

THE NORTH PACIFIC UNIVERSITY

HISTORICAL DOCUMENT

The Constitution of The North Pacific



April 24, 2006 to October 3, 2006

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Introduction

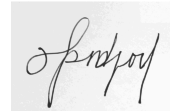
The North Pacific has been governed under a number of different constitutions, being one of the more dynamic of the pacific regions. This text shows the constitution as it stood between the amendments of April 24, 2006 and October 3, 2006, covering the primary period of the war with The Lexicon. This text holds direct continuity with the Constitution adopted by referendum following the constitutional convention of June 2005 after the Pixiedance wars, having been amended in part several times.

Most notably, in October 2005 the office of Vice Delegate was created and in March 2006, the concept of Registered Voter was excised from the Constitution as the Registered Voter list was merged with the Regional Assembly and their roles combined.

This constitution was later amended to alter the rules on term limits effective October 3rd 2006, to change the duties of the Ministers of Communications and of Culture and Education effective February 7th 2007, to add impeachment by recall effective March 26th 2007, and to amend electoral eligibility effective April 16th 2007.

This constitution was later replaced by amendment with what has come to be known as the “Monte Ozarka Constitution,” (and a separate “Bill of Rights for All Nations of The North Pacific”) for its original author. This constitution, in its various amended forms, has since generally come to be referred to as the 2005 constitution.

Hoping this document will be of use,

A handwritten signature in black ink, appearing to read 'Eluvatar', is placed over a light gray rectangular background.

Eluvatar

Professor of Constitutional Studies, Emeritus

Chapter 1

THE CONSTITUTION OF THE NORTH PACIFIC

Article I Preamble

WE, the Nations of The North Pacific (TNP), mindful of the inherent rights to justice, security, democratic regional leadership and national sovereignty do hereby proclaim this constitution to be the living and growing document of our liberties. This document shall be the foundation of our culture, society and law and shall be respected in spirit and in word by all residents of The North Pacific.

Fully cognizant of our role as a Feeder Region within the online game of NationStatesTM, and acknowledging that our character as such involves interaction with players new to that game, we avow to play fairly, educate where necessary, applaud when appropriate, and above all to remember that this is a game.

Article II Declaration of Rights.

1. All Nations of The North Pacific are sovereign. Each Nation has the right of self-determination in that Nation's domestic policies, including, but not limited to, issue selection and UN membership.
2. Each Nation's rights to free speech, free press, and the free expression of religion shall not be infringed, and shall be encouraged, by the governmental authorities of the region. Each Nation has the right to assemble, and to petition the governmental authorities of the region, including the UN Delegate, for the redress of grievances. The governmental authorities of the region shall act only in the best interests of the Region, as permitted and limited under this Constitution.
3. Participation in the governmental authorities of the region is voluntary. Participation in the United Nations shall not be a condition of participation in the governmental authorities of the region.
4. No Nation of The North Pacific holding UN member status in NationStates shall be obligated to endorse any official of a government authority of the region. The right to add an endorsement or withdraw an endorsement is a sovereign right of that Nation as a UN member.
5. All Nations of The North Pacific have the right to be protected against the abuse of powers by any official of a government authority of the region. Any Nation of The North Pacific has the right to request the impeachment of any official of a government authority of the region in accordance with this Constitution, that is deemed to have participated in such acts.
6. No Nation shall be held to answer for a crime in a manner not prescribed by this Constitution or the Legal Code. No Nation shall be subjected to being twice put in jeopardy for the same offense. No Nation shall ever be compelled in any criminal case to be a witness against itself.

7. When charged with criminal acts, Nations of The North Pacific shall have a fair, impartial, and public trial before a neutral and impartial judicial officer. In any criminal proceeding, a Nation is presumed innocent unless guilt is proven to the fact finder by reasonably certain evidence. A Nation may be represented by any counsel of the Nation's choosing. No Nation convicted of a crime shall be subject to a punishment disproportionate to that crime.
8. No Nation shall be ejected from the region, or banned from any forum, except as expressly authorized by this Constitution or the Legal Code. Should any official of a government authority of the region with authority to act, declare that the immediate ejection or banning of a Nation is an urgent matter of regional security, the ejected or banned Nation shall have prompt and immediate recourse to judicial review of the matter. The UN Delegate shall not exercise the power of ejection or banning unless expressly authorized by a specific action of a government authority of the region pursuant to this Constitution or to the Legal Code.
9. Each Nation in The North Pacific is guaranteed the organization and operation of the governmental authorities of the region on fundamental principles of democracy, accountability, and transparency. No action by the governmental authorities of the region shall deny to any Nation of The North Pacific, due process of law, including prior notice and the opportunity to be heard, nor deny to any Nation of The North Pacific the equal and fair treatment and protection of the provisions of this Constitution. No governmental authority shall have power to adopt or impose an ex post facto law or a bill of attainder as to any act for purposes of criminal proceedings.
10. Each Nation entitled to a vote in any manner under the fundamental laws of the region is entitled to the equal treatment and protection of that Nation's right to vote.
11. No governmental authority of the region has the power to suspend or disregard this Constitution or the Legal Code. In the event of an actual emergency, the governmental authorities of the region, with the express consent of the Nations of the region or their representatives, is authorized to act in any reasonable manner that is consistent as practicable with the pertinent provisions of this Constitution.

Article III Membership and Registration.

Section 1 Requirements.

In order to remain as legal members of The North Pacific, a Nation is expected to adhere to the following requirements:

- 1) Each member Nation will abide by the Constitution of The North Pacific and The North Pacific Legal Code enacted pursuant to Article IV of this Constitution.
- 2) Each member Nation shall refrain from the threat or use of force against the territorial integrity or political independence of any other nation or region in a manner inconsistent with the Constitution of The North Pacific.
- 3) Each member Nation shall refrain from giving assistance to any nation or region against which The North Pacific is taking defensive or enforcement action. Exceptions shall be given to Nations acting with official authorization of the North Pacific Army or the North Pacific Intelligence Agency, and is subject to the consent of the Cabinet minister having appropriate jurisdiction.

Section 2 Registration.

In the interest of Regional security, member Nations shall be required to register with the Regional Assembly prior to voting in Regional elections or referenda, as prescribed by the following procedures:

- 1) The Minister of Immigration and Internal Affairs shall oversee the process of registration, aided by the Prime Minister and the Regional off-site forum administrators.

- 2) Nations that reside in The North Pacific and who agree to abide by the requirements outlined in Article II, Section 1, of this Constitution will request Regional Assembly membership at the Regional off-site forum by posting a request in a thread for that exclusive purpose, created by the Minister of Immigration and Internal Affairs.
- 3) In their request, Nations will be required to post a link to their TNP member Nation and their UN member Nation at NationStates.net, and in doing so, verify that they have taken the following oath:

QUOTE

“I, (Forum Name), as the leader of the (Official Full National Name), pledge to obey the Constitution and Laws of The North Pacific Region, and to act as a responsible member of its society. I understand that if my Nation leaves The North Pacific region for reasons other than participation in North Pacific Army deployments that I may be stripped of my right to vote and required to reapply. I pledge to only register one Nation to vote in The North Pacific. I understand that my registration of, or attempt to register, multiple Nations to vote in The North Pacific shall warrant the summary withdrawal of my right to vote from all my Nations, past, present, and future, as well as possible expulsion from the Region. In this manner, I petition the Regional Government of The North Pacific region for membership in the Regional Assembly.”

- 4) The Minister of Immigration and Internal Affairs, the Prime Minister, the Regional off-site forum administrators, and any other support personnel of the Regional Government deemed necessary are empowered to conduct investigations and make inquiries deemed necessary for the enforcement of The North Pacific voter registration provisions outlined in this Constitution, The North Pacific Legal Code, or other laws enacted pursuant to this Constitution.
- 5) The Minister of Immigration and Internal Affairs shall expeditiously process each such registration request, and shall place any Nation accepted as a member of the Regional Assembly in a public listing of current members maintained for that purpose at the Regional off-site forum.
- 6) At any time, should sufficient evidence be brought to the Minister of Immigration and Internal Affairs that proves that a Regional Assembly Member fails to meet the requirements for membership due to the deletion of a Nation from NationStates through inactivity or NationStates Moderator intervention, that Nation’s name may be purged from the list of members. Should a Nation, whose membership has been purged, later be found to have been resurrected in NationStates, or that the Nation become a member of the Region once again, they may re-apply for voting rights according to the procedures in the preceding clauses of this Section. The act of expulsion or banning of a Nation from the Region prior to a trial or a referendum does not affect its status as a member until and unless a final judgment is entered in a judicial proceeding or a final certification is entered in a referendum, whichever is applicable to the given situation. The North Pacific Legal Code may provide authority to the Minister of Immigration and Internal Affairs for the periodic purging of the names of member who are no longer eligible to vote in the Region, upon due notice because they no longer meet the requirements of this Section.

Section 3 Jurisdiction, Review of Regional Government Action.

- 1) Nations who register to vote in this Region are subject to all the provisions of this Constitution, The North Pacific Legal Code, or other laws including but not limited to the provisions of Article III; Section 1, Clause 5 of this Constitution. Each Nation entitled to a vote in the manner prescribed under this Constitution or The North Pacific Legal Code, is entitled to the equal treatment of that Nation’s right to vote.
- 2) The UN Delegate for The North Pacific, the Prime Minister, any Cabinet Minister, any deputy Cabinet minister, and the Attorney General shall act only in the best interests of the Region. Should any Regional Assembly member believe that the actions of the Delegate, the Prime Minister, or any other official in the Regional Government are inappropriate, or would serve the Region better if enacted

as permanent law, that Nation may draft a petition, describing the action taken, to be signed by at least one other member, and then posted in a appropriate thread in the Regional off-site forum for the Prime Minister's office. The Cabinet shall review all such petitions. After deciding on the proper action to be taken, whether it is to overturn that action or to adopt that action as permanent law, the Cabinet shall put its decision up for a referendum of the Regional Assembly. If a majority vote is cast by the Regional Assembly (with a quorum of voters participating) in favor of ratification of the Cabinet's decision, it shall be carried out immediately.

- 3) No government official shall have the authority to change the designated off-site forum for regional governance without approval of a majority of the members of the Regional Assembly.

Section 4 Political, Diplomatic and Military Relationships With Other Regions.

- A - The North Pacific may establish and maintain appropriate political, diplomatic, or military relationships with other regions in NationStates, in accordance with provisions enacted as part of the North Pacific Legal Code.
- B - Political, diplomatic, or military relationships shall only be established by agreement or treaty. Either the Minister of External Affairs or the Prime Minister has the power to create, change or remove basic military or diplomatic treaties, as defined by law. The creation, change or removal of a Mutual Defence Treaty, or any other Military treaty short of an Alliance or Entente must have the support of a majority of the Cabinet. Proposals for the creation, change or removal of any documents dealing with alliances or ententes (as in a coalition) or other types of interregional agreements, conventions, or treaties that affect regional law must be submitted to the Speaker for approval of such proposed action by a majority of the Regional Assembly in a referendum with a quorum participating. The voting period for the referendum shall be for five consecutive days. Should the action be approved, action to implement the proposal shall be taken by the Prime Minister, the Minister of External Affairs, or the Cabinet of the Regional Government, as appropriate in the circumstances.
- C - Provisions for the establishment of a commonwealth relationship, a protectorate relationship, a colony relationship or other political relationships with other regions by treaty or agreement shall be established in the North Pacific Legal Code. A treaty or agreement that provides for establishment of a commonwealth relationship shall expressly provide for the rights of nations of the other region to acquire full and equal citizenship and Regional Assembly Membership in The North Pacific under the provisions of this Constitution.
- D - Provisions for military alliances, military co-operation, and joint military operations by treaty or agreement shall be established in the North Pacific Legal Code. Such provisions may provide for approval of deployments by the Security Council in appropriate circumstances as provided by law.
- E - Provisions for the establishment of embassies, consulates, and interest sections by treaty or agreement shall be established in the North Pacific Legal Code. Such provisions of law may provide for establishment of consulates or interest sections on request of another region or multi-regional organization, but no embassy may be established except by a formal treaty or agreement.
- F - Negotiators can reject any proposal deemed unsuitable, before it is presented for vote (should that be required.)

Article IV Elections and Elected Offices.

Section 1 Election Procedures.

- A - Procedures for the election of the UN Delegate, the UN Vice Delegate, the Prime Minister, the other Ministers of the Cabinet, the Speaker of the Regional Assembly, and the Security Council shall be as provided by this Constitution and by law in The North Pacific Legal Code.

- B - Elections and referendums shall take place on The North Pacific Regional off-site forum. Elections for the UN Delegate, the UN Vice Delegate, the Prime Minister, the other elected Cabinet Ministers, the Speaker of the Regional Assembly, and the Security Council, shall be held every three calendar months in the months of February, May, August, and November. Voting shall commence at 12:00 am GMT on the first day of the designated month and end at 11:59 pm GMT on the seventh day of the designated month. Voting in any necessary runoff election shall commence at 12:00 am GMT on the tenth day of the designated month and end at 11:59 pm GMT on the sixteenth day of the designated month. Nations take office when a certificate of results of an election are published.
- C - All Nations who have joined the Regional Assembly under the provisions of Article II, Section 2, of this Constitution and who reside in The North Pacific, or are active members of The North Pacific Army or The North Pacific Intelligence Agency, shall be entitled to submit a single vote for each election regardless of UN status. No person shall be permitted to cast more than one vote, through one or more Nations.
- D - Only Nations who are members of the Regional Assembly when the voting period commences shall be entitled to vote, which shall take place exclusively at the Regional off-site forum.
- E - Nations that join the Regional Assembly after a voting period commences shall not be able to vote in the election of offices or positions under this Constitution, or on referenda as to any other matter subject to a vote of the Regional Assembly as provided in this Constitution, or The North Pacific Legal Code, until the next election or referendum that occurs after that Nation's registration is validated and accepted.
- F - The quorum requirement for Regional Assembly members in referenda on motions to approve, ratify or confirm actions, nominations or appointments, and on bills to enact laws, do not apply to the elections of the UN Delegate, the Prime Minister and the Cabinet Ministers, the Speaker of the Regional Assembly, and the Security Council for a full term, or for any necessary runoff elections.
- G - Candidates must adhere to the provisions on term limitations provided in Article III, Section 3, of this Constitution. If and when elected, candidates automatically resign any office they may then hold, other than as a member of the Regional Assembly, unless they have been elected to a consecutive term in that same office.

Section 2 Elected Offices of the Regional Government.

The following offices shall comprise the Cabinet of The North Pacific Regional Government. Except for the UN Delegate for the Region, the Prime Minister and each Cabinet minister shall have a vote on any Cabinet action. The UN Delegate for the Region, the UN Vice Delegate, each Cabinet-level position, and all other positions established in the Regional Government, has the responsibility to uphold and enforce this Constitution, and to implement and comply with the actions taken by the Regional Government pursuant to this Constitution or The North Pacific Legal Code. Each Cabinet-level position shall have the duties and responsibilities as listed in this Section or as provided elsewhere in this Constitution or in The North Pacific Legal Code. Each Cabinet-level position shall have such authority as is necessary and proper to exercise the powers granted to, or to execute the duties imposed upon, that position under this Constitution, or by The North Pacific Legal Code, or by the other laws enacted pursuant to this Constitution, and subject to such limitations on those powers and duties established under this Constitution.

1) UN Delegate for the Region and Vice Delegate.

- A - The UN Delegate for The North Pacific and the UN Vice Delegate shall be elected through the process described in Section 1 of this Article and the North Pacific Legal Code. The Delegate shall be considered as the ceremonial head of state, but not as head of government, for The North Pacific. The Vice-Delegate shall be considered as the deputy for the Delegate, and who may, where circumstances warrant, act as the Delegate.

- B - The UN Delegate for the Region shall maintain the Delegacy in accordance with this Constitution. The UN Delegate for the Region shall securely hand over the Delegacy to the Nation that is duly elected as the successor to the office of UN Delegate in accordance with the provisions of this Constitution. The Delegate's primary role shall be to represent the interests of The North Pacific's UN member Nations through votes on UN resolutions at quorum; it shall be understood that this objective can be best achieved through open and regular communication with member Nations at The North Pacific off-site forum, via private message at that forum, or by telegram through NationStates.net. The Delegate shall have authority to approve proposals submitted by UN member Nations for consideration in the UN at the discretion of the Delegate.
- C - The UN Delegate for the Region shall vote on UN resolutions in accordance with the majority of UN member Nations in the Region as determined by a canvass of votes cast concerning each specific UN resolution on the floors of the UN on the Regional off-site forum, or through the other specified means of communication. The Delegate shall be required to post the names of all UN member Nations and their votes the Delegate has received or noted as to each resolution at vote on the floor of the UN. Each such canvass shall be posted on the Regional off-site forum in an appropriate thread, so that the votes of each UN member Nation may be confirmed and verified by the UN member Nations of the Region. The Delegate shall maintain and modify the World Factbook Entry on the Region's homepage at NationStates.net from time to time in accordance with the wishes of the Regional Government.
- D - In certain specified circumstances, the UN Delegate for the Region may vote to break a tie between candidates included in a runoff election for the UN Vice Delegate, the Office of Prime Minister and for the Offices of the other Ministers of the Cabinet. The Delegate shall have no vote in meetings of the Cabinet, however, the Delegate is authorized to participate in Cabinet discussions and to attend such meetings.
- E - The UN Delegate and Vice Delegate for the Region shall have no authority to act in any other manner with respect to the Regional Government, unless such authority is expressly granted to the Delegate or Vice Delegate through process of Amendment of this Constitution, and not by implication. The North Pacific Legal Code may not alter the powers or authority of the office of Delegate or Vice Delegate.
- F - At all times during the term of office, the Vice Delegate shall have the second greatest number of endorsements in the Region which shall be exceeded only by the number of endorsements held by the Delegate. The Vice Delegate may be authorized, by a vote of the Security Council on grounds of regional security, to temporarily assume the Delegacy under NationStates procedures whenever the Delegate may be unable to act or is not recognized within NationStates as the UN Member with the greatest number of endorsements within the Region or for other similar reasons of regional security. Upon the subsequent formal posted declaration of the Delegate that he or she is able to again act as Delegate of the Region within NationStates, the Delegate and Vice Delegate shall take any necessary action to cause the transfer of the Delegacy back to the elected Delegate.

2) Prime Minister.

- A - The Prime Minister is the head of the Regional Government. The Prime Minister shall preside at all meetings of the Cabinet. The Prime Minister shall have such authority as is necessary and proper to exercise the powers granted to, or to execute the duties imposed upon, the Prime Minister under this Constitution, or by The North Pacific Legal Code, or by the other laws enacted pursuant to this Constitution, and subject to such limitations on those powers and duties established under this Constitution.
- B - In the event of a vacancy in the Office of Prime Minister, the Cabinet shall nominate a new Prime Minister, from among any of the Nations that meet the eligibility requirements for election, within seven days. The designation of the Nation nominated by the Cabinet is to be confirmed in a referendum of the Regional Assembly, in which a quorum participates, through a motion of confirmation. The nomination and referendum election shall be conducted as expeditiously

as practicable. The Nation nominated for Prime Minister shall meet all qualifications for the office, and the nominated Nation is subject to any and all limitations for service provided in this Constitution or The North Pacific Legal Code. During the interim period between the creation of the vacancy in the office of Prime Minister and the confirmation and installation of a successor to the office of Prime Minister, the Cabinet shall collectively have the authority to exercise the duties and responsibilities of the office.

- C - There is to be a North Pacific Intelligence Agency whose duties are to collect and analyze confidential intelligence information for the benefit of the Regional Government and the region as a whole. The Prime Minister shall appoint the leadership of the North Pacific Intelligence Agency after consultation with the personnel of that agency. Any matter concerning the Agency's activities and personnel, except in the case of a criminal prosecution, shall be discussed in confidence without reference in any public record; however, there may be disclosure of confidential information in connection with a criminal or impeachment proceeding. The Prime Minister shall be responsible to the Cabinet and the Regional Assembly for the ongoing oversight of the Agency.

3) Minister of Immigration and Internal Affairs.

- A - The Minister shall be responsible for communicating with new member Nations, answering questions and highlighting regional procedures and guidelines.
- B - The Minister shall be responsible for compiling domestic intelligence and enforcing Regional guidelines.
- C - The Minister shall be responsible for overseeing the Regional Assembly registration process and procedures in conjunction and with the support of, the Prime Minister, the Regional off-site forum administrators, and other support personnel within the Regional Government, as designated by either the Prime Minister and/or the Cabinet of the North Pacific Regional Government.

4) Minister of External Affairs.

- A - The Minister shall be responsible for establishing and maintaining relations and alliances between The North Pacific and other regions and multi-regional organizations, in accordance with the wishes of the majority of the registered voters of the Region.
- B - The Minister shall recruit, oversee, and direct The North Pacific Diplomatic Corps, subject to the provisions of this Constitution and The North Pacific Legal Code.

5) Minister of Defense.

- A - The Minister shall be responsible for recruiting, organizing and directing the North Pacific Army for the protection of the region and its allies.
- B - The Minister shall work with the Minister of External Affairs to identify threats to the security of the Region, and to advise the Prime Minister and the Cabinet on proposed strategic alliances for regional protection purposes.

6) Attorney General, serving as Minister of Justice.

- A - The Attorney General shall be the chief prosecuting officer in The Court of The North Pacific, and shall exercise those responsibilities and duties imposed on the Attorney General under this Constitution and as provided in The North Pacific Legal Code.

7) Minister of Communications.

- A - The Minister shall be responsible for initiating, directing and moderating debates on subjects of Regional and national interest, such as legislative and Cabinet issues within the Regional Government, UN proposals and resolutions, and general interest discussions.
- B - The Minister, in conjunction with the Prime Minister or the minister with appropriate jurisdiction, shall be responsible for the publication of the actions of the Regional Government, both within and outside of the Region.

C - The Minister, unless required for specified identifiable reasons of regional security to withhold specific material (as determined in each instance by a majority vote of the Cabinet), shall provide the publication if full of the records and minutes of Cabinet proceedings and debates. The vote of the Prime Minister and each Cabinet Minister in a Cabinet meeting shall be a matter of public record.

8) Minister of Arts and Entertainment.

A - The Minister shall be responsible for moderating the Out-of-Character, Role-Playing and Games forums at the Regional off-site forums.

B - The Minister shall initiate and oversee activities and topics for the general entertainment of The North Pacific's member Nations.

9) Minister of Culture and Education.

A - The Minister shall encourage the Cultural and Educational arts and industries, protect The North Pacific's heritage, and advance the public information system of the Region in order to maximize their contribution to the region's awareness and social vitality.

Section 3 Term Limitations.

- 1) No person, through one or more Nations, who has acted in any Cabinet-level position as Delegate, as Prime Minister, or as a particular Cabinet Minister, for more than one half of a term to which some other person was originally elected, shall be subsequently elected to that elected office of the Cabinet more than once, pursuant to this section.
- 2) No person, through one or more Nations, may hold any Cabinet-level position for more than two consecutive terms.
- 3) No person, through one or more Nations, may hold any Cabinet-level position for more than two terms within a one year period.
- 4) No person, through one or more Nations, may hold any Cabinet-level position for more than four terms (consecutive or otherwise) over a two year period.
- 5) For purposes of this section, service by a person, through one or more Nations, in a Cabinet-level position for more than one half of a term to which some other person was originally elected or appointed, shall be treated as a complete term in that office.
- 6) For purposes of this Constitution, "Cabinet-level position" is construed to refer to the UN Delegate for the Region, any UN Vice Delegate who has acted as UN Delegate for the Region for more than half of an elected term of office, the Prime Minister, any Cabinet Minister of the Regional Government, any deputy Cabinet Minister who has acted as a Minister for more than half of an elected term of office, or the Attorney General.

Section 4 Rules and Requirements for the Cabinet of the Regional Government.

- 1) To stand for elected office, a candidate must be a member Nation of The North Pacific (as outlined in Article II, Section 1 of this Constitution). UN membership is not required, but it is recommended. Nations with UN membership should reside within The North Pacific unless active in the North Pacific Army.
- 2) The Nation must be a member Nation of the Region, and be an active Regional off-site forum member for a minimum of one month prior to the date of the acceptance of a nomination to, or a declaration of candidacy for, elective office. Should a member Nation be inactive or leave the Regional off-site forum for a period of three weeks or more, they shall be required to become and remain active in the Regional off-site forum for at least one week following their return before that Nation may accept any nomination to, or declare itself as a candidate for, any office.

- 3) Cabinet members shall not hold more than one Cabinet-level position at the same time.
- 4) Cabinet members shall not violate the term limitation provisions of Section 3 of this Article of the Constitution.
- 5) To stand for election as the Minister of Defense, a candidate shall have received the endorsement of a majority of the nations then in active service in the North Pacific Army within seven days prior to nomination or declaration of candidacy. Members of the North Pacific Army may endorse one or more candidates that stand for election as Minister of Defense in the same election.

Section 5 Deputy Ministers.

- 1) All Ministers are required to appoint a Deputy Minister within seven days of their election, or upon a vacancy in, or a resignation of a Nation from, the office of a Deputy Minister.
- 2) The Deputy Minister succeeds to the Minister's position on an interim basis until the next election should the elected Minister resign, vacate, or otherwise be unable to hold office.
- 3) Where a vacancy occurs in any Cabinet Ministry and no Deputy for that Minister is then installed in office, the Prime Minister shall appoint a Deputy Minister who is qualified to serve as a Cabinet Minister, subject to a confirmation referendum of the Regional Assembly. In that instance, the appointee shall serve as Minister on an acting basis until the referendum election is completed. If confirmed as a result of the referendum, that appointee shall thereupon assume the position of Minister and Cabinet member for the interim until the next election for that office. A vote of the Regional Assembly is required to approve a motion for confirmation of such an appointment by the Prime Minister. If, after seven days, a quorum of the Regional Assembly has participated and at least 50 per cent of those voting approve of the motion to confirm the appointment, the appointee shall remain in office to serve on an interim basis until the next election. If the motion for confirmation fails to receive such approval, then the appointee is not confirmed to serve as that Cabinet Minister, and the Prime Minister shall promptly propose another nominee for Deputy Minister, who shall act then as minister, subject to approval of a motion for confirmation in a referendum by the Regional Assembly.
- 4) Service by a Deputy Minister does not constitute a Cabinet-level position unless serving as a Cabinet Minister on an interim basis until the next election for that office.
- 5) Designees for Deputy Minister must adhere to the same requirements as for Ministers, as provided in Article III, Section 3, of this Constitution. In addition, Deputy Ministers may not hold another position as either Deputy Minister, Minister, Prime Minister, Attorney General, or as the UN Delegate for the Region.
- 6) To be appointed as the Deputy Minister of Defense, a candidate shall have received the endorsement of a majority of the nations then in active service in the North Pacific Army within seven days prior to appointment.

Article V The Legislative System.

Section 1 The Regional Assembly of the North Pacific.

- A - The Regional Assembly shall have the authority to adopt all laws, amendments to this Constitution, or other motions and proposals, except as otherwise expressly delegated in this Constitution to another governmental authority.
- B - The Regional Assembly shall be chaired by a Speaker, who is chosen by the Regional Assembly in an election for a three month term at the same time as elections for the Cabinet and Delegate.

- C - The Speaker shall preside over and act as debate moderator for the deliberations of the Regional Assembly. The Speaker shall keep discussions moving forward in an orderly and civil manner. The Speaker shall ascertain when the debate and deliberations on a bill have reached the point for a referendum, which shall be selected no later than 21 days from the date the bill is submitted for consideration. The Speaker shall have such authority as is necessary and proper to exercise the powers granted to, or to execute the duties imposed the Speaker under this Constitution or by The North Pacific Legal Code, or by the other laws enacted pursuant to this Constitution, and subject to such limitations on those powers and duties established under this Constitution.
- D - The procedures for nomination and voting applicable for the Cabinet generally shall apply to the election for the Speaker, except for the provisions that govern term limitations on Cabinet-level positions. The Speaker may not hold any other office during the term of office to which that person is elected.
- E - Until otherwise provided by law, in the event of a vacancy in the office of Speaker, for any reason, the Regional Assembly shall promptly hold an election of its members to elect a new Speaker for the remainder of the term. In the interim, the Prime Minister shall chair the Regional Assembly. The election shall be organized as expeditiously as possible, but the period for nominations shall not exceed 48 hours, and the period for voting shall not exceed 72 hours, commencing within 24 hours after the vacancy occurs.
- F - The Regional Assembly shall have power to adopt its own internal rules and procedures not in conflict with this Constitution or The North Pacific Legal Code. Voting on the adoption and amendment of such procedures shall be by a referendum of the members of the Regional Assembly for a voting period not to exceed 72 hours.

Section 2 Adoption of Laws.

The North Pacific shall be governed by a code of laws that will constitute the rules and regulations of The North Pacific Region, to be known and cited as “The North Pacific Legal Code.” In the event of a conflict, or a perceived conflict, between a provision of The North Pacific Legal Code and this Constitution, the provisions of this Constitution shall prevail.

Section 3 Legislation.

- A - Any member of the Regional Assembly may submit a bill to the Regional Assembly as a proposed law or submit a proposal for a constitutional amendment. Proposals shall be submitted to the Speaker.
- B - The Speaker shall select the proposals to be voted on by the Regional Assembly. Bills and proposals that are selected for consideration shall not be frivolous. The subject matter of bills selected for consideration shall have as its object the implementation of this Constitution, the adoption, amendment, or repeal of provisions of The North Pacific Legal Code, or involve any other actions that are necessary and proper and that are authorized by this Constitution, The North Pacific Legal Code, or the other laws of The North Pacific. The Speaker shall not exercise the authority conferred in this provision in an arbitrary or capricious manner. The Speaker may confer with the Prime Minister, the Ministers of the Cabinet, or with the Chief Justice, for comment on a submitted bill or proposal.
- C - During the 21 day period following submission, the Nation who submitted a proposal may revise or withdraw the proposed bill. Any proposed bill not selected for a referendum vote of the Regional Assembly within 21 days of submission shall be declared a dead bill.

Section 4 Adoption of Laws by Regional Assembly Referendum.

- A - Bills and proposals selected by the Speaker will be voted on in a referendum of the Regional Assembly.
- B - A legislative bill is adopted as a law if, at a referendum in which a quorum of the Regional Assembly participates, the bill garners no less than 60 per cent approval of the votes cast during the voting period of one week.

- C - The Speaker shall provide a notice of the referendum on the bill which shall include the date on which voting shall commence after a notice and comment period on the bill (in its final form) of at least 24 hours, but not to exceed seven days.

Section 5 Quorum.

- A - In order for any action to be adopted, a quorum of members of the Regional Assembly must participate in the referendum. Should a quorum not be achieved for any proposed action by the members of the Regional Assembly at the end of the voting period for a referendum, the proposed action will fail and not be adopted.
- B - Quorum shall consist either a total of 20 legitimate votes cast by Regional Assembly members or be that number of legitimate votes cast by Regional Assembly Members that is equal to six per cent of the total number of members of the Regional Assembly, as applicable) at the time the referendum commences, whichever is greater.

Section 6 Procedure for Certain Legislative Bills.

- A - If, at a referendum, a bill receives more than 50 per cent, but less than 60 per cent, support of the vote, with the participation of a quorum, then consideration of the proposed bill will move to a debate thread at the Regional off-site forum where members of the Regional Assembly may further debate the bill for one week.
- B - At the end of that week, a second referendum vote will then be held and, if the bill receives 60 per cent approval of the vote with a quorum participating, the bill shall be adopted as a law. If the bill fails to receive 60 per cent approval after the second vote, it will be declared a dead bill.

Section 7 Dead Bills.

A dead bill may be revived after one month, unless the Prime Minister and the Cabinet block its revival by majority vote.

Section 8 Roles of Officials.

- A - The Speaker, with assistance of the Minister of Immigration and Internal Affairs and the Prime Minister, shall be responsible for supervising referendum voting of any bill or proposal for a constitutional amendment selected for a vote of the members of the Regional Assembly, or of any other matters submitted to a referendum of all registered voters.
- B - Once a bill, amendment, or other action is adopted after the referendum, if the bill does not specify which officer is responsible for the enforcement or implementation of such law or other action, then the Prime Minister and Cabinet shall ascertain which Minister or other officer is responsible for the implementation and enforcement of the law or other action.

Section 9 Security Council.

- A - The Regional Assembly shall elect a Security Council. The Speaker shall serve as the presiding officer of the Council. The Council shall have authority to endorse or otherwise approve such actions of an urgent or emergency nature that involve regional security other than the adoption of legislative bills and constitutional amendments as are specified in this Constitution and The North Pacific Legal Code. Any action by the Council does not supercede any requirement for approval by a referendum within the Regional Assembly, but serves as approval for action prior to such a referendum.
- B - The Security Council shall be composed of not fewer than five members of the Regional Assembly, elected for three month terms at the same time as the Cabinet, Speaker, and the UN Delegate. The total number of Council members shall be determined by law, but shall not be less than five nor more

than that whole number which equals ten percent of the total number of Regional Assembly Members at the time the nomination period for elections commence. The members of the Council shall be elected by plurality vote of the Regional Assembly in the manner prescribed by law.

- C - Regional Assembly Members elected to serve on the Security Council shall arrange their affairs during their term of office on the Council so that they may participate in any matter brought to the Council upon notice not to exceed 24 hours. A quorum for the actions of the Security Council shall be not fewer than three Regional Assembly members as determined by law. The Speaker shall not have a vote in Security Council matters except in the case of a tie, but the Speaker shall count to the establishment of a quorum for a particular matter.

Article VI The Judicial System.

Section 1 The Court of The North Pacific.

- A - The judicial authority of the Regional Government is vested in a court, to be known as “The Court of The North Pacific.” The Court is composed of a number of judicial officers, that is, a Chief Justice and at least two Associate Justices, with such an additional number as may be ascertained by law.
- B - Trials and Hearings in civil, criminal and impeachment cases shall be before a single judicial officer.
- C - Appeals of final judgments of trials and hearings shall be to the Court en banc before the Chief Justice and all of the Associate Justices.
- D - The Court has power to adopt rules and regulations for the procedure of trials, hearings, and its internal operations, including rules of evidence and the random selection of trial and grand juries, not inconsistent with this Constitution or The North Pacific Legal Code.

Section 2 Chief Justice and Associate Justices.

- A - The Chief Justice shall be the head of the Judiciary of The North Pacific Regional Government. The Chief Justice is responsible for oversight of all judiciary activities in the Region, civil, criminal, or otherwise, including hearings on Regional security issues and ejections from the Region.
- B - The Chief Justice and the Associate Justices shall serve a term of six months. The Chief Justice and the Associate Justices shall be Members of the Regional Assembly who shall hold no other office during their tenure as judges.
- C - The term of office of the Chief Justice and Associate Justices shall begin on the first day of the months of August and February. Nominations and referendums for the full term shall take place during the months of July and January. The Chief Justice and the Associate Justices shall be nominated by the Prime Minister with the advice and consent of the Cabinet, and during the interim period between the creation of a vacancy in the office of Chief Justice or an Associate Justice and the confirmation and installation of a successor to that office, the nominee shall serve as an acting judicial officer on the Court of The North Pacific and have the authority to exercise the duties and responsibilities of the office.
- D - The appointment must thereafter be approved at a referendum, which shall extend for seven days, of the Regional Assembly, with the participation of a quorum, by at least a 50 per cent vote in favor of a motion for confirmation. The nomination and referendum election shall be conducted as expeditiously as practicable. If the motion for confirmation fails to receive such approval, then the appointee is not confirmed to serve as a judicial officer, and the Prime Minister shall promptly propose another nominee, with the advice and consent of the Cabinet, who shall act as a judicial officer, subject to approval of a motion for confirmation in a referendum by the Regional Assembly.

Section 3 Civil Proceedings.

- A - Any nation that believes some other nation in The North Pacific has caused injury to any right, liberty, privilege, protection, or other duty that belongs to that nation as a matter of right under the Constitution of The North Pacific, or The North Pacific Legal Code, and which does not rise to the level of a criminal offense, that nation may file, or may request the Attorney General to file, a civil complaint.
- B - The Court may adopt procedures for trial of a civil complaint, which may be tried with or without a jury.

Section 4 Criminal and Impeachment Trial Rules and Procedures.

- A - The Court shall adopt rules and regulations as to the procedures for trial of criminal indictments, and the trial of government officials on articles of impeachment.
- B - All criminal trials shall include a randomly selected trial jury of five Regional Assembly Members drawn from the list of Regional Assembly Members.
- C - A jury shall have the power to recommend a proportionate punishment to any conviction to the judicial officer, who shall impose such recommendation as the sentence of the Court provided that the sentence is proportionate to the offense in scope and duration. Any sentence may include the suspension of any or all of a Regional Assembly member's rights to participate in the government as a Regional Assembly [member], to hold office, to participate in the North Pacific Army, to participate in the North Pacific Intelligence Agency, or otherwise, as deemed appropriate to the circumstances.

Section 5 Grounds for Civil, Criminal or Impeachment Proceedings.

The following acts shall constitute grounds for civil, criminal or impeachment proceedings:

- A - Failure of a Nation to observe and abide by the Constitution of The North Pacific and The North Pacific Legal Code.
- B - Failure of a Nation to refrain from the threat or use of force against the territorial integrity or political independence of any other nation or region in a manner inconsistent with the Constitution of The North Pacific and the North Pacific Legal Code.
- C - Failure of a Nation to refrain from giving assistance to any nation or region against which The North Pacific is taking defensive or enforcement action. Exceptions is given to those Nations acting with official authorization of the North Pacific Army or the North Pacific Intelligence Agency, and is subject to the consent of the Cabinet officer having appropriate jurisdiction.
- D - Failure of a Nation to Observe Its Oath of Office or its Oath as a Regional Assembly Member.

Section 6 Continuity of Trials.

In the event an elected term of office for the Attorney General, the Prime Minister or the presiding judicial officer in a trial expires during trial proceedings, the outgoing incumbents of the designated offices shall complete the trial. In the event of a vacancy in the office during the trial proceedings, the acting or interim successor shall assume the responsibility for the trial without interruption or delay.

Section 7 Impeachment.

- A - Any Regional Assembly Member may bring charges against a Cabinet-level position if they believe the officeholder has violated this Constitution or partaken in other gross misconduct. The Nation must provide enough evidence to a Grand Jury to warrant a trial.

- B - A panel of five Regional Assembly members who are not holding a Cabinet-level position and who are randomly selected from a jury pool shall be selected by the Chief Justice to review the evidence given. If the Chief Justice is being impeached, the Prime Minister will randomly select the Grand Jury. If any jury member expresses a clear bias, they shall be excluded from the Grand Jury and replaced with another juror. The Grand Jury shall have not more than 96 hours to review and weigh the evidence cited in the complaint, and determine whether a trial is warranted.
- C - All proceedings shall be recorded and sealed by the Chief Justice, or his/her designees, where applicable (including the Prime Minister if the Chief Justice is being impeached), until that officeholder is either exonerated or removed from office. Thereafter, the proceedings shall be published.
- D - If the Grand Jury, by majority vote, decides that the given information provides a reasonable basis to warrant a trial for removal from office, the Chief Justice (or the Prime Minister, if the Chief Justice is being impeached) shall call a trial. This trial shall be conducted under the same rules as a criminal trial, except that the Prime Minister shall preside if the Chief Justice is being impeached, and all remaining Cabinet Ministers shall serve as the Jury. Should the defendant be found guilty, they will be immediately removed from office. After removal, the removed officeholder may be subject to expulsion from the Region following a separate criminal trial.

Section 8 Right to Judicial Review.

- A - Any nation may request the Court to review any statute, law, or other government action to determine whether that action, statute, or law is in conformity with or is in violation of a provision of this Constitution.
- B - The Court may grant such a remedy as it determines to be appropriate in the circumstances.
- C - In any such proceeding, the Court shall give notice to the Prime Minister and the Attorney General of the request for judicial review, and may permit the Regional Government or other parties to intervene in a judicial proceeding for the purposes of the requested judicial review.

Article VII Expulsions.

Section 1 Expulsion.

Any Nation may be expelled from The North Pacific if found guilty of the following:

- 1) Violating any of the NationStates rules as provided on the NationStates.net website or as determined by a NationStates Moderator.
- 2) Violations of The North Pacific Constitution.
- 3) Violating the Regional membership regulations as outlined in Article I, Section 1 of the Constitution.
- 4) Violating The North Pacific Legal Code or other laws of the Region.
- 5) Violating the Rules and Regulations for Cabinet.

Section 2 Power of Expulsion.

- 1) The Delegate may not expel a Nation without the express consent of the Nations of the Region by either a referendum vote, with the participation of a quorum, or by a trial and judgment that specifically imposes expulsion as a penalty or in the case of an urgent matter of regional security as referenced in Article I of this Constitution.
- 2) The Judicial Branch or the Prime Minister can call a referendum vote of the Regional Assembly for the purpose of approving a motion for immediate expulsion by the posting of the case and evidence of needed action in a thread within the Regional off-site Forum and a notification of the motion and referendum on the Regional message board at Nationstates.net at any time.

- 3) If more than half of the Regional Assembly Members who cast a vote in that thread, with a quorum participating, vote in favor of an ejection within a 24 hour period, then the Nation will be ejected by the Delegate.
- 4) In the event of explicit spamming of the Regional offsite forum or the Regional civil headquarters message board at Nationstates.net, a Nation may be ejected by the Delegate without a prior referendum vote if the action is countersigned by the Prime Minister upon the posting of the offense by a Regional Assembly Member, and a second to the immediate expulsion motion by another Regional Assembly Member. However, the subject Nation of the expulsion action shall have the right to a post-ejection referendum vote by the Regional Assembly on a motion to ratify the ejection. The vote shall be to ratify the action to expel, and the expulsion shall be ratified if within seven days, at least 50 per cent of the Regional Assembly with a quorum participating, approve the motion in a referendum.

Article VIII Amendments.

Section 1 Amendment Proposals.

This Constitution may be amended as necessary. Amendments may be proposed by any Regional Assembly member to the Speaker, in the manner described in Article III.

Section 2 Amendment Procedures.

A - The Constitution shall only be amended if a proposal receives both:

- 1 - Approval by the Regional Assembly. A proposal for a constitutional amendment is adopted and ratified as part of this Constitution if, at a referendum of the Regional Assembly in which a quorum of members of the Regional Assembly participate, the proposal garners approval by no less than two-thirds of the votes cast during the voting period. This is to be followed by:
- 2 - Approval by a majority of the Cabinet Ministers. Cabinet Ministers shall have 15 days after the proposed amendment is passed by the Regional Assembly for consideration to endorse approval of the proposal. All actions by Cabinet Ministers in this regard shall be promptly posted with the Regional Assembly.

B - A proposal that fails to achieve the required majority in Regional Assembly voting will be categorized as a dead bill, governed by Article IV, Section 7.

C - Failure of any proposal to achieve the required majority amongst Cabinet Ministers will result in that proposal being returned to the Regional Assembly for a second notice and comment period. This period will be no less than 72 hours but no more than seven days.

D - During this second notice and comment period, the author of the proposal will declare whether s/he wishes to resubmit the proposal to the Cabinet or whether s/he wishes to call for a vote of the Regional Assembly to override the Cabinet rejection. Once a declaration has been made, the Speaker shall move to address the matter in a timely manner.

E - Should the author wish to resubmit the proposal, Cabinet Ministers will have no more than seven days to reconsider and vote on the proposed change. All actions by Cabinet Ministers in this regard shall be promptly posted with the Regional Assembly. The outcome of this Cabinet vote will be considered final. Proposals that are rejected at this stage are considered dead bills.

F - Should the author wish to submit the proposal to the Regional Assembly for the purposes of overriding initial Cabinet rejection of the proposal, a vote will be taken amongst Regional Assembly members. Such a proposal becomes law if a quorum of the Regional Assembly participates in the voting and the proposal garners the support of no less than three-fourths of votes cast during the voting period. Proposals that fail to reach this threshold will be considered dead bills.

G - Regional Assembly voting periods at all stages shall be seven full days.