



INITIATIVE AND REFERENDUM ACT

PUL 6-3

An Act of the House of Commons of Atovia to further define and simplify the process for initiatives and to clarify the process of referenda; and for connected purposes.

BE IT ENACTED by His Royal Majesty the King, by and with the advice and consent of the House of Commons of Atovia, in this present Parliament assembled, and by the authority of the same, as follows:

Chapter 1: Initiative

Article 1: Amendments to the Basic Law

(1) The Basic Law of Atovia shall be amended according to the provisions of Article 48, Clause

(1)(a) as follows:

- (a) Article 44 shall be repealed;
- (b) Article 45 shall be repealed;
- (c) Article 46 shall be repealed;
- (d) Article 44a shall be created with the following text:

“Article 44a: Types of initiatives

(1) A popular initiative may be proposed by any person eligible to vote in order to do any of the following:

- (a) request the total revision of the Basic Law in general terms;*
- (b) request the partial revision of the Basic Law in general or specific terms;*
- (c) request a referendum be held on existing legislation within one hundred days of its official publication; or*
- (d) recall a directly elected official before their term of office has ended.*

(2) A provincial initiative may be proposed by any province to request that parliament consider a legislative draft in specific terms.”

(e) Article 45a shall be created with the following text:

“Article 45a: Requirements for initiatives

(1) All proposals of initiatives must comply with the following requirements:

(a) the proposal must have a title that accurately represents the content of the proposal and is not confusing or misleading;

(b) the proposal must have consistency of subject matter. The provisions of the proposal must not pertain to topics outside of the scope of the proposal;

(c) the proposal must have consistency of form. If it does not have consistency of form, it will be treated as a general proposal;

(d) the proposal must not violate any higher law; and

(e) the proposal must not be obviously impossible or impractical to implement.”

(f) Article 46a shall be created with the following text:

“Article 46a: Proposal of popular initiatives

(1) Any person eligible to vote may propose a popular initiative.

(2) Upon the proposal of a popular initiative, the Supreme Court shall declare either that the proposal is valid in scope and compliant with the requirements listed in Article 45a of this Basic Law as well as any other requirements defined by law or that the proposal is invalid in whole or in part.

(3) The gathering of signatures for a popular initiative must not begin until the Supreme Court has declared that the proposal is valid as per clause (2) of this Article.

(4) A popular initiative must collect a number of valid signatures equal to one-quarter of the number of persons eligible to vote. For the popular initiative to be put to a vote, these signatures must be collected within one hundred days of the declaration required by clause (2) of this Article.”

(g) Article 46b shall be created with the following text:

“Article 46b: Proposal of provincial initiatives

(1) The process for the proposal of provincial initiatives may be legislated by the provinces. This process must take into account the representation of all citizens of the province.

(2) Parliament shall consider and publicly respond to all provincial initiatives that meet the requirements of Article 45a of this Basic Law and all other requirements as defined by law.”

(h) Article 46c shall be created with the following text:

“Article 46c: Process of proposal

(1) Proposals in general terms shall be considered by parliament. If they support the proposal, they shall draft the requested changes and submit them to a referendum. If they reject the proposal, they shall submit it to a vote of the people which shall decide whether the proposal is adopted or rejected. If the vote passes, parliament shall draft the requested changes.

(2) Proposals in specific terms shall be submitted to a referendum. Parliament may choose to make a statement regarding their support of or opposition to the proposal.”

(i) Article 47 shall be amended to read:

“Article 47: Counterproposal to popular initiative

(1) Parliament may draft a counterproposal to any proposed initiative. The counterproposal must be in the same form as the original proposal.

(2) If there are contradicting proposals, there shall be a third question on which proposal the people prefer.

(3) The people vote on the initiative and counterproposal at the same time.

(4) The people may vote in favor of both proposals. In response to the third question, they may indicate the proposal that they prefer if both are accepted.

(5) If in response to the third question, one proposal receives more votes from the people and the other more votes from the provinces, the proposal that comes into force is the one that achieves the higher sum if the

percentage of votes of the people and the percentage of votes of the provinces in the third question are added together.”

Chapter 2: Referendum

Article 2: Amendments to the Basic Law

(1) The Basic Law of Atovia shall be amended according to the provisions of Article 48, Clause

(1)(a) as follows:

(a) Article 48 shall be amended to read:

“Article 48: Mandatory referendum

(1) The following must be put to a vote of the people and the provinces:

(a) total or partial revisions to the Basic Law; and

(b) emergency national acts that are not based on a provision of the Basic Law and whose term of validity exceeds one year; such national acts must be put to the vote within one year of being passed by parliament.

(2) The following must be put to a vote of the people:

(a) popular initiatives for the total revision of the Basic Law;

(b) popular initiatives for a partial revision of the Basic Law in general terms that have been rejected by Parliament; and

(c) accession to international organizations.”

(b) Article 49 shall be amended to read:

“Article 49: Optional referendum

(1) If within one hundred days of the official publication of its enactment, any ten percent of the persons eligible to vote or any one province requests it, the following shall be submitted to a vote of the people:

(a) national acts;

(b) emergency national acts whose term of validity exceeds one year; and

(c) national decrees, provided this Basic Law or other legislation so requires.”

(c) Article 51 shall be amended to read:

“Article 51: Required majorities

(1) Proposals that are submitted to a vote of the people are accepted if a majority of those who vote approve them.

(2) Proposals that are submitted to a vote of the people and the provinces are accepted if a majority of those who vote and a majority of the provinces approve them.

(3) The result of a popular vote in a province determines the vote of the province.

(4) The territories shall have one collective vote when counting votes of the provinces. The result of the popular vote in all of the territories combined determines the territorial vote.”

Article 3: Review and Report

- (1) Within one year and no earlier than six months of this act coming into force, the responsible Minister shall initiate:
- (a) a comprehensive review of the provisions and operation of this Act; and
 - (b) a report on the review to be set before the House of Commons, including a statement on any changes recommended by the authors of the review.

Article 4: Commencement

- (1) This Act shall come into force immediately upon the granting of royal assent by the Monarch of the Kingdom of Atovia.
- (2) The provisions of this Act that are subject to Article 48, Clause (1)(a) shall come into force immediately upon the approval of the provisions in a national referendum as required by this Article.

Article 5: Ratification

- (1) This Act we hereby pass as an Act of the House of Commons on the eighth day of Fünat in the seventh year of the Atovian era and the third day of October in the year two thousand and twenty-three of the common era.
- (2) This act shall be inserted into the official collection of the public acts of the Kingdom of Atovia.

Chase Mahoning

Chase Markgraf von Mahoning
Chancellor of Atovia

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Connor I of Atovia
King of Atovia