



FOLKETINGET

**The
Constitutional
Act of
Denmark**

The Constitutional Act of Denmark

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The Constitutional Act of Denmark

of June 5th, 1953

Chapter I

§1

This Constitutional Act shall apply to all parts of the Kingdom of Denmark.

§2

The form of government shall be that of a constitutional monarchy. Royal authority shall be inherited by men and women in accordance with the provisions of the Act of Succession to the Throne of March 27th, 1953.

§3

Legislative authority shall be vested in the King and the Folketing conjointly. Executive authority shall be vested in the King. Judicial authority shall be vested in the courts of justice.

§4

The Evangelical Lutheran Church shall be the established church of Denmark, and as such shall be supported by the state.

Chapter II

§5

The King shall not reign in other countries except with the consent of the Folketing.

§6

The King shall be a member of the Evangelical Lutheran Church.

§7

The King shall be of age when he has completed his eighteenth year. The same provision shall apply for the Heir to the Throne.

§8

The King shall, prior to his accession to the throne, make a solemn declaration in writing before the Council of State that he will faithfully adhere to the Constitutional Act. Two identical originals of the declaration shall be executed, one of which shall be delivered to the Folketing for preserving in its archives, while the other shall be filed in the Public Record Office. When, because of absence or for other reasons, the King is unable to sign the aforesaid declaration immediately on his accession to the throne, government shall, unless otherwise provided by statute, be

conducted by the Council of State until such declaration has been signed. When the King has already, as Heir to the Throne, signed the aforesaid declaration, he shall accede to the throne immediately it becomes vacant.

§9

Provisions relating to the exercising of sovereign power in the event of the minority, illness or absence of the King shall be laid down by statute. Should the throne become vacant and there be no Heir to the Throne, the Folketing shall elect a King and establish the future order of succession to the throne.

§10

(1) The King's civil list shall be granted for the duration of his reign by statute. Such statute shall also provide for the castles, palaces and other state property which shall be placed at the disposal of the King for his use.

(2) The civil list shall not be chargeable with any debt.

§11

Members of the Royal House may be granted annuities by statute. Such annuities shall not be enjoyed outside the realm except with the consent of the Folketing.

Chapter III

§12

Subject to the limitations laid down in this Constitutional Act, the King shall have supreme authority in all the affairs of the realm, and shall exercise such supreme authority through the Ministers.

§13

The King shall not be answerable for his actions; his person shall be sacrosanct. The Ministers shall be responsible for the conduct of government; their responsibility shall be defined by statute.

§14

The King shall appoint and dismiss the Prime Minister and the other Ministers. He shall decide upon the number of Ministers and upon the distribution of the duties of government among them. The signature of the King to resolutions relating to legislation and government shall make such resolutions valid, provided that the signature of the King is accompanied by the signature or signatures of one or more Ministers. A Minister who has signed a resolution shall be responsible for the resolution.

§15

(1) A Minister shall not remain in office after the Folketing has approved a vote of no confidence in him.

(2) When the Folketing passes a vote of no confidence in the Prime Minister, he shall ask for the dismissal of the Ministry unless writs are to be issued for a general election. Where a vote of censure has been passed on a Ministry, or it has asked for its dismissal, it shall continue in office until a new Ministry has been appointed. Ministers who remain in office as aforesaid shall perform only what may be necessary to ensure the uninterrupted conduct of official business.

§16

Ministers may be impeached by the King or the Folketing for maladministration of office. The High Court of the Realm shall try cases of impeachment brought against Ministers for maladministration of office.

§17

(1) The body of Ministers shall form the Council of State, in which the Heir to the Throne shall have a seat when of age. The Council of State shall be presided over by the King except in

the instance mentioned in section 8, and in instances where the legislature in pursuance of section 9 may have delegated the conduct of government to the Council of State.

(2) All Bills and important government measures shall be discussed in the Council of State.

§18

Should the King be prevented from holding a Council of State, he may entrust the discussion of any matter to a Council of Ministers. Such Council of Ministers shall consist of all the Ministers, and shall be presided over by the Prime Minister. The vote of each Minister shall be entered in a minute book, and any question shall be decided by a majority of votes. The Prime Minister shall submit the minutes, signed by the Ministers present, to the King, who shall decide whether he will immediately consent to the recommendations of the Council of Ministers, or have the matter brought before him in a Council of State.

§19

(1) The King shall act on behalf of the realm in international affairs, but, except with the consent of the Folketing, the King shall not

undertake any act whereby the territory of the realm shall be increased or reduced, nor shall he enter into any obligation which for fulfilment requires the concurrence of the Folketing or which is otherwise of major importance; nor shall the King, except with the consent of the Folketing, terminate any international treaty entered into with the consent of the Folketing.

(2) Except for purposes of defence against an armed attack upon the realm or Danish forces, the King shall not use military force against any foreign state without the consent of the Folketing. Any measure which the King may take in pursuance of this provision shall forthwith be submitted to the Folketing. If the Folketing is not in session, it shall be convened immediately.

(3) The Folketing shall appoint from among its members a Foreign Affairs Committee, which the government shall consult before making any decision of major importance to foreign policy. Rules applying to the Foreign Affairs Committee shall be laid down by statute.

§20

(1) Powers vested in the authorities of the realm under this Constitutional Act may, to

such extent as shall be provided by statute, be delegated to international authorities set up by mutual agreement with other states for the promotion of international rules of law and co-operation.

(2) For the enactment of a Bill dealing with the above, a majority of five sixths of the members of the Folketing shall be required. If this majority is not obtained, whereas the majority required for the passing of ordinary Bills is obtained, and if the Government maintains it, the Bill shall be submitted to the electorate for approval or rejection in accordance with the rules for referenda laid down in section 42.

§21

The King may cause Bills and other measures to be introduced in the Folketing.

§22

A Bill passed by the Folketing shall become law if it receives the Royal Assent not later than 30 days after it was finally passed. The King shall order the promulgation of statutes and shall ensure that they are carried into effect.

§23

In an emergency the King may, when the Folketing cannot assemble, issue provisional laws, provided that they shall not be at variance with the Constitutional Act, and that they shall always, immediately on the assembling of the Folketing, be submitted to it for approval or rejection.

§24

The King shall have the prerogative of mercy and of granting amnesty. The King may grant Ministers a pardon for sentences passed upon them by the High Court of the Realm, subject to the consent of the Folketing.

§25

The King may, either directly or through the relevant government authorities, make such grants and grant such exemptions from the statutes as are either warranted under the rules existing before June 5th, 1849, or have been warranted by a statute passed since that date.

§26

The King may cause money to be minted as provided by statute.

§27

(1) Rules governing the appointment of civil servants shall be laid down by statute. No person shall be appointed a civil servant unless he be a Danish subject. Civil servants who are appointed by the King shall make a solemn declaration of loyalty to the Constitutional Act.

(2) Rules governing the dismissal, transfer and pensioning of civil servants shall be laid down by statute – see section 64.

(3) Civil servants appointed by the King shall be transferred without their consent only provided that they do not suffer loss of income in respect of their posts or offices, and that they have been offered the choice of such transfer or retirement on pension under the general rules and regulations.

Chapter IV

§28

The Folketing shall consist of one assembly of not more than 179 members, of whom 2 members shall be elected in the Faroe Islands and 2 members in Greenland.

§29

(1) Any Danish subject who is permanently domiciled in the realm, and who has the age qualification for suffrage as provided for in subsection 2 of this section shall have the right to vote at Folketing elections, provided that he has not been declared incapable of conducting his own affairs. It shall be laid down by statute to what extent conviction and public assistance amounting to poor relief within the meaning of the law shall entail disfranchisement.

(2) The age qualification for suffrage shall be as determined by the referendum held under the Act dated March 25th, 1953. Such age qualification for suffrage may be altered at any time by statute. A Bill passed by the Folketing for the purpose of such enactment shall receive the Royal Assent only when the provision for altering the age qualification for

suffrage has been submitted to a referendum in accordance with subsection 5 of section 42, which has not resulted in the rejection of the provision.

§30

(1) Any person who is entitled to vote at Folketing elections shall be eligible for membership of the Folketing, unless he has been convicted of an act which in the eyes of the public makes him unworthy to be a member of the Folketing.

(2) Civil servants who are elected members of the Folketing shall not require permission from the Government to accept election.

§31

(1) The members of the Folketing shall be elected by general and direct ballot.

(2) Rules for the exercise of the suffrage shall be laid down by the Election Act, which, to secure equal representation of the various opinions of the electorate, shall prescribe the manner of election and decide whether proportional representation shall be adopted with or without elections in single-member constituencies.

(3) In determining the number of seats to be allotted to each area, account shall be taken of the number of inhabitants, the number of electors and the density of population.

(4) The Election Act shall provide rules governing the election of substitutes and their admission to the Folketing, as well as rules for the procedure to be adopted where a new election is required.

(5) Special rules for the representation of Greenland in the Folketing may be laid down by statute.

§32

(1) The members of the Folketing shall be elected for a period of 4 years.

(2) The King may at any time issue writs for a new election, with the effect that the existing seats shall be vacated upon a new election, except that writs for an election shall not be issued after the appointment of a new Ministry until the Prime Minister has appeared before the Folketing.

(3) The Prime Minister shall cause a general election to be held before the expiration of the period for which the Folketing has been elected.

(4) No seats shall be vacated until a new election has been held.

(5) Special rules may be provided by statute for the commencement and termination of Faroese and Greenlandic representation in the Folketing.

(6) If a member of the Folketing becomes ineligible, his seat in the Folketing shall become vacant.

(7) On approval of his election, each new member shall make a solemn declaration of loyalty to the Constitutional Act.

§33

The Folketing shall itself determine the validity of the election of any member and decide whether a member has lost his eligibility or not.

§34

The Folketing shall be inviolable. Any person who attacks its security or freedom, or any person who issues or obeys any command aimed thereat, shall be deemed guilty of high treason.

Chapter V

§35

(1) A newly elected Folketing shall assemble at 12.00 p.m. on the twelfth weekday after the day of election, unless the King has previously summoned a meeting of its members.

(2) Immediately after the proving of the mandates, the Folketing shall constitute itself by the election of a Speaker and Deputy Speakers.

§36

(1) The sessional year of the Folketing shall begin on the first Tuesday of October, and shall continue until the first Tuesday of October of the following year.

(2) On the first day of the sessional year at 12.00 p.m., the members shall assemble for a new session of the Folketing.

§37

The Folketing shall meet in the place where the Government has its seat, except that in extraordinary circumstances the Folketing may assemble elsewhere in the realm.

§38

(1) At the first meeting in the sessional year, the Prime Minister shall render an account of the general state of the realm and of the measures proposed by the Government.

(2) Such account shall be made the subject of a general debate.

§39

The Speaker of the Folketing shall convene the meetings of the Folketing, stating the order of the day. The Speaker shall convene a meeting of the Folketing upon a request being made in writing by at least two fifths of the members of the Folketing or the Prime Minister, stating the order of the day.

§40

Ministers shall be entitled to attend the sittings of the Folketing ex officio and to address the Folketing during the debates as often as they may desire, provided that they abide by the rules of procedure of the Folketing. They shall be entitled to vote only when they are members of the Folketing.

§41

(1) Any member of the Folketing shall be entitled to introduce Bills and other measures.

(2) No Bill shall be finally passed until it has been read three times in the Folketing.

(3) Two fifths of the members of the Folketing may request of the Speaker that the third reading of a Bill shall not take place until 12 weekdays after it has passed the second reading. The request shall be made in writing and signed by the members making it. There shall be no such postponement in connection with Finance Bills, Supplementary Appropriation Bills, Provisional Appropriation Bills, Government Loan Bills, Naturalization Bills, Expropriation Bills, Indirect Taxation Bills and, in emergencies, Bills the enactment of which cannot be postponed because of the intent of the Act.

(4) In the case of a new election, and at the end of the sessional year, all Bills and other measures which have not been finally passed shall be void.

§42

(1) Where a Bill has been passed by the Folketing, one third of the members of the Folketing may, within 3 weekdays from the final passing of the Bill, request of the Speaker that the Bill be submitted to a referendum. Such request shall be made in writing and signed by the members making the request.

(2) Except in the instance mentioned in subsection 7, no Bill which may be submitted to a referendum (see subsection 6), shall receive the Royal Assent before the expiration of the time limit stated in subsection 1, or before a referendum requested as aforesaid has taken place.

(3) Where a referendum on a Bill has been requested, the Folketing may, within a period of 5 weekdays from the final passing of the Bill, resolve that the Bill shall be withdrawn.

(4) Where the Folketing has made no resolution in accordance with subsection 3, notice that the Bill is to be submitted to a referendum shall be given without delay to the Prime Minister, who shall then cause the Bill to be published together with a statement that a referendum is to be held. The referendum

shall be held, in accordance with the decision of the Prime Minister, not less than 12 and not more than 18 weekdays after the publication of the Bill.

(5) At the referendum, votes shall be cast for or against the Bill. For the Bill to be rejected, a majority of the electors who vote and not less than 30 per cent of all persons who are entitled to vote shall have voted against the Bill.

(6) Finance Bills, Supplementary Appropriation Bills, Provisional Appropriation Bills, Government Loan Bills, Civil Servants (Amendment) Bills, Salaries and Pensions Bills, Naturalization Bills, Expropriation Bills, Taxation (Direct and Indirect) Bills, as well as Bills introduced for the purpose of discharging existing treaty obligations shall not be submitted to decision by referendum.

This provision shall also apply to the Bills referred to in sections 9, 8, 10 and 11, and to such resolutions as are provided for in section 19, if existing in the form of a law, unless it has been prescribed by a special Act that such resolutions shall be submitted to referendum.

Amendments to the Constitutional Act shall be governed by the rules laid down in section 88.

(7) In an emergency, a Bill which may be submitted to a referendum may receive the Royal Assent immediately after it has been passed, provided that the Bill contains a provision to this effect. Where, under the rules of subsection 1, one third of the members of the Folketing request a referendum on the Bill or on the Act to which the Royal Assent has been given, such referendum shall be held in accordance with the above rules. Where the Act is rejected by the referendum, an announcement to that effect shall be made by the Prime Minister without undue delay, and not later than 14 days after the referendum was held. From the date of such announcement, the Act shall become ineffective.

(8) Rules for referenda, including the extent to which referenda shall be held in the Faroe Islands and in Greenland, shall be laid down by statute.

§43

No taxes shall be imposed, altered or repealed except by statute; nor shall any man be conscripted or any public loan be raised except by statute.

§44

(1) No alien shall be naturalized except by statute.

(2) The extent of the right of aliens to become owners of real property shall be laid down by statute.

§45

(1) A Finance Bill for the next fiscal year shall be submitted to the Folketing not later than 4 months before the beginning of such fiscal year.

(2) Where it is expected that the reading of the Finance Bill for the next fiscal year will not be completed before the commencement of that fiscal year, a Provisional Appropriation Bill shall be laid before the Folketing.

§46

(1) Taxes shall not be levied before the Finance Act or a Provisional Appropriation Act has been passed by the Folketing.

(2) No expenditure shall be defrayed unless provided for by the Finance Act passed by the Folketing, or by a Supplementary Appropriation Act, or by a Provisional Appropriation Act passed by the Folketing.

§47

(1) The Public Accounts shall be submitted to the Folketing not later than 6 months after the expiration of the fiscal year.

(2) The Folketing shall elect a number of auditors. Such auditors shall examine the annual Public Accounts and ensure that all the revenues of the state have been duly entered therein, and that no expenditure has been defrayed unless provided for by the Finance Act or some other Appropriation Act. The auditors shall be entitled to demand all necessary information, and shall have right of access to all necessary documents. Rules providing for the number of auditors and their duties shall be laid down by statute.

(3) The Public Accounts, together with the Auditors' Report, shall be submitted to the Folketing for its decision.

§48

The Folketing shall lay down its own rules of procedure, including rules governing its conduct of business and the maintenance of order.

§49

The sittings of the Folketing shall be public, except that the Speaker, or such number of members as may be provided for by the rules of procedure, or a Minister, shall be entitled to demand the removal of all unauthorized persons, whereupon it shall be decided without debate whether the matter shall be debated at a public or a secret session.

§50

In order that a decision may be made, more than one half of the members of the Folketing shall be present and take part in the voting.

§51

The Folketing may appoint committees from among its members to investigate matters of general importance. Such committees shall be

entitled to demand written or oral information both from private citizens and from public authorities.

§52

The election by the Folketing of members to sit on committees and of members to perform special duties shall be according to proportional representation.

§53

With the consent of the Folketing, any member thereof may submit for discussion any matter of public interest and request a statement thereon from the Ministers.

§54

Petitions may be submitted to the Folketing only through one of its members.

§55

Statutory provision shall be made for the appointment by the Folketing of one or two persons, who shall not be members of the Folketing, to supervise the civil and military administration of the state.

§56

The members of the Folketing shall be bound solely by their own consciences and not by any directions given by their electors.

§57

No member of the Folketing shall be prosecuted or imprisoned in any manner whatsoever without the consent of the Folketing, unless he is caught in the act. Outside the Folketing, no member shall be held liable for his utterances in the Folketing save by the consent of the Folketing.

§58

The members of the Folketing shall be paid such remuneration as may be provided for in the Electoral Act.

Chapter VI

§59

(1) The High Court of the Realm shall consist of up to 15 of the senior ordinary members of the highest court of justice in the realm (according to length of office) and an equal number of members elected for 6 years by the Folketing according to proportional representation. One or more substitutes shall be elected for each elected member. No member of the Folketing shall be elected a member of the High Court of the Realm, nor shall a member of the Folketing act as a member of the High Court of the Realm. Where, in a particular instance, some of the members of the highest court of justice in the realm are prevented from taking part in the trial of a case, an equal number of the members of the High Court of the Realm most recently elected by the Folketing shall retire from their seats.

(2) The High Court of the Realm shall elect a president from among its members.

(3) Where a case has been brought before the High Court of the Realm, the members elected by the Folketing shall retain their seats in the

High Court of the Realm for the duration of such case, even if the period for which they were elected has expired.

(4) Rules for the High Court of the Realm shall be provided by statute.

§60

(1) The High Court of the Realm shall try such actions as may be brought by the King or the Folketing against Ministers.

(2) With the consent of the Folketing, the King may also cause other persons to be tried before the High Court of the Realm for crimes which he may deem to be particularly dangerous to the state.

§61

The exercise of judicial authority shall be governed only by statute. Extraordinary courts of justice with judicial authority shall not be established.

§62

The administration of justice shall always remain independent of executive authority. Rules to this effect shall be laid down by statute.

§63

(1) The courts of justice shall be empowered to decide any question relating to the scope of the executive's authority; though any person wishing to question such authority shall not, by taking the case to the courts of justice, avoid temporary compliance with orders given by the executive authority.

(2) Questions relating to the scope of the executive's authority may by statute be referred for decision to one or more administrative courts, except that an appeal against the decision of the administrative courts shall be referred to the highest court of the realm. Rules governing this procedure shall be laid down by statute.

§64

In the performance of their duties the judges shall be governed solely by the law. Judges shall not be dismissed except by judgement, nor shall they be transferred against their will, except in such cases where a rearrangement of the courts of justice is made. A judge who has completed his 65. year may, however, be retired, but without loss of income up to the time when he is due for retirement on account of age.

§65

(1) In the administration of justice, all proceedings shall to the widest possible extent be public and oral.

(2) Laymen shall participate in criminal proceedings. The cases and the form in which such participation shall take place, including which cases shall be tried by jury, shall be provided for by statute.

Chapter VII

§66

The constitution of the established church shall be laid down by statute.

§67

Citizens shall be at liberty to form congregations for the worship of God in a manner according with their convictions, provided that nothing contrary to good morals or public order shall be taught or done.

§68

No one shall be liable to make personal contributions to any denomination other than the one to which he adheres.

§69

Rules for religious bodies deviating from the established church shall be laid down by statute.

§70

No person shall by reason of his creed or descent be deprived of access to the full enjoyment of civic and political rights, nor shall he escape compliance with any common civic duty for such reasons.

Chapter VIII

§71

(1) Personal liberty shall be inviolable.

No Danish subject shall, in any manner whatsoever, be deprived of his liberty because of his political or religious convictions or because of his descent.

(2) A person shall be deprived of his liberty only where this is warranted by law.

(3) Any person who is taken into custody shall be brought before a judge within 24 hours. Where the person taken into custody cannot be immediately released, the judge shall decide, in an order to be given as soon as possible and at the latest within 3 days, stating the grounds, whether the person taken into custody shall be committed to prison; and in cases where he can be released on bail, the judge shall also determine the nature and amount of such bail. This provision may be departed from by statute as far as Greenland is concerned, if for local considerations such departure may be deemed necessary.

(4) The pronouncement of the judge may be separately appealed against at once

to a higher court of justice by the person concerned.

(5) No person shall be remanded in custody for an offence which can involve only punishment by fine or mitigated imprisonment (hæfte).

(6) Outside criminal procedure, the legality of deprivation of liberty not executed by order of a judicial authority, and not warranted by legislation relating to aliens, shall at the request of the person so deprived of his liberty, or the request of any person acting on his behalf, be brought before the ordinary courts of justice or other judicial authority for decision. Rules governing this procedure shall be provided by statute.

(7) The persons referred to in subsection 6 shall be under supervision by a board set up by the Folketing, to which board the persons concerned shall be permitted to apply.

§72

The dwelling shall be inviolable. House search, seizure and examination of letters and other papers, or any breach of the secrecy that shall be observed in postal, telegraph and telephone matters, shall not take place

except under a judicial order, unless particular exception is warranted by statute.

§73

(1) The right of property shall be inviolable. No person shall be ordered to surrender his property except where required in the public interest. It shall be done only as provided by statute and against full compensation.

(2) Where a Bill has been passed relating to the expropriation of property, one third of the members of the Folketing may, within 3 weekdays from the final passing of such Bill, demand that it shall not be presented for the Royal Assent until new elections to the Folketing have been held and the Bill has again been passed by the Folketing assembling thereafter.

(3) Any question of the legality of an act of expropriation, and the amount of compensation, may be brought before the courts of justice. The hearing of issues relating to the amount of the compensation may by statute be referred to courts of justice established for such purpose.

§74

Any restraint on the free and equal access to trade, which is not based on the public interest, shall be abolished by statute.

§75

(1) In order to advance the public interest, efforts shall be made to guarantee work for every able-bodied citizen on terms that will secure his existence.

(2) Any person unable to support himself or his dependants shall, where no other person is responsible for his or their maintenance, be entitled to receive public assistance, provided that he shall comply with the obligations imposed by statute in such respect.

§76

All children of school age shall be entitled to free instruction in primary schools. Parents or guardians making their own arrangements for their children or wards to receive instruction equivalent to the general primary school standard shall not be obliged to have their children or wards taught in a publicly provided school.

§77

Any person shall be at liberty to publish his ideas in print, in writing and in speech, subject to his being held responsible in a court of law. Censorship and other preventive measures shall never again be introduced.

§78

(1) Citizens shall, without previous permission, be free to form associations for any lawful purpose.

(2) Associations employing violence, or aiming at the attainment of their object by violence, by instigation to violence or by similar punishable influence on persons holding other views, shall be dissolved by court judgement.

(3) No association shall be dissolved by any government measure; but an association may be temporarily prohibited, provided that immediate proceedings be taken for its dissolution.

(4) Cases relating to the dissolution of political associations may, without special permission, be brought before the highest court of justice of the realm.

(5) The legal effects of the dissolution shall be determined by statute.

§79

Citizens shall, without previous permission, be at liberty to assemble unarmed. The police shall be entitled to be present at public meetings. Open-air meetings may be prohibited when it is feared that they may constitute a danger to the public peace.

§80

In the event of riots, the armed forces may not take action, unless attacked, until after the crowd has three times been called upon to disperse in the name of the King and the law and such warning has gone unheeded.

§81

Every male person able to bear arms shall be liable with his person to contribute to the defence of his country under such rules as are laid down by statute.

§82

The right of municipalities to manage their own affairs independently, under state supervision, shall be laid down by statute.

§83

All legislative privileges attaching to nobility, title and rank shall be abolished.

§84

No fiefs, estates tail in land or estates tail in personal property shall in future be created.

§85

The provisions of sections 71, 78 and 79 shall be applicable only to the defence forces, subject to such limitations as are consequential to the provisions of military laws.

Chapter IX

§86

The age qualification for local government electors and congregational council electors shall be that applying at any time to Folketing electors. In respect of the Faroe Islands and Greenland, the age qualification for local government electors and congregational council electors shall be as may be provided for by statute, or determined in accordance with statute.

§87

Citizens of Iceland who enjoy equal rights with citizens of Denmark under the Danish-Icelandic Union (Abolition) Act etc., shall continue to enjoy the rights of Danish citizenship under the provisions of the Constitutional Act.

Chapter X

§88

Should the Folketing pass a Bill for the purposes of a new constitutional provision, and the Government wish to proceed with the matter, writs shall be issued for the election of members of a new Folketing. If the Bill is passed unamended by the Folketing assembling after the election, the Bill shall, within 6 months after its final passage, be submitted to the electors for approval or rejection by direct voting. Rules for this voting shall be laid down by statute. If a majority of the persons taking part in the voting, and at least 40 per cent of the electorate, have voted in favour of the Bill as passed by the Folketing, and if the Bill receives the Royal Assent, it shall form an integral part of the Constitutional Act.

Chapter XI

§89

This Constitutional Act shall come into operation at once, except that the Rigsdag most recently elected under the Constitution of the Kingdom of Denmark Act of June 5th, 1915, as amended on September 10th, 1920, shall remain in existence until a general election has been held in accordance with the rules laid down in chapter IV. Until a general election has been held, the provisions laid down for the Rigsdag in the Constitution of the Kingdom of Denmark Act of June 5th, 1915, as amended on September 10th, 1920, shall remain in force.

The Act of Succession

of March 27th, 1953, amended on June 12th, 2009

§ 1

The throne shall be inherited by the descendants of King Christian X and Queen Alexandrine.

§ 2

(1) Upon the death of a King or a reigning Queen, the throne shall pass to his/her son or daughter, the elder child taking precedence over the younger child.

(2) If one of the King's or reigning Queen's children has died, the issue of the deceased person shall take his/her place according to lineal descent and to the rules laid down in subsection 1.

§ 3

If a King or a reigning Queen dies without issue who is entitled to inherit the throne, the

brother or sister of the King or reigning Queen shall succeed to the throne. If the King or the reigning Queen has several brothers or sisters or if some of their respective brothers or sisters have died, the rules laid down in section 2 shall apply correspondingly.

§ 4

If no person is entitled to succeed to the throne in accordance with the provisions laid down in sections 2 and 3, the throne shall pass to the nearest collateral descendants of King Christian X and Queen Alexandrine according to lineal descent, the elder person taking precedence over the younger in accordance with sections 2 and 3.

§ 5

(1) Only children born in lawful wedlock are entitled to succeed to the throne.

(2) The King or the reigning Queen shall not marry without the consent of the Folketing.

(3) If a person who is entitled to succeed to the throne decides to marry without the King's or reigning Queen's consent, which shall be given during a meeting of the Council of State, he/she forfeits his/her right to succeed to

the throne and so do his/her children born in lawful wedlock and their issue.

§ 6

If a King or a reigning Queen decides to abdicate, the provisions in sections 2-5 shall apply.

§ 7

This Act enters into force conjointly with the Constitutional Act of the Kingdom of Denmark of June 5th, 1953.



Folketinget

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