

# Detailed Basic Constitutional Principles

Approved by the Military Government's National Convention in Burma

## **DETAILED BASIC PRINCIPLES FOR THE LEGISLATURE**

1. Regarding Legislation: -
    - (a) The legislative power of the state is disseminated to the Union Congress, the Regions Assemblies and the States Assemblies.
    - (b) The autonomous territories are vested the legislative power according to that provided by the Constitution.
  2. Regarding the two assemblies: -
    - (a) The assembly that is made up with assembly representatives elected on the basis of population and military personnel whose names are submitted by the military defense headquarters as assembly representatives shall be addressed as the People's Assembly, and,
    - (b) The assembly that is formed with equal numbers of assembly representatives elected from the regions and states and military personnel whose names are submitted by the military defense headquarters as assembly representatives shall be addressed as the National Assembly.
  3. Regarding the formation of the Congress of the Union: -

The Congress of the Union is composed of the following two assemblies: -

    - (a) The People's Assembly that is formed with assembly representatives elected on the basis of population and military personnel whose name are submitted by the military defense headquarters as assembly representatives;
    - (b) The National Assembly that is formed with equal numbers of assembly representatives elected from the regions and states and military personnel whose names are submitted by the military defense headquarters as assembly representatives.
  4. Regarding the formation of People's Assembly
- The People's Assembly shall be formed with a maximum 440 assembly representatives

as follows;

(a) Not more than 330 People Assembly representatives that are elected on the basis of population.

(b) Not more than 110 military personnel whose names are submitted according to law by the military defense headquarters as People's Assembly representatives.

5.Regarding the officers and deputy officers of the respective assemblies: -

The officer that will supervise the first session of each respective term of the assembly for the swearing in of the assembly representatives and the election of the assembly's chairman and vice-chairman shall be referred to as the President, the officer and deputy officer of the Union Congress shall be referred to as the Patron and Deputy Patron, the officer and deputy officer of the People's Assembly, the National Assembly, the Regions Assemblies or States Assemblies shall be referred to as the Chairman and Deputy Chairman respectively.

6.Regarding the selection of the President of the People's Assembly: -

(a) At the beginning of the first session of the term of the People's Assembly a People's Assembly representatives shall be selected as president.

(b) The president shall swear in before the People's Assembly.

(c) The president shall supervise the People's Assembly session until the People's Assembly chairman and deputy chairman are elected.

7.Regarding the election of the People's Assembly Chairman and Vice-Chairman: -

(a) In the People's Assembly,

(1) The People's Assembly representatives shall elect one People's Assembly chairman and one vice chairman from among the People's Assembly representatives.

(2) If the officer of the chairman or the vice-chairman becomes vacant, the vacancy shall be filled at the next People's Assembly session.

(3) When the chairman is unable to perform the responsibilities the vice chairman shall temporarily perform the responsibilities of the chairman.

(c) The procedures to elect the People's Assembly chairman and vice chairman shall be enacted by law.

8.Regarding the conducting and the termination of the responsibilities of the chairman

vice chairman: -

(a) The People's Assembly chairman and vice chairman shall serve as chairman and vice chairman until before the first session of the term of the next People's Assembly.

(b) ---

(c) When the People's Assembly chairman or vice chairman resign or are dismissed as representative of the People's Assembly, or are no more eligible to continue as the People's Assembly representative, or have been released from chairmanship or vice chairmanship by the People's Assembly, or die, he/she shall already be terminated as chairman or vice chairman.

9.Regarding the responsibilities, powers and rights of the chairman and vice chairman of the People's Assembly: -

-The responsibilities, powers and rights of the chairman and vice chairman of the People's Assembly shall be enacted by law.

10.Regarding the status of the chairman and vice chairman of the People's

Assembly: - - For reference in the enactment of law on the responsibilities, powers and rights of the chairman and vice chairman of the People's assembly, the status of the chairman of the People's Assembly is designated as vice president and the vice chairman as Union minister.

11.In the People's Assembly: -

(a) Regarding the formation of the People's Assembly Committees: -

(1) The People's Assembly shall form with the People's Assembly representatives, People's Assembly Bills Committee, People's Assembly budget Committee, Assembly Rights committee, and Committee to Scrutinize Bonds, Agreements and Treaties of the Government.

(2) When occasions arise for the study and report on matters relating to defense and security or military affairs, the People's Assembly shall form, with the military representatives to the People's Assembly a Defense and Security Committee with a fixed term. In thus forming the Defense and Security Committee, if it is also necessary to include appropriate non military representatives to the People's Assembly, it can thus be done.

(3) When it is necessary for the People's Assembly for a study and report on legislation, administration, ethnic nationalities, economic, finance, social, foreign and other matters

it may form assembly committees with assembly representatives with fixed terms.

(4) The People's Assembly shall designate the numbers, responsibilities, powers, rights and terms of the People's Assembly Committees.

(5) If occasions arise for the People's Assembly to confer with the National Assembly on some matters, the People's Assembly may elect and mandate from among its representatives delegates to the joint committee formed with equal numbers of representatives from the two assemblies. The term of the joint committee is till the completion of the reporting to the respective assembly.

(6) If, a matter that falls outside the Jurisdiction of the committees mentioned in paragraph (1) and (2) needs the investigation of both the People's Assembly and the National Assembly the chairman of both assemblies shall negotiate between and may form a joint committee with equal numbers of representatives from the People's Assembly and the National Assembly to investigate the matter. The People's Assembly may elect and mandate the People Assembly representatives to the joint committee. The term of the joint committee is till the completion of the reporting to the respective assembly.

(b) Regarding the formation of the People's Assembly commissions and Bodies: -

(1) The People's Assembly, may, besides matter study by the People's Assembly committees, form commissions and bodies for other matters, with representatives of the People Assembly or may also include appropriate citizens.

(2) At the time that the People's Assembly forms the above commissions and bodies it shall at the same time designate the number of members, responsibilities, powers, rights and terms of the commissions and bodies.

12. Regarding the formation of the National Assembly: -

-The term of the People's Assembly is five years from the day its holds its first session.

13. Regarding the formation of the National Assembly: -

-The National Assembly shall be formed with a maximum 224 assembly members as follows: -

(a) 168 elected National Assembly representatives, from equal number of twelve representatives for each region and state, including Union territory, among which shall include one representative from autonomous province or autonomous territory.

(b) 56 military personnel National Assembly representatives whose names are submitted according to the law by the military defense headquarters, from equal

number of four representatives for each region and state, including Union territory.

14.Regarding the selection of the President of the National Assembly: -

(a) At the beginning of the first session of the term of a Nation Assembly, a representative to the National Assembly shall be selected as President of the National Assembly.

(b) The President shall swear in before the National Assembly.

(c) The President shall supervise the National Assembly are elected.

15.Regarding the election of the Chairman and Vice Chairman of the National Assembly: -

(a) In the National Assembly,

(1) The National Assembly representatives shall elect from among the National Assembly representatives a Chairman and a Vive Chairman.

(2) If the Chairman or Vice Chairman's office becomes vacant, it shall be filled at the next National Assembly session.

(3) When the Chairman is not able to perform his/her responsibilities, the vice chairman shall temporarily perform the responsibilities of the chairman.

(b) The procedures to elect the National Assembly Chairman and Vice Chairman shall be enacted by law.

16.Regarding the conducting and the termination of the responsibilities of the National Assembly Chairman and Vice Chairman: -

(a) The National Assembly chairman and vice chairman shall serve the responsibilities of the chairman vice chairman until before the first session of the term of the next National Assembly.

(b) When the National Assembly chairman or vice chairman resigns or dismissed as the National Assembly representative, or is no more eligible to continue as the National Assembly representative, or has been released from the chairmanship or vice chairmanship by the National Assembly, or die, h/she shall already be terminated as chairman or vice chairman.

17.Regarding the responsibilities, powers, and rights of Chairman or Vice Chairman of the National Assembly: -

The responsibilities, powers and rights of the chairman and vice chairman of the National Assembly shall be enacted by law.

18.Regarding the status of the Chairman and Vice Chairman of the National Assembly:

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-For reference in the enactment of law for the responsibilities, powers and rights of the chairman and vice chairman of the National Assembly, the chairman of the National Assembly is designated the status of vice president. The vice chairman is designated the status of Union minister.

19.Regarding the formation of the National Assembly Committees: -

(a) The National Assembly shall form with the National Assembly representatives the Bill Committee, People Budget committee, Assembly Rights Committee and committee to Scrutinize Bonds, Agreements, and Treaties of the Government.

(b) When occasions arise for the study and report on matters relating to defense and security or military affairs, the National Assembly shall form, with the military representatives of the National Assembly, a Defense and Security Committee with a fixed term. The thus formed Defense and Security Committee, according to necessity for the work, if it is necessary, may also include appropriate non military representatives of the National Assembly in the committee.

(c) When it is necessary for the National Assembly to study and report on matters on legislation, administration, ethnic nationalities, economic, finance, social, foreign and on other matters, it may form committees with National Assembly representatives with fixed terms.

(d) The National Assembly shall designate the number of members, responsibilities, powers and rights of the National Assembly Committees.

(e) If occasions arise for the National Assembly to confer with the People's Assembly on some matters, the National Assembly may elect and mandate from among its representatives delegates to a joint committee form with equal number of representatives from the two assemblies. The term of the joint committee is till the completion of the reporting to the respective assembly.

(f) If a matter other than that the committees in paragraph (1) and (2) are responsible with needs the study of both the National Assembly and the People's Assembly, the chairmen of both assemblies shall negotiate between themselves and may form a joint committee with equal numbers of representatives from the National Assembly and the People's Assembly to study the problem. The term of the joint committees is till the

completion of the reporting to the respective assembly.

20.Regarding the formation of National Assembly Commissions and Bodies: -

(a) The National Assembly may, on matters other than those investigated by the National Assembly committees, from when necessary, commissions and bodies with National Assembly Committees, form when necessary, commissions and bodies with National Assembly representatives or includes appropriate citizens.

(b) The National Assembly, in forming the above commissions and bodies, shall also set down the number of the members, responsibilities powers, rights and terms of the commissions or bodies.

21.Regarding the term of the National Assembly: -

-The term of the National Assembly is the same as that of the People's Assembly. On the day that the term of the People's Assembly expires, the term of the National Assembly also expires.

22. Regarding the conducting of responsibilities of the President and Vice President of the Union Congress: -

(a) The National Assembly chairman and vice chairman shall concurrently serve as the president and vice president of the Union Congress from the day that the term of a People's Assembly begins till the day of the completion of 30 months. The chairman and vice chairman of the People's Assembly shall concurrently serve as the president and vice president of the Union Congress for the remain of the term.

(b) When the president of the Union Congress is unable to serve his/her duty, the vice president shall temporarily serve the duty of the president.

23.Regarding the formation of Region Assembly and State Assembly: -

-The Region Assembly or State Assembly shall be formed as follows: -

(a) Two elected representatives to the Region Assembly or State Division each from the townships within the region or the state,

(b) In the regions, one elected representative to the Division Assembly each from every ethnic nationalities other than that division that already obtained or ethnic nationalities that have already obtained autonomy within the region, having a considerable number of zero point one (0.1) percent or more of the total population of the country as recognized by the authorities,

(c) In the states, one elected representative to the State Assembly each from every

ethnic nationalities other than that state that already obtained or ethnic nationalities that have already obtained autonomy with that state, having a reasonable population of zero point one (0.1) percent or more of the total population of the country as recognized by the authorities,

(d) Military personnel whose number shall be equal to one third of the number according to paragraph (a) and (b) or (a) and (c) whose names are submitted by the military defense headquarters according to law as Region Assembly or State Assembly representatives.

24. Regarding the selection of the President of the Region Assembly or State Assembly: -

(a) At the time of the beginning of the first session of the Region Assembly or State Assembly of each term of the Region Assembly or State Assembly, a representative of the Region Assembly or State Assembly shall be selected as the President.

(b) The President shall swear in before the Region Assembly or State Assembly.

(c) The President shall supervise the Region Assembly or State Assembly till a chairman and vice chairman of the Region Assembly or State Assembly are elected.

25. Regarding the election of the Chairman and Vice Chairman of the Region or State Assembly: -

(a) In the Region or State Assembly,

(1) The representatives of the Region or State Assembly shall elect a chairman and vice chairman of the Region or State Assembly from among the representatives of the respective assembly.

(2) In the case of the vacancy of the chairman or vice chairman office, it shall be filled at the nearest assembly session.

(3) When the chairman is not able to serve the responsibilities of the chairman, the vice chairman shall temporarily serve the responsibilities of the chairman.

(c) Procedures for the election of the chairman and vice chairman of the Region or State Assembly shall be enacted by law.

26. Regarding the conducting and the termination of responsibilities of the Chairman and Vice Chairman of the Region or State Assembly: -

(a) The Chairman and Vice chairman of the Region or State Assembly shall serve the responsibilities of the Chairman and Vice Chairman until before the first session of the term of the next Region or State Assembly.

(b)When the Region or State Assembly chairman or Vic Chairman resigns, or dismissed as the Region or State Assembly representative, or has been released from the chairmanship or vice chairmanship by the Region or State Assembly, or die, he/she shall already be terminated as Chairman or Vice Chairman.

27.Regarding the responsibilities, powers and rights of chairman and Vice Chairman of the Region or State Assembly

- The responsibilities, powers and rights of the Chairman and Vice Chairman of the Region or State Assembly shall be enacted by law.

28.Regarding the status of the Chairman and Vice Chairman of the Region or State Assembly: -

-Form reference in the enactment of law on the responsibilities, powers and rights of the Chairman and Vice Chairman of the Region or State Assembly, the Chairman of the Region or State Assembly is designated the status of Union Minister. The Vice Chairman the status of Region or State Minister.

29.Regarding the formation of Region Assembly or State Assembly Committees; -

(a) The Region or State Assembly may, when it is necessary, form committees and bodies with the respective Region or State Assembly representatives to study and report on legislation as vented by the Constitution and the affairs of the ethnic nationalities.

(b)The Region or State Assembly may include appropriate citizens in the formation of the above committees and bodies.

(c)The Region or National Assembly shall, on the formation of committees or bodies, also designate the number of members in the committees, responsibilities, powers, rights and terms of the committees or bodies.

30.Regarding the term of the Region or State Assembly: -

-The term of the Region or State Assembly shall be the same as that of the People's Assembly. On the day that the term of the People's Assembly expires, so does that of the Region or State Assembly.

31.Regarding the responsibilities, powers and rights of representatives to the People's Assembly, National Assembly and Region or State Assembly: -

-The responsibilities, powers, and rights of representatives to the people's Assembly,

National Assembly and Region or State Assembly shall be enacted by law.

32.Regarding the standardizing the qualification of the representatives to the People's Assembly: -

- (a) who has the age of 25 years,
- (b) who is a citizen born of both parents who are citizens,
- (c) who has lived continuously in the Union of Burma for at least 10 years at the time of being elected as representative to the People's Assembly,
- (d) has the qualification as standardized in the election law.

33.Regarding those who are not eligible to be elected as representatives to the People's Assembly: -

-The following persons shall not be eligible to be elected as representatives to the People's Assembly

- (a) who is convicted by a court for a certain crime and is currently serving prison term,
- (b) who was convicted by the authority either prior to this Constitution come into force or after, for breaking the integrity of the representative to the People's Assembly and the term of the sentence banning him/her from being a candidate to the People's Assembly, has not expired.
- (c) who, by the relevant law is categorized as insane
- (d) who has not yet released as bankrupt as declared by the relevant court,
- (e) who is a loyal subject of a foreign government, or who is under the influence of a foreign government or who is the citizen of a foreign country,
- (f) who is a beneficiary to privileges entitled for a subject under a foreign government or citizen of a foreign country,
- (g) who directly or indirectly receives and uses money, land, house, building, vehicle, property and et cetera of a foreign country, or religious organization or other organizations or is a member of an organization who receive such support,
- (h) who for political matters uses religion, speaks or gives a speech or issues a statement, to give votes or not to give votes or who encourages such things to

be done or is a member of an organization that does such things,

(i) religious servant,

(j) state's servant,

Exception – the term shall not relate to military personnel who are assembly's representatives,

(k) who directly or indirectly receives or uses state's money, land, house, building, vehicle, property and et cetera or is a member of an organization who receives and uses such things,

Exceptions- (1) The term state's money does not include pension salary, expenses, salary expenses and money awarded legally for good service to the country,

(2) The term state's land, house, building, vehicle, property does not include the use of state's land, house, building and room, other building and room, state's airplane, train, ship, car use by the allowance of a certain law or allowed by the state to use while on duty or hired with money.

(l) who has been barred from being a candidate for election for misconduct damaging the qualification of a representative to the People's Assembly during election or failed to carry out according to the election law, either prior to this Constitution came into force or after, whose sentence has not expired yet.

34. Regarding the qualification of military personnel representatives to the People's Assembly: -

-The military personnel whose names are submitted by the military defense headquarters according to law, shall have the qualifications standardized for the representatives to the People's Assembly.

35. Regarding the standardizing the qualifications of representatives to the National Assembly; the representatives to the National Assembly-

(a) shall have attained the age of 30 years.

(b) shall have the same qualifications as laid down for the representatives to the People's Assembly except the age limitation,

(c) shall also be subjected to the provisions for those who are not eligible to be elected

as representatives to the People's Assembly.

36.Regarding the qualification of military personnel representatives to the National Assembly: -

-The military personnel whose names are submitted by the military defense headquarters according to law, shall have the qualifications standardized for the representatives to the National Assembly.

37.Regarding the standardizing the qualifications of representatives to the Region or State Assembly, the representatives to the Region or State Assembly;

(a) shall have the qualifications standardized for representatives to the People's Assembly,

(b) shall also be subjected to the provisions for not being eligible as representatives to the People's Assembly.

38.Regarding the qualifications of military personnel representatives to the Region or State Assembly: -

-The military personnel whose names are submitted by the military defense headquarters according to law for the Region or State Assembly, shall have the qualifications standardized for the representatives to the Region or State Assembly.

## **DETAILED BASIC PRINCIPLES FOR THE EXECUTIVE**

1.Regarding the formation of the Union Government: -

(a) The head of the state's executive is the State President.

(b) (1) The state's executive power is disseminated to the Union, the regions and the states.

(2)The self administration power as provided by the Constitution is disseminated to the autonomous territories.

(c) In the country, the Union Government is formed with the following persons:

(1) State President,

- (2) Deputy President,
- (3) Union Ministers,
- (4) Union Attorney General.

(d) The State President, with the agreement of the Union Congress,

(1) may decide the Union ministries as necessary; and may change the designated ministries or add to them,

(2) may decide the number of Union Ministers as necessary; and may add or reduce the designated numbers.

(e) The Union Ministers shall have the under mentioned qualifications: -

(1) who have attained the age of 40 years,

(2) who have the qualifications of representatives to the People's Assembly except the age requirement,

(3) who are loyal to the state and the citizens.

2. Regarding the appointment and entrusting of responsibilities to the Union Ministers: -

(a) For the Union President to appoint and entrust responsibilities to the Union Ministers;

(1) shall select appropriate persons whether from among the representatives to the assembly or non assembly representatives who have the standardized qualifications,

(2) shall receive the names of appropriate military personnel from the military defense chief for the defense, security/home affairs, border affairs ministries,

(3) shall consult with military defense chief where military personnel are to be appointed as Union Ministers in ministries other than defense, security/home affairs, or border affairs.

(b) The State President shall put together the list of names he/she has chosen with those of the military personnel received from the military defense chief and submit them to the Union congress to get its agreement.

(c) The Union Congress shall not have the rights to reject the person whose name the

State President has submitted to be appointed as a Union Minister unless concrete evidence can be presented that he/she does not have the qualification of a Union Minister.

(d) The State President has the right to resubmit a new name for the person that did not receive the agreement of the Union congress to be appointed and entrusted with the responsibilities of a Union Minister.

(e) The State President shall appoint and entrust responsibilities to the persons appointment, the State President shall allocate each Union Minister the ministry or ministries that he/she is responsible for.

(f) The State President shall inform the Union Congress any time he/she appoints and entrusts responsibilities to Union Ministers.

(g) The Union Ministers shall be responsible for the State President.

3.Regarding the appointment of and the entrusting of responsibilities to deputy ministers: -

(a) The State President may appoint persons with the following qualifications from among representatives to the assembly or non assembly representatives to assist the Union Ministers:

(1)who have attained the age of 35 years,

(2) who have the qualifications of representatives to the People Assembly except,

(3) who are loyal to the state and the citizens.

(b) The State President, in the appointment of deputy ministers, if it is to appoint deputy ministers to defense, security/home affairs and border affairs ministries, shall receive a list of appropriate military personnel from the military defense chief.

(c)If the State President wishes to appoint military personnel as deputy ministers in ministries besides the defense, security/home affairs and border affairs ministries, he/she shall consult with the military defense chief.

(d) The State President, in appointing the deputy ministers, shall allocate the ministry he/she will be responsible for.

(e) The deputy ministers shall be responsible for the relevant Union Minister, or, through the relevant Union Minister, shall be responsible for the State President.

4.Regarding the accusation and blaming of a Union Minister;

(a) Any Union Minister may be accused and blamed for any of the following matters: -

(1) committing high treason,

(2) breaking any of the provisions of the Constitution,

(3) misconduct,

(4) is not qualified according to the standards in the Constitution set for a Union Minister.

(b) If an accusation and blaming of a Union Minister is required, it shall be done according to provisions in the Constitution on the impeachment of the State President or vice president.

(c) However, if the accusation and blaming of a Union Minister proves to be true, and if the Congress investigation decides and reports that he/she is no longer appropriate to continue in the Union Minister position, the State President shall terminate the accused and blamed Union Minister from duty.

(d) If the Congress investigation decides that the accusation and blaming is not true, the relevant Congress chairman shall report to the State President on the decision.

5. Regarding the term, resignation, release from duty, filling vacancy of Union Ministers and Deputy Ministers: -

(a) The term of the Union Ministers and Deputy Ministers normally is the same as that of the State President.

(b) The Union Minister or Deputy Minister, if, before the end of the term, wishes to resign from his/her office at his/ her own will, shall submit in writing of the desire to the State President and can resign from the office.

(c) The State President;

(1) may give directive to any Union Minister or Deputy Minister to resign if he/ she is not able to fulfill the responsibilities entrusted to him/her. If he/ she does not obey as the directive he/ she shall be released from duty.

(2) shall consult with the military defense chief in the case where a military personnel Union Minister or Deputy Minister is to resign or to be released from duty.

(d) The State President may appoint a new Union Minister or Deputy Minister

according to provisions in the Constitution on appointment on Union Minister or Deputy Minister, when a vacancy occurs either due to the resignation or release from duty or death or because of some other reason of a Union Minister or Deputy Minister. The term of the thus appointed Union Minister or Deputy Minister shall be the remaining period of the term of the State President only.

(e) If the Union Minister or Deputy Minister is a representative to any assembly, he/she shall be considered as already resigned as representative to the assembly on the day he/she is appointed the Union Minister or Deputy Minister.

(f) (1) If the Union Minister or Deputy Minister is a state employee, he/she shall be considered as having been pensioned as a state employee according to existing employee law from the day he/she is appointed as the Union Minister or Deputy Minister.

(2) The military personnel appointed as Union Ministers or Deputy Ministers in the defense, security/home affairs and border affairs ministries are not required to take a pension or the resign from the military.

(g) If the Union Minister or the Deputy Minister is a member of any political party, he/she shall not be involved in the functions of that political party from the day he/she is appointed Union Minister or Deputy Minister and during his/ her term of duty.

(h) (1) If the State President who appointed the Union Ministers and Deputy Ministers resigns, dies or because of a reason the State President's office becomes vacant before the term, the Union Ministers and Deputy Ministers shall continue to fulfill their duties until the substituted elected new State President has appointed the new Union Ministers and Deputy Ministers.

(2) The term of the substituted new Union Ministers and Deputy Ministers shall be till the end of the remaining term of the new State President only.

(i) The responsibilities, powers and rights of the Union Minister and Deputy Ministers shall be enacted by law.

6.Regarding the terminology on Attorney General: -

-Shall be addressed as Union Attorney General.

7.Regarding the appointment of and entrusting responsibilities to the Union Attorney General: -

(a) The State President shall appoint and entrust responsibilities, with the agreement of the Union Congress, a person as Union Attorney General, who has

the under mentioned qualifications, from among the representatives to the assembly, or non representative to the assembly, to get advice on legal matters and to entrust him/ her with responsibilities relating to legal matters.

(1) who has attained the age of 45 years,

(2) who has the qualifications standardize for representatives to the People's Assembly other than the age requirement,

(3) (aa) who has served a minimum five years as a Region or State Assembly's Judge, or

(bb) who has served a minimum ten years as a judiciary officer or legal officer having a status not lower than Region or State, or,

(cc) who has served as an advocate for a minimum of twenty years, or,

(dd) who is regarded by the State President as a person who is a famous legal academic.

(4) who is loyal to the country and the citizens.

(b)The Union Congress shall not have the right to reject the person whose name is submitted by the State President as the Union Attorney General unless concrete evidence can be presented that he/she does not have the qualifications standardized for the Union Attorney General.

(c)The State President shall have the right to resubmit a new name to the Union Congress in the place of the person who does not receive the agreement of the Union Congress as the Union Attorney General.

(d) The Union Attorney General is a member of the Union Government.

(e) The Union Attorney General shall be responsible for the State President.

8.Regarding the accusation and blaming of the Union Attorney General: -

(a) The Union Attorney General may be accused for any of the following matters;

(1) commits high treason.

(2) breaks one of the provisions in the Constitution,

(3) misconduct,

(4) is not qualified according to the standardizing in the Constitution for the

qualification of the Union Attorney General.

(b) If the accusation of the Union Attorney General is required, it shall be done according to provisions in the Constitution on the impeachment of the State President or vice president.

(c) However, if the accusation on the Union Attorney General proves to be true, and if the Congress investigation decides and reports that he/she is no more appropriate to continue in the Union Attorney General office, the State President shall terminate the Union Attorney General from duty.

(d) If the Congress investigation decides that the accusation is not true, the relevant Congress shall report to the State President on the decision.

9.Regarding the appointment of Deputy Attorney General: -

(a) The State president shall appoint, at his/her own will, a Deputy Attorney General who has the following qualification from among the representatives to the assembly or non assembly representatives to assist the Union Attorney General.

(1) who has attained the age of 40 years.

(2) who has the qualification standardize for the representatives to the People's Assembly except the age requirement,

(3) (aa) who has served a minimum five years as Region or State Assembly judge, or,

(bb) who has served a minimum ten years as judiciary officer or legal officer having the status not lower than Region or State, or,

(cc) who as served as an advocate for a minimum of fifteen years, or,

(dd) who is regarded by the State president as a person who is a famous legal academic.

(4) who is loyal to the country and the citizens.

(b) The Deputy Attorney General shall be responsible for the Union Attorney General, and, through the Union Attorney General, be responsible for the State President as well.

10.Regarding the term, resignation, release from duty, filling vacancy of the Union Attorney General and the Deputy Attorney General: -

(a) The term of the Union Attorney Generally and Deputy Attorney General

normally is the same as that of the State President.

- (b) The Union Attorney General or the deputy Attorney General, if, before the end of the term, wishes to resign from his/ her office, shall submit in writing of the desire to the State President and can resign from the office.
- (c) The State President can give directive to the Union Attorney General or the Deputy Attorney General who is not enable to fulfill the responsibilities entrusted to him/her to resign from office. If he/she does not act according to the directive he/she shall be terminated from duty.
- (d) When the office of the Union Attorney General or Deputy Attorney General becomes vacant due resignation, release from duty, death or any other reason the State President may appoint a new Union Attorney General or Deputy Attorney General according to the provisions of the Constitution on the appointment of Union Attorney General or Deputy Attorney General. The term of the thus appointed Union Attorney General or Deputy Attorney General shall be for the remaining term of the State president only.
- (e) If the Union Attorney General or Deputy Attorney General is a representative to any assembly, he/she shall already be considered as resigned as representative to that assembly on the day he/she is appointed as the Union Attorney General or Deputy Attorney General.
- (f) If the Union Attorney General or Deputy Attorney General is a state employee, he/she shall be considered as having pensioned as state employee according to existing employee law from the day he/she is appointed Union Attorney General or Deputy Attorney General.
- (g) If the Union Attorney General or Deputy Attorney General is a member of any political party, he/she shall not be involved in the functions of that political party from the day he/she is appointed Union Attorney General or Deputy attorney General and during his/her term of duty.
- (h) (1) If the State President who appointed the Union Attorney General or Deputy Attorney General resigns or dies or for a reason the State President's office becomes vacant before the end of his/her term, the substituted elected new State President may continue to appoint them or may appoint new Union Attorney General and Deputy Attorney General according to the provisions in the Constitution. Of such new appointments take place the Union Attorney General and Deputy Attorney may be asked to continue in office until the new Union Attorney General and Deputy Attorney General

are appointed.

(2) The term of the new appointed Union Attorney General and Deputy Attorney General shall be till the end of the remaining term of the new State President only.

(i) The responsibilities, powers and rights of the Union Attorney General and the Deputy Attorney General shall be enacted by law.

11. Regarding the designation of the status of the Union Attorney General and Deputy Attorney General: -

- For reference in the enactment of law to the responsibilities, powers, and rights of the Union Attorney General and Deputy Attorney General, the Union Attorney General is designated the status of Union Minister. The Deputy Attorney General a Deputy Minister.

12. Regarding the terminology of the Union Auditor General: -

- Shall be addressed as the Union Auditor General.

13. Regarding the appointment of the Union Auditor General: -

(a) The State President, shall appoint, with the agreement of the Union Congress, a person, as the Union Auditor General, who have the following qualifications, from among the representatives to the assembly, or non representative to the assembly, to examine the state's budgets and to be able to submit them to the People's Assembly and the National Assembly:

(1) who has attained the age of 45 years,

(2) who has the qualifications standardized for representatives to the People's Assembly other than the age requirement,

(3) (aa) who has served a minimum ten years in a position that is not lower than the Region or State audit officer, or,

(bb) has served a minimum 20 years as Registered Auditor or People's Auditor with certificate, or.

(cc) who is regarded by the State President as a person who is a famous auditor, accountant or economist.

(4) who is loyal to the country and the citizens.

(b) The Union Congress shall not have the right to deny the person whose name is

submitted by the State President as the Union Auditor General unless concrete evidence can be presented that he/she does not have the qualifications standardized for the Union Auditor General.

(c) The State President shall have the right to resubmit a new name to the Union Congress in the place of the person who does not receive the agreement of the Union Congress as the Union Auditor General.

(d) The Union Auditor General shall be responsible for the State President.

14. Regarding the accusation of the Union Auditor General: -

(a) The Union Auditor General may be accused for any one of the following matters;

(1) commits high treason,

(2) breaks any provision in the Constitution,

(3) misconduct,

(4) is not qualified according to the standardizing in the Constitution of the qualification of the Union Auditor General.

(b) If the accusation of the Union Auditor General is required, it shall be done according to provisions in the Constitution on the impeachment of the State President or vice president.

(c) However, if the accusation on the Union Auditor General proves to be true, and if the Congress investigation decides and reports that he/she is no more appropriate to continue in the Union Auditor General office, the State President shall terminate the Union Auditor General from duty.

(d) If the Congress investigation decides that the accusation is not true, the relevant Congress shall report to the State President on the decision.

15. Regarding the appointment of Deputy Auditor General: -

(a) The State President shall appoint at his/her own will, a Deputy Auditor General who has the following qualifications from among the representatives to the assembly or non assembly representative to assist the Union Auditor General;

(1) who has attained the age of forty years,

(2) who has the qualifications standardized for the representatives to

the People's Assembly except the age requirement,

(3) (aa) who has served a minimum 10 years in a position that is not lower than the Region or State audit officer, or,

(bb) who has served a minimum 15 years as Registered Auditor or People's Auditor with certificate, or,

(cc) who is regarded by the State President as a person who is a famous auditor, accountant or economist.

(4) who is loyal to the country and the citizens.

(b) The Deputy Auditor General shall be responsible for the Union Attorney General and, though the Union Auditor General, be responsible for the State President as well.

16. Regarding the term, resignation, release from duty, filling vacancy of the Union Auditor General and Deputy Auditor General: -

(a) The term of the Union Auditor General and Deputy Auditor General normally is the same as that of the State President.

(b) The Union Auditor General or the Deputy Auditor General, if, before the end of the term, for a reason wishes to resign from his/he office, shall submit in writing, of the desire and can resign from the office.

(c) The State President can give directive to the Union Auditor General or the Deputy Auditor General who is not able to fulfill the responsibilities entrusted to him/her to resign from office. If he/she does not act according to the directive, he/she shall be terminated from the duty.

(d) When the office of the Union Auditor General or Deputy Auditor General becomes vacant due to resignation, release from duty, death or any other reason, the State President may appoint a new Union Auditor General or Deputy Auditor General according to the provisions of the Constitution on the appointment of Union Auditor General or Deputy Auditor General. The term of the thus appointed Union Auditor General or Deputy Auditor General shall be for the remaining term of the State President only.

(e) If the Union Auditor General or the Deputy Auditor General is a representative to an assembly, he/she shall already be considered as resigned as representative to that assembly on the day he/she is appointed as the Union Auditor General or Deputy Auditor General.

- (f) If the Union Auditor General or the Deputy Auditor General is a state employee according to existing labor law from the day he/she is appointed as the Union Auditor General or Deputy Auditor General.
- (g) If the Union Auditor General or Deputy Auditor General is a member of any political party, he/she shall not be involved in the functions of that political party from the day he/she is appointed as the Union Auditor General or Deputy Auditor General and during his/ her term of duty.
- (h) (1) If the State President who appointed the Union Auditor General and the Deputy Auditor General resigns, or dies or for a reason the State President's office becomes vacant before the term, the substituted elected new State President may continue to give them responsibilities. Or may appoint new Union Auditor General and Deputy Auditor General according to the provisions in the constitution. If such new appointments take place, the Union Auditor General and Deputy Auditor General may be asked to continue to take their responsibilities until the new Union Auditor General and Deputy Auditor General are appointed.  
 (2) The term of the substituted new Union Auditor General and Deputy Auditor General shall be till the remaining term of the new State President only.
- (i) The responsibilities, powers and rights of the Union Auditor General and Deputy Auditor General shall be enacted by law.

17.Regarding the designation of the status of the Union Auditor General and the Deputy Auditor General: -

-For reference in the enactment of law to the responsibilities, powers and rights of the Union Auditor General and Deputy Auditor General, the Union Auditor General is designated the status of Union Minister. The Deputy Auditor General the status of Deputy Minister.

18.Regarding the formation of Union (?) Secretariat; -

- (a) The State President shall form the Union Secretariat to serve the responsibilities of selecting and training of state employees, set down responsibilities and rules and regulations for state employees.
- (b) The State President shall appoint and give responsibilities to persons with the following qualifications as chairman and members of the Union Secretariat:

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- (1) who has attained the age of 50 years,
  - (2) who have the qualifications standardized for representatives to the People's Assembly other than age requirement,
  - (3) experienced intellectuals and academics,
  - (4) who are loyal to the country and the citizens,
  - (5) who are not members of political parties,
  - (6) who are not representatives to the assembly.
- (c) The chairman of the Union Secretariat shall be responsible to the State President, and members of the Union Secretariat shall be responsible to the chairman of the Union Secretariat and through him/her to the State President.
- (d) The term of the chairman and members of the Union Secretariat normally is the same as that of the State President.
- (e) The formation of the Union Secretariat, responsibilities, powers, rights, resignation, release from duty, of the chairman and the members shall be enacted by law.

19.Regarding the designation of the status of the chairman of the Union Secretariat; -

- For reference in the enactment of law on the responsibilities, powers and rights of the chairman of the Union Secretariat, the chairman of the Union Secretariat is designated the status of Union Minister.

20.Regarding terminology for Region or State chief and members of Region or State Government: -

- (a) The chief of the Region or State shall be called as Chief Minister of the Region or State.
- (b) Members of the Region or State Government shall be called as Minister of the Region or State.

21. Regarding the formation of Region or State Government and appointment of and giving responsibilities to Region or State Chief Minister; -

- (a) The respective Region Government is formed in every region, the respective State Government is formed in every state.

- (b) The Region or State Government is formed with the following persons;
- (1) Region or State Chief Minister,
  - (2) Region or State Ministers,
  - (3) Region or State Legal Chief.
- (c) The State President, with the agreement of the respective Region or State Assembly;
- (1) can designate Region or State ministries as necessary. Besides, he/she can make changes or add to the designated ministries,
  - (2) can designate the numbers of Region or State ministers as necessary. Besides he/she can add or reduce the numbers.
- (d) The Region or State Chief Minister and Ministers shall have the following qualifications;
- (1) have attained the age of 35 years,
  - (2) have the qualifications standardized for the representatives to the Region or State Assembly except the age requirement,
  - (3) loyal to the country and the citizens.
- (e) For the State President to appoint and give responsibilities to the Region or State Chief Minister;
- (1) shall choose from among the representatives of the respective Region or State assembly and appropriate representative having the standardized qualification,
  - (2) shall send the name of the representative to the assembly to the relevant Region or State Assembly and get the agreement.
- (f) The State president shall appoint and entrusted responsibilities to the representative to the assembly for whom the agreement has been achieved from the Region or State Assembly as the Chief Minister of the respective Region or State.
- (g) The Region or State Assembly shall not have the right to reject the person whose name the State President has submitted as Chief minister unless concrete evidence can be presented that he/she does not have the

qualifications standardized for Region or State Chief Minister.

- (h) The State President shall have the right to resubmit a new name to the Region or State Assembly in place of the person who do not receive the agreement of the Region or State Assembly as Region or State Chief Minister.

22.Regarding the appointment of and entrusting of power to Region or State Ministers:

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(a) The Region or State Chief Minister, the appoint and entrust power to the Region or State Minister,

(1) shall select appropriate persons from among the representatives to the respective Region or State assembly or from non representatives who have the qualifications as standardized.

(2) shall request for the name of appropriate military personnel from the military defense chief to be able to give responsibilities on security and border affairs,

(3) shall get from the Autonomous Division Administration or Autonomous Territory Administration with the respective Region or State the names list of their chairman.

(4) shall get from the respective election commission the names of representatives elected to serve on the affairs of the ethnic nationals in the respective Region or State.

(b) The Region or State Chief Minister shall compile together the names of the persons he/she selected and the names of military personnel he/she received from the military defense chief and submit them to the Region or state Assembly for agreement.

(c) The Region or State Assembly not have to the right to reject the persons whose names have been submitted by the Region or State Chief Minister as Region or State Ministers unless concrete evidence can be given that he/she does not possess the qualifications standardized for Region or State Ministers.

(d) The Region or State Chief Minister has the right to resubmit a new name list to the respective Region or State Assembly in the place of the person who does not receive the agreement of the Region or State Assembly to be appointed and entrusted responsibilities as Region or State Minister.

(e) The Region or State Chief Minister shall submit the names list of the persons that received the agreement of the Region or State Assembly and the Chairman of the Autonomous Division or Autonomous Territory and elected representatives for ethnic affairs to the State President for appointment and entrusting responsibilities as Region or state Ministers.

- (f) The State President shall appoint and entrust responsibilities to the persons whose names are submitted by the Region or State Chief Minister as Region or State Ministers of the respective Region or State. In thus appointing and entrusting the responsibilities, the State President, in consultation with the Region or State Chief Minister, allocate each Region or State Minister the ministry or ministries he/she is responsible for.
- (g) The State President-
- (1) shall entrust to the Chairman of Autonomous Division and Chairman of Autonomous Territory, who are Region or State Ministers, the responsibilities of the affairs of the respective autonomous division or autonomous territory.
  - (2) shall entrust to the representatives elected to serve the affairs of the ethnic nationals, who are Region or State Ministers, the responsibilities to serve the respective ethnic nationals.
- (h) In the appointment and entrusting responsibilities of the respective Chairman of the Autonomous Division or Autonomous Territory or respective representative elected to serve the affairs of the ethnic nationals as Region or State Minister, the State President can be lenient in the consideration of the age as standardized in the Constitution.
- (i) The State President, may in consultation with the Chief Minister, entrust responsibilities to the Autonomous Division or Autonomous Territory or Ethnic affairs Ministers also concurrently take responsibilities of other ministries.
- (j) The Region or State Chief Minister, if, besides, the security and border affairs responsibilities, wishes to appoint and entrust responsibilities to military personnel as ministers in the Region or State other ministries, he/she/ shall request for the names list from the military defense chief and receive the agreement of the Region or State Assembly on the name list and submit them to the State President.
- (k) The State President shall notify the respective Region or State Assembly as will as the Union Congress of the Appointment and the entrusting of power to the Region or State Chief Minister and ministers.
- (l) (1) The Region or State Chief Minister shall be responsible for the State President.

(2) The Region or State Ministers shall be responsible for the respective Region or State Chief Minister as well as through the respective Region or State Chief Minister for the State President.

(m) The term of the Region or State Chief Minister and ministers is normally the same as that of the State President.

23. Regarding the accusation and blaming of Region or State Chief Minister or any minister: -

(a) The Region or State Chief Minister or any minister may be accused and blamed on any of the following matters;

(1) commits high treason,

(2) breaks any provision in the Constitution,

(3) misconduct,

(4) lack the qualifications as standardized by the Constitution for the Region or State Chief Minister and ministers.

(b) If the Region or State Chief Minister or any minister is to be accused and blamed for any of the above mentioned matters, a minimum of one fourth of the respective representatives to the Region or State Assembly shall sign their names and submit their accusation to the respective assembly Chairman.

(c) The respective Assembly Chairman shall form an investigation body and investigate the accusation. Shall also designate the period to complete the investigation taking into account the bulk of the investigation work.

(d) When investigation on the accusation is done the accused Region or State Chief Minister or minister shall be given the right of defense either personally or through representative.

(e) (1) When the investigation body makes its report on the findings of the accusation and blaming made on a Region or State Chief Minister or a minister by the respective Region or State Assembly, the Assembly Chairman shall submit it to the respective Region or State Assembly. If a minimum two thirds of the respective assembly representatives decide that the accusation and blaming is true and that the accused is no more appropriate to be allowed to continue serving as the Region or state Chief Minister or minister, the chairman shall convey the decision to the State President.

(2) The State President, on receiving the report, shall terminate in office the accused and blamed Region or State Chief Minister or Minister.

(3) If the respective assembly decides that the accusation and blaming is not true, the Assembly Chairman shall inform the State President that such decision is made.

24. Regarding the resignation, released from responsibilities, filing of vacancy of a Region or State Chief Minister or a minister; -

(a) A Region or State Chief Minister or a minister, if, before the end of his/her term wishes to resign for a reason, may submit in writing to the State President on the wish to resign, and may resign from office.

(b) The State President;

(1) may give directive to the Region or State Chief Minister or a minister who is not fulfilling his/her responsibilities well, to resign. If the directive is not followed, shall terminate from responsibilities.

(2) If the resignation or termination from responsibilities concerns a military personnel who is Region or State Minister, it shall be done in consultation with the military defense chief.

(c) If, because of resignation or termination from responsibilities or death or any other reason the office of Region or State Chief Minister or a ministry becomes vacant, the State President may, according to the provisions of the Constitution on the appointment and entrusting responsibilities to the Region or State Chief Minister or ministers, make an appointment to fill the vacant office. The term of the thus appointed person shall be for the remaining term of the state President only.

(d) (1) If the Region or State Minister is a state employee, he/she shall be considered as having been pensioned as a state employee according to existing employee law from the day he/she is appointed as Region or State Minister.

(2)The military personnel who are appointed ministers in the Region or State Government's Security and Border affairs Ministries do not need to be pensioned or to resign from the military.

(e) The responsibilities, powers and rights of the Region or State Chief Minister or ministers shall be enacted by law.

25.Regarding the designation of the status of the Region or State Chief Minister and ministers: -

-For reference in the enactment of law in relating to the responsibilities, powers and rights of the Region or State Chief Minister and ministers, the Region or State Chief Minister is designated the status of Union Minister. The Region or State Minister is designated the status of Deputy Minister.

26.Regarding the chief of the Region or State General Administration Department: -

-The chief of the Region or State General Administration Department is according to position the secretary of the respective Region or State Government. Besides, the Region or State General Administration Department is also the secretariat of the Region or State Government.

27.Regarding the terminology of the Region or State Attorney General: -

-Shall be called the Region or State Lawyer General.

28. Regarding the appointment and entrusting of responsibilities of the Region or State Lawyer General: -

(a) The Region or State Chief Minister, for getting legal advice and entrusting responsibilities of law, shall get the agreement of eh respective the Region or State Assembly and submit to the State President a person, having the following qualifications from among the representatives to the Region or State Assembly or from non assembly representative, to be appointed and entrusted responsibilities as Region or State Lawyer General;

(1) who has attained the age of 40 years,

(2) who has the qualifications standardized for representative to the Region or State Assembly except the are requirement,

(3) (aa) who has served in a position that is not lower than the Region or State judiciary officer or legal officer for a minimum of five years or who has served in a position no lower than district judiciary officer of legal officer position a minimum ten years, or,

(bb) if he/she is an advocate has worked as an advocate for a minimum 15 years.

(4) who is loyal to the country and the citizens.

(b) The State President shall appoint and entrust responsibilities to the person who has been submitted for the entrusting of the Region or State Lawyer General responsibilities by the respective Region or State Chief Minister,

with the agreement of the respective Region or State Assembly, as Region or State Lawyer General.

- (c) The respective Region or State Assembly shall not have the right to reject the person whose name has been submitted by the respective Region or State Chief Minister as Region or state Lawyer general unless concrete evidence can be given that he/she does not have the qualifications standardized for Region or State Lawyer General.
- (d) The Region or State Chief Minister has the right to resubmit the new name to the respective Region or State Assembly in the place of the person who does not receive the agreement of the Region or state Assembly as the Region or State Lawyer General.
- (e) The Region or State Lawyer General is a member of the government of the respective Region or State Government.
- (f) The Region or State Lawyer General shall be responsible, through the respective Region or State Chief Minister, for the State President, or, for the Union Attorney General, or for the respective Region or State Chief Minister.
- (g) If a matter arises for the suing of the Region or State Lawyer General, it shall be done in accordance to provisions of the Constitution for the suing of the Region or State Chief Minister or any minister.
- (h) The Provisions of the Constitution regarding to the resignation, termination of responsibilities, appointments to fill vacant positions, in the case of state employee being considered as already pension ed provided for the Region or State Chief Minister ad other ministers shall also apply for the Region or State Lawyer General.
- (i) The responsibilities, powers and rights of the Region or State Lawyer General shall be enacted by law.

29. Regarding the designation of the status of the Region or State Lawyer General: -

-For reference when enacting the responsibilities, powers and rights of the Region or State Lawyer General, the Status of the Region or State Lawyer General is designated as Region or State Minister.

30. Regarding the terminology of the Region or State Auditor General: -

-Shall be called Region or State Auditor General.

31. Regarding the appointment and entrusting of responsibilities of Region or State

Auditor General: -

- (a) To examine the Region or State Budgets for submitting to the respective Region or State Assembly, the Region or State Chief Minister shall, for appointing and entrusting responsibilities as Region or State Auditor General, with the agreement of the respective Region or State Assembly, submit to the State President, from among representatives to the assembly or non assembly representative, a person having the under mentioned qualifications;
  - (1) who has attained the age of 40 years,
  - (2) who has the qualifications standardized for Region or State representatives except the age requirement,
  - (3) (aa) who has served in a position that is no lower than a Region or State audit officer for at least 5 years, or in a position not lower than district audit officer at least 10 years, or,
    - (bb) who has served as registered cashier or authorized people's cashier at least 15 years.
- (b) The State President shall appoint and entrust responsibilities to the person submitted of the entrusting of the responsibilities of the region or State Auditor General, with the agreement of the respective Region or state Assembly, by the respective Region or state Chief Minister, as Region or State Auditor General.
- (c) The respective Region or State Assembly shall not have the right to reject the person whose name has been submitted by the respective Region or State Chief Minister as Region or State Auditor General unless concrete evidence can be given that he/she does not have the qualifications standardized for Region or State Auditor General.
- (d) The Region or State Chief Minister has the right to resubmit the new name to the respective Region or State Assembly in the place of the person who does not receive the agreement of the Region or State Assembly as the Region or State Auditor General.
- (e) The Region or State Auditor General shall, through the respective Region or State Chief Minister, be responsible for the State President, or the Union Auditor General or the respective Region or state Chief Minister.
- (f) If a matter arises for the accusation and blaming of the Region or State

Auditor General, it shall be done in accordance with provisions of the Constitution for the accusation and blaming of the Region or State Chief Minister or any minister.

(g) The provisions of the Constitution regarding the resignation, termination of responsibilities, appointment to fill vacancy, in the case of state employee being considered as already resigned from state service , provided for the Region or State Chief Minister and other ministers shall also apply for the Region or State Auditor General.

(h) The responsibilities, powers and rights of the Region or state Auditor General shall be enacted by law.

32.Regarding the designation of the status of the Region or state Auditor General: -

\_For reference in the enactment of law on responsibilities, powers and rights of the Region or State Auditor General, the Region or State Auditor General id designated the status of Region or State Minister.

33. Regarding the terminology of autonomous division or autonomous territory administration body: -

-The administration body of the autonomous division or autonomous territory shall be addressed as the Autonomous Division Leading Body or Autonomous Territory Leading Body.

34. Regarding the formation of Autonomous Division Leading Body and Autonomous Territory Leading Body: -

(a) The autonomous division and the autonomous territory, being self rule units, are equal in status.

(b) In the autonomous divisions and autonomous territories, the Autonomous Division Leading Body and the Autonomous Territory Leading Body are formed respectively. These leading bodies also practice the legislation power entrusted to them by the Constitution.

(c) The Autonomous Division Leading Body or the Autonomous Territory Leading Body shall have a minimum of 10 members.

(d) The Autonomous Division Leading Body or the Autonomous territory Leading Body shall be formed with the following persons;

(1) Region or State Assembly representatives elected from the townships

that are in the autonomous division or autonomous territory.

- (2) The military personnel representatives whose names are submitted according to law by the military defense chief for the purpose of giving the security responsibility or border affairs responsibility,
- (3) Representatives selected by persons mentioned in subparagraphs (1) and (2).

(e) Members of the Autonomous Division Leading Body or Autonomous Territory Leading Body mentioned in paragraph (d) subparagraphs (1) and (2) of above shall consult amongst themselves and select an appropriate person as chairman of the autonomous division or autonomous territory from among the assembly representatives elected from the townships in the autonomous division or autonomous territory. The name of the person thus selected shall be submitted to the State President through the Region or State Chief Minister.

(f) The State President shall appoint and entrusted responsibilities to the person whose name is submitted as the chairman of the respective autonomous division or autonomous territory.

(g) The chairman of the autonomous division or autonomous territory is by position the Region or state Minister. Therefore, provisions for Region or State Ministers shall, with the exception of appointment procedure, also apply to the chairman of the autonomous division or chairman of the autonomous territory.

(h) The respective chairman of the autonomous division or autonomous territory and members of the leading body,

- (1) shall select an ethnic each as representative in the Autonomous Division Leading Body or Autonomous Territory Leading Body from among the ethnic nationals living in the autonomous division or autonomous territory, besides the ethnic nationals that already have an autonomous division or autonomous territory, having reasonable number of at least 10,000 and above as designated by appropriate authority. The thus selected leading body members shall have the qualification standardized for Region or State Assembly representatives.
- (2) If the number of members to the Autonomous Division Leading Body or the Autonomous Territory Leading Body has not reached 10 persons, to make up the minimum 10 members, the needed number of the members shall be selected and appointed at their own free will

from among appropriate residents of the autonomous division or autonomous territory who have the qualifications standardized for representatives to the Region or State Assembly.

(i) The military defense chief may as necessary fill up the military personnel whose number in the Autonomous Division Leading Body or Autonomous Territory Leading Body is at least one fourths the total number for the leading body members.

(j) The military personnel whose names the military defense chief submits according to law for entrusting responsibilities as members of the Autonomous Division or Autonomous Territory Leading Body shall have the qualifications of the representatives of the Region or State Assembly.

(k) (1) the respective Autonomous Division Leading Body Chairman or Autonomous Territory Leading Body Chairman shall announce the names list of the members of the Autonomous Division Leading Body or Autonomous Territory Leading Body.

(2) The Autonomous Division or Autonomous Territory Leading Body Chairman shall be responsible for the respective Region or State Chief Minister, and through the respective chief minister be responsible for the State President.

(3) The members of the Autonomous Division or Autonomous Territory Leading Body shall be responsible for their chairman.

(4) The designation of the term, disciplinary action, resignation, termination from responsibilities, filling of vacancies of the chairman and members of the Autonomous Division or Autonomous Territory Leading body shall be enacted by law.

(l)The responsibilities, powers and rights of the Autonomous Division or Autonomous Territory chairman and members of the leading body shall be enacted by law.

(m)The respective chief of the general administration department of the autonomous division or autonomous territory, shall, also be the secretariat of the respective Autonomous Division or Autonomous Territory Leading Body.

(n)Among the principles that are to be based on that was laid down at the national assembly plenary meeting, regarding the principles laid down on legislation and administration paragraph (1) subparagraph (5) which reads," matters mentioned in the above paragraph (d), sub paragraphs (5) and (6), paragraph (g) sub paragraph (5) and this paragraph sub paragraphs (5) and (6), paragraph (g) sub paragraph (5) and this paragraph sub paragraph (4) are to be done by the formation of commissions by the state" shall instead be read, "matters mentioned in the above paragraph (d) sub

paragraphs (5) and (6), paragraph 9g) sub paragraph (5) and this paragraph sub paragraph (4) shall be done by the National Assembly at the same time."

35.Regarding the administration of Rangoon City which is the Union Territory: -

- (a) Rangoon City, which is the Union territory, include all the districts and townships that are in the municipality at the time this Constitution comes into force.
- (b) The State President can, as necessary, re-designate the districts and townships in Rangoon City, which is the Union Territory.
- (c) The State President,
  - (1) shall establish Yangon city Council,
  - (2) shall appoint and entrusted responsibilities to persons having the standardized qualifications as Yangon City Council chairman and council members,
  - (3) shall receive the name or names of military personnel having the qualifications as designated by the military defense chief as council member or members for entrusting responsibilities for the collation of security matters for Rangoon City which is the Union territory.
  - (4) can designated according to law, the number of members, including the chairman, for the Yangon City Council, as necessary.
- (d) The Yangon City Council chairman and members shall have the following qualifications;
  - (1) who has attained the age of 35 years,
  - (2) who has the qualifications standardized for representatives to the People's Assembly besides the age requirement,
  - (3) who also has other qualifications as designated by the State President.
- (e) The Yangon City Council Chairman shall be responsible for the State President and the council members shall be responsible for the Yangon City Council Chairman, and, through the Yangon City Council Chairman, shall also be responsible for the State President.
- (f) Regarding the term, resignation, termination from responsibilities and the

filling of vacancies of the Yangon City Council Chairman and council members;

(1) The term of the chairman and members of the Yangon City Council is normally the same as the term of the State President.

(2) If the chairman or any council members of the Yangon City Council wishes, for a reason to resign from office before the end of his/her term, he/she shall in writing inform the State President and may resign.

(3) The State President,

(aa) may give directive to the Yangon City Council Chairman or any member who is not able to fulfill his/her responsibilities, to resign. If he/she does not comply to the directive, he/she shall be terminated from responsibilities.

(bb) shall consult with the military defense chief if it concerns the resignation or termination of responsibilities of a military personnel in Yangon City Council.

(4) If, because of resignation, or termination from responsibilities or death or any other reason the office of the Yangon City Council Chairman or that of a council member becomes vacant, the State President may, according to provisions in the Constitution on the appointment of and entrusting responsibilities to the Yangon City Council Chairman and council members, appoint and entrust responsibilities to a new Yangon City Council Chairman or new council member. The term for the thus appointed and responsibilities entrusted new Yangon City Council Chairman or new council member shall be the remaining term of the State President only.

(g) If the Yangon City Council Chairman or any council member is a representative to any assembly, he/she shall be considered as having already resigned as a representative to the assembly from the day he/she is appointed the Yangon City Council Chairman or council member.

(h) If the Yangon City Council Chairman or any council member is a state employee, he/she shall be considered as already retired or resigned as state employee according to existing employee law on the day he/she is appointed as Yangon City Council Chairman or council member.

- (i) The military personnel that have been appointed as Yangon City Council Member or Members to collate the security matters of Yangon City shall not be required to retire or resign from the military.
- (j) If the Yangon City Council Chairman or any council member is a member of a political party he/she shall not participate in the activities of that political party from the day he/she is appointed as and entrusted with the responsibilities of Yangon City Council Chairman or council member and through out his/her term in that office.
- (k) The formation of the Yangon City Council, the responsibilities, powers and rights of the Yangon City Council Chairman and council members shall be enacted by law.
- (l) The chief of the Yangon City Council General Administration Department is, by position, the secretary of the Yangon City Council. The Yangon City Council General Administration Department is the secretariat of the Yangon City Council.

36.Regarding the designation of the status of the Yangon City Council Chairman and council members: -

-For reference in the enactment of law on the responsibilities, powers and rights of the Yangon City Council Chairman and council members, the Yangon City Council Chairman is designated the status of a Union Minister.

37.Regarding the administration of Coco Island which is the Union Territory: -

-The administration of Coco Island Township, which is the Unionterritory, shall be incorporated with the administration of Yangon City, which is the Union territory.

38. Regarding the administration at district and township levels: -

-The administration at district and township levels shall be entrusted with the state employees.

39. Regarding the administration of quarter or village tract level: -

-For quarter or village tract administration a person respected by the local inhabitants and having good integrity shall be appointed and entrusted with responsibilities according to law.

## THE HEAD OF STATE

### **Responsibilities, powers and rights of the State President and Vice Presidents**

1. The State President and Vice Presidents shall practice the responsibilities and powers entrusted by the Constitution and other laws.
2. The State President and Vice Presidents shall not accept any other salaries, expensed or financed office.
3. The State President and Vice Presidents shall prepare the list of their common family owned land, houses, buildings, businesses, money saved, other properties along with the price and submit it to the Union Congress Chief.
4. The State President and Vice Presidents shall receive the salary, expenses and decoration as designated by law. They shall also receive an appropriate residence each.
5. The State President and Vice Presidents, unless being prosecuted and terminated from responsibilities, shall at their retirement on the completion of their responsibilities, received pension and appropriate support.

### **Prosecution of the State President and Vice Presidents**

1. The State President or any of the Vice President may be prosecuted for any of the following matters: -
  - (a) commits high treason,
  - (b) breaks the provisions in the Constitution,
  - (c) misconduct,
  - (d) lacks the qualification of the State President or Vice Presidents as standardized in the Constitution.
2. If prosecution against the State President and Vice Presidents is to be made, at least one fourths of the total number of representatives to one of the two constituents of the Union Congress shall sign their names and submit their prosecution to the respective Assembly Chief.
3. The prosecution shall proceed only at the support of at least two thirds the total

number of the representatives of that assembly.

4.If an assembly supports the prosecution, the other assembly shall investigate that prosecution or shall form a body to investigate it.

5.At the time of the investigation the State President and Vice Presidents shall have the right to defend himself/herself personally or through representative.

6.At the completion of the investigation of the prosecution, if at least two thirds of the total number of the representatives of the assembly that investigate the prosecution or authorize the investigation decides that the prosecution is true and that it is no more appropriate for the State President and Vice Presidents to continue in office, that assembly shall submit to the chief of the Union Congress for the termination in office of the State President and Vice Presidents.

7.The chief of the Union Congress shall, as soon as he/she receives the submission, shall promulgate the termination in office of the State President and Vice Presidents or Vice President.

**Regarding the vacancy of the State President and Vice President's office before the completion of their term due to resignation, or death or permanently unable to do responsibilities or any other reason: -**

1.If the State President and any Vice President wishes to resign before the completion of his/her term at his/her own will, he/she shall be allowed to resign.

2.If the State President resigns before the end of his term, or dies, or becomes permanently unable to carry on his/her responsibilities, or for any other reason the office of the State President becomes vacant, of the two Vice Presidents, the Vice President that received the Second highest votes at the time of the election of the State President, shall serve as Temporary State President.

3.If the time of the vacancy of the State President's office is when the Union Congress is in session, the Temporary State President shall urgently notify the chief of the Union Congress for the Union Congress to be able to elect the State President within seven days.

4.The chief of the Union Congress, shall, on receiving the notification from the Temporary State President, arrange that the group of representatives to the respective assembly that had at the beginning elected the State President as Vice President, to elect a Vice President.

5. Following that respective assembly group of representatives has elected a Vice President, the presidential election body, consisting all the representatives to the Union Congress, shall elect the State President of their choice from among the three Vice Presidents.

6. If it is not during the Session of the Union Congress, on receiving the notification from the Temporary State President, shall in 21 days convene the Union Congress and elect the State President according to the above procedures.

7. If any of the Vice Presidents resign before the end of his/her term, or dies, or becomes permanently unable to carry on his/her responsibilities, or for any reason the Vice President's office becomes vacant, if it is during the session of the Union Congress, the State President shall urgently notify the chief of the Union Congress for the body of representatives to assembly that had elected that Vice President shall in seven days elect a Vice President.

8. If the Union Congress is not in session, the chief of the Union Congress shall in 21 days from receiving the notification from the State President, convenes the Union Congress for the respective body of the representatives to the assembly be able to elect a Vice President according to the standardized procedures.

### **The principles that must be based upon in the chapter on The State**

- (1) Burma is a sovereign independent state.
- (2) The state will be called the Union Republic of Burma.
- (3) The state is the country where various ethnic nationalities collectively live together.
- (4) The sovereignty of the state emanates from the citizens and abides through out the country.
- (5) The state's borders that include the earth, water and air are those that exist at the time when the Constitution come into force.

The principles that must be based upon the chapter on The Formation of the State: -

- (1) The state is established on the Union system.
- (2) The state is divided and demarcated with the following seven regions, seven states and union territories;
  - Kachin State

- Kayah State
- Karen State
- Chin State
- Sagaing Region
- Tennasarrine Region
- Pegu Region
- Mergui Region
- Mandalay Region
- Mon State
- Arakan State
- Rangoon Region
- Shan State
- Irrawaddy Region
- Union territories.

(3)The respective regions and states are equal in status.

(4)If the name of a region or a state is desired to be changed, the referendum shall be taken among the eligible voting citizens of that region or state, and shall be changed by the enactment of law.

(5)The regions, states, union territories, autonomous units that are in the country, shall never break away from the State.

(6)In the uniting of the State,

- villages shall be grouped together as village tract, and,
- quarters shall be grouped together as city or township, and,
- village tracts and quarters or cities shall be grouped together as township, and,
- townships shall be grouped together as district, and,
- districts shall be grouped together as region or state, and,

-in the autonomous territory, the townships in that territory shall be grouped together as autonomous territory,

-in the autonomous division, the townships in the division shall be grouped together as district, and the districts shall be grouped together as autonomous division,]

-if in a region or a state there is autonomous division or autonomous territory, the autonomous division, autonomous territory and districts shall be grouped together as region or state, and,

-the regions, states and union territories shall be grouped together a the country.

(7)Regarding the changing of the country's border;

(a) If it becomes necessary to change the border of the country, the State President shall firstly notify the chief of the Union Congress to get the opinion of the Union Congress on the changing of border of the country.

(b) When the chief of the Union Congress receives from the State President on the changing of the country's border, the chief of the Union Congress, shall get the opinion of the representatives to the assembly as follows;

(1) the supporting votes of half and above of the representatives of the assembly elected with equal numbers from the regions and states,

(2) the supporting votes of half and above of the representatives of the assembly elected on population basis.

(3) the supporting votes of half and above of the representatives of both assemblies from the region or state whose border is affected.

(c) If the respective supporting votes are achieved as above, the chief of the Union Congress shall inform the State President to change the border as necessary.

(d) If according to the above standardized procedures, any assembly, or representatives of the involved region or state of both assemblies, decides not to agree with the change of border, the opinion of the Union congress shall be obtained. If two thirds or over of the total representatives support, the chief of the Union congress shall inform the State President for changing border of the country as necessary.

(e) On receiving the opinion on the Union Congress, the State President shall do as necessary in regarding to the alteration on the border.

(f) Regarding the alteration of the border of a region or state;

(a) If occasion arises that the border of a region or state be altered, the opinion of the electorates of the affected township shall firstly be taken.

(c) When such opinion is being searched, and if over half of the supportive votes of the eligible electorates can not be achieved, the alteration of the border shall definitely be not made.

(d) If three fourths and above of the total representatives to the region or state assembly support votes are achieved, the State President shall obtain the agreement of the Union Congress and alter the border of a region or state.

(e) If the affected region or state assembly decides that it does not agree with the alteration of the border, the decision of the Union Congress must be obtained.

(f) If two thirds or above of the total representatives of the Union Congress vote in support of the necessary to change the border, the State President shall alter the border of a region or state as necessary.

(g) If occasion arises that village, village tract, quarter, city township or district within a region, state, autonomous division, or autonomous territory needs to be alter, to be form or to change name, the respective region or state administration authority, shall recommend to the State President, and the State President shall do as necessary.

(10) If the name of an autonomous division or autonomous territory is desired to be changed, it shall be done with the same procedure for the changing of the name of a region or a state.

(11) Regarding the designation of Union Territories;

(a) Rangoon, which is the capital of the country, is designated as Union Territory under the direct administration of the State President.

(b) Coco Island Township, which under a unique situation, is designated as Union Territory under the direct administration of the State President.

(c) In relation to the country's defense, security, administration, economic and etc. territories of unique situation, if it is necessary to designate as Union territory, it can be designated as Union Territory under the direct administration of the State President by the enactment of law.

## **Principles to be based upon in relation to the chapter on "The Head of State"**

- (1).The head of state is the State President.
- (2).The State President represents the country.
- (3).The State Presidents receives the highest position among all the citizens through out the Union of Burma.
- (4).Regarding the qualification of the State President and the Vice Presidents;
  - (a) The State President shall be a person loyal to the country and the citizens.
  - (b) the State President himself and both parents are Burmese citizens of ethnic national who were born in the jurisdiction of the country.
  - (c) The person that is elected as the State President shall have attained the minimum age of 45 years.
  - (d) The State President shall have vision on national affairs such as politics, administration, economics, military, and others.
  - (e) The State President shall be a person who has settled down in the country continuously for a minimum 20 years at the time of being elected the State President.
  - (f) The State President shall not, himself, or any of his/her parents, or his/her wife or husband, or any legal child, or the wife or husband of any of the legal child, be the loyal subject to any foreign government or a person under the influence of a foreign government or citizen of an alien country. Those people shall not be beneficiaries of privileges and loyalties enjoyed by persons under the influence of a foreign government or citizens of an alien country.
  - (g) The State President shall have, besides the qualifications standardized for eligibility for assembly election, the special qualifications standardized for the State President.
  - (h) The Vice Presidents shall have the qualification standardized for the State President.
- (5).Regarding the election of the State President and Vice Presidents: -

- (a) The State President shall be elected by the Presidential Election Body.
- (b) The Presidential Election Body shall be formed with three groups with representatives to the assembly as follows;
- (1) The group of elected representatives to the assembly from the assembly where representatives for the regions and states are elected in equal numbers.
  - (2) The group of elected representatives to the assembly from the assembly where representatives are elected on population basis,
  - (3) The group of military personnel representatives to the assembly whose names the military defense chief has submitted as the military personnel representatives to the assembly in the above mentioned two assemblies.
- (c) Each group shall elect a Vice president each from either among the representatives to the assembly or non assembly representatives.
- (d) A body that comprises of chiefs and deputy chiefs of the Union congress and the two assemblies in the Union Congress, the National Assembly and People's Assembly shall scrutinize whether the Vice Presidents have the qualifications standardized for the State President.
- (e) The Presidential Election Body that includes all the representatives to the Union congress shall vote from among the three Vice President who are candidates for State President, a Vice President of their choice as the State President.
- (f) Law that will enable to elect the State President as such shall be enacted.
- (6).Regarding the term in office of the State President or Vice president or Vice presidents: -
- (a) the term of office of the State President or Vice President is five years.
  - (b) The State President and vice Presidents shall continue to serve their responsibilities until the election of a new State president at the completion of their term in office.
  - (c) The State President and Vice Presidents shall not be in office for more than two terms.
  - (d) The serving of the responsibilities as the State President or Vice President as interim shall not be regarded as a term.'
  - (e) If for a certain reason the office of the State President or Vice president becomes vacant and the vacancy is filled by substitute election, the term of office of that new

State President or Vice President shall be till the end of the remaining term of the original term of office only.

(7).The State President or Vice Presidents are representatives to an assembly, or are state employees, they shall be considered as resigned or retired on the day they are elected State President or Vice Presidents.

(8).If the State President or Vice Presidents are representatives to an assembly, or are state employees, they shall be considered as resigned or retired on the day they are elected State President or Vice Presidents.

(9)If the State President or Vice Presidents are members of a political party, they shall not take part in the activities of that political party from the day they are elected the State President or Vice President and through out their term in office.

(10)The swearing in of the State President and Vice Presidents shall include:

(a) to be loyal to the Union Republic of Burma and the citizens,

(b) to always dedicate in serving the disintegration of the Union, disintegration of the unity among the ethnic nationals, maintenance of sovereignty.

(c) to abide by the Constitution and will also obey and practice the country's laws,

(d)to do his/her responsibilities with honesty and in uttermost capability,

(e) to promote the natural laws of justice, freedom and equality in the Union Republic of Burma,

(f) to solemnly proclaim and swear that for the benefit of the Union Republic of Burma he/she will sacrifice his/her life for the country.

(11)The State President and Vice Presidents shall practice the responsibilities and powers entrusted by the Constitution and other laws.

(12)The State President and Vice Presidents shall not accept any other office that receives salary, expenses and money.

(13)The State President and Vice Presidents shall submit to the chief of the Union Congress the list of their common family owned land, houses, buildings businesses, money saved, other valuable properties with price, headed by him/her.

(14) The State President and Vice Presidents shall receive the standardized salary,

expenses and decorations. They shall also receive a decent house each.

(15)The State President and Vice Presidents, except from being prosecuted and terminated from office, shall receive reasonable pension salary and support on retirement at the completion of responsibilities.

(16)Regarding the procedures for the prosecution of the State President or a Vice President: -

(a) The President or a Vice President may be Prosecuted on any of the following matters;

(1) commits high treason,

(2) breaks provisions in the Constitution,

(3) misconduct,

(4) lacks the qualification standardized for the State President or Vice President by the Constitution.

## **DETAILED BASIC PRINCIPLES FOR THE JUDICIARY**

1. Regarding the distribution of the State's judicial power.

The State judiciary power is distributed among:

(a) The supreme Court of the Union, the High Court of the Regions, High Court of the States, the Court of the Self Administered Divisions, the Court of the Self Administered Zones, the District Court, the Township Court, other court established according to the law, and Justices appointed according to the law as in the Constitution or other law, and

(b) Martial Court established according to the Constitution or other laws, and

(c) A Constitutional Tribunal.

2. Regarding the formation of the Supreme Court of the Union.

(a) One Supreme Court of the Union is kept in the country. The Supreme Court of the Union, without prejudice to the Constitutional Tribunal and the Martial court, is the Union's highest Court.

(b) (1) The Chief of the Union Supreme Court shall be called the "Chief Justice of

the Union",

(b) (2) A minimum of seven and a maximum of eleven Judges of the Supreme Court of the Union, including the Chief Justice of the Union, may be appointed,

(c) (1) The State President shall submit to and get the agreement of the Union Congress of the name of a person suitable for the appointment as the Chief Justice of the Union.

(c) (2) The Union congress shall not have the right to reject the person whose name the State President nominated as the Chief Justice of the Union unless concrete evidence can be given that the person does not have the qualifications of the Chief Justice of the Union as set down in the constitution.

(c) (3) The State President shall have power to resubmit a new name in place of the person rejected by the Union Congress as the Chief Justice of the Union.

(c) (4) The State President shall appoint the person approved by the Union Congress as the Chief Justice of the Union.

(d) (1) The State President, in consultation with the Chief Justice of the Union, shall submit to and get the approval of the Supreme court of the Union.

(d) (2) The Union Congress shall not have the right to reject the persons whose names the State President has nominated as Judges of the Supreme Court of the Union unless concrete evidence can be given that the persons do not have the qualifications of Judges of the Supreme court of the Union as set down by the Constitution.

(d) (3) The State President shall have power to resubmit a new name in place of the person rejected by the Union Congress as the Judges of the Supreme Court of the Union.

(d) (4) The State President shall appoint the persons approved by the Union Congress as the Judges of the Supreme Court of the Union.

3. Regarding the qualifications of the Chief Justice of the Union and the Judges of the Supreme Court of the Union.

The Chief Justice of the Union and the Judges of the Supreme Court of the Union shall have the following qualifications:

(a) who is not younger than 50 years and not older than 70 years,

(b) who, with the exception of the provision on age, has the qualifications set down

for representatives to the Peoples Assembly, (c) (1) who has served a minimum of five years as a Region or State High Court Judge, or

(c) (2) who has served a minimum of ten years as a Judicial officer or law officer in an office that has a status that is not lower than the Region or State level, or

(c) (3) who has worked a minimum of 20 years as an advocate, or

(c) (4) who is regarded by the State President as a famous and dignified law intellectual

(d) who is loyal to the country and the citizens

(e) who is not a member of a political party

(f) who is not a representative to the assembly

#### 4. Regarding the empowering to the State President

(a) The State President may prosecute the Chief Justice of the Union or a Judge of the Supreme Court of the Union on any of the following matters:

(a) (1) commits high treason

(a) (2) breaks any provision of the constitution

(a) (3) commits an act of gross misconduct

(a) (4) fails to have the qualifications of the Chief Justice of the Union or as a Judge of the Supreme Court of the Union as laid down by the constitution.

(b) If the State President desires to prosecute the Chief Justice of the Union or a Judge of the Supreme Court of the Union, he/she shall submit his/her prosecution to the Patron of Union Congress.

(c) The Patron of the Union Congress shall form an investigation body and direct it to conduct an investigation according to the law.

(d) Equal numbers of representatives from the People's Assembly and the National Assembly shall be included in the body. A suitable person from among these representatives shall be entrusted with the responsibilities of the chairman of the investigation body.

(e) A time period shall also be designated taking into account the magnitude of the investigation.

(f) The State President, may either in person or through a representative, witness the

prosecution before the investigation body. He/She also has the right to present evidence and witnesses.

(g) The defendant shall be granted the right to defend himself/herself in person or through a representative during the investigation period.

(h) When the investigation body presents its findings, the patron of the Union Congress shall submit it to the Union Congress

(i) If two-thirds of the total number of the assembly's representatives decides that the prosecutions true and that the person is no longer suitable to continue as the Chief Justice of the Union or Judge of the Supreme Court of the Union, the Patron of the Union Congress shall notify the State President on the resolution.

(j) On such notification the State President shall end the term in office of the Chief Justice of the Union or the Judge of the Supreme Court of the Union.

(k) If the Union Congress decides that the allegation is not true, the Patron of the Union Congress shall notify the State President of the resolution.

5. Regarding the prosecution against the Chief Justice of the Union or any Judges of the Supreme Court of the Union.

(a) The Chief Justice of the Union or a judge of the Supreme Court of the Union may be prosecuted for any of the following matters:

(a) (1) commits high treason

(a) (2) breaks any provision of the Constitution

(a) (3) commits and act gross misconduct

(a) (4) fails to have the qualifications of the Chief Justice of the Union or as a Judge of the Supreme Court of the Union as laid down by the constitution.

(b) When it is desired to prosecute the Chief Justice of the Union or a Judge of the Supreme Court of the Union it shall be done so in accordance with the constitution.

(c) If the investigating assembly decides that the prosecution against the Chief Justice of the Union or a Judge of the Supreme Court of the Union is true and that the person is no longer suitable to continue in office, the State President shall terminate the term in office of the Chief Justice of the Union or Judge of the Supreme court of the Union.

(d) If the investigating assembly decides that the allegation is not true, the respective assembly chairman shall notify the State President of the resolution.

6. Regarding the term in office of the Chief Justice of the Union and the Judges of the Supreme Court of the Union.

The Chief Justice of the Union or a Judge of the Supreme Court of the Union may, unless any of the following matters occur, be in office until the attainment of the age of 70 years:

- (a) resign from office at his/her own will,
- (b) being prosecuted according to provisions in the constitution and terminated in office,
- (c) is detected by a medical body established according to the law that he/she is permanently deranged either physically or mentally and is pronounced incapable of continuing in office,
- (d) dies.

7. Regarding the independence of the Chief Justice of the Union and the Judges of the Supreme Court of the Union from party politics and retiring from State employee service.

(a) The Chief Justice of the Union and the Judges of the Supreme Court of the Union shall be independent from party politics.

(b) If the Chief Justice of the Union or a Judge of the Supreme Court of the Union are a State employee, he/she shall be regarded as pensioned according to the existing employee's rules and regulations from the day he/she is appointed the Chief Justice of the Union or a Judge of the Supreme Court of the Union.

8. Regarding the responsibilities, powers and rights of the Chief Justice of the Union and the Judges of the Supreme Court of the Union.

The responsibilities, powers and rights of the Chief Justice of the Union and the Judges of the Supreme Court of the Union shall be enacted by law.

9. Regarding the status of the Chief Justice of the Union and the Judges of the Supreme Court of the Union.

For reference on the enactment of law on the responsibilities, powers and rights of the Chief Justice of the Union and the Judges of the Supreme Court of the Union, the status of the Chief Justice if designated as the vice president. The Judges of the Supreme Court of the Union are designated the status of Union Ministers.

10. Regarding the formation of a High Court of the Region or State.

(a) A High Court of the Region is kept for every Region or the High Court of the State shall be called the Chief Justice of the High Court of the Region or the Chief Justice of the High Court of the State.

(b) (1) The chief of the High Court of the Region or the High Court of the State shall be called the Chief Justice of the High Court of the Region or the Chief Justice of the State.

(b) (2) A minimum of three and a maximum of seven Judges of the High Court of the Region or Judges of the High Court of the State including the Chief Justice of the High Court of the Region or the Chief Justice of the High Court of the State, may be appointed in the High Court of the Region or the High Court of the State.

(c) (1) The State President in consultation with the Chief Justice of the Union and the respective Chief Minister of the Region or State, shall prepare the list of names of persons to be appointed as the respective Chief Justice of the High Court of the Region or the Chief Justice of the High Court of the State and submit it to the respective Region or State, and the respective Chief Minister of the Region or State, in consultation with the Chief Justice of the Union shall prepare the list of names of persons to be appointed as the respective Judges of the High Court of the Region or the State and submit it to the respective Region or State assembly

(c) (2) The respective Region or State assembly shall not have the right to reject the person whose name the State President, in consultation with the Chief Justice of the Union and the Respective Chief Minister of the Region or State, nominated as the Chief Justice of the High Court of the Region or State, nor the persons whose names the respective Chief Minister of the Region or State, in consultation with the Chief Justice of the Union, nominated as the respective Judges of the High court of the persons does/do not have the qualifications of Chief Justice of the High Court of the Region or State or Judges of High Court of the Region or State as set down by the constitution.

(c) (3) A new name can be submitted according to procedure in place of persons rejected as in sub-paragraph (2)

(c) (4) The State President shall appoint the persons approved by the respective Region or State assembly as the respective Chief Justice of the High Court of the Region or State and Judges of High Court of the Region or State.

11. Regarding the qualifications of the Chief Justice of the High Courts of the

Regions or states and Judges of High Courts of the Region or States.

The Chief Justices of the High Courts of the Regions or State and judges of the High Courts of the Region or States shall have the following qualifications:

- (a) who is not younger than 45 years and not older than 65 years,
- (b) who, with the exception of the provision on age, has the qualifications set down for the representatives to the Region or State Assembly,
- (c) (1) who had served at least five years as a judicial officer or law officer at a level not lower than Region or State or at least ten years as a judicial officer or law officer in an office that has a status that is not lower than district, or
- (c) (2) who has worked a minimum of 15 years as an advocate, or
- (c) (3) who is regarded by the State President as famous and dignified law intellectual
- (d) who is loyal to the country and the citizens
- (e) who is not a member of a political party
- (f) who is not an assembly member

12. Regarding the empowering to the State President and the Chief Minister of the Region or State

(a) The State president may prosecute the Chief Justice of a High Court of a Region or State and the Chief Minister of the Region or State may prosecute any of the respective Judges of the High Court of the Region or State on any of the following matters:

- (a) (1) commits high treason
- (a) (2) breaks any provision of the Constitution
- (a) (3) commits an act of gross misconduct
- (a) (4) fails to have the qualifications of the Chief Justice of the High court of the Region or State or as a Judge of the High Court of the Region or State as laid down by the constitution.
- (b) If the State President desires to prosecute the Chief Justice of a High Court of a Region or State or the Chief Minister of the Region or State desires to prosecute any of the respective Judges of the High Court of the Region or State, he/she shall submit

his/her prosecution to the Chairman of the Region or State Assembly.

(c) The Chairman of the Region or State Assembly shall form an investigation body and direct it to conduct an investigation according to the law.

(d) The investigation body is to be formed with representatives to the Region or State assembly. A suitable person from among the members shall be entrusted with the responsibilities of the chairman of the investigation body.

(e) A time period shall also be designated taking into account the magnitude of the investigation.

(f) The State President or respective Chief Minister of the Region or State may either in person or through a representative, witness the prosecution before the investigation body. He/She also has the right to present evidence and witnesses.

(g) The defendant shall be granted the right to defend himself/herself in person or through a representative during the investigation period.

(h) When the investigation body presents its findings, the chairman of the Region or State assembly shall submit it to the Region or State assembly.

(i) If two-thirds of the total number of the assembly's representatives decides that the Prosecution is true and that the person is no longer suitable to continue as the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State, the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State, shall submit the decision to the state President on the resolution, or if is for the Judge of the High Court of the Region or State, shall submit the decision thus made to the respective Chief Minister of the Region or State. The Chief Minister of the Region nor State on receiving such report shall forward it to the State President.

(j) On receiving such submissions the State President shall end the term in office of the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State.

(k) If the Region or State assembly decides that the allegation is not correct, the Chairman of the Region or State assembly shall inform such decision, in the case of the Chief Justice of the High court of the Region or State, to the State President, and in the case of a Judge of the High Court of the Region or State, to the respective Chief Minister of the Region or State.

13. Regarding the prosecution against the Chief Justice of the High court of the Region or State or a Judge of the High Court of the Region or State.

(a) The Chief Justice of the High Court of the Region or State or a Judge of the High Court of the Region or State may be prosecuted for any of the following matters;

(a) (1) commits high treason

(a) (2) breaks any provision of the Constitution

(a) (3) commits an act of gross misconduct

(a) (4) fails to have the qualifications of the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State as laid down by the constitution.

(b) If it is desired to prosecute the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State a minimum of one-fourth of the total number of the representation of the relevant Region or State Assembly shall sign their names and submit their prosecution to the respective chairman of the Region or State Assembly.

(c) The concerned chairman of the Region or State Assembly shall form an inquiry body and investigate the allegation. A time limit for the investigation shall also be designated taking into account the magnitude of the investigation required.

(d) While during the investigation the accused shall be allowed to present a defense either personally or through a representative.

(e) When the inquiry body of the prosecution against the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State, by the respective Region or State Assembly, presents its finding, the Assembly Chairman shall submit it to the respective Region or State Assembly. If two-thirds of the total number of representatives to the respective assembly decides that the allegations are true and it is no longer appropriate for the persons to continue in the office of the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State, the Chairman of the assembly shall submit such decision if it is the Chief Justice of the High Court of the Region or State, shall submit the decision to the State President on the resolution, or if it is for the Judge of the High Court of the Region or State, shall submit the decision thus made to the respective Chief Minister of the Region or State. The Chief Minister of the Region or State shall forward it to the State President.

(f) On receiving such submissions the State President shall end the term in office of the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State.

(g) If the Region or State assembly decides that the allegation is not correct, the Chairman of the Region or State assembly shall inform such decision, in the case of the Chief Justice of the High Court of the Region or State, to the State President, and in the case of a Judge of the high Court of the Region or State, to the respective Chief Minister of the Region or State.

14. Regarding the term in office of the Chief Justice of the High Court of the Region or State or as a Judge of High Court of the Region or State.

The Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State may, unless any of the following matters occur, be in office until the attainment of the age of 65 years:

- (a) resign from office at his/her own will;
- (b) being prosecuted according to provisions in the constitution and terminated in office
- (c) is detected by a medical body established according to the law that he/she is permanently deranged either physically or mentally and is pronounced incapable of continuing in offices,
- (d) dies

15. Regarding the independence of Chief Justice of the High Court of the Region or State and the Judges of the High Court of the Region or State from party politics and retiring from State employee service.

- (a) The Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State shall be independent from party politics.
- (b) If the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State are a State employee, he/she shall be regarded as pensioned according to the existing employee's rules and regulations from the day he/she is appointed the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State.

16. Regarding the responsibilities, powers and rights of the Chief Justice of the High Court of the Region or State or as a judge of the High court of the Region or State.

The responsibilities, powers and rights of the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State shall be

enacted by law.

17. Regarding the status of the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State.

For reference on the enactment on law on the responsibilities, powers and rights of the Chief Justice of the High Court of the Region or State or as a Judge of the High Court of the Region or State, the status of the Chief Justice is Designated as a Union Minister. The Judges of the Supreme Court of the Union are designated the status of deputy Ministers.

18. Regarding the formation of sub-ordinate Courts under the High Court of the Region or State.

Under the High court of the Region or State, the various levels of Courts are formed as follows:

(a) If there is no self-administered territories in the Region or State:

(a) (1) District Courts

(a) (2) Township Courts

(b) If there are self-administered territories in the Region or State:

(b) (1) In the Self-administered Divisions:

(b) (1) (aa) Court of the Self Administered Division

(b) (1) (bb) Township Courts

(b) (2) In the Self-Administered Zone

(b) (2) (aa) Court of the Self-administered Zone

(b) (2) (bb) Township Courts

(b) (3) In the remaining Region:

(b) (3) (aa) District Courts

(b) (3) (bb) Township Courts

(c) In the Union Territory:

(c) (1) Distinct Courts

(c) (20 Township Courts

(d) Other Courts established according to the law

19. Regarding the appointment of Judges, empowering them with judicial rights. The laying down of their responsibilities, powers and rights, organizing the staff in those Courts and laying down the responsibilities, powers and rights.

(a) The appointment of Judges, empowering them with judicial rights. The laying down of their responsibilities, powers and rights to the sub-ordinate Courts of the High Court of the Region or State shall be according to law.

(b) The formation of employees associations including the offices employees and other levels of employees of the Supreme Court of the Union, High Courts of the Region or State and other Courts, and the laying down of responsibilities, powers and rights shall be according to the law.