



POSLANECKÁ SNĚMOVNA
PARLAMENTU ČESKÉ REPUBLIKY

The Constitution of the Czech Republic

dated December 16, 1992

Constitutional Act no. 1/1993 Coll. as amended by Constitutional Act no. 347/1997 Coll., 300/2000 Coll., 448/2001 Coll., 395/2001 Coll., 515/2002 Coll., 319/2009 Coll., 71/2012 Coll. and 98/2013 Coll.

The Czech National Council passed the following Constitutional Act

Preamble

We, citizens of the Czech Republic in Bohemia, Moravia and Silesia,
at the time of renewal of the independent Czech State,
true to all the sound traditions of the ancient statehood of the Czech lands and Czechoslovak statehood,
resolved to build, protect and develop the Czech Republic
in the inviolable values of human dignity and freedom
as the home of equal and free citizens
who are aware of their obligations towards others and responsibility to the community,
as a free and democratic state founded on respect for human rights and the principles of civil society,
as part of a family of European and world democracies,
resolved to protect and develop their natural and cultural, material and spiritual heritage,
resolved to heed all the proven principles of the rule of law,
through our freely elected representatives this Constitution of the Czech Republic

head first

Basic provision

Article 1

- (1) The Czech Republic is a sovereign, unitary and democratic state of law based on respect for the rights and freedoms of man and citizen.
- (2) The Czech Republic observes the obligations for it under international law.

Article 2

- (1) The people are the source of all state power; It exercises it through bodies of legislative, executive and judicial.
- (2) A Constitutional Act may define when the people exercise state power directly.
- (3) State power shall serve all citizens and may be asserted only in cases, within limits and in the manner prescribed by law .
- (4) Every citizen may do whatever is not prohibited by law and nobody may be forced to do what the law does.

Article 3

Part of the constitutional order of the Czech Republic is the [Charter of Fundamental Rights and Freedoms](#) .

Article 4

Fundamental rights and freedoms are protected by the judiciary.

Article 5

The political system is based on free and voluntary formation of and free competition of political parties respecting fundamental democratic principles and rejecting violence as a means of promoting their interests.

Article 6

Political decisions emerge from the will of the majority, expressed by free vote. Majority decisions shall respect protection of minorities.

Article 7

The State shall attend to a prudent utilization of natural resources and protection of natural wealth.

Article 8

Guarantees the autonomy of local governments.

Article 9

- (1) Constitution may be supplemented or amended only by constitutional laws.
- (2) The substantive requisites of the democratic rule of law is inadmissible.
- (3) Interpretation of legal rules may not authorize remove or jeopardize the democratic foundations of the state.

Article 10

Promulgated international treaties have been ratified by Parliament and which the Czech Republic is bound are part of national law; if an international treaty to a law, the international treaty.

Article 10a

- (1) An international agreement may provide for certain powers of bodies of the Czech Republic to an international organization or institution.
- (2) The ratification of international treaties referred to in paragraph 1, requires the consent of Parliament, unless constitutional law that ratification requires the consent of the referendum .

Article 10b

- (1) The Government regularly and in advance inform the Parliament on issues related to obligations arising from membership of the Czech Republic in an international organization or institution referred to in Art. 10.
- (2) The Chambers of Parliament express the decisions of such international organization or institution that provides their rules of Procedure.
- (3) the Act on the principles of conduct and relations between both chambers and externally, may entrust the performance of the chambers under Subsection 2 to a joint body of the chambers.

Article 11

The Czech Republic constitutes an indivisible whole, whose national boundaries may be changed only by constitutional law.

Article 12

- (1) Acquisition and loss of Czech citizenship required by law.
- (2) No person may be involuntarily deprived of his citizenship.

Article 13

The Czech capital Prague.

Article 14

- (1) The national symbols of the Czech Republic are large and small state emblem, state colors, state flag, the flag of the president, state seal and national anthem.
- (2) state symbols and their use shall be defined by law.

Chapter Two

legislative power

Article 15

- (1) Legislative power in the Czech Republic belongs to Parliament.
- (2) Parliament consists of two chambers, the Chamber of Deputies and the Senate.

Article 16

- (1) The Chamber of Deputies has 200 members who are elected for four years.
- (2) The Senate has 81 senators who are elected for a term of six years. Every two years a third of the senators elected.

Article 17

- (1) Elections to both chambers shall be held within the period beginning on the thirtieth day prior to the expiration of the electoral term and ending on the date of expiry.
- (2) If the Chamber of Deputies is dissolved, elections shall be held within sixty days of its dissolution.

Article 18

- (1) Parliamentary elections are held by secret ballot on the basis of universal, equal and direct suffrage and under the principle of proportional representation.
- (2) Elections to the Senate are held by secret ballot on the basis of universal, equal and direct suffrage, on the principle of majority rule .
- (3) the right to vote every citizen of the Czech Republic who has reached the age of 18.

Article 19

- (1) The Chamber of Deputies may be elected a citizen of the Czech Republic who has the right to vote and has reached 21 years of age.
- (2) The Senate may be elected a citizen of the Czech Republic who has the right to vote and has reached the age of 40 years.
- (3) The mandate of deputy or senator arises election.

Article 20

Other conditions for the exercise of voting rights, the organization of elections and the scope of judicial review laid down by law.

Article 21

No one can simultaneously be a member of both chambers of Parliament.

Article 22

- (1) The office of Deputy or Senator is incompatible with the exercise of the Presidency of the Republic, judges and other functions provided by law.
- (2) The date when a Deputy or Senator assumes the office of President of the Republic, or on the day he took office of a judge or other office incompatible with the office of Deputy or Senator shall terminate his mandate of deputy or senator.

Article 23

- (1) Deputy shall [pledge](#) at the first meeting of the Chamber of Deputies, which will be attended.
- (2) A Senator shall take an oath at the first meeting of the Senate, which she attends.
- (3) The oath of Deputies and Senators reads: "I pledge allegiance to the Czech Republic. I pledge uphold its Constitution and laws. I swear on my honor that I shall discharge its mandate in the interest of the people and to the best knowledge and conscience. "

Article 24

Deputy or Senator may waive the mandate statement made personally at a meeting of the chamber the member. If they prevent him from doing serious circumstances, they will do so in a manner prescribed by law.

Article 25

The mandate of Deputy or Senator shall be terminated

- a) by denying the promise or the oath with reservation,
- b) expiration of the electoral term,
- c) resignation from office,
- d) loss of eligibility,
- e) u Members of dissolving the Chamber of Deputies,
- f) emergence of [incompatibility of office under Art. 22](#) .

Article 26

MPs and Senators shall exercise their office in person in accordance with his promise, and are not bound by any instructions.

Article 27

- (1) No Deputy or Senator may be disciplined for voting in the Chamber of Deputies or the Senate or their bodies.
- (2) The statements made in the Chamber of Deputies or the Senate or their bodies can not be a deputy or senator prosecuted. Deputy or Senator shall be subject only to the disciplinary jurisdiction of the chamber of which he is a member.
- (3) For misdemeanors Deputy or Senator shall be subject only to the disciplinary jurisdiction of the chamber of which he is a member, unless the law provides otherwise.
- (4) A Deputy or Senator may be criminally prosecuted without the consent of the chamber the member. If the respective chamber denies its consent, criminal prosecution for the duration of the mandate excluded.
- (5) A Deputy or Senator may be detained only if caught while committing a crime or immediately thereafter. The competent authority shall immediately report the detention chairman of the chamber of which the detainee is a member; If not the chairman of the chamber within 24 hours of detention consent to surrender detainee to a court, the competent authority is obliged to release him. At its first meeting following the chamber decides on the admissibility of the prosecution is definitively.

Article 28

Deputy and a Senator has the right to withhold testimony about facts they learned in connection with the performance of its mandate, even after ceasing to be a deputy or senator.

Article 29

- (1) The Chamber of Deputies elects and dismisses the Chairman and Vice Chamber of Deputies.
- (2) The Senate elects and dismisses the Chairman and Vice-Chairman of the Senate.

Article 30

- (1) to investigate a matter of public interest Chamber of Deputies may establish an investigation commission if not less than one fifth of deputies.
- (2) The proceedings before the commission shall by law.

Article 31

- (1) The chambers shall establish as their bodies [committees and commissions](#) .
- (2) The activities of committees and commissions shall be governed [by law](#) .

Article 32

Deputy or senator who is a member of the Government may not be the Chairman or Vice Chairman of the Chamber of Deputies or the Senate, or a member of a parliamentary committee, an investigation commission or commission.

Article 33

- (1) If the dissolution of the Chamber of Deputies, the Senate shall adopt legal measures regarding matters which can not be delayed and which would otherwise require the adoption of the Act.
- (2) The Senate, however, not adopt legal measures regarding the Constitution, the state budget, state final account, the election law and international treaties under Article 10.
- (3) Legal action may Senate propose a government.
- (4) a legal measure of the Senate signed by the President of the Senate, the President and the Prime Minister; proclaims the same manner as laws.
- (5) A legal measure of the Senate must be approved by the Chamber of Deputies at its first meeting. If it does not approve of Deputies, the other loses validity.

Article 34

- (1) Meetings chambers are permanent. Meetings of the Chamber of Deputies shall be convened by the President of the Republic so that was started later than the thirtieth day after election day; failing that, will meet the Chamber of Deputies on the thirtieth day after election day.
- (2) Meetings of the Chamber may be adjourned by resolution. The total time for which the session may be adjourned shall not exceed one hundred and twenty days in a year.
- (3) At the time of suspending the sitting President may Chamber of Deputies or the Senate may convene the chamber ahead of schedule. And shall, if requested by the President of the Republic, the Government or at least one fifth of the members of the chamber.
- (4) The session of the Chamber of Deputies ends with the expiration of its electoral term or by its dissolution.

Article 35

- (1) The Chamber of Deputies may be dissolved by the President of the Republic, if
 - a) the Chamber of Deputies fails to vote confidence in a newly appointed government, whose chairman was appointed by the President at the suggestion of the Chamber of Deputies,
 - b) The Chamber of Deputies has not decided on a Government Bill the consideration whereof Government tied to the question of confidence,
 - c) meeting of the Chamber of Deputies was interrupted for longer than permitted,
 - d) the Chamber of Deputies has not been for more than three months a quorum, although its session was not adjourned and although at the time was repeatedly summoned to the meeting.
- (2) the President of the Republic Chamber of deputies is dissolved, suggests if he's deputies resolution, with which it agreed three-fifths majority of all deputies.
- (3) the Chamber of deputies may not be dissolved three months prior to the expiration of its term.

Article 36

Meetings of both chambers are public. The public may be excluded only under conditions defined by law.

Article 37

- (1) Joint meetings of both chambers shall be convened by the Chairman of Deputies.
- (2) To conduct joint meeting of both chambers shall be [the Rules of Procedure of the Chamber of Deputies](#) .

Article 38

- (1) A member of the Government may attend meetings of either chamber, their committees and commissions. He shall be given the floor whenever so requested.
- (2) Member of the Government is required to personally appear at a meeting of the Chamber of Deputies on the basis of its resolutions. This also applies to a committee meeting, committee or commission of inquiry, which however, a member of the Government may be represented by his deputy or any other member of the government, unless specifically requested his personal involvement.

Article 39

- (1) The chambers shall have a quorum if at least one third of its members.
- (2) The decision of a chamber shall be the absolute majority of Deputies or Senators present, unless the Constitution provides otherwise.
- (3) The adoption of the resolution on the declaration of a state of war and adoption of a resolution on approval of sending the armed forces of the Czech Republic outside the territory of the Czech Republic or foreign military forces on the territory of the Czech Republic, as well as the adoption of a resolution on the participation of Czech Republic in defense systems of an international organization of which the Czech Republic is a member is approved by a simple of all deputies and an absolute majority of all senators.
- (4) the decision of the constitutional Law and consent to ratification of the international agreement referred to in Article. 10a para. 1 requires the consent of three-fifths majority of all deputies and a three-fifths majority of senators present.

Article 40

The electoral law and the law on the principles of contacts between the two chambers as well as the law on the Senate Rules of Procedure need to be approved by the Chamber of Deputies and the Senate.

Article 41

- (1) Bills shall be submitted to the Chamber of Deputies.
- (2) The bill may be a deputy, a group of deputies, the Senate, the government or representatives of a higher territorial self.

Article 42

- (1) A draft law on the state budget and the draft state final account submitted by the government.
- (2) These proposals discussed at a public meeting and votes on them just Deputies.

Article 43

- (1) The Parliament may decide to declare a state of war, if the Czech Republic is attacked, or when necessary to fulfill international treaty obligations concerning common defense against aggression.
- (2) Parliament shall decide on the participation of Czech Republic in defense systems of an international organization of which the Czech Republic is a member.
- (3) Parliament shall give its approval
 - a) dispatch of Czech armed forces outside the territory of the Czech Republic,
 - b) the presence of foreign military forces on the territory of the Czech Republic,
 unless such decisions are reserved to the government.
- (4) the government shall decide on the deployment Czech armed forces outside the territory of the Czech Republic and foreign military forces on the territory of the Czech Republic, for a maximum period of 60 days in the case of
 - a) the fulfillment of international treaties on common defense against aggression,
 - b) participation in peacekeeping operations by the decision of an international organization of which the Czech Republic is a member, with the consent of the receiving State,
 - c) participation in rescue operations during natural disasters, industrial or environmental accidents.
- (5) the government shall also decide
 - a) on the passage of the armed forces of other states across the territory of the Czech Republic or on their flight over the territory of the Czech Republic,
 - b) on the participation of Czech armed forces in military exercises outside the territory of the Czech Republic on the participation of foreign military forces in military exercises on the territory of the Czech Republic.
- (6) the decisions under paragraphs 4 and 5 informs Government immediately both chambers of Parliament. Parliament may cancel the decision of the government; annulment of the decision of the Government by an objecting resolution of one chamber received a majority of all members of the chamber.

Article 44

- (1) The Government has the right to comment on all draft laws.
- (2) Unless the Government within thirty days from the day the Bill was delivered to apply that respond favorably.
- (3) The Government may request that Deputies ended consideration of a Government bill within three months of its submission, provided that the Government combined request for a vote of confidence.

Article 45

The bill, which the Chamber of Deputies shall be referred Deputies Senate without unnecessary delay.

Article 46

- (1) The Senate will discuss the bill and decide it within thirty days of its submission.
- (2) its decision the Senate bill approves or rejects or returns the Chamber of Deputies with amendments, or shall express its resolve not to consider it.
- (3) If the Senate does not respond within the period referred to in paragraph 1, the bill is adopted.

Article 47

- (1) If the Senate rejects a bill, vote on it Deputies again. The bill is adopted if it is approved by an absolute majority of all deputies.
- (2) If the Senate returns a Bill to the Chamber of Deputies with amendments, votes on the Chamber of Deputies in the version approved by the Senate. Its resolutions bill is adopted.
- (3) If the Chamber of Deputies does not approve the bill in the wording approved by the Senate, the vote on the Bill in the wording, which was passed to the Senate. The bill is adopted if it is approved by an absolute majority of all deputies.
- (4) No amendments when a defeated or returned Bill in the Chamber of Deputies.

Article 48

If the Senate resolves not to consider a Bill, its resolution shall pass the Bill.

Article 49

The ratification of international agreements

- a) governing rights and duties of persons,
- b) of alliance, peace and other political,

- c) which result in the Czech Republic's membership in an international organization,
 - d) that are economic of a general nature,
 - e) other matters whose regulation is reserved by law,
- it requires the consent of both chambers of Parliament.

Article 50

- (1) The President has the right to return an enacted law with the exception of constitutional, grounds within fifteen days from the day it was passed.
- (2) Repayment Act of Deputies voted on again. Amendments are not permitted. If the Chamber of Deputies upholds the returned law by majority vote of all deputies, the law is promulgated. Otherwise, the law has not been adopted.

Article 51

Adopted laws signed by the Chairman of the Chamber of Deputies, the president and prime minister.

Article 52

- (1) The validity of the Act must be promulgated.
- (2) Method announcement law and international treaties stipulated by law.

Article 53

- (1) Every Deputy may interpellate the Government or its members in matters of their competence.
- (2) Interpellated Government members shall answer the interpellation within thirty days of its submission.

CHAPTER THREE

executive power

President of the Republic

Article 54

- (1) The president is head of state.
- (2) The President of the Republic is elected in direct elections.
- (3) The President is the execution of his office.

Article 55

President of the Republic shall assume office upon taking the oath. His term of office is five years and begins on the day of taking the oath.

Article 56

- (1) Election of the President of the Republic shall be held by secret ballot on the basis of universal, equal and direct suffrage.
- (2) The President of the Republic, the candidate who receives a majority of valid votes of eligible voters. If no such candidate, held a fortnight after the first round election second round of elections, in which the two most successful candidates from the first round of the election. In case of equality of votes in the second round election by all candidates in the first round of elections received the highest number of valid votes of eligible voters, and there are no such candidates at least two progressing and candidates who received the second highest number of votes of eligible voters.
- (3) President of the Republic, the candidate who received the second round of elections the highest number of valid votes of eligible voters. If such candidates more, the president is not elected within ten days to announce a new election of the president.
- (4) If the candidate who advanced to the second round of elections will no longer be optional for the president ahead of the second round of elections, or the right to stand surrenders proceed to the second round election candidate in the first round of elections received the next highest number of valid votes of eligible voters. Second round of elections will be held even participate if it is only one candidate.
- (5) nominate a candidate is entitled to every citizen of the Czech Republic who has attained the age of 18, will support if his proposal petition signed by at least 50 000 Czech citizens eligible to vote President of the Republic. Nominate a candidate is entitled to at least twenty deputies or at least ten Senators.
- (6) The right to vote every citizen of the Czech Republic who has attained 18 years of age.
- (7) Election of the President of the Republic takes place in the last sixty days of the term of the incumbent President, but not later than thirty days before the term of the incumbent President. Vacancy in the office of President of the Republic, held presidential elections within ninety days.
- (8) The election of the President of the Republic by the chairman of the Senate no later than ninety days prior to the meeting. Vacancy in the office of the President, the President shall declare the Senate election of the President of the Republic within ten days thereafter, while at least eighty days prior to the meeting.
- (9) If the President of the Senate occupied, announces the election of the President of the Republic Chairman of the Chamber of Deputies.

Article 57

- (1) The President may be elected citizen who is eligible for election to the Senate.
- (2) No one may be elected more than twice.

Article 58

Other conditions for exercising the right to vote in presidential elections, as well as details of nomination of candidates for the post of President of the Republic,

announcing and implementing the elections of the president and the announcement of its result and the judicial review required by law.

Article 59

- (1) The President shall take an oath before the President of the Senate at a joint meeting of both chambers.
 (2) The President's oath reads: "I pledge allegiance to the Czech Republic. I pledge to uphold its Constitution and laws. I swear on my honor that I carry out my duties in the interest of all the people and to the best knowledge and conscience. ".

Article 60

The refusal of the president to take the oath and the oath subject, staring at him as if he was elected.

Article 61

President of the Republic may resign from his office into the hands of the Senate President.

Article 62

President of the Republic

- a) appoints and dismisses the Chairman and other members of the Government and accept their resignation, recall the Government and accept its resignation,
- b) convene sessions of the Chamber of Deputies,
- c) dissolve the Chamber of Deputies,
- d) authorizes the government whose resignation he accepted or which he recalled performing its functions temporarily until a new Government is appointed,
- e) appoint judges of the Constitutional court, the President and Vice-
- f) appoints judges chairman and vice-chairman of the Supreme court,
- g) pardon and mitigate penalties imposed by the court and stamp out the conviction,
- h) has the right to return to Parliament enacted law with the exception of constitutional,
- i) signs laws,
- j) appoint the President and Vice President of the Supreme Audit Office,
- k) appoint members of the Bank Board of the Czech national Bank.

Article 63

- (1) The President of the Republic shall furthermore
- a) represents the state externally,
 - b) negotiate and ratify international treaties; negotiation of international treaties can be transferred to the government or with its consent, to its individual members,
 - c) is the supreme commander of the armed forces,
 - d) receive the heads of diplomatic missions,
 - e) appoint and dismiss heads of diplomatic missions,
 - f) call elections to the Chamber of Deputies and the Senate ,
 - g) appoint and promote generals,
 - h) grants and awarded state decorations, unless he authorizes to another authority,
 - i) appoint judges,
 - j) instructs that criminal proceedings not be initiated, and if it was initiated to it discontinued ,
 - k) has the right to grant amnesty.
- (2) the President of the Republic shall also exercise powers not explicitly defined in the constitutional Act, if so provided by law.
 (3) the President of the Republic issued pursuant to paragraphs 1 and 2 require for their validity the countersignature of the Chairman Minister or his delegated member of the government.
 (4) The decision of the president, which must be countersigned by the Prime Minister or his delegated member of the government, responsible government.

Article 64

- (1) The President has the right to attend meetings of both chambers of Parliament, its committees and commissions. He shall be given the floor whenever so requested.
 (2) The President of the Republic has the right to attend meetings of the Government, to request from the Government and its members and discuss with the government or with its members issues that fall within their remit.

Article 65

- (1) The President of the Republic may not, in the performance of its functions to detain, prosecute or prosecuted for offense or other administrative offense.
 (2) The Board may, with the consent of the Chamber of Deputies file a constitutional complaint against the President of the Republic to the Constitutional Court, for treason or gross violation of the Constitution or any other part of the constitutional order; treason means acting President directed against the sovereignty and integrity of the Republic and against its democratic order. The Constitutional Court may, upon impeachment by the Senate decide that the president is losing the presidency and the eligibility to regain it.
 (3) The adoption of the draft impeachment by the Senate requires the adoption of three-fifths majority of senators present. The adoption of the consent of the Chamber of Deputies with the filing of a constitutional action is necessary fifths majority of all deputies; been expressed when the Chamber of Deputies approval within three months from the day of the Senate he asked, the consent was given.

Article 66

Vacancy in the office of the president and the new president is not elected or taken his oath, also not if the president his office for serious reasons to exercise and

decide if the Chamber of Deputies and the Senate, the performance of functions under Article. 63, paragraph . 1 point. a) to e) and h) to k) and Article. 63 paragraph. 2 the Prime Minister. President of the Chamber of Deputies shall at a time when Prime Minister performs some functions of the President exercise the functions of the President under Article. 62 letters. a) to e) and k) and Article. 63 paragraph. 1 point. f) in the case of announcement of elections to the Senate; vacancy in the office of President of the Republic at a time when the Chamber of Deputies is dissolved, the performance of the functions of the Senate, which also belongs at a time when Prime Minister performs some functions of the president, perform the duties of the President pursuant to Article. 63 paragraph. 1 point . f) in the case of announcement of elections to the Chamber of Deputies.

Government

Article 67

- (1) The Government is the supreme organ of executive power.
- (2) The Government shall consist of the Prime Minister, Deputy Prime Ministers and Ministers.

Article 68

- (1) The government is responsible to the Chamber of Deputies.
- (2) The Prime Minister is appointed by the president and his proposal, the other members of the government and entrusts the management of ministries or other agencies.
- (3) The Government shall present within thirty days after its appointment Chamber of Deputies and asks her vote of confidence.
- (4) If a newly appointed Government fails to win confidence in the Chamber of Deputies shall proceed in accordance with paragraph 2 and 3. If a thus appointed Government fails to win confidence in the Chamber of Deputies, the President appoints the Prime Minister on a proposal from the Chairman of the Chamber of Deputies.
- (5) In other cases, the president appoints and dismisses the proposal from the Prime Minister the other members of the government and entrusts the management of ministries or other agencies.

Article 69

- (1) Member of Government shall take an oath before the President of the Republic.
- (2) The oath of a member of the Government reads: "I pledge allegiance to the Czech Republic. I pledge to uphold its Constitution and laws and bring them to life. I swear on my honor that I will perform my office conscientiously and not abuse my position. "

Article 70

A minister may not perform activities whose nature contradicts the performance of his functions. Details are stipulated by law.

Article 71

The Government may ask the Chamber of Deputies for a vote of confidence.

Article 72

- (1) The Chamber of Deputies may express no confidence in the Government.
- (2) The motion of censure on the government discuss the Chamber of Deputies only if it is submitted in writing at least fifty deputies. The motion must be approved by a majority of all deputies.

Article 73

- (1) The Prime Minister shall submit his resignation to the president. Other ministers submit their resignation to the President through the Prime Minister.
- (2) The Government shall resign if the Chamber of Deputies rejects its request for a vote of confidence or if it voted no confidence. The Government shall always offer its resignation after the constituent session of a newly elected Chamber of Deputies.
- (3) If the Government resigns in accordance with paragraph 2, the President of the Republic shall accept it.

Article 74

President of the Republic shall recall a Member of Government if the Prime Minister proposes.

Article 75

President of the Republic shall recall a Government which has not resigned although required to do so.

Article 76

- (1) The Government makes decisions collectively.
- (2) The decision of a government must be approved by a majority of all its members.

Article 77

- (1) The Prime Minister shall organize the work of the Government, preside over its meetings, act in its name and pursue other activities entrusted to him by the Constitution or other laws.
- (2) The Prime Minister shall be represented by Deputy Prime Minister or another authorized member of the government.

Article 78

To make the law and within its limits, the government is authorized to issue orders. Regulation signed by the prime minister and the relevant cabinet member.

Article 79

- (1) Ministries and other administrative authorities may be established and their jurisdiction determined only by law.
- (2) The legal status of government employees in ministries and other administrative bodies governed by law.
- (3) Ministries, other administrative agencies and local government bodies may, on and on within the law to legislate if empowered to do so by law.

Article 80

- (1) State attorneys shall represent public prosecution in criminal proceedings; performs other tasks, if so provided by law.
- (2) The status and powers of the prosecutor's office determined by law.

Chapter Four

judicial power

Article 81

Judicial power is exercised in the name of the Republic by independent courts.

Article 82

- (1) Judges shall be independent exercise of their functions. Their impartiality must not threaten anyone.
- (2) The judge can not be appealed against his will or transferred to another court; exceptions resulting especially from disciplinary responsibility prescribed by law.
- (3) The judge is incompatible with the office of the President, a member of Parliament, or any office in public administration; the law shall specify which other activities are incompatible with the performance of judicial functions.

Constitutional Court

Article 83

The Constitutional Court is the judicial body protecting the Constitution.

Article 84

- (1) The Constitutional Court consists of 15 judges, who are appointed for a period of ten years.
- (2) The Constitutional Court judge appointed by the President with the consent of the Senate.
- (3) The Constitutional Court judges may be appointed upstanding citizen who is eligible for election to the Senate, a university law school and has at least ten years active in the legal profession.

Article 85

- (1) The official oath of the President is a judge of the Constitutional Court shall assume his functions.
- (2) The oath of a judge of the Constitutional Court reads: "I swear on my honor and conscience that I will protect the inviolability of the natural rights of man and the rights of citizens, uphold constitutional laws and decisions according to my best conviction, independently and impartially. "
- (3) If the judge refuses to take the oath and the oath subject, staring at him as if he was not appointed.

Article 86

- (1) A judge of the Constitutional Court can not be criminally prosecuted without the consent of the Senate. If the Senate refuses to grant its consent, criminal prosecution for the duration of the office of judge of the Constitutional Court excluded.
- (2) A judge of the Constitutional Court may be detained only if caught while committing a crime or immediately thereafter. The competent authority shall immediately report the detention of the Senate. Not if the President of the Senate within 24 hours of detention consent to surrender detainee to a court, the competent authority is obliged to release him. At its first subsequent meeting the Senate shall decide on the admissibility of the prosecution definitively.
- (3) A judge of the Constitutional Court has the right to withhold testimony about facts they learned in connection with the performance of their duties, even after he ceased to be a judge of the Constitutional Court.

Article 87

- (1) The Constitutional Court decides
 - a) repeal of laws or individual provisions if they are inconsistent with the constitutional order,
 - b) repeal of other laws or their individual provisions if they are inconsistent with the constitutional order or the law,
 - c) on constitutional complaints of local government bodies against illegal interventions of the state,
 - d) over constitutional complaints against final decisions or other encroachments by public authorities constitutionally guaranteed fundamental rights and freedoms,
 - e) appeals against a decision in the matter of confirming the election of a deputy or senator,
 - f) reservations on loss of eligibility and on incompatibility of holding the office of Deputy or Senator according to Art. 25
 - g) impeachment by the Senate against the President of the Republic under Article. 65 paragraph. 2,
 - h) the Presidential proposal to repeal a decision of the Chamber of Deputies and the Senate under Article. 66

- i) the measures necessary to implement the decision of the international court, which is for the Czech republic, unless it can be done differently
 - j) whether the decision to dissolve a political party or other decisions relating to the activities of a political party is in conformity with constitutional or other laws,
 - k) decide jurisdictional disputes between state bodies and local government bodies, it is not if, according to the law to another authority.
- (2) the Constitutional court decides on the conformity of international agreements under Art. 10a and Art. 49 of the constitutional order, and before it is ratified. Pending the decision of the Constitutional Court can not be ratified.
- (3) The law may provide that, instead of the Constitutional Court, the Supreme Administrative Court
- a) repeal of laws or individual provisions, which are in violation of the law,
 - b) disputes regarding the scope of the jurisdiction of state authorities and local government bodies, it is not if another body under the Act.

Article 88

- (1) The law stipulates who and under what conditions may file a motion to initiate proceedings and other rules of procedure before the Constitutional Court.
- (2) Judges of the Constitutional Court are bound only by their decisions the constitutional order and the law under Subsection 1.

Article 89

- (1) The Constitutional Court decision is enforceable upon its promulgation in a manner prescribed by law, unless the Constitutional Court on its enforcement has not decided otherwise.
- (2) Enforceable rulings of the Constitutional Court are binding on all authorities and persons.
- (3) The decision of the Constitutional Court, which was by Art. 87. 2 pronounced unconformity of an international treaty with the constitutional order prevents ratification of the agreement until such unconformity is eliminated.

courts

Article 90

Courts are first and foremost, manner defined by law protection of rights. Only a court decides on guilt and punishment for crimes.

Article 91

- (1) The court system comprises the Supreme Court, Supreme Administrative Court, high, regional and district courts. The law may set a different label.
- (2) The jurisdiction and organization of courts stipulated by law.

Article 92

The Supreme Court is the highest judicial body in matters within the jurisdiction of courts, with the exception of matters on which the Constitutional Court or the Supreme Administrative Court.

Article 93

- (1) Judges are appointed by the President of the Republic without time limitation. His office takes the oath of office.
- (2) may be appointed judge upstanding citizen who has a university education in law. Other assumptions and procedures set by law.

Article 94

- (1) The Act provides for the cases when judges decide in bench and what is its composition. In other cases decided by a single judge.
- (2) The law may define in what cases and how court decisions to participate in addition to judges and other citizens.

Article 95

- (1) A judge is deciding bound by the law and an international treaty, which is part of the law; He is entitled to assess the compliance of another legal regulation with the law or with such international agreement.
- (2) If the court concludes that a statute which should be applied in resolving a matter is inconsistent with the constitutional order, submit the matter to the Constitutional Court.

Article 96

- (1) All parties to judicial proceedings shall have equal rights.
- (2) Proceedings before courts are oral and public; exceptions provided by law. The judgment is always announced publicly.

Chapter Five

The Supreme Audit Office

Article 97

- (1) The Supreme Audit Office is an independent body. It shall control the management of state property and the state budget.
- (2) The President and Vice-President of the Supreme Audit Office appointed by the President on a proposal from the Chamber of Deputies.
- (3) status, jurisdiction, organizational structure and other details are set by law.

CHAPTER SIX

Czech National Bank

Article 98

- (1) The Czech National Bank is the central bank of the country. Its primary purpose is to maintain price stability; in its activities are only permissible under the law.
- (2) The status, scope and other details are set by law.

Chapter Seven

territorial Administration

Article 99

Czech Republic is divided into municipalities, which are the local authorities and regions, which are the higher territorial units.

Article 100

- (1) Local governments are territorial communities, which have the right to self-government. The law sets when the administrative districts.
- (2) A municipality is always part of a higher territorial government.
- (3) Create or cancel the higher territorial self-governing unit can only constitutional law.

Article 101

- (1) A municipality is independently managed by the council.
- (2) Higher self-governing regions is administered by the council.
- (3) Local governments are public corporations which may own property and manages its own budget.
- (4) The state may interfere with the operation local government units, only if required to protect the law and only in the manner prescribed by law.

Article 102

- (1) Assembly members are elected by secret ballot on the basis of universal, equal and direct suffrage.
- (2) The term of the council is four years. The law stipulates under what conditions the council to call new elections before the end of his term.

Article 103

Deleted

Article 104

- (1) The jurisdiction of assemblies may be set only by law.
- (2) The municipal council decides on matters of self-government, if they are not entrusted to the assembly of higher territorial government.
- (3) Assemblies may within their jurisdiction issue generally binding ordinances.

Article 105

Exercise of state administration may be entrusted to local government only if this is stipulated by law.

CHAPTER EIGHT

Transitional and final provisions

Article 106

- (1) The effective date of this Constitution, the Czech National Council shall become the Chamber of Deputies, the electoral term will expire on June 6, 1996. (2) Until the Senate is elected according to the Constitution shall perform the functions Provisional Senate. Provisional Senate shall be constituted in a manner that sets constitutional law. The entry into force of this Act shall perform the functions of the Senate Chamber of Deputies.
- (3) The Chamber of Deputies may not be dissolved until it performs the function of the Senate pursuant to paragraph 2.
- (4) The adoption of laws on Rules of Procedure chambers proceed in each chamber by the Rules of Procedure of the Czech National Council.

Article 107

- (1) The law on elections to the Senate, setting out how the first election to the Senate the third of Senators whose electoral term will be two years, and the third of Senators whose electoral term will be four years.
- (2) Meetings of the Senate shall be convened by the President of the Republic so that it commence no later than the thirtieth day after the election; fail to do so, the Senate shall meet on the thirtieth day after the election.

Article 108

The government of the Czech Republic appointed after the elections in 1992 and performing its function on the effective date of the Constitution is deemed to be a Government appointed under this Constitution.

Article 109

Until the establishment of the Prosecutor's Office carries out its functions Prosecutor of the Czech Republic.

Article 110

31 December 1993, the judiciary system shall also include military courts.

Article 111

The judges of all courts of the Czech Republic serving as judges on the effective date of this Constitution shall be construed as judges appointed under the Constitution of the Czech Republic.

Article 112

(1) The constitutional order of the Czech Republic shall comprise this Constitution, the [Charter of Fundamental Rights and Freedoms](#) , Constitutional Acts adopted under this Constitution and constitutional acts of the National Assembly of the Czechoslovak Republic, the Federal Assembly of the Czechoslovak Socialist Republic and the Czech National Council defining the border between the Czech Republic and constitutional laws of the Czech National Council adopted after June 6, 1992.

(2) the following are the current Constitution, the constitutional Act on the Czechoslovak Federation, constitutional laws that are changed and supplemented, and the constitutional Act of the Czech national Council no. 67/1990 Coll., on the State symbols of the Czech Republic .

(3) Other constitutional laws valid in the Czech Republic to the effective date of this Constitution, have the force of law.

Article 113

This Constitution shall come into force on 1 January 1993.

Uhde vr

Klaus mp

The Parliament of the Czech Republic, Chamber of Deputies, the Congress 4, 118 26,
Prague 1 - Malá Strana

Information pursuant to Act No.

106/1999 Coll.,

Phone: 257 171 717