

Austenasian Constitution of 2011

We, the People and Government of the Empire of Austenasia, do proclaim and establish this Austenasian Constitution of 2011, in order to do away with the problems that resulted from the previous non-detailed Constitution, to reaffirm the sources of sovereignty and political power, and to establish a stronger, more stable, and more perfect Empire for ourselves and for posterity:

I. The Empire of Austenasia

- A. This Constitution affirms the right of the Austen family, the senders of the 2008 Declaration of Independence, to national self-determination as a group of people sharing a common ancestry and culture, living on the same area of land, and identifying themselves as a people and a nation. The 2008 Declaration of Independence is therefore hereby declared to have been a valid declaration of the Empire of Austenasia to be an independent nation-state.
- B. The Empire of Austenasia is declared to have been a sovereign state, independent under international law and the principle of national self-determination, since 11:30 on Saturday 20 September 2008.
- C. The Empire of Austenasia is independent and separate from the United Kingdom of Great Britain and Ireland, although a large dependency upon trade with the United Kingdom is acknowledged.
- D. As of 20 September 2011, the Empire of Austenasia consists of the Towns of Wrythe, Zephyria, and Glencrannog.
- E. HIH Crown Prince Jonathan shall hold the title “Founder of Austenasia” in perpetuity.

II. Implementation of this Constitution

- A. Act 1 of the Parliament of the Empire of Austenasia (The Original Constitution) shall from henceforth be known as the Austenasian Constitution of 2008.
- B. This Constitution shall be known as the Austenasian Constitution of 2011.
- C. All Acts of Parliament, Imperial Edicts, and bye-laws enacted before the implementation of this Constitution shall be repealed at 01:00 on 22 September 2011.
- D. In accordance with the results of the Austenasian Constitutional Referendum of 2011, this Constitution shall replace the Austenasian Constitution of 2008 as the fundamental law of the Empire and enter into force at 11:30 on 20 September 2011.
- E. This Constitution shall not be amended, edited, or suspended in any way except by the consent of both the Monarch and over 80% of the House of Representatives, and only when the majority of the subjects of Austenasia have implied that they wish a proposed amendment, edit, or suspension of any kind be made through the results of a free and fair referendum.

III. Subjectship and Residency

- A. The population of the Empire of Austenasia shall be counted as the total number of people who are Austenasian subjects and/or residents.

- B. A subject of the Empire of Austenasia is any person who has lived on Austenasian land for more than three years and/or lives in Austenasia and has resided in that current place of residence for more than three years.
- a) The minimum age required to have the status of a subject shall be 14 years old until 20 April 2013, when it shall become 15 years old, and shall remain so until 20 April 2014, when it shall become and remain 16 years old.
 - b) Subjects of Austenasia may also hold the position of a citizen of the United Kingdom at the same time, but must always put being a subject of Austenasia before being a citizen of the United Kingdom.
 - c) The Monarch shall automatically gain the status of a subject if he or she is not already one at the time of their ascension to the Throne.
 - d) Parliament may make further laws regarding subjects of Austenasia.
- C. A resident of the Empire of Austenasia is any person who has their permanent residence within the Empire.

IV. The Monarchy

A. The Monarch

- a) The Empire of Austenasia is reigned over, ruled and governed by the Monarch - the holder of the Throne, known as the Emperor if male and the Empress if female.
- b) The Monarch is the Head of State of the Empire of Austenasia.
- c) The person of the Monarch is sacrosanct and inviolable.
- d) The Monarch is sovereign over the Empire of Austenasia - all sovereignty and political power is derived from and is ultimately held by the Monarch, although it is acknowledged that the Monarch holds this position from the will of the People, with which as in any civilised society resides ultimate political power.
- e) All executive, legislative, and judicial power is derived from and carried out in the name of the Monarch.
- f) The Monarch holds all of his or her rights, roles, responsibilities, privileges, and executive, legislative, and judicial powers through the holding of the Throne.
- g) The Monarch, if male, shall be known as “HIM Emperor *Forename Ordinal*”, and if female as “HIM Empress *Forename Ordinal*”.
- h) The Monarch may substitute their forename for a different regnal name upon ascending the Throne - this can be either another of their given names or the regnal name of a previous monarch of the land of Austenasia. The monarchical ordinal shall be in reference to how many (if any) monarchs of the Monarch’s regnal name have ruled over the land of Austenasia in the past.
- i) The Monarch shall hold the style of Imperial Majesty, and the secondary title of “Imperator Caesar *Forename* Augustus” (if male) or “Imperatrix Caesarina *Forename* Augusta” (if female).
- j) The Monarch (or Regent) may not under any circumstances hold the office or powers of Prime Minister or Acting Prime Minister.

B. The Imperial Family

- a) The Monarch, his/her descendants and siblings and their descendants, his/her living ancestors, and all of their spouses, are collectively known as the Imperial Family.
- b) The spouse of the Monarch shall be known as “HIH Empress *Forename*” if female, and “HIH Prince Consort *Forename*” if

male. The spouse of the Monarch shall hold the style of Imperial Highness.

- c) The Monarch may grant the title of “HH Prince Consort *Forename*” or “HH Princess Consort *Forename*” to their unmarried partner (the title depending on the gender of the unmarried partner). The unmarried partner of the Monarch, if so granted such a title, shall hold the style of Highness.
- d) The Heir to the Throne shall be known as “HIH Crown Prince *Forename*” if male, and “HIH Crown Princess *Forename*” if female. The Heir to the Throne shall hold the style of Imperial Highness.
- e) Children and all legitimate descendants of the Monarch and Heir to the Throne shall be known as “HIH Prince *Forename*” if male, and “HIH Princess *Forename*” if female. Those born into this status shall keep this title for life, unless they become Monarch or Heir to the Throne themselves. Children and all legitimate descendants of the Monarch and Heir to the Throne shall hold the style of Imperial Highness.
- f) A legitimate descendant is one whose parents were married during their conception and/or birth.
- g) Siblings of the Monarch shall be known as “HIH Princess *Forename*” if female, and “HIH Prince *Forename*” if male. Those born into this status shall keep this title for life, unless they become Monarch or Heir to the Throne themselves. Siblings of the Monarch shall hold the style of Imperial Highness.
- h) All legitimate descendants of those with the title of “HIH Prince *Forename*” or “HIH Princess *Forename*” shall also hold that title. Spouses and illegitimate children of those with the title of “HIH Prince *Forename*” or “HIH Princess *Forename*” shall be known as “HH Princess *Forename*” if female, and “HH Prince *Forename*” if male, and shall hold the style of Highness.
- i) All legitimate descendants of those with the title of “HH Prince *Forename*” or “HH Princess *Forename*” shall also hold that title. Spouses and illegitimate children of those with the title of “HH Prince *Forename*” or “HH Princess *Forename*” shall be known as “HSH Princess *Forename*” if female, and “HSH Prince *Forename*” if male, and shall hold the style of Serene Highness.
- j) All legitimate descendants of those with the title of “HSH Prince *Forename*” or “HSH Princess *Forename*” shall also hold that title. Spouses and illegitimate children of those with the title of “HSH Prince *Forename*” or “HSH Princess *Forename*” shall be known as “Lord *Forename* of Austenasia” if male, and “Lady *Forename* of Austenasia” if female, and shall be known as Lords/Ladies Imperial.
- k) All descendants of Lords/Ladies Imperial shall also hold that status, and their spouses shall hold the title of “Sir *Forename*” if male and “Dame *Forename*” if female.
- l) All those in the Line of Succession to the Throne who do not hold the style of Imperial Highness, Highness, Serene Highness, or another specifically granted to them by the Monarch or by Parliament, shall hold the status of a Lord Imperial or Lady Imperial.
- m) The spouse of the Heir to the Throne shall be known as “HH Crown Prince *Forename*” if male, and “HH Crown Princess

Forename” if female. The spouse of the Heir to the Throne shall hold the style of Highness.

- n) The Heir to the Throne may grant the title of “HSH Prince Companion *Forename*” or “HSH Princess Companion *Forename*” to their unmarried partner (the title depending on the gender of the unmarried partner). The unmarried partner of the Heir to the Throne, if so granted such a title, shall hold the style of Serene Highness.
- o) Living parents of the Monarch shall be known as “HIH Emperor Father *Forename*” or “HIH Emperor Mother *Forename*” if the Monarch is male, and as “HIH Empress Father *Forename*” or “HIH Empress Mother *Forename*” if the Monarch is female. Parents of the Monarch shall hold the style of Imperial Highness.
- p) All living ancestors of the Monarch shall hold the title and style of parents of the Monarch, with the title held corresponding to their relation to the Monarch - exempli gratia, the grandfather of a female Monarch would be known as “HIH Empress Grandfather *Forename*”.
- q) The Monarch may grant whatever title and style he or she sees fit to any person, regardless of the guidelines set out in this Section of the Constitution, which shall nevertheless be automatically in place.

C. The Line of Succession to the Throne

- a) Upon the death or abdication of the Monarch, the Heir to the Throne shall be given the choice of whether or not to refuse the Throne. If he or she does not refuse the Throne, then they shall ascend it and become Monarch. If a person refuses the Throne, then the Throne will pass to the next in the Line of Succession, who will choose whether or not to refuse the Throne, with the same outcomes.
- b) The Heir to the Throne is the first in the Line of Succession to the Throne, and is designated as the person who would be after the Monarch if the Monarch himself or herself were in the Line of Succession.
- c) The Line of Succession to the Throne is ordered by male-preference (cognatic) primogeniture. A person is always immediately followed in the Line of Succession by his or her own descendants (his or her line) except for any descendants who already appear higher in the Line of Succession, and after that by their siblings (and their lines). A person's sons (and their lines) all come before a person's daughters (and their lines). Older sons (and their lines) come before younger sons (and their lines). Older daughters (and their lines) come before younger daughters (and their lines).
- d) When the Line of Succession reaches the end of those related to the Monarch by blood, it shall pass to the spouse of the Monarch at that time (should he or she be married). It will then, after the spouse, therefore pass to any children (and their lines) of said spouse who are not the children of the Monarch, and then to any siblings (and their lines) of the spouse of the Monarch.
- e) With each marriage of the Monarch, the new spouse and his or her relations shall be placed before the former spouse and his or her relations in the Line of Succession.

- f) A person may be added to or removed from any place in the Line of Succession to the Throne by Parliament.
- g) A former Monarch who has abdicated shall not be placed back into the Line of Succession under any circumstances.
- h) The reign of a Monarch who has ascended the Throne after the death of the previous Monarch shall officially begin from the death of the previous Monarch, even if the Monarch did not accept the Throne immediately after said death.

D. Imperial Edicts and Decrees

- a) The Monarch has the power to issue Imperial Edicts and Imperial Decrees. Both Imperial Edicts and Imperial Decrees supersede bye-laws, and no bye-law can contradict an Imperial Edict or Imperial Decree.
- b) Imperial Edicts are laws that can only be enacted by the Monarch. They can grant an office, right, monopoly, title, or status to a person or to some entity such as a corporation, create government offices and ministries, and shall be generally used by the Monarch for executive governance. However, Imperial Edicts relating to civil and/or criminal law, and/or the actual governance of the Empire shall only apply to those areas of the Empire which are Crown Property.
- c) Imperial Decrees are laws that can only be enacted by the Monarch. Imperial Decrees are executive orders and/or statutes that apply to the whole Empire. However, all Imperial Decrees made must go before the House of Representatives as soon as is reasonably possible - the House of Representatives shall vote on whether or not to make the Imperial Decree permanent; if so, it becomes law, and if not, the Imperial Decree is rescinded, although it shall have legally been in force until the vote by the House of Representatives.

E. Provisions for a Regency

- a) A Regency shall only be declared if the Monarch declares themselves incapable of ruling, the Throne is inherited by a person who is not old enough to become a subject of Austenasia, or if over 80% of the House of Representatives (including the Prime Minister) votes for a Regency to be declared.
- b) If a Regency is declared, then a Regent shall be appointed - the Monarch shall be deprived of the Throne and of all the accompanying powers, privileges, rights, roles, duties and responsibilities of the Monarch, which shall be assumed by the Regent, who will hold them for the duration of the Regency and exercise them in the name of and on behalf of the Monarch without actually assuming the Throne. The Monarch shall keep all titles and styles, and shall still hold the office of Monarch.
- c) The House of Representatives shall vote on whether the Regent shall be the Prime Minister or shall be chosen from the Line of Succession to the Throne.
- d) If the House of Representatives votes for the Prime Minister to become Regent, then the Prime Minister shall be known as “HH Regent *Forename*” and shall hold the style of Highness while he or she is Regent. The Prime Minister shall upon becoming Regent lose the office of Prime Minister - the Deputy Prime Minister shall become Acting Prime Minister and assume all powers, privileges, rights, roles, duties and responsibilities of that office, and the

Regent shall appoint another Representative to the office of Acting Deputy Prime Minister, who shall assume all powers, privileges, rights, roles, duties and responsibilities of the office of Deputy Prime Minister.

- e) If the Prime Minister is appointed Regent and an Acting Prime Minister is appointed, but the Regency ends before the next General Election, then the House of Representatives shall vote for whether the Acting Prime Minister shall remain in that position or if the former Regent shall regain the position of Prime Minister. If the vote is tied, then the Monarch shall decide.
- f) If the House of Representatives votes for the Regent to be chosen from the Line of Succession, then all in Line to the Throne who are old enough to be subjects of Austenasia shall (in the order that they are in the Line of Succession) be given the choice of whether or not to become Regent. The first to accept shall be appointed Regent, and shall be known as “HIH Prince Regent *Forename*” if male or “HIH Princess Regent *Forename*” if female, and shall hold the style of Imperial Highness, while he or she is Regent.
- g) If a Regent resigns or is found guilty of a crime, or if over 75% of Parliament votes for a new Regent, then a new Regent will be chosen in the same way that the previous Regent was (see Paragraph C of this Section of the Constitution).
- h) If a Regency was declared because the Throne was inherited by a person who was not old enough to be a subject of Austenasia, then as soon as they reach the required age the Regency will be ended.
- i) If a Regency was declared because the Monarch declared themselves unfit to rule, then the Regency shall not be ended unless the House of Representatives votes for it to be so no more than thirty days after the Monarch receives confirmation by at least one qualified doctor of medicine that he or she is mentally and physically able.
- j) If a Regency was declared because over 80% of the House of Representatives (including the Prime Minister) voted for it to be so, then the Regency shall not be ended unless the same or a greater percentage of Representatives who voted for the Regency vote for it to be ended, no more than fifty days after the Monarch receives confirmation by at least one qualified doctor of medicine that he or she is mentally able.
- k) When a Regency is ended, the Monarch shall immediately be returned to the Throne with full powers as accorded by law and the Regent will be removed from said office.
- l) If the Monarch dies or abdicates during a Regency, and his or her successor as Monarch is not below the age required to become a subject of Austenasia, then the Regency will be ended.

F. Counsellors of State

- a) Counsellors of State are those to whom the Monarch may delegate certain powers, roles, and duties of the Throne if he or she is abroad or unavailable for other reasons, such as short-term incapacity or sickness.
- b) The extent of the powers, roles, and duties of the Throne delegated to a Counsellor of State shall be by the discretion of the Monarch.
- c) While the declaration of a Regency carries with it the suspension of the Monarch from the personal discharge of the powers, roles, and duties of the Throne, when Counsellors of State are appointed, both

the Monarch and the Counsellors can - the Counsellors within the limits of their delegation of authority - discharge the said powers, roles and duties; the Monarch can give instructions to the Counsellors of State, or even personally discharge a certain power, role, or duty of the Throne, when the Counsellors are appointed.

- d) Counsellors of State shall exercise all delegated powers, roles, and duties of the Throne in the name of and on behalf of the Monarch, without actually assuming the Throne.
- e) Those eligible to become Counsellors of State are the spouse of the Monarch, the Prime Minister, and the three highest in the Line of Succession to the Throne who are old enough to be a subject of Austenasia. If, under this criteria, there are less than five people eligible to become Counsellors of State, for example the Prime Minister is the Line of Succession or the Monarch has no spouse, then the Nobles who are old enough to be a subject of Austenasia shall be added in order of precedence as Nobles to those eligible until those eligible reaches the number of five people.
- f) Only the Monarch may appoint and dismiss Counsellors of State.

G. Abdications

- a) Should the Monarch wish his or her reign over the Empire to come to an end before his or her death, then the Monarch may abdicate.
- b) A Declaration of Abdication is irrevocable from the moment that a signed or recorded Declaration of Abdication (stating the intention of the Monarch to renounce the Throne of Austenasia and the title and office of Monarch) is presented to at least two witnesses, or from the moment that a verbal Declaration of Abdication (using such wording as to leave no doubts as to the intention of the Monarch to renounce the Throne of Austenasia and the title and office of Monarch) is made in front of at least three witnesses.
- c) If a Declaration of Abdication is made, the Heir to the Throne must be informed of this as soon as possible. The Heir to the Throne shall be given the choice of whether or not to refuse the Throne. If he or she does not refuse the Throne, then they shall ascend it and become the new Monarch, replacing the abdicated previous Monarch. If a person refuses the Throne, then the Throne will pass to the next in the Line of Succession, who will also choose whether or not to refuse the Throne – if they refuse it, the Throne shall pass to the next in the Line of Succession, and so on.
- d) A Monarch who has made a Declaration of Abdication shall officially remain Monarch until the Throne is accepted by a member of the Line of Succession. During this time however, the Monarch may not exercise any powers of the Throne - the Throne is lost by a Monarch from the moment that a Declaration of Abdication is made, no matter how long it takes for a successor to accept the Throne.
- e) After a Monarch has abdicated and a new Monarch has accepted the Throne, Parliament shall remove all remaining Austenasian offices and titles of the former Monarch.

H. Coronations

- a) The Coronation of a Monarch of Austenasia shall be to mark the ascension of that Monarch to the Throne. A Coronation is not necessary to exercise the powers, roles, and duties of the Throne, but shall serve as a ceremonial reaffirmation of the legitimate rule of the Monarch.

- b) The Coronation of a Monarch must take place over the spot that The 2008 Declaration of Independence was sent, in the manner of the Coronation of HIM Emperor Terry I and the Coronation of HIM Emperor Esmond III (although this latter Coronation took place in the Prime Minister's Office, HIM Emperor Esmond III was standing directly above the relevant spot). Should the Empire ever lose sovereignty over the Imperial Residence, a chip of wood from the area of the floor where the 2008 Declaration of Independence was sent shall be taken, and future Coronations shall take place with the Monarch sitting on a chair above said chip of wood.
- c) The Imperial Regalia of Austenasia shall be used during Coronations. These are the Imperial Diadem, Sceptre, and Chain (as used during the Coronations of HIM Emperor Terry I and HIM Emperor Esmond III) and the Imperial Robes (as used during the Coronation of HIM Emperor Terry I). Should any of the Imperial Regalia need to be replaced, then they may be so with authorisation from Parliament, on the condition that a fragment of the original piece of regalia is somehow incorporated into the replacement.
- d) A Coronation shall take place in the following manner. Firstly, the Monarch, wearing the Imperial Robes and Imperial Chain, shall sit while the Prime Minister, Heir to the Throne, and any willing others may swear an oath of loyalty to the Monarch. Then, the Monarch shall take the Imperial Sceptre, and may choose to swear an oath to rule the Empire fairly and wisely, to defend Austenasia, and to uphold and abide by the law. Finally, the Monarch shall take the Imperial Diadem from the hands of the Founder (or, if the Founder is no longer alive, from the hands of the Prime Minister) and place it on his or her head while those present shout "Vivat Imperator" (if the Monarch is male) or "Vivat Imperatrix" (if the Monarch is female). Other features may be added to a Coronation ceremony, as long as these three main components of the ceremony are carried out.

I. Crown Property

- a) Crown Property is property that is owned by the Throne of Austenasia. This consists of all property owned by the Monarch by right of their holding of the Throne, and all property personally held by the Monarch, the latter of which for the duration of their reign shall be designated as Crown Property.
- b) An abdicated Monarch shall retain ownership of all Crown Property that became such due to their holding of the Throne.
- c) Not including Crown Property which is such due to being personally owned by the Monarch, as of 20 September 2011 the Crown Property that is directly owned by the Throne itself consists of the Imperial Regalia, Imperial Wrythe (the properties of the Imperial Residence, 2 Imperial Rd and the adjacent pathway, the Orange Pyramid, Wrythe Pet Cemetery, and Wrythe Genocide Memorial), all physically signed Acts of Parliament, the signed copies of the Treaty of Wilton, the Treaty of Ruskin Road and the Treaty of Carshalton, and the legal right to the thrones of Rushymia and the Midget Nation-in-Exile.
- d) Land which is Crown Property contrasts with private property and public property - private property is that which is owned by a person, persons, or organisation, and public property is any land

that is not owned by any person or organisation. Public property is legally owned by the relevant Town Council, with which lies responsibility for maintaining the land (they may appoint a Sheriff to administer said land) - jurisdiction over it can however only be exercised within the parameters set out by bye-laws.

- e) The Monarch may appoint a Crown Steward to land which is Crown Property, with which will lay responsibility for maintaining and administering said land.

J. Current Situation

- a) For the sake of stability, it is hoped that the Monarchy shall in future follow the guidelines as set out in this Constitution. At present, HIM Emperor Declan I is the Monarch, and holds the full powers, rights, roles, responsibilities and duties of the Throne.
- b) Despite all relatives of the Monarch holding all relevant titles, none are in the Line of Succession to the Throne at present.
- c) In regards to the Imperial Family and the Line of Succession to the Throne, until the death or abdication of HIM Emperor Declan I it shall be as if the Monarch were still HIM Emperor Terry I. HIH Crown Prince Jonathan is Heir to the Throne, HIH Princess Caroline is Second in Line to the Throne, HIH Princess Christine is Third in Line, et cetera.
- d) For the sake of stability, at no point in the future shall there ever be two Monarchs of Austenasia. The Throne and/or its powers may in some respects be shared with others, *exempla gratia* through the declaration of a Regency and/or through the appointment of Counsellors of State, but the actual office of Monarch shall never be held concurrently by more than one person.

V. Parliament

A. Legislative Power

- a) The Parliament of Austenasia is the supreme legislative body in the Empire.
- b) Parliament consists of the Monarch, the Prime Minister, and the House of Representatives.
- c) Acts of Parliament shall be passed in the following manner: firstly, a Representative shall propose an Act to be passed. Secondly, Parliament may debate over the details of the Act and it may be edited accordingly. Next, the House of Representatives shall vote on whether or not the Act should be passed - an Act requires the consent of more than 50% of all Representatives to be passed by the House of Representatives. Lastly, the Monarch shall choose whether or not to grant Imperial Consent to the Act. The granting of Imperial Consent to an Act of Parliament makes it law.
- d) Acts of Parliament may not be amended, suspended, or repealed except by other Acts of Parliament.
- e) Acts of Parliament passed after the implementation of this Constitution shall be formally referenced in the following way: firstly, there shall be a Roman numeral signifying the number Act it is that has been passed during the reign of the current Monarch. Second shall be an abbreviated form of the regnal name and the monarchical ordinal of the current Monarch. Then shall be the year during which it was passed, and lastly a short title of the Act shall be given in brackets. Acts may be informally referenced by a short title followed by the year during which it was passed. *Exempla gratia*, Act

121 (Imperial Titles), an Act of Parliament passed under the old legislative system, would under this Constitution be known as IX Esm. III 2010 (Imperial Titles) formally and the Imperial Titles Act 2010 informally.

B. House of Representatives and Local Elections

- a) The House of Representatives shall consist of a Representative elected from each Town of the Empire.
- b) Representatives have the responsibility of representing the interest of their Town and its people in Parliament.
- c) Elections for Representatives, known as Local Elections, shall take place by order of the Monarch, with three weeks' notice. Local Elections may not take place more frequently than once every six months, but there must be at least one Local Election every two years.
- d) If a Local Election is ordered by the Monarch to take place on a date which is less than six months after the last Local Election took place, then the order shall be invalid. If a Local Election is not ordered by the Monarch three weeks before the date when it shall have been two years since the last Local Election, then a Local Election shall automatically be ordered under this Constitution.
- e) During the first of the three weeks between the order for a Local Election and the actual election, any Austenasian subjects may stand for election to run for the office of Representative of their Town. The remaining two weeks may be spent campaigning to attempt to persuade the subjects of that Town to vote for them.
- f) On the day of the Local Election, all subjects willing shall go to ballot stations organised by the respective Town Council to cast a vote for who they wish to be their Representative. All subjects willing must be permitted to vote.
- g) All votes shall be counted by the day after the Local Election, when in each Town the person who was Representative before the Local Election shall announce the results. The person with the most votes becomes the next Representative of the Town.
- h) Should a Representative die or resign, the Town Council of that Representative's Town shall elect from amongst themselves an Acting Representative to fulfil the duties of Representative of that Town until a Local Election can be called.

VI. The Prime Minister

A. Powers

- a) The Prime Minister is the Head of Government of the Empire of Austenasia.
- b) The Prime Minister is responsible for overseeing the regular activities of the Cabinet and co-ordinating the work of the Government Ministers.
- c) The Prime Minister shall hold a deciding vote should any vote by the House of Representatives be tied.
- d) Should the Prime Minister not hold a higher ranking style, he/she shall have the style of Right Honourable. The Prime Minister shall hold the post-nominals of PM if not a member of the Imperial Family.
- e) The Prime Minister shall act as the voice and public face of the government of Austenasia.

B. General Elections

- a) An election for the Prime Minister, known as a General Election, shall take place by order of the Monarch or Prime Minister, with seven weeks notice. General Elections may not take place more frequently than once every eight months, but there must be at least one General Election every four years.
- b) If a General Election is ordered by the Monarch or Prime Minister to take place on a date which is less than eight months after the last General Election took place, then the order shall be invalid. If a General Election is not ordered by the Monarch or Prime Minister seven weeks before the date when it shall have been four years since the last General Election, then a General Election shall automatically be ordered under this Constitution.
- c) During the first of the three weeks between the order for a General Election and the actual election, any Representatives willing may apply to stand for election to run for the office of Prime Minister. The Monarch must choose at least two applicant Representatives, who from the point of being chosen until the General Election concludes shall hold the status of Candidates. The remaining four weeks may be spent by the Candidates campaigning to attempt to persuade the subjects of the Empire to vote for them.
- d) On the day of the General Election, all subjects willing shall go to ballot stations organised by their respective Town Council to cast a vote for who which of the Candidates they wish to be Prime Minister. All subjects willing must be permitted to vote.
- e) All votes shall be counted by the day after the General Election, when the Monarch shall announce the results. The Candidate with the highest amount of votes shall become Prime Minister, and the Candidate with the second highest amount of votes shall become Deputy Prime Minister.

C. Acting Prime Ministers

- a) An Acting Prime Minister shall hold all the powers, rights, roles, duties and responsibilities of the office of the Prime Minister. If an Acting Prime Minister is appointed, then the Prime Minister shall lose all said powers of his or her office for the period that the Acting Prime Minister is appointed.
- b) An Acting Prime Minister can only be appointed by Act of Parliament, or if the Prime Minister dies, resigns, or inherits the Throne.
- c) If the Prime Minister dies or resigns, then the Deputy Prime Minister shall automatically become Acting Prime Minister until the next General Election.
- d) If an Act of Parliament appoints an Acting Prime Minister, then that Acting Prime Minister shall remain in that office either until the next General Election or until an Act of Parliament is passed restoring the Prime Minister to the full powers of that office.
- e) If the Heir to the Throne is Prime Minister (or Acting Prime Minister), and inherits the Throne, then he or she shall immediately lose the office of Prime Minister and an Acting Prime Minister shall be appointed.
- f) If Parliament decides to appoint an Acting Prime Minister, they can choose from either the Deputy Prime Minister or the Heir to the Throne.
- g) If the Deputy Prime Minister becomes Acting Prime Minister, then the Monarch shall appoint an Acting Deputy Prime Minister from the

Representatives, who shall assume all powers, rules, rights, responsibilities and duties of the Deputy Prime Minister.

VII. Cabinet

- A. The Cabinet is the body of Government Ministers responsible for executive administration and governance of the Empire.
- B. The Cabinet is comprised of the Prime Minister and all appointed Government Ministers.
- C. Government Ministers are Representatives appointed by the Monarch to be responsible for certain functions of government.
- D. Government Ministers shall be responsible for the administration and direction of Government Ministries.
- E. The five Government Ministries are the Home Office, the Foreign Office, the Treasury, the Environmental Office, and the Ministry of Defence.
- F. The Government Minister responsible for the Home Office shall be known as the Home Secretary; the Foreign Office, the Chief Ambassador; the Treasury, the Chancellor; the Environmental Office, the Minister for the Environment; and the Ministry of Defence, the Minister of Defence.
- G. The five Government Ministries shall retain the functions, powers, duties and structures held before the implementation of this Constitution.
- H. Government Ministries may be established and disestablished by Parliament.
- I. The Monarch may appoint Government Ministers (other than the aforementioned five) and grant them authority to perform certain functions of governance not within the jurisdiction of any Government Ministries – such Government Ministers need not have a Government Ministry.

VIII. Local Government

- A. Every Town with a population of three or more shall elect a Town Council, to be comprised of three to twenty people. Members of a Town Council shall be known as Town Councillors.
- B. Elections for Town Councillors shall be organised by the Town Council, but each Town Councillor must be re-elected more frequently than every two years and one day, and any willing subjects of that Town must be permitted to run for election to the position of Town Councillor. The Town Council shall decide whether or not residents of the Town are permitted to run for the position of Town Councillor or not.
- C. Town Councils have the power to pass bye-laws. Bye-laws are laws which can only be enacted by a Town Council, and only apply to the Town in which they are passed. Bye-laws cannot contradict Imperial Edicts, Imperial Decrees, or Acts of Parliaments, and will be automatically repealed by any Imperial Edicts, Imperial Decrees, or Acts of Parliaments which contradict them.

IX. Judiciary

A. Courts

- a) Persons accused of committing a crime or breaking a law shall be brought before a court, to be tried for it to be determined whether they are innocent or guilty.

- b) Each populated Town shall have a Town Court, each populated Duchy shall have a High Court, and the Empire as a whole shall have the Imperial Court.
- c) Crimes are classified as misdemeanours, second-class felonies, or first-class felonies, depending on the severity of the crime. Those accused of misdemeanours shall be tried by their Town Court, those accused of second-class felonies shall be tried by their High Court, and those accused of first-class felonies shall be tried by the Imperial Court.
- d) A Town Court may have a person brought before them tried by their High Court instead, and a High Court may have a person brought before them tried by the Imperial Court instead.
- e) Town Courts shall have as their Judge the Representative of that Town, and as their Jury three to eleven Town Councillors, appointed by the Town Council to serve a term of no more than four months as a member of the Jury of that Town Court.
- f) High Courts shall have as their Judge a subject residing in that Duchy appointed by the Monarch, and as their Jury five to eleven Town Councillors of Towns in that Duchy, appointed by the assembled Representatives of the Towns in that Duchy to serve a term of no more than six months as a member of the Jury of that High Court.
- g) The Imperial Court shall have as its Judge the Monarch, and as its Jury seven to eleven Representatives, Town Councillors, and/or Nobles above the age necessary to be a subject, appointed by the Monarch to serve a term of no more than nine months as a member of the Jury of the Imperial Court.

B. Trials

- a) A person brought before a court to be tried shall be known during the trial as the defendant. The person who has brought him before the court shall be known as the prosecutor. Both the defendant and the prosecutor may be represented in the trial by a lawyer or solicitor.
- b) Trials in a Town Court shall be referred to as "*Name of Town vs. Name of Defendant*", trials in a High Court as "*Duchy of Name of Duchy vs. Name of Defendant*", and trials in the Imperial Court as "*The Imperial Majesty vs. Name of Defendant*".
- c) The role of the Judge in a trial is to direct when the defendant and prosecutor may speak, when a trial may be suspended and when it shall reconvene, and announce the verdict of the Jury.
- d) The role of the Jury in a trial is, after hearing all evidence and legal arguments from both the defendant and the prosecutor, to vote on whether or not the defendant is innocent or guilty.
- e) Both the defendant and the prosecutor must be permitted to bring before the Jury during the trial any evidence or legal arguments which they have.

C. Appeals

- a) If either the defendant or prosecutor is unsatisfied with the outcome of a trial, then they may appeal for the case to be tried again, by the court above the one in which the case was originally tried.
- b) A misdemeanour shall not be brought before the Imperial Court.
- c) After the verdict of a Jury is announced, the defendant or prosecutor shall have a period of fourteen days in which to appeal to the court above. If they do not appeal within this time, then they shall lose the chance to do so.

- d) A defendant or prosecutor unsatisfied with the outcome of a trial held in a Town Court may, within the allotted time period, appeal to the Judge of the High Court of the Duchy in which the Town Court is. The Judge of that High Court shall then decide whether to accept or reject the appeal.
- e) A defendant or prosecutor unsatisfied with the outcome of a trial held in a High Court may, within the allotted time period, appeal to the Judge of the Imperial Court, that is, the Monarch. The Monarch shall then decide whether to accept or reject the appeal.
- f) The outcome of a trial held in the Imperial Court may not be appealed.
- g) Should the Judge of a Court reject an appeal, then the verdict originally given will be confirmed and the outcome of the trial may not be appealed again.
- h) Should the Judge of a Court accept an appeal, then the verdict originally given shall be declared null and void, and the case shall be tried once more, in the court above the one in which it was originally tried.

D. Consuls

- a) Every year, the Prime Minister shall appoint two Consuls.
- b) The Consuls shall have the duty of deciding the punishment to be taken by a person found guilty of a crime.
- c) Before deciding on the punishment to be taken by a person found guilty of a crime, the Consuls must wait to see whether or not the person found guilty will appeal to a higher court - if they do not appeal within the allotted time, or if their appeal is rejected, only then shall the Consuls decide on the punishment. If the appeal is accepted, then the Consuls shall wait to see if the new trial results with a verdict of innocent or guilty - if innocent, then the person accused of a crime shall not be punished.
- d) A Consul may not serve more than two consecutive years in office, and the same two Consuls may not serve two consecutive years together.
- e) The Consuls for each year shall be designated First Consul and Second Consul. These titles carry with them no superiority of rank, power, or precedence.
- f) The two Consuls shall alternate each month in carrying out the duties of the Consuls. The Consul who is not carrying out the duties of the Consuls that month may, however, veto any punishment decreed by the Consul who is.
- g) When referred to exclusively by virtue of their office as Consul, the Consuls shall be referred to by their secondary title, or by their name and title in Latin.
- h) A Consul may only be removed from office by Parliament, or by resigning with two weeks' notice.
- i) If a Consul dies, resigns, or is removed from office, than the Prime Minister shall appoint a Consul suffectus to replace the former Consul for the remainder of the year. Consuls suffectus shall have the same rank, power, and precedence as a Consul ordinary.

X. Administrative Divisions

- A. The Empire of Austenasia shall be divided into Regions. At present, Austenasia consists of the Regions of Inner Austenasia and Outer Austenasia.

- B. Regions shall be divided into Duchies. At present, Inner Austenasia consists of the Duchy of Royton and Outer Austenasia consists of the Duchy of Highland.
- C. Duchies shall be divided into Provinces. At present, Royton consists of Greater Wrythe and Highland consists of Nearloch.
- D. Provinces shall be divided into Towns. At present, Greater Wrythe consists of Wrythe and Zephyria, and Nearloch consists of Glencrannog.

XI. Caesars, Augustae, Nobility and Peers

- A. The Monarch may make his/her husband, any of his/her sons, brothers, male cousins, uncles, sons-in-laws, nephews or male ascendants, or any male with the consent of the Prime Minister and all Archdukes of the Empire, a Caesar of Austenasia.
- B. Caesars may keep this status until their death (unless the Monarch revokes it or the Caesar relinquishes it), but it is not hereditary. Caesars will have the secondary title of *Forename* Nobilissimus Caesar, and (if they do not have so already) have the style of Imperial Highness.
- C. The Monarch may make his/her wife, any of his/her sisters, nieces, or female ascendants, or any female with the consent of the Prime Minister and all Archdukes of the Empire, an Augusta of Austenasia.
- D. Augustae may keep this status until their death (unless the Monarch revokes it or the Augusta relinquishes it), but it is not hereditary. Augustae will have the secondary title of *Forename* Augusta, and (if they do not have so already) have the style of Imperial Highness.
- E. Every Town shall have a Baron/Baroness; every Province shall have a Count/Countess; every Duchy shall have a Duke/Duchess; and every Region shall have an Archduke/Archduchess. These positions are collectively known as Nobility (singular: Landed Noble).
- F. Barons have the title of Lord *Forename Surname*, Baron of *Town* and are addressed as My Lord. Wives of Barons have the title of Lady *Surname*. Baronesses have the title Lady *Forename Surname*, Baroness of *Town*, and are addressed as My Lady. The children of a Baron or Baroness have the non-hereditary title of The Hon. *Forename Surname*. They may continue to use this title after the death of the parent noble if they did not inherit the noble title.
- G. Counts have the title of Lord *Forename Surname*, Count of *Province* and are addressed as My Lord. Wives of Counts have the title of Lady *Surname*. Countesses have the title Lady *Forename Surname*, Countess of *Province*, and are addressed as My Lady. The sons of a Count or Countess have the non-hereditary title of The Hon. *Forename Surname*, and the daughters have the non-hereditary title of The Lady *Forename Surname*.
- H. Dukes have the title of Lord *Forename Surname*, Duke of *Duchy*, and are addressed as Your Grace. Wives of Dukes have the title of Lady *Forename Surname*. Duchesses have the title Lady *Forename Surname*, Duchess of *Duchy*, and are addressed as My Lady. The sons of a Duke or Duchess have the non-hereditary title of Lord *Forename Surname*, and the daughters have the non-hereditary title of The Lady *Forename Surname*.
- I. Archdukes and Archduchesses must be members of the Line of Succession to the Throne. If a Lord/Lady Imperial is an Archduke or Archduchess, then he/she will be known as “Lord *Forename*, Archduke of *Region*” if male, and “Lady *Forename*, Archduchess of *Region*” if female.

- J. A title of Nobility can only be granted and taken away by Parliament.
- K. Peerages are hereditary titles which may be granted by the Monarch. Recipients of peerages are known as peers.
- L. Peers shall be known as *Name*, Baron/Viscount/Count/Marquess/Duke of *Place*. The Monarch shall decide which title is granted (female equivalents obviously permitted) and which place the person is made peer of. The same place may not have more than one simultaneous peerage named after it.
- M. Caesars, Augustae, Nobility and Peers are collectively known as Nobles.
- N. Nobles shall have the following order of precedence: first shall come the Caesars and Augustae, in chronological order of when they were appointed to said title; they shall be followed by the Archdukes and Archduchesses, in chronological order of when their respective Region was founded; they shall be followed by the Dukes and Duchesses who are Nobility, in chronological order of when their respective Duchy was founded; they shall be followed by the Dukes and Duchesses who are Peers, in an order which shall be decided by the Monarch upon the granting of each Peerage; they shall be followed by the Marquesses and Marchionesses who are Peers, in an order which shall be decided by the Monarch upon the granting of each Peerage; they shall be followed by the Counts and Countesses who are Nobility, in chronological order of when their respective Province was founded; they shall be followed by the Counts and Countesses who are Peers, in an order which shall be decided by the Monarch upon the granting of each Peerage; they shall be followed by the Viscounts and Viscountesses, in an order which shall be decided by the Monarch upon the granting of each Peerage; they shall be followed by the Barons and Baronesses who are Nobility, in chronological order of when their respective Town was founded; they shall be followed by the Barons and Baronesses who are Peers, in an order which shall be decided by the Monarch upon the granting of each Peerage.

XII. Human Rights

- A. All human beings are born free and equal in dignity and rights. All humans are equal before the law.
- B. All humans have the right to liberty and security of person, subject only to arrest or detention under the law.
- C. Everyone has the right to choose and to practice his or her religion, faith or belief without persecution, and to profess his or her religion freely, to change it, and to practise it either alone or with others. This is subject only to such limitations as are prescribed by law and are necessary to protect public safety, order or health, or the fundamental rights and freedoms of others.
- D. No person may be discriminated against or unfairly privileged on the basis of gender, origin, race, ethnicity, language, ancestry, sexuality, political opinion, disability or faith. Every human has the right to not be discriminated against on the basis of one of those characteristics.
- E. No human may be forced to become another person's slave. The buying and selling of slaves is hereby outlawed.
- F. No one shall be subjected to arbitrary arrest, detention or exile.
- G. No one shall be required to perform forced or compulsory labour, unless it is required under law as punishment for a crime, or is service of a military character by an enlisted member of the military.

- H. No one shall be held guilty of any crime or offence on account of any action or lack of action which did not constitute a crime or offence at the time when it was committed.
- I. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for their arrest and shall be promptly informed of any charges against them. Anyone arrested or detained on a criminal charge shall be entitled to trial within a reasonable time or to release, although release may be subject to guarantees to appear for trial.
- J. Every human has the right to life. Capital punishment is outlawed.
- K. Every human has the right to live in safety under a stable government, to have a fair trial and to be allowed to defend themselves if accused of a crime.
- L. Every human has the right to be considered innocent until proven guilty.
- M. All humans have the right to freely pursue their social and cultural development.
- N. Every human has the right to a name. Every human also has the right to change their name so long as it is not for fraudulent purposes.
- O. All humans have the right to respect for the privacy of their personal and family life, home and correspondence.
- P. Every human has the right to change the gender by which they are identified.
- Q. Human beings, upon reaching a certain age (to be decided by Parliament), without any limitation due to race, religion, gender or nationality have the right to marry and to found a family. Marriage shall be entered into only with the full, free, willing and express consent of the intending spouses - forced marriage is outlawed.
- R. All consenting humans have the right to reproduce. All willing humans upon reaching a certain age (to be decided by Parliament) have the right to engage, in private, in whatever sexual activities they consent to.
- S. Every human has the right to own property without it being taken away without good reason.
- T. Every human has the right to peaceful assembly. No one may be forced to belong to an association.
- U. All workers have the right to safe and healthy working conditions, fair and just remuneration for work performed, and time off when ill or pregnant.
- V. Every human has the right to freedom of thought and opinion.
- W. Every human has the right to freedom of speech.
- X. Every human has the right to freedom of expression.
- Y. The rights of one human ends where they infringe upon the rights of another.