduz, and in third instance by the Princely Supreme Court.

2) The organization of the ordinary Courts, their procedures, and the court fees shall be laid down by law.

### Article 98<sup>3</sup>

The handling of particular, precisely specified kinds of business pertaining to the administration of justice in the first instance may be assigned by means of a law to specially trained non-judicial employees of the Court of Justice who are bound by instructions (Rechtspfleger).

### Article 99<sup>4</sup>

The fiscal authorities and the officials of the Princely domains shall be subject to appear before the ordinary Courts as plaintiffs and defendants.

### Article 100<sup>5</sup>

1) The procedure in civil disputes shall be regulated in accordance with the principles of oral proceedings, direct hearings, and free evaluation of the evidence. In criminal matters, the principle of *ex officio* prosecution shall also apply.

2) In civil matters, the ordinary administration of justice in the first instance shall be carried out by one or more individual Judges.

3) The Court of Appeal and the Supreme Court shall be collegial Courts.

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1 Title preceding article 97 amended by LGBL. 2003 No. 186.

2 Article 97 amended by LGBL. 2003 No. 186.

3 Article 98 amended by LGBL. 2008 No. 145.

4 Article 99 amended by LGBL. 2003 No. 186.

5 Article 100 amended by LGBL. 2003 No. 186.

4) In criminal matters, justice shall be administered in the first instance at the Court of Justice by the same, if applicable by the Criminal Court or by the Juvenile Court.<sup>1</sup>

#### Article 101<sup>2</sup>

1) The President of the Court of Justice shall exercise supervision over the Judges of the Court of Justice.

2) The President of the Court of Appeal shall be responsible for supervision of the President of the Court of Justice and the Judges of the Court of Appeal. He shall exercise disciplinary powers over the Judges of the Court of Justice.

3) The President of the Supreme Court shall be responsible for supervision of the President of the Court of Appeal and the Judges of the Supreme Court. He shall exercise disciplinary powers over the Judges of the Court of Appeal and of the Supreme Court.

4) A Judicial Service Senate consisting of three Judges of the Supreme Court versed in the law shall exercise supervision and disciplinary powers over the President of the Supreme Court.

### C. The Administrative Court<sup>3</sup>

#### Article 102<sup>4</sup>

1) The Administrative Court shall consist of five Judges and five alternate Judges appointed by the Reigning Prince (article 96). The majority of the Judges must have Liechtenstein citizenship. The majority of the Judges must be versed in the law.

2) The term of office of the Judges and the alternate Judges of the Administrative Court shall be five years. The terms of office shall be structured in such a manner that a different Judge or alternate Judge leaves office each year. At the time of the first appointment, the duration of the term of office of the five Judges and the five alternate Judges shall

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1 Article 100 para. 4 amended by LGBl. 2011 No. 594.

2 Article 101 amended by LGBl. 2007 No. 346.

3 Title preceding article 102 inserted by LGBl. 2003 No. 186.

4 Article 102 amended by LGBl. 2003 No. 186.

be determined by lot. If a Judge or an alternate Judge should leave office early, a successor shall be appointed for the remaining term of office of the departing Judge.

3) The five Judges shall annually elect a Chairman and a Deputy Chairman from their ranks. Re-election shall be permissible.

4) If a Judge is unavailable, the Judge shall be substituted in the case at hand by an alternate Judge. The substitution shall be undertaken by the principle of rotation from case to case.

5) Unless otherwise provided for by law, all decisions or orders of the Government and of the special commissions constituted on behalf of the collegial Government (article 78 paragraph 3) shall be subject to the legal remedy of appeal to the Administrative Court.

6) By means of a law, the power to approve certain measures relating to international administrative assistance proceedings may be granted to a Judge of the Administrative Court, and the possibility of direct appeal to the Administrative Court may be provided regarding decrees issued in such proceedings by the first-instance authority.<sup>1</sup>

#### Article 103<sup>2</sup>

Further detailed provisions concerning court procedures, the duty of Judges to recuse themselves, remuneration, and fees to be paid by the parties shall be laid down in a specific law.

### **D. The Constitutional Court<sup>3</sup>**

#### Article 104

1) A Constitutional Court shall be established by way of a specific law as a court of public law to protect the rights guaranteed by the Constitution, to decide in conflicts of jurisdiction between the Courts and the administrative authorities, and to act as a disciplinary court for the Ministers.

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<sup>1</sup> Article 102 para. 6 inserted by LGBl. 2009 No. 227.

<sup>2</sup> Article 103 amended by LGBl. 2003 No. 186.

<sup>3</sup> Title preceding article 104 amended by LGBl. 2003 No. 186.

2) The Constitutional Court shall also have jurisdiction to review the constitutionality of laws and international treaties and the legality of Government ordinances; in such matters, it may declare their annulment. Finally, it shall also act as an electoral tribunal.<sup>1</sup>

#### Article 105<sup>2</sup>

The Constitutional Court shall consist of five Judges and five alternate Judges appointed by the Reigning Prince (article 96). The President of the Constitutional Court and the majority of the Judges must be citizens of Liechtenstein. The provisions of article 102 shall apply *mutatis mutandis*.

### Chapter IX

#### **Administrative Bodies and Civil Servants<sup>3</sup>**

#### Article 106<sup>4</sup>

Open-ended judicial positions may only be created with the consent of Parliament.

#### Article 107<sup>5</sup>

The organization of the authorities shall be determined by way of legislation. Subject to treaty agreements, the seat of all authorities must be within the territory of the country; collegial authorities must include at least a majority of Liechtenstein citizens.

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<sup>1</sup> Article 104 para. 2 amended by LGBl. 2003 No. 186.

<sup>2</sup> Article 105 amended by LGBl. 2003 No. 186.

<sup>3</sup> Title preceding article 106 amended by LGBl. 2003 No. 186.

<sup>4</sup> Article 106 amended by LGBl. 2008 No. 145.

<sup>5</sup> Article 107 amended by LGBl. 2003 No. 186.



Article 108<sup>1</sup>

Members of the Government, State employees, and all mayors, their deputies, and the municipal treasurers shall take the following oath upon appointment:

“I swear that I will be loyal to the Reigning Prince, that I will obey the laws, and that I will strictly observe the Constitution, so help me God.”

Article 109<sup>2</sup>

1) The State, the municipalities and the other bodies, institutes and foundations under public law shall be liable for damage unlawfully caused to third parties by persons acting in an official capacity as their organs. If the damage is intentional or reckless, the right of recourse to the responsible persons shall be reserved.

2) Persons acting as organs shall be liable to the State, the municipality, or other body, institute or foundation under public law in whose service they are for the damage they directly cause them through the intentional or reckless breach of their official duties.

3) Further detailed provisions, in particular relating to jurisdiction, shall be laid down by law.

## Chapter X

**The Municipalities<sup>3</sup>**

## Article 110

1) Laws shall determine the territory, organization and responsibilities of the municipalities in their own sphere of action and in that assigned to them.

2) The following principles shall be established in the municipal laws:

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1 Article 108 amended by LGBl. 2003 No. 186.

2 Article 109 (109bis) inserted by LGBl. 1964 Nr. 10 and amended by LGBl. 2003 No. 186.

3 Title preceding article 110 amended by LGBl. 2003 No. 186.

- a) free election of the mayor and of the other organs of the municipality by the municipal assembly;
- b) autonomous management of the municipal assets and of the administration of the municipal police under the supervision of the national Government;
- c) maintenance of well-ordered services for the poor under the supervision of the national Government;
- d) the right of the municipality to grant citizenship and the freedom of Liechtenstein citizens<sup>1</sup> to reside in any municipality.

#### Article 111<sup>2</sup>

All Liechtenstein citizens who are at least eighteen years of age and whose right to vote has not been suspended shall be eligible to vote in municipal matters in the municipality in which they reside.

## Chapter XI

### Constitutional Amendments and Interpretation<sup>3</sup>

#### Article 112<sup>4</sup>

1) The present Constitutional deed shall be universally binding after its promulgation as the fundamental law of the country.

2) Amendments to or universally binding interpretations of this fundamental law may be proposed either by the Government or by Parliament or by way of an initiative (article 64). They shall require unanimity of the Members of Parliament present or a majority of three quarters of the Members present at two consecutive meetings of Parliament voting in favour, a popular vote if called for (article 66), and in any event the subsequent assent of the Reigning Prince, with the exception of the procedure to abolish the monarchy (article 113).

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<sup>1</sup> "The term 'Landesangehörige' (Liechtenstein citizens) employed by the Constitution is to be understood as referring to all persons holding Liechtenstein national citizenship without distinction of sex." (LGBL. 1971 No. 22).

<sup>2</sup> Article 111 (110bis) amended by LGBL. 2000 No. 55 and LGBL. 2003 No. 186.

<sup>3</sup> Title preceding article 112 inserted by LGBL. 2003 No. 186.

<sup>4</sup> Article 112 amended by LGBL. 2003 No. 186.

Article 113<sup>1</sup>

1) Not less than 1,500 citizens shall have the right to submit an initiative to abolish the monarchy. If the initiative is adopted by the People, Parliament shall draw up a new Constitution on a republican basis and submit it to a popular vote after one year at the earliest and two years at the latest. The Reigning Prince shall have the right to present a new Constitution for the same popular vote. In the event of such an initiative, the procedure governed by the following provision shall replace the procedure to amend the Constitution as laid down in article 112 paragraph 2.

2) If only one draft has been presented, its adoption shall require only an absolute majority (article 66 paragraph 4). If two drafts have been presented, each Liechtenstein citizen eligible to vote shall have the possibility of choosing between the existing Constitution and the two drafts. In this case, each Liechtenstein voter shall have two votes in the first voting round. The voter may allocate these votes to the two constitutional alternatives that the voter wishes to see proceed to the next voting round. The two constitutional alternatives that attain the most first and second votes shall proceed to the second voting round. In the second voting round, which shall be held 14 days after the first, each Liechtenstein voter shall have one vote. The Constitution shall be adopted that receives an absolute majority (article 66 paragraph 4).

## Chapter XII

**Final Clauses<sup>2</sup>**Article 114<sup>3</sup>

All laws, ordinances and statutory provisions that contradict any explicit provision of the present Constitutional deed shall hereby be repealed and rendered invalid; those legal provisions inconsistent with the spirit of this fundamental law shall be revised to conform with the Constitution.

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1 Article 113 amended by LGBl. 2003 No. 186.

2 Title preceding article 114 inserted by LGBl. 2003 No. 186.

3 Article 114 amended by LGBl. 2003 No. 186.

Article 115<sup>1</sup>

1) My Government shall be entrusted with the execution of this Constitution.

2) The Government shall prepare the laws provided for in this Constitution with all possible dispatch and shall introduce them for consideration in accordance with the Constitution.

Vaduz, 5 October 1921

For His Serene Highness, the Reigning Prince Johann II of Liechtenstein, and on His behalf as duly authorized by His Highest letter of 2 October 1921:

Signed: *Karl*

Signed: *Jos. Ospelt*  
Princely Counsellor

The following two letters are attached to the original deed of the Constitution:

My dear Counsellor Ospelt,

I have noted with deep satisfaction that the Parliament of My Principality unanimously adopted the new Constitution at its meeting of the 24th of August 1921.

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<sup>1</sup> Article 115 amended by LGBl. 2003 No. 186.

In granting My sovereign sanction to this decision, I express the sincere wish and the hope that, just as the representatives of My People have reached unanimous agreement, without distinction as to party, on the creation of such an important legislative work for the country, the same spirit of harmony shall in the future also unite the population of My Country in peaceful work for the lasting good of the whole and every part thereof and that, with the long-standing and likewise continuing cooperation of State and Church, under the protection of God, My People and My Country may enjoy renewed happiness and rich blessings on the basis of the new fundamental law of the State.

I would have liked to sign the Constitutional deed in person at Vaduz, the capital of My Country, as you requested, among My loyal and beloved People; to my sincere regret, I am unable to do so at the present time for reasons of health.

However, to express my joy at the completion of this great work of reform nonetheless and to give My Country a proof of My fatherly love, I entrust, in accordance with article 13 of the new Constitution, my beloved nephew who is now in the Country, His Serene Highness, Prince Karl of Liechtenstein, with the signing of the Constitutional deed on My behalf at Vaduz, on the 5th of October of this year, the day when, with God's merciful blessing, I hope to complete my eighty-first year.

At the same time, I send to My beloved People My sovereign greetings and with all my heart express my thanks and appreciation to those who with a single accord contributed to the successful completion of the new Constitution.

I charge you with the public communication of these My decisions.

Felsberg, 2 October 1921

Signed: *Johann*

Signed: *Jos. Ospelt*  
Princely Counsellor

My dear Nephew Prince Karl,

In accordance with article 13 of the Constitution of the Principality of Liechtenstein adopted by the Parliament of My Principality at its meeting of the 24th of August 1921 and sanctioned by Me, I entrust You, Your Grace, with the signature on My behalf of the new Constitutional deed on My birthday, the 5th of October 1921, at Vaduz, the capital of My Principality.

I remain, Your Grace, always Your most affectionate and obliging Uncle.

Felsberg, 2 October 1921

Signed: *Johann*

Signed: *Jos. Ospelt*  
Princely Counsellor