

Translation of the Draft  
New Constitution  
of the Faroe Islands

# Stjórnarskipan Føroya

Stjórnarskipanarnevndin  
The Faroese Constitutional Committee

# **Stjórnarskipan Føroya**

Translation of the Draft New  
Constitution of the Faroe Islands

Útgevvari: Stjórnarskipanarnevndin, 2006  
Samskipan og lagt til rættis: Rúni Rasmussen  
Prentgerð & prent: SOZO prepress

Publisher: The Faroese Constitutional Committee, 2006  
Edited: Rúni Rasmussen  
Layout & printing: SOZO prepress

ISSN 999-18-3-193-2

Kári á Rógvi, LL. M. Deputy Chair  
of the Faroese Constitutional Committee:

## **A Note on the Text and Translation of the Draft Constitution**

The Draft Constitution is very carefully worded in terms of both content and language. This official translation takes care in capturing the tone and style of the original document, thus intentionally avoiding using concepts or expressions that may be more familiar to the reader, but would prove misleading. Nonetheless, the translation deviates to some degree from the original as a result of incompatibilities between the Faroese and English languages.

The language of the Draft Constitution has been built on certain ideals. The sentences are mostly short, active, and use verbs as key words. The language is intended to be easily read and understood in Faroese at the same time as conveying an authoritative tone. A central goal of the draft is to draw from ancient Norse law and choose expressions and vocabulary that is distinct enough to withstand the tyranny of concepts that so

often hampers legislative drafting and interpretation alike.

Both English and Faroese are Germanic languages. They differ, however, in their reception of loan words from other languages, their ability to generate new Germanic words and in many other respects. Nowhere is this clearer, perhaps, than in law, where French and Latin so dominate the vocabulary of legal English.

For example, the word Constitution is a loan word of Latin origin. In Faroese several words, some of which have been generated recently, can have the same meaning, for instance: Stýrisskipanarlóg, 'Law on the System of Governing (literally Steering)', Stjórnarskipan, 'System of Government', Stjórnarskrá, 'Charter of Government' Evsta lóg, 'Supreme Law', Grundlóg, 'Basic Law'. Each of these will have connotations linking it to the legal status of Sovereignty or Home Rule or

Federation or otherwise contain nuances that are not discernible from the English word Constitution, which can be used to denote an instrument of government on almost any level and relative standing – as well as having connotations in other fields apart from law and government.

Following much debate, the current consensus in the Faroese Constitutional Committee is to use the word *Stjórnarskipan* – with its particular implication of being a written basis for the form of government with emphasis on political rather than legal aspects, as the world law (*lóg*) is not included. Often the nuances of such generated compound concepts are, regrettably, lost in translation.

Another example is the tradition in Norse law to use instances to explain the principle. The Draft Constitution has on purpose used a verbatim quotation from the Sheep Brief (a Faroese Code of Laws) from 1298, one of the oldest Faroese sources of law. It goes word for word: “Nú reka menn grind á land upp...” – ‘Now (when) men drive whales up on land...’ Then follows how their catch of whale is to be divided. This style is certainly less than legalistic but perfectly under-

standable to non-lawyers – and lawyers alike – as the meaning is clear. This example illustrates, too, the active, verb-centred and succinct style of Norse law. The equivalent legalese would be: ‘Pertaining to whale-hunting rapidly advancing from marine to terrestrial medium...’ ...or something similar.

The style and vocabulary of the translation is a compromise between faithfully following the Faroese text and writing a more familiar-sounding constitutional text in legal English. Examples of this include the ancient Faroese Parliament, the *Løgtingið* being translated as ‘The Law Thing’ rather than ‘Faroese Parliament’. Using the word *Løgtingið* and the Faroese words for other established institutions would probably be too difficult for people of little or no knowledge of Faroese to read. Using more generic words like Parliament would fail to give the reader the right impression of the ancient and nuanced tradition of Faroes self-government and identity.

As legal and constitutional language has obtained certain meanings in every jurisdiction, the reader should take care to see this as a translation from another language, legal Faroese,

not as references to black letter law in any other jurisdiction. For instance, the word Government denotes in American English the whole of the constitutional establishment including all branches thereof, whereas in British English the Government is the executive organ presided over by the Prime Minister. This translation uses the word government mostly in the general sense, but refers to the executive organ (somewhat comparable to the British equivalent) as 'The Government of the Land' which is a rough translation of the Faroese word Landsstýrið.

In terms of substance and constitutional law, the Draft Constitution aims at being a dynamic document, relying, in most instances, on standards rather than rules and on brief proclamation rather than lengthy regulation. The Draft Constitution is not a document that seeks to ensure a certain structural or substantive power structure for posterity. It rather states the boundaries and the flexible principles within which the Constitutional Bodies and the People will tug and heave for control and influence.

## PREAMBLE

# Constitution of the Faroe Islands

We, the People of the Faroe Islands, enact this our Constitution. It shall form the basis of our Government and be the Charter that shall insure our Freedom, Safety and Prosperity.

We built this Land in ancient times and governed ourselves with a Law Thing, Laws and Rights. We have held the Law Thing until this day and organised ourselves according to the needs of the People around the entire Land.

The Faroe Islands have in Treaty recognised Federations with other Lands. No treaty can, however, extinguish the Self-determination of the Land. The laws of the Land and valid decisions are only those executed lawfully in accordance with the will of the People.

The Faroe Islands are governed in accordance with modern needs built on our cultural heritage with Balance of Powers, Rule of Law and Human Rights.

# **First Part – The System of Government**

## **1. SYSTEM OF GOVERNMENT**

### **§1 The Faroe Islands**

- (1) The Faroe Islands are a Land and the Faroese a Nation.\*
- (2) The Faroe Islands have in accordance with Treaties been federated to other Lands and can continuously be so associated to other entities by Treaty.
- (3) A new Treaty as well as alteration of the present arrangement has to be enacted in accordance with this Constitution.

### **§2 Separation of powers, rule of law and justice**

- (1) The Constitution of the Faroe Islands is built on Balance of Powers, Rule of Law and Justice.
- (2) All laws shall be in accordance with this Constitution.

### **§3 The Constitutional Bodies of the Land**

- (1) The Foremost Constitutional Bodies of the Land are the Law Thing (Løgtingið), the Government of the Land (Landsstýrið) and the Court of the Land (Landsrætturin).
- (2) The Land shall be divided into Commune Municipalities.
- (3) The Faroese People shall always enjoy as much influence as possible on the governing of the Land.

### **§4 System of Government**

- (1) The Faroe Islands are a Land democratically governed.
- (2) The Law Thing and the Commune Governments are always popularly elected.
- (3) Other offices can be popularly elected or be chosen by the Law Thing.

### **§5 The People**

- (1) All Faroese and the Inhabitants of the Land shall enjoy equal Rights as set out in these provisions.
- (2) Voting Rights can be restricted by citizenship.

**§6 Symbols and Language**

- (1) The Faroe Islands have a Flag and other Symbols according to statute.
- (2) The official language is Faroese.

## **Second Part – Rights**

### **2. GENERAL RIGHTS AND DUTIES**

**§7 Rights and their Protection**

- (1) Rights can only be limited if necessary and in accordance with governing principles of Democracy and Solidarity.
- (2) The Law Thing can under special circumstances restrict Rights by Nationality or Residence.
- (3) The Authorities of the Land shall always defend the Rights of the People.

**§8 Other Rights**

- (1) In addition to the Rights enumerated in this Constitution, other rights shall be defended that are self-evident, inalienable or necessary.

**§9 Duties**

- (1) Everyone shall respect this Constitution and the laws and duties that are provided in accordance with it.
- (2) Everyone shall respect the National Heritage and the Resources of the Land as well as the Rights of others.

### **3. EQUAL RIGHTS**

**§10 Equal Rights**

- (1) All are valued equally.
- (2) No difference shall be provided that is arbitrary, unjust or offensive.



**§11 Equal Standing \***

- (1) Women and men shall be valued equally.

**§12 Privileges \***

- (1) No privileges can be provided or practiced.
- (2) If the Law Thing provides to rectify previous unequal treatment, such provisions cannot be without time limits.

**4. PERSONAL RIGHTS**

**§13 Life and Safety**

- (1) Everyone has the right to life and safety.
- (2) No-one can be punished mercilessly or degradingly.
- (3) Death penalty cannot be prescribed.

**§14 Personal Freedom**

- (1) All are free and unrestricted.
- (2) The Law Thing may enact laws on personal restriction. Decisions in accordance with such laws can be appealed to the judiciary.
- (3) If anyone is arrested for a crime, he shall have the right to appear before a judge within 24 hours. Only a judge can approve or lengthen an arrest.
- (4) A judge can increase detention though at most to four months and only if a long sentence can be expected.
- (5) A judge can under very special circumstances sanction detention in isolation or partial seclusion, though only for two months.

**§15 Residences and Communication**

- (1) Residences, vehicles and all private communication are shielded from public intrusion.
- (2) If searches, seizures or other intrusions are necessary in accordance with the law and the needs of the Land, a judge shall by order decide the legality thereof. If impossible before the intrusion, then retrospectively.

- (3) In the form of statute, the Law Thing may authorise highly necessary intrusions without prior warrant. Such intrusions shall always be subject to review.

## **§16 Rights of Property**

- (1) All property and all proprietary rights are protected from infringement.
- (2) If a public authority, in order to advance the law and in accordance with necessary and immediate public need, has to expropriate private property or rights, the authority may in accordance with procedures laid out in statute compel the purchase said property or right.
- (3) For such a compulsory purchase the authority shall pay full price as well as compensation for the pain caused.

## **5. RIGHTS OF FAITH**

### **§17 Freedom of Religion**

- (1) All people have the right to believe and worship their faith in what manner they believe.
- (2) The Law Thing may grant the Christian faith special status without repressing other faiths.
- (3) The Peoples Church shall retain its ancient role.

## **6. POLITICAL RIGHTS**

### **§18 The Right to vote**

- (1) The inhabitants of the Land have the right to elect Representatives to the Thing and other governing bodies and institutions.
- (2) The inhabitants of the Land have the right to decide on laws and instruments through referendum. The Law Thing may lend its powers to the People in this way.
- (3) If the Members of the Law Thing are unsatisfied with an enacted statute, a third of them may, within a week of enactment, demand the statute put to the People.

**§19 Freedom of Expression**

- (1) Everyone has the right to have and to express thoughts, ideas and points of view in any manner.
- (2) Likewise, everyone shall enjoy the right to participate in and receive communication and information.
- (3) The Press has special rights to investigate, expose and carry forth information.

**§20 Freedom of Participation/association**

- (1) All have the right to join organisations and other participations for any purpose.
- (2) Organisations can be abolished if reasons of public safety, peace or order so demand.

**§21 Freedom to gather/assemble**

- (1) All shall enjoy the right to gather in public places if this is not detrimental to the public order.

**7. ECONOMIC RIGHTS**

**§22 Economic freedom**

- (1) All have the right to engage in trade and commerce.
- (2) Commercial co-operations, strong undertakings and alliances shall not derail necessary commercial competition. Neither shall public bodies make more impact than their purpose requires.

**§23 Right to Work**

- (1) All have the right to work.
- (2) Anyone who neither is able to undertake commerce nor receives paid employment shall receive public support and help.
- (3) The Land shall ensure everyone necessary training or education for employment or trade.

## 8. RIGHTS OF SUBSISTENCE

### §24 **Hunting Rights**

- (1) Everyone has the right to hunt and harvest.
- (2) Now when men are driving whales ashore; then most of the catch shall be for the hunters or home parts.
- (3) The Land shall only prescribe such restrictions that are necessary to insure stocks, hunting rights and living conditions.
- (4) In all incidents when locals hunt or harvest at sea or on land, and no fee is involved; the yield and catch shall the be free to have.

### §25 **The Right of Travel**

- (1) Everyone has the right to travel and journey on sea and on land when this is done without damage to people, stocks, property, cultivation or nature.

### §26 **Crofters Rights**

- (1) The law of the Land shall ensure that as many as possible are given the opportunity to build houses, farm and keep stocks.

## 9. SOCIAL RIGHTS

### §27 **Schooling**

- (1) Everyone shall enjoy the right to necessary education throughout life. Everyone has a duty to receive schooling as child and youth.
- (2) Parents may decide that they themselves assume the responsibility for schooling their children. But such schooling must be adequate.

### §28 **Social Safety**

- (1) The Land shall ensure everyone a decent living.
- (2) The Land shall make sure that everyone has a pension.

**§29 Family**

- (1) The well-being of the family is prerequisite for social stability. The Land ensures the well-being of the family.
- (2) Children have rights with respect for the family.

**10. ADMINISTRATIVE RIGHTS**

**§30 Access to Public Information**

- (1) Everyone has the right to access information on public matters.
- (2) Access to information encompasses one's own matters, administrative decisions and other public activities.

**§31 Hearing**

- (1) Now if a public body or authority shall make a decision; then anyone, for whom the decision is relevant, shall be heard. If a public authority undertakes a process or regulation, it shall be possible for those interested to voice their concerns.

**§32 Representation**

- (1) All have the right to let others represent them in public matters.
- (2) If the matter at hand is of great importance to individuals, or if it can become precedence, the public purse shall pay fair cost.

**§33 Process**

- (1) The Law Thing shall further regulate the administrative rights and processes in statute.

**11. PROCESS RIGHTS**

**§34 Indictment**

- (1) Only a police attorney or the Attorney General may raise indictment.
- (2) Executive or administrative authorities may raise accusations that they then submit to the proper prosecutor.

- (3) No severe punishment can be demanded unless a jury has accepted the indictment.

**§35 Punishment**

- (1) No-one can be punished without judgement.
- (2) No judgement can be passed if not the law criminalising it existed before the transgression.
- (3) No-one can be accused of the same crime twice.

**§36 Juries**

- (1) Juries shall adjudicate all criminal matters.
- (2) In court cases expert judges may judge.

**§37 Court cases**

- (1) Everyone has the right to be represented in a criminal case as in other matters that the public may raise against them.
- (2) Now that someone cannot afford to pay for the cost of the case; then the Land shall pay a fair cost.
- (3) All questions of law can be appealed to the Court of the Land.

## **Third part – The Government**

### **12. GENERAL**

**§38 Bodies and Power**

- (1) All Powers in the Land come from the People, but the People exercises its Powers through the Bodies of the Land.
- (2) The Constitutional Bodies of the Land shall be organised pursuant to the Constitution and in accordance with statute. Clear distinction shall be between each Institution.
- (3) Each Body shall be vested with Power or Function of Government to exercise alone or together with others. The Bodies shall be responsible for their activities and their Powers are always limited.

**§39 Election and Organisation**

- (1) The Higher Bodies of the Land shall either have their leadership elected by the Law Thing or have directly elected leadership under the scrutiny of the Law Thing.

**§40 Rights and Restrictions**

- (1) The Bodies of the Land and the administration shall respect the Rights of the People and the restrictions in their Powers that are provided in the Constitution.

**13. RESTRICTIONS**

**§41 The Principle of Enabling Powers**

- (1) Public bodies shall keep within their enabling powers and authorisations.
- (2) If a public body uses irrelevant powers or wants to reach unauthorised goals, the action shall be redundant.

**§42 The Principle of Authorisation**

- (1) All laws, judgements and decisions and regulations of the Bodies of the Land and authorities shall be in accordance with the Spirit of the Constitution and derive their authority from it.
- (2) Now if there is conflict between laws or doubt; then the lower shall fall for the higher provision, and doubt for justice and freedom.

**§43 The Principle of Proportionality**

- (1) No law, regulation or decisions can be excessive.
- (2) Provisions must be appropriate to achieve their goal and not go further than necessary.

**§44 The Principle of Equality**

- (1) All are equal before the law.
- (2) Now if a legal assessment shall be done; then the like shall be treated alike, and the unlike treated unlike.

**§45 The Principle of Resources**

- (1) The Bodies of the Land shall defend the Resources of the Land.
- (2) If it is proposed to exploit resources; the Land shall demand fees or ensure commercial rights for all.

**14. THE LAW THING**

**§46 The Law Thing**

- (1) At the Law Thing shall be debated all the important matters of the Land. The Nation finds its voice at the Thing, and there the Land reaches its decisions.
- (2) The Thing has Legislative Powers and Financial Powers and shares Control Powers and the Foreign Powers.

**§47 The Members of the Law Thing**

- (1) The Law Thing provides the number of Members.
- (2) The Law Thing provides for the electoral system that can encompass both regionally and nationally elected Members.

**§48 Elections**

- (1) Anyone can be elected who has the right to vote.
- (2) The Law Thing decides who is rightly elected.
- (3) The Law Thing also decides if a Member of the Thing, who has committed a crime, can sit in the Law Thing.

**§49 Election Period**

- (1) The Law Thing shall be elected for four years.
- (2) If three of four Members of the Thing are in favour, the Law Thing can resolve to hold fresh elections.
- (3) The old Thing may sit until the new Thing is opened.
- (4) The Speaker of the Law Thing shall open the Thing two weeks after the elections.

**§50 The Workings of the Law Thing**

- (1) Members of the Law Thing conduct their office of trust according to their conscience.



- (2) If the Law Thing resolves on the remuneration of its Members or members of the Government of the Land, the decisions shall take effect following elections.
- (3) Members of the Law Thing must not, when the Thing sits, hold offices, seats on councils or committees of the Land or sit as judges.

**§51 The Foreman of the Thing**

- (1) The Law Thing shall elect the Foreman and his deputies.
- (2) The Foreman shall sit throughout the Thing, unless three fourths of the Members demand his resignation.

**§52 The sitting of the Law Thing**

- (1) The Thing shall be convened on St. Olav's Day in accordance with ancient custom.
- (2) At the St. Olav's Thing the Foreman shall announce those statutes of the Thing that have been passed during the last sitting. The Law Man shall likewise announce the regulations.

**§53 The St. Olav's Day Address**

- (1) The Law Man shall on St. Olav's Day in his Address explain the state of the Land and what the intentions of the Government of the Land are.
- (2) Members of the Law Thing shall debate the Address.

**§54 The Workings of the Law Thing**

- (1) The Thing shall itself pass its Rules of procedure and the Foreman of the Thing shall organise the workings of the Thing.
- (2) Apart from Members of the Thing, only the Law Man, Members of the Government of the Land and Excellent Representatives can meet and speak at the Thing.
- (3) If a proposal has been tabled, more Members shall be present than not for a vote to be held. If more are in favour than against, the proposal is passed. Representatives of the Thing are elected proportionally.
- (4) When the Law Thing has debated a public matter, the Thing may state its conclusion in a Resolution.

## **§55 Committees**

- (1) The Thing shall be divided into Committees.
- (2) The Thing shall at least elect a Judicial Committee, a Finance Committee and a Foreign Committee.
- (3) The Committees organise themselves. The Chairmen may create Subcommittees on a proportional basis.
- (4) The Committees shall conduct hearing and inquiries and otherwise debate all matters within their province.

## **§56 Access to the Thing**

- (1) The Meetings of the Law Thing are public. It is free for all to reproduce and broadcast Meetings of the Thing.
- (2) Committee Meetings, hearings and other workings are also either public or a matter of record.
- (3) Both Meetings of the Thing and other workings can be locked if necessary.

## **§57 Rights if the Members of the Law Thing**

- (1) No authority may lay hand on a Member of Parliament or raise indictment without the consent of the Law Thing. A Member of the Thing may, however, be caught in a criminal act.
- (2) Members of the Law Thing shall not be responsible outside the Thing for what they say inside.

# 15. THE GOVERNMENT OF THE LAND

## **§58 The Law Man**

- (1) The Law Thing shall provide for the election of the Law Man. The election period of the Law Man follows that of the Law Thing.
- (2) If the Law Thing considers that the Law Man has not conducted his office in a lawful manner, the Thing may impeach him and may end his term. In that case the Foreman of the Law Thing shall organise a hearing where the Thing sets forth its accusations. If three of every four Members vote in favour, the Law Man will resign. Then the Lieutenant Law Man takes over.

**§59 The Government of the Land**

- (1) The Law Man sits in the Government of the Land with other Ministers. The Law Man decides who shall be Lieutenant Law Man.
- (2) The Law Man nominates candidate Ministers. The Law Thing shall give its consent to the Ministers.
- (3) If the Law Man is elected by the Law Thing, then so shall the Ministers.

**§60 Ministers in the Government of the Land**

- (1) The Law Man can terminate the office of Ministers.
- (2) The Law Thing can terminate the office of Ministers by following the impeachment procedure.

**§61 Interim Government**

- (1) The Law Man may ask people to temporarily fill the office of Minister or other office subject to the consent of the Law Thing. Such official can only do what is necessary. Likewise, the Government can only do what is necessary when elections have been called.

**§62 Policy Areas**

- (1) The Law Man shall divide those Policy Areas between the Ministers that the Law Thing has not divided or delegated to independent bodies.
- (2) The Ministers shall have such powers that according to practice or law have been vested in those Policy Areas that they have received.

**§63 Co-ordination**

- (1) The Law Man shall regularly summon to Meetings of the Government of the Land.
- (2) The Government of the Land shall collectively decide on bills for statutes, resolutions and budget that are to be proposed to the Law Thing.

#### **§64 Control**

- (1) The Law Man shall oversee that the Ministers administer their Policy Areas in a legal and adequate manner.

### 16. COURTS OF LAW

#### **§65 Courts**

- (1) The Courts of the Faroe Islands are the Court of the Land and such inferior courts that may be prescribed, in addition to those federal courts that the Law Thing may recognise. The Land can establish no other courts but only regulate the conduct of the bodies mentioned.

### 17. MUNICIPALITIES

#### **§66 The Communes**

- (1) The Faroe Islands shall be divided into Communes under the supervision of the Land.
- (2) The Communes shall be empowered to organise local matters according to their own circumstances, including in inter-communal co-operation. The Communes shall have the right to levy taxes to finance their affairs.
- (3) The Communes shall ensure habitation and wellbeing in all inhabited places in the Commune. The self-government of the Communes shall be conducted with respect for the Rights of the People.

### 18. OTHER INSTITUTION

#### **§67 Other Independent Bodies**

- (1) Other Independent Bodies can be empowered according to the Constitution or statute. The Law Thing can provide that the Thing shall consent to the leadership of Independent Bodies.

**§68 The Attorney General**

- (1) The Law Thing may consent to an Attorney General to conduct the court cases of the Land and advice the Institutions of the Land.

**19. LEGISLATIVE POWERS**

**§69 Legislative Powers**

- (1) The Legislative Power is vested in the Law Thing.
- (2) The Government of the Land may nonetheless submit bill as proposals to the Law Thing.

**§70 Legislative Powers**

- (1) The Law Thing can legislate on these matters:
  - (1) (1) to fulfil and arrange the Constitution,
  - (1) (2) to control and protect the economy,
  - (1) (3) to ensure and provide law and security,
  - (1) (4) to provide and respect welfare and safety,
  - (1) (5) to respect and implement the Rights of the People.
- (2) The Law Thing can not give laws that are rightfully judgements or decisions or should be provided through other procedures according to the Constitution or that are contrary to the Rights of the People.

**§71 Legislative Procedures**

- (1) Proposals bills may be submitted to the Law Thing from St. Olav's Day to Michelmas. After that, proposals may only be submitted if three of four Members of the Law Thing consent thereto.
- (2) Following election, all submitted proposals shall lapse.
- (3) After formal tabling, the Foreman of the Law Thing shall refer bills to Committee. The Committees may conduct public hearings and other inquiries that are necessary. The Committees may propose amendments within the boundaries of the statute considered.

- (4) Following Committee stage all bills shall receive three readings at the Thing. After the second reading only identical amendments may be proposed.
- (5) Now if a statute has been passed; then the Foreman of the Law Thing shall promulgate it in an Official Paper. The statute shall come into force on St. Olav's Day next or later as provided.
- (6) Three of four Members of the Law Thing may provide that a statute shall come into force immediately or retrospectively.

## **§72 International Laws**

- (1) Now if the Law Thing can propose legislation in accordance with a Federal System or Treaty; then the same procedure as with statute enactment of statutes shall be followed.

## **§73 Secondary Law**

- (1) The Law Thing may enable the Ministers or Independent Bodies to provide general rules in secondary legislation.
- (2) Secondary legislation may not violate the enabling provision nor transgress its boundaries.
- (3) Now if Members of the Law Thing find a secondary legislation repugnant; then the Thing may resolve to invalidate the secondary law.

# **20. EXECUTIVE POWERS**

## **§74 Executive Bodies**

- (1) The Government of the Land is the supreme executive office.
- (2) Powers can in accordance with statute or Orders of the Law Man be handed to individual Ministers or Independent Bodies.

## **§75 Governing**

- (1) The Executive Bodies shall further, maintain and execute the Constitution and all statutes.

## **§76 Administration**

- (1) For every Policy Area there shall be an administration conducted according to clear provisions.

## 21. JUDICIAL POWERS

### §77 **The Court of the Land**

- (1) The Court of the Land is the supreme court of appeal of the Faroe Islands.

### §78 **Judicial Powers**

- (1) The courts of law shall adjudicate all matters of punishment, controversies between citizen and administration. The Law Thing can let administrative courts handle controversies and administrative matters. These must always be reviewable by the courts of law.
- (2) The courts of law shall judge according to the law, right the law and make law where no law is.
- (3) The courts of law shall review all laws, regulations, decisions and other public actions and ensure that the Constitution is upheld.
- (4) Now if court becomes aware of wrongful conduct; then it shall choose the better interpretation prospectively.
- (5) Now if a court becomes aware of an older statute that can be said to breach the Constitution; then the court can choose to submit the statute for legislative review by the Law Thing.

## 22. FINANCE POWERS

### §79 **Tax**

- (1) No tax shall be imposed without clear enabling in statute.
- (2) Taxes may not be imposed retrospectively.

### §80 **The Budget**

- (1) The Institutions of the Land may not hold expenses without enabling in the Annual Budget of the Land or other spending provision.
- (2) Until April expenses relating to the previous Annual Budget may be paid.
- (3) Independent Bodies need not be included in the Budget of the Land.

- (4) Enabling statutes and public contracts may make monetary claims conditional on budgetary appropriation.

### **§81 Fiscal System**

- (1) A Public Fiscal System shall be enacted as statute.

### **§82 Procedure**

- (1) The Government of the Land shall before Michelmas submit a proposal for Annual Budget for the following year.
- (2) If the Budget is not passed before year's end, the Government shall submit a proposal for a Provisional Budget.
- (3) The Law Thing shall debate the Budget during three readings in addition to the committee stage.
- (4) The Thing shall receive special requests from the Courts and Independent Bodies.
- (5) All estimation in the Budget shall be prepared by Independent Bodies.

### **§83 The Finance Committee**

- (1) The Law Thing shall elect a Finance Committee to scrutinize and review all finance and economic matters of the Land.

### **§84 Supplementary Appropriation**

- (1) The Law Thing can provide the Government of the Land or others with supplementary appropriations.
- (2) Now if a matter is urgent and is of minor importance; then the Finance Committee can provide supplementary appropriation.

### **§85 Accounts**

- (1) The Government of the Land and all independent Bodies shall submit at the latest six months after the end of the Fiscal Year to approval at the Thing.

### **§86 Fiscal Control**

- (2) The Law Thing shall elect some of its Members to be Comptrollers of the Law Thing.



- (3) The Law Thing shall also elect a National Comptroller to review and assess all public accounts.

### **§87 The National Bank**

- (1) The National Bank shall administer the funds of the Land and such financial and economic matters that are not left to the Government of the Land to administer.
- (2) Upon nomination from the Law Man the Law Thing shall every three years elect three board members of the National Bank to sit for six years. The Board shall elect the directors of the Bank.

### **§88 Economic Fund**

- (1) The National Bank shall administer the Economic Fund.
- (2) If the National bank deems it diligent, the Fund may pay out of the Fund's profits to the Treasury of the Land or divide it between the inhabitants of the Land.

## **23. POWERS OF CONTROL**

### **§89 Powers of Control**

- (1) The Courts of Law shall guard the observance of the Constitution and all laws and review any actions. The Law Thing shall supervise that the Government of the Land and the administration act in accordance with law and the political will.

### **§90 Questions**

- (1) Members of the Law Thing and Committees of the Thing may each question Ministers, The Foreman of the Thing and Independent Bodies on the conduct of their offices.
- (2) Questions may be submitted and answered verbally or in writing, in an inquiry meeting or at Meetings of the Thing.

### **§91 Committee Control**

- (1) The Committees of the Law Thing can conduct hearings and require anyone to appear with a duty to make witness statements.

- (2) The Committees of the Law Thing may write reports on their inquiries.

## **§92 Responsibility**

- (1) Now if the Law Thing assumes that a Minister has neglected his duties or exceeded his powers; then the Thing may state its discontent through impeachment, passing a resolution, or by indicting a former Minister.

## **§93 The Ombudsman of the People**

- (1) The Law Thing shall elect the Peoples Ombudsman.
- (2) The Ombudsman shall scrutinize the administration, decisions and judgements of the authorities of the Land. The Ombudsman can evaluate and make propositions but he can not make or overturn decisions.

## **24. FOREIGN AND FEDERAL POWERS**

### **§94 Federation**

- (1) The Faroe Islands can in accordance with Treaty be in federation with other Lands and Realms.
- (2) Now if the Law Thing wants to amend the present status; then the Thing shall enact this in the same way as statutes with absolute majority. One year after the enactment of the Law Thing the People shall vote on the amended status and then a simple majority shall decide.
- (3) Any federal statutes where the Institutions of the Federation given powers that otherwise are vested in Bodies of the Land shall be well defined in Treaty. The Federation can not violate the Rights of the People. The Highest Bodies of the Land shall ensure that the Spirit of the Constitution and self-government of the Faroe Islands are not endangered by the Federal Covenant.

### **§95 Representation**

- (1) The Government of the Land shall represent the Faroe Islands against foreign Lands.

**§96 Foreign Affairs Committee**

- (1) The Law Thing shall elect a Foreign Affairs Committee.
- (2) Now if the Government of the Land intends to conclude an International Treaty or to negotiate on common matters; then the Government shall seek the advice of the Foreign Affairs Committee.
- (3) The Foreign Affairs Committee can impose secrecy on its Members in important matters.
- (4) The Foreign Affairs Committee shall submit to the Law Thing proposals to International Treaties and shall take care of the powers and controls of the Thing during negotiations.

**§97 Consent**

- (1) The Law Thing shall consent to international treaties.
- (2) The Government of the land shall submit the proposed Treaties with a report on what is needed to implement the Treaty.
- (3) If a Treaty requires statutes to be enacted or it is to have immediate legislative effect in itself, the said Treaty shall be deliberated following the procedure for International Laws. Otherwise a Resolution of the Law Thing is adequate.
- (4) Now if an international Treaty is enacted that is contrary to the laws of the Land; then the Treaty shall prevail. But is the Treaty not enacted through the procedure for International Laws; then the laws of Land shall prevail.

**25. EMERGENCY LAW**

**§98 Emergency**

- (1) In case of emergency the Law Man may declare a state of emergency law in the Land. In that event he may set aside laws and regulations to avoid the destruction of larger goods or the safety of the Land.
- (2) Now if it comes to pass that the Bodies of the Land are unable to uphold the Constitution or the laws of the land in case of emergency; then the relevant bodies shall as soon as possible notify the Law Thing.

- (3) The Court of the Land shall assess the legality of conduct during state of emergency law.

## 26. AUTHORITY

### **§99 Enactment**

- (1) This Constitution shall replace the Statute on System of Government of the Faroe Islands.
- (2) This Constitution as well as all subsequent amendments there of shall be enacted by two consecutive Law Things and then in a referendum. Simple majority shall decide but at least one year shall pass between the latter enactment by the Law Thing and the referendum.

### **§100 Authority**

- (1) This Constitution is superior to all laws. Neither statute nor custom may therefore be upheld only because it is older than the Constitution or has been endured for a long time.
- \* Some provisions have been slightly amended due to errors or unfortunate omissions in the original draft.

## FORMÆLI

# Stjórnarskipan Føroya

Vit, fólkid í Føroyum, samtykkja hesa stjórnarskipan okkara. Hon er grundarlag undir stýri okkara og tann fyriskipan, ið skal tryggja frælsi, trygd og trivnað okkara.

Vit bygdu hetta landið í fornari tíð og skipaðu okkum við tingi, lógum og rættindum.

Vit hava hildið ting til henda dag og skipað okkum eftir fólksins tørvi um landið alt.

Føroyar hava í sáttmála viðurkent felagsskap við onnur lond. Ongin sáttmáli kann tó sløkka sjálvræði landsins. Landsins egnu lógir og avgerðir eru bert tær, sum framdar eru á rættan hátt í landinum sjálvum eftir fólksins vilja.

Føroyar verða skipaðar eftir nútíðar tørvi á siðaarv okkara við valdsbýti, løgræði og rættindum.

# Fyrsti partur – Stjórnarskipan

## 1. STJÓRNARSKIPAN

### §1 Føroyar

- (1) Føroyar eru land og føroyingar tjóð.
- (2) Føroyar hava sambært sáttmálum verið knýttar at øðrum londum og kunnu framvegis vera knýttar at øðrum sambært sáttmála.
- (3) Nýggjur sáttmáli, eins og broyting í verandi støðu, skal samtykkjast sum ásett í hesi skipan.

### §2 Valdsbýti, løgræði og rættvísi

- (1) Stjórnarskipan Føroya byggir á valdsbýti, løgræði og rættvísi.
- (2) Allar lógir skulu virða hesa skipan.

### §3 Landsins stovnar

- (1) Fremstu stovnar landsins eru lögtingið, landsstýrið og løgrætturin.
- (2) Landið skal skipast í kommunur.
- (3) Føroya fólk skal altíð hava sum mest av ávirkan á landsins stýri.

### §4 Stýrisslag

- (1) Føroyar eru land við fólkarræði.
- (2) Løgting og kommunustýri eru altíð fólkavald.
- (3) Onnur störv kunnu vera fólkavald ella vald á lögtingi.

### §5 Fólkið

- (1) Allir føroyingar og íbúgvar landsins eiga javnbjóðis rættindi sum greind í hesi skipan.
- (2) Valrættur kann vera treytaður av heimarætti.

### §6 Ímyndir og Mál

- (1) Føroyar hava flagg og aðrar ímyndir eftir lóg.
- (2) Almenna málið er føroyskt.

# Annar partur – Rættindi

## 2. ALMENN RÆTTINDI OG SKYLDUR

### §7 Rættindi og verja teirra

- (1) Rættindi kunnu bert avmarkast, um tað er neyðugt og í samsvari við fólkaræðiliga, samhaldsfasta stjórnarskipan.
- (2) Løgtingið kann í serligum forum knýta rættindi at heimarætti ella bústaði.
- (3) Landsins stovnar skulu altíð verja fólksins rættindi.

### §8 Onnur rættindi

- (1) Umframt rættindi ásett í hesi skipan verjir hon onnur rættindi, sum eru sjálvsøgd, ómissandi ella neyðug.

### §9 Skyldur

- (1) Øll skulu virða hesa skipan og tær lógir og skyldur, sum verða til í samsvari við hana.
- (2) Øll eiga at virða landsins arv og tilfeingi eins og rættindi hjá øðrum.

## 3. JØVN RÆTTINDI

### §10 Javnættindi

- (1) Øll eru jøvn í metum.
- (2) Ongin munur má vera tilvildarligur, órættvísur ella mannminkandi.

### §11 Javnstøða

- (1) Kvinnur og menn skulu vera ájavnt í metum.
- (2) Heldur tingið, at munur er ella hevur verið gjørdur á kvinnu og manni, kann tingið samtykkja at bøta um. Ásetingin kann tó ikki vera uttan tíðarmark.

### §12 Framíhjárættindi

- (1) Ongi framíhjárættindi kunnu ásetast ella skipast.

- (2) Samtykkir tingið at bota um mun, ið áður er gjørdur, kann slík áseting tó ikki vera uttan tíðarmark.

#### 4. PERSÓNLIK RÆTTINDI

##### §13 Lív og trygd

- (1) Øll eiga rætt til lív og trygd.
- (2) Ongin kann verða revsaður ella viðfarin miskunnarleysa ella óvirðiliga.
- (3) Deyðarevsing kann ikki ásetast.

##### §14 Persónligt frælsi

- (1) Øll eru fræls og frí.
- (2) Løgtingið kann samtykkja lógir um frælsistøku. Avgerð sambært slíkari lóg kann leggjast fyri dómara.
- (3) Verður einhvør handtikin fyri brotsverk, skal hann fyri dómara innan 24 tímar. Bert dómari kann staðfesta ella leingja handtøku.
- (4) Dómari kann áleggja longri varðhald, tó í mesta lagi fyra mánaðir, og bert um longri revsing er væntandi.
- (5) Dómari kann í heilt serligum førum áleggja varðhald í einingi ella partvísari avbyrging, tó bert í tveir mánaðir.

##### §15 Bústaður og samskifti

- (1) Bústaðir, før og alt privat samskifti eru vard fyri almennum inntrivum.
- (2) Eru rannsókn, hald ella onnur inntriv neyðug sambært lóg og landsins tørvi, skal dómari í úrskurði gera av, um tað er loyviliqt. Er tað ógjørliqt undan inntrivinum, skal úrskurður gerast aftaná.
- (3) Í lóg kann tingið loyva alneyðugum kanningum uttan úrskurð frammanundan. Slík inntriv skulu tó altíð kunna roynast.

##### §16 Ognarrættur

- (1) Allar ognir og øll rættindi eru vard fyri ágangi.
- (2) Skal almennur myndugleiki fremja lóg, og tørvar honum sambært neyðugum og átrokandi almennum tørvi at taka



ræði á privatarí ogn ella rætti, kann myndugleikin eftir manngongd í lóg krevja at keypa ognina ella rættin.

- (3) Fyri slík kravd keyp skal myndugleikin lata fullan prís umframt at gjalda fyri órógv.

## 5. TRÚARRÆTTINDI

### §17 Trúarfrælsi

- (1) Øll eiga rætt at trúgva og útinna sína trúgv á tann hátt, tey vilja.
- (2) Løgtingið kann veita kristnitrunni serligar sømdir tó uttan at gera seg inn á aðrar fatanir.
- (3) Fólkakirkjan eigur lut eftir gomlum siði.

## 6. POLITISK RÆTTINDI

### §18 Valrættur

- (1) Íbúgvar landsins eiga rætt at velja umboð á ting, í stýri og í stovnar.
- (2) Íbúgvar landsins eiga rætt at taka støðu til lógir og viðtøkur við fólkaatkvøðu. Løgtingið kann lata fólkinum sínar valheimildir eftir hesi skipan.
- (3) Eru tingmenn ónøgdir við samtykta tinglóg, kann triðingur av tingmonnum krevja lógina lagda fyri fólkið í síðsta lagi viku eftir, at hon er samtykt.

### §19 Framsøgufrælsi

- (1) Ein og hvør eigur rætt at hava og seta fram hugsan, áskoðan og sjónarmið á ein og hvønn hátt.
- (2) Á sama hátt eiga øll rætt at vera við í og taka ímóti samskifti og upplýsing.
- (3) Fjølmiðlarnir eiga serligan rætt at kann, lýsa og bera fram.

### §20 Felagsfrælsi

- (1) Øll hava rætt at taka seg saman í feløg og fylkingar til eitt og hvørt endamál.
- (2) Feløg kunnu bert takast av, um atlit at trygd, friði og landaskili krevja tað.

## §21 **Savningarfrælsi**

- (1) Øll eiga rætt at savnast á almennum stað, um hetta ikki brýtur landaskil.

## 7. **VINNURÆTTINDI**

### §22 **Vinnurættur**

- (1) Øll eiga rætt til vinnu og handil.
- (2) Vinnuligar samtøkur, sterkar vinnufyrirøkur ella vinnuligar samleggingar mugu ikki avlaga neyðuga vinnuliga kapping. Heldur ikki má almennur stovnur gera størri inntriv, enn virki hansara krevur.

### §23 **Arbeiði**

- (1) Øll eiga rætt at arbeiða.
- (2) Tann, sum hvørki sleppur fram at eignari vinnu ella løntum arbeiði, eigur at fáa almennan stuðul og styrk.
- (3) Landið tryggjar øllum neyðuga frálæru ella útbúgving til tess at kunna arbeiða ella vinna.

## 8. **BÚRÆTTINDI**

### §24 **Innløgurættindi**

- (1) Hvør eigur rætt til egna innløgu.
- (2) Nú reka menn hval á land upp; tá skal tað mesta vera drápspartur ella heimapartur.
- (3) Landið skal bert gera tær avmarkingar, sum neyðugar eru at tryggja fæstovnar, innløgurætt ella búseting.
- (4) Í øllum førum, tá búfólk leggur inn á sjónum ella á landi til sín sjálvs, uttan at gjald er uppií, skal innløgur vera teimum frí og fingin.

### §25 **Hvørsmansrættur**

- (1) Hvør eigur rætt at ferðast og fara á sjógv og landi, tá tað er uttan ampa fyri fólk, fæ, ogn, vøkstur og náttúru.

## §26 Óðalsrættindi

- (1) Landsins lóg skal tryggja, at sum flest sleppa fram at jørð at byggja, velta ella fæhalda.

## 9. SOSIAL RÆTTINDI

### §27 Skúli

- (1) Rætt at fáa neyðugan skúla eigur hvør einstakur alt lívið. Øll hava skyldu at taka við skúla í barna- og ungdómsárum.
- (2) Foreldur kunnu gera av, at tey sjálvi taka á seg ábyrgd av skúla barnanna. Men hesin má vera nóg góður.

### §28 Sosial trygd

- (1) Landið skal tryggja øllum sømilig kor.
- (2) Landið skal hava umsorgan fyri, at øll fáa pensjón.

### §29 Familja

- (1) Trivnaður familjunnar er fyriritreyt fyri støðugari sosialari menning. Landið hevur umsorgan fyri trivnaði familjunnar.
- (2) Børn eiga rættindi við fyriliti fyri familjuni.

## 10. FYRISITINGARLIG RÆTTINDI

### §30 Alment innlit

- (1) Øll eiga rætt til innlit í almenn viðurskifti.
- (2) Innlit fevnir um egin viðurskifti, avgerðarmál og fyrisiting annars.

### §31 Hoyring

- (1) Nú skal almennur stovnur ella myndugleiki taka avgerð; tá skal hvør, ið avgerðin viðkemur, hoyrast. Fer almennur stovnur ella myndugleiki undir tilgongd ella fyriskipan, skal bera til hjá áhugaðum at koma til orðanna við tilmælum sínum.

### §32 Umboðan

- (1) Øll eiga rætt at lata onnur umboða seg í almennum málum.

- (2) Hevur málið stóran týðning fyrir tann einstaka, ella kann málið gerast fordømi, skal tað almenna rinda rímiligan kostnað.

### §33 Mannagongdir

- (1) Løgtingið skal skipa fyrisitingarlig rættindi og mannagongdir í tinglóg.

## 11. RÆTTARLIG RÆTTINDI

### §34 Ákæra

- (1) Einans fúti ella landssakførari kunnu seta fram ákæru.
- (2) Útinnandi ella fyrisitandi myndugleikar kunnu seta fram skuldsetingar, sum teir síðan leggja fyrri rætta ákærumyndugleika.
- (3) Ongin strong revsing kann krevjast, uttan at løgrættufólk hava góðkent, at ákæra verður reist.

### §35 Revsing

- (1) Ongin kann revsast uttan dóm.
- (2) Ongin dómur kann sigast, uttan revsilóg var undan brotinum.
- (3) Ongin kann verða skuldsettur fyrri sama brotsverk meira enn eina ferð.

### §36 Løgrættufólk

- (1) Løgrættufólk skulu døma í øllum revsimálum.
- (2) Í rættarmálum kunnu eisini vera fakdómarar.

### §37 Rættarmál

- (1) Øll eiga rætt at vera umboðað í revsimálum ella øðrum málum, sum tað almenna reisir móti teimum.
- (2) Nú hevur hin einstaki ikki ráð at gjalda málskostnað; tá skal landið gjalda rímiligan kostnað.
- (3) Allir lógarspurningar kunnu skjótast inn fyrri løgrættin.

# Triði partur – Stýrisskipan

## 12. ALMENT

### §38 Stovnar og vald

- (1) Alt vald hjá landinum kemur frá fólkinum, men fólkið útinnir vald sítt gjøgnum stovnar landsins.
- (2) Landsins stovnar verða skipaðir eftir hesi skipan og sambært tinglóg. Greiður skilnaður skal vera stovnanna millum.
- (3) Hvør stovnur hevur vald ella stjórnarøki at røkja einsæris ella í felag við aðrar. Stovnarnir standa til svars fyri virksemini sínum, og valdið er altíð avmarkað.

### §39 Val og skipan

- (1) Stovnar landsins skulu annaðhvørt vera undir tingvaldari ella beinleiðis valdari leiðslu undir tingsins eftirliti.

### §40 Rættindi og avmarkingar

- (1) Stovnar landsins og fyrisiting teirra skulu virða rættindi fólksins og tær avmarkingar í valdinum, sum gjørdar eru í hesi skipan.

## 13. AVMARKINGAR

### §41 Valdsregla

- (1) Stovnar skulu halda seg innan fyri vald sítt og heimildir.
- (2) Nýtir stovnur óviðkomandi heimildir, ella vil hann røkka óheimilaðum málum, verður atgerðin at falla.

### §42 Heimildarregla

- (1) Allar lógir, dómar, avgerðir og ásetingar hjá landsins stovnum og myndugleikum mugu vera í samsvari við andan í hesi lóg og hava uppruna í henni.
- (2) Nú er ósamsvar millum lógir ella ógreiða; tá fellur lægri áseting fyri hægri, og ógreiða fyri rættvísi og frælsi.

#### **§43 Markregla**

- (1) Ongin lóg, kunngerð ella avgerð, onki boð ella krav kann fara um mark.
- (2) Ásetingar mugu vera skikkaðar at náa máli sínum og ikki fara longri enn neyðugt.

#### **§44 Líkaregla**

- (1) Øll eru líka fyri lógini.
- (2) Nú skal meting gerast, tá skal tað líka vera líka, og tað ólíka vera ólíka viðfarið.

#### **§45 Tilfeingi**

- (1) Landsins stovnar varða um tilfeingi landsins.
- (2) Er ætlan at vinna úr tilfeingi, tá skal landið krevja gjøld ella tryggja øllum vinnurætt.

### **14. LØGTINGIÐ**

#### **§46 Tingið**

- (1) Á tingi skulu viðgerast øll landsins týðandi mál. Á tingi fær fólkið rødd, og landið tekur støðu sína.
- (2) Tingið hevur lóggávuveld og fíggarveld og lut í eftirlitisvaldi og uttanlandsvaldi.

#### **§47 Tingmenn**

- (1) Tingið ásetur tingmannatalið.
- (2) Tingið ásetur valskipan, ið kann fevna um bæði økisvaldar og landsvaldar tingmenn.

#### **§48 Val**

- (1) Valbærur er hvør, sum hevur valrætt til tingið.
- (2) Tingið ger sjálvt av, hvør av røttum er valdur.
- (3) Tingið ger av, um valdur tingmaður, ið hevur framt brotsverk, eigur at sita á tingi.

#### **§49 Valskeið**

- (1) Tingið skal veljast í fyra ár í senn.

- (2) Eru tríggrir fjórðingar av øllum tingmonnum fyrri, kann tingið samtykkja, at val skal verða í ótíð.
- (3) Gamla tingið eigur sæti, til nýggja tingið er sett.
- (4) Tingformaður setur tingið innan tvær vikur eftir val.

#### **§50 Tingstarv**

- (1) Tingmenn røkja sæti sum álitisstarv eftir sannføring síni.
- (2) Samtykkir tingið samsýningar tingmanna ella landstýrismanna, fær henda samtykt gildi eftir næsta val.
- (3) Tingmenn mugu ikki, tá tingið situr, vera í álitisstørvum, í ráðum og nevndum undir landinum ella sita sum dómarar.

#### **§51 Tingformaður**

- (1) Tingið velur formann og næstformenn.
- (2) Tingformaður situr alt valskeiðið, uttan so at tríggrir fjórðingar av øllum tingmonnum krevja hann frá.

#### **§52 Tingseta**

- (1) Tingið verður sett á ólavsøku eftir gomlum siði.
- (2) Á ólavsøkutingi skal tingformaður siga frá teimum tinglógum, ið samtyktar eru farnu tingsetuna. Á sama hátt skal lögmaður siga frá kunngerðum.

#### **§53 Ólavsøkurøða**

- (1) Lögmaður skal á ólavsøku í røðu greiða frá landsins støðu, og hvat landsstýrið hevur í hyggju.
- (2) Tingmenn skifta orð um røðuna.

#### **§54 Tingsins virki**

- (1) Tingið sjálvst ásetur tingskipan sína, og tingformaður skipar tingsins virki.
- (2) Umframt tingmenn sjálvar kunnu bert lögmaður, landsstýrismenn og tignarlig umboð møta og taka orðið á tingi.
- (3) Er uppskot lagt fyrri tingið, skulu fleiri tingmenn vera møttir enn ikki, um samtykt skal verða. Eru fleiri fyrri enn ímóti, er uppskot samtykt. Umboð verða vald eftir lutfalli.
- (4) Tá tingið hevur umrøtt alment mál, kann tingið gera sínar niðurstøður í samtykt.

## §55 **Nevndir**

- (1) Tingið skipar seg í nevndir.
- (2) Tingið skal í øllum førum velja rættarnevnd, figgjarnevnd og uttanlandsnevnd.
- (3) Nevndirnar skipa seg sjálvar. Nevndarformenninir kunnu skipa undirnevndir, ið skulu vera umboðandi.
- (4) Nevndirnar kunnu fremja hoyringar og kanningar, lógarfyrireiking og annars viðgera øll mál á sínum øki.

## §56 **Innlit**

- (1) Tingfundir eru almennir. Frítt er at endurgeva og varpa íkring tingfundir.
- (2) Eisini nevndarfundir, hoyringar og aðrar viðgerðir eiga at vera almenn ella til skjals.
- (3) Bæði tingfundir og aðrar viðgerðir kunnu tó lokast, um tað er neyðugt.

## §57 **Sømdir tingmanna**

- (1) Ongin myndugleiki má leggja hond á tingmann ella reisa ákæru uttan samtykki frá tinginum. Tó kann tingmaður takast á buri.
- (2) Tingmenn standa ikki til svars uttants fyri tí, teir siga innantings.

## 15. LANDSSTÝRI

## §58 **Løgmaður**

- (1) Løgtingið skipar løgmansval. Løgmannsskeiðið fylgir tingskeiðinum.
- (2) Heldur tingið, at løgmaður hevur ikki umsitið embæti sítt á lógligan hátt, kann tingið geva ábreiðslu og krevja, at hann fer frá. Tá skipar lögtingsformaður fyri hoyring, har tingið setur fram ábreiðslur sínar. Atkvøða triggir fjórðingar fyri, fer løgmaður frá. Síðan tekur varaløgmaður við.



### §59 Landsstýri

- (1) Løgmaður situr í landsstýrinum saman við landsstýrismonnum. Løgmaður ger av, hvør er varaløgmaður.
- (2) Løgmaður skjýtur upp landsstýrismannaevni. Løgtingið góðkennir landsstýrismenninar.
- (3) Er løgmaður tingvaldur, skulu landsstýrismenn vera tingmenn.

### §60 Landsstýrismenn

- (1) Løgmaður kann loysa landsstýrismenn úr starvi.
- (2) Løgtingið kann krevja landsstýrismann frá sambært manngongdini viðvíkjandi ábreiðslu.

### §61 Starvsstjórn

- (1) Løgmaður kann biðja fólk fyribils røkja landsstýrissess ella annan sess, sum tingið skal góðkenna. Tann, ið soleiðis starvast, kann bert gera tað, ið neyðugt er. Somuleiðis kann landsstýrið bert gera tað neyðugasta, tá val er útskrivað.

### §62 Málsøki

- (1) Løgmaður býtir tey málsøki millum landsstýrismanna, sum tingið ikki hevur býtt ella lagt til óheftar stovnar.
- (2) Landsstýrismenn fáa tær heimildir, sum í siðvenju ella lóg eru lagdar til tey málsøki, teir hava fingið.

### §63 Samskipan

- (1) Løgmaður boðar regluliga til landsstýrisfundar.
- (2) Landsstýrið tekur í felag støðu til lógir, samtyktir og figgjarætlan, ið skulu leggjast fyri tingið.

### §64 Eftirlit

- (1) Løgmaður ansar eftir, at landstýrismenn sita um málsøkini á lógligan og fullgóðan hátt.

## 16. DÓMSTÓLAR

### §65 Dómstólar

- (1) Dómstólarnir í Føroyum eru lógrætturin og teir lægru rættir,

ið skipaðir verða, umframt slíkir felags rættir, sum lögtingið viðurkennir. Aðrar dómstólar kann landið ikki seta, men bert skipa framferðina hjá nevndu stovnum.

## 17. KOMMUNUR

### §66 **Kommunur**

- (1) Føroyar eru skipaðar í kommunur undir landsins eftirliti.
- (2) Kommunurnar hava heimild at skipa viðurskiptini á staðnum eftir egnum fortreytum, eisini í millum-kommunalum samstarvi. Kommunurnar hava rætt at líkna á skatt til tess at fígga viðurskipti síni.
- (3) Kommunurnar tryggja búseting og trivnað á øllum plássum í kommununi. Kommunusjálvræðið verður framt við virðing fyri rættindum borgaranna.

## 18. AÐRIR STOVNAR

### §67 **Aðrir óheftir stovnar**

- (1) Óheftir stovnar fáa vald eftir hesi skipan ella sambært tinglóg. Lögtingið kann áseta, at tingið skal góðkenna evstu leiðslu í óheftum stovnum.

### §68 **Landssakførari**

- (1) Lögtingið kann góðkenna landssakførara at taka sær av rættarmálum landsins og at veita landsins stovnum ráð.

## 19. LÓGGÁVUVALD

### §69 **Lóggávuvald**

- (1) Lögtingið hevur lóggávuvaldið.
- (2) Landsstýrið kann tó leggja fram uppskot fyri lögtingið.

### §70 **Lóggávuheimild**

- (1) Lögtingið kann lóggeva til tess:
  - (1) (1) at uppfylla og skipa hesa stjórnarskipan,
  - (1) (2) at skipa og tryggja búskapin,

- (1) (3) at tryggja og veita lóg og landaskil,
- (1) (4) at veita og virða vælferð og trygd,
- (1) (5) at virða og fremja fólksins rættindi.
- (2) Lögtingið kann ikki geva lógir, sum av røttum eru dómar ella avgerðir ella skulu skipast eftir øðrum manngongdum eftir hesi skipan ella stríða ímóti rættindum fólksins.

### §71 Lóggávumannagongd

- (1) Uppskot kunnu leggjast fyri tingið frá ólavsøku til mikkjalsmessu. Síðan kunnu uppskot bert leggjast fram, um tríggar tingmenn av fyra viðmæla.
- (2) Eftir val falla øll framløgð uppskot burtur.
- (3) Eftir framløgu beinir tingformaðurin uppskot í nevnd. Nevndirnar kunnu skipa almennar hoyringar og annars tær kanningar, ið neyðugar eru. Nevndirnar kunnu skjóta upp broytingar innan karmarnar á lógini.
- (4) Síðan skulu uppskot fyri tríggar ferðir á tingi. Eftir aðru viðgerð kunnu bert átøkar broytingar gerast.
- (5) Nú er tinglóg samtykt; tá ger tingformaður hana kunnuga í kunngerðarblaði. Lógin fær tá gildi á ólavsøku komandi ella seinni sum samtykt.
- (6) Tríggar av fyra tingmonnum kunnu samtykkja, at lóg fær gildi beinanvegin ella við afturvirkni.

### §72 Millumlandalógir

- (1) Nú kann lögtingið mæla til lógir sambært samveldisskipan ella sáttmála; tá skal framferðin vera tann sama sum við øðrum tinglógum.

### §73 Kunngerðarlóggáva

- (1) Lögtingið kann veita landstýrismonnum ella óheftum stovnum heimild at áseta almennar reglur í kunngerð.
- (2) Kunngerðir mugu ikki stríða móti heimildini ella fara út um hana.
- (3) Nú býður kunngerð tinginum ímóti; tá kann tingið samtykkja, at kunngerðin fer úr gildi.

## 20. STJÓRNARVALD

### §74 Stjórnarstovnar

- (1) Landsstýrið er ovasti stjórnarstovnur.
- (2) Heimildir kunnu sambært lóg ella tingsamtykt ella fyriskipan lógmans latast einstøkum landsstýrismonnum ella óheftum stovnum.

### §75 Stjórnarstarv

- (1) Stjórnarstovnararnir skulu fremja, halda og útinna hesa skipan og allar tinglógir.

### §76 Fyrisiting

- (1) Á hvørjum málsøki skal vera fyrisiting skipað samsvarandi greiðari heimild.

## 21. DÓMSVALD

### §77 Løgrættur

- (1) Løgrætturin er ovasti kærudómstólur í Føroyum.

### §78 Dómsvald

- (1) Dómstólarnir royna øll mál um revsing, trætur millum manna og fyrisitingarmál. Løgtingið kann tó lata fyrisitingarligar dómstólar taka sær av trætu og fyrisitingarmálum. Hesi mál kunnu síðan altíð leggjast fyri vanligu dómstólarnar.
- (2) Dómstólarnir skulu døma eftir lógini, rætta lógina og gera lóg á, har ongin lóg er.
- (3) Dómstólarnir skulu royna allar lógir, kunngerðir, avgerðir og aðra almenna framferð og tryggja, at henda skipan verður hildin.
- (4) Nú er dómstólur varur við skeiva framferð; tá kann hann velja betri tulking uttan afturvirkni.
- (5) Nú er rættur varur við eldri lóg, ið stríða kann ímóti stjórnarskipanini; tá kann hann velja at senda tinginum hana til samtyktar av nýggjum.

## 22. FÍGGJARVALD

### §79 Skattur

- (1) Ongin skattur skal líknast á uttan við greiðari heimild í lóg.
- (2) Skattur kann ikki líknast á við afturvirkni.

### §80 Fíggjarætlan

- (1) Landsins stovnar kunnu ikki gjalda útreiðslur uttan heimild í landsins fíggjarætlan, dómi ella aðrari fíggjarheimild.
- (2) Fram til apríl kunnu útreiðslur gjaldast eftir farnu fíggjarætlanini.
- (3) Óheftum stovnum nýtist ikki at vera við á fíggjarætlan landsins.
- (4) Heimildarlógir og almennir sáttmálar kunnu treyta, at fíggjarkrøv krevja játtan.

### §81 Játtanarskipan

- (1) Almenn játtanarskipan skal samtykkjast sum tinglóg.

### §82 Mannagongd

- (1) Landsstýrið leggur fyri mikkjalsmessu fram uppskot um fíggjarætlan landsins fyri komandi ár.
- (2) Er fíggjarætlanin ikki samtykt fyri árskifti, skal landsstýrið leggja fram uppskot um fyribilsjáttan.
- (3) Tingið viðger fíggjarætlanina á trimum fundum umframt í nevnd.
- (4) Tingið tekur ímóti serligum umbønum frá dómstólunum og óheftum stovnum.
- (5) Allar metingar í fíggjarætlanini skulu óheftir stovnar gera.

### §83 Fíggjarnevnd

- (1) Løgtingið velur fíggjarnevnd at fylgja við og ummæla øll fíggjar- og búskaparviðurskifti landsins.

### §84 Eykajáttan

- (1) Løgtingið kann veita landsstýrinum ella øðrum stovnum eykajáttan.

- (2) Nú hefur mál skund ella er lítið týðandi; tá kann figgjarnevndin veita eykajáttan.

### **§85 Roknskapir**

- (1) Landsstýrið og allir óheftir stovnar leggja innan seks mánaðir eftir figgjarárslok roknskapir sínar til góðkenningar á tingi.

### **§86 Grannskoðan**

- (2) Løgtingið velur nakrar lögtingsmenn at vera lögtingsgrannskoðarar.
- (3) Løgtingið velur eisini landsgrannskoðara at kanna og ummæla allar almennar roknskapir.

### **§87 Landsbanki**

- (1) Landsbankin skal umsita fæ landsins og tey figgjar- og búskaparmál, sum ikki eru lögð landsstýrinum at umsita.
- (2) Eftir uppskoti frá lögmanni velur løgtingið triðjahvørt ár tríggjar nevndarlimir bankans at sita í seks ár. Nevndin velur stjórn bankans.

### **§88 Búskapargrunnur**

- (1) Landsbankin skal umsita búskapargrunn.
- (2) Metir landsbankin tað ráðiligt, kann grunnurin lata av vinninginum í landskassan ella at býta millum íbúgvanna í landinum.

## **23. EFTIRLITISVALD**

### **§89 Eftirlitisvald**

- (1) Dómstólarnir ansa eftir, at henda skipan og lógir verða hildnar og royna framferð. Løgtingið ansar eftir, at landsstýrið og fyrisitingin virka sambært lóg og politiska viljanum.

### **§90 Fyrispurningar**

- (1) Tingmenn og tingnevndir kunnu hvør í sínum lagi spyrja landstýrismenn, tingformann og óheftar stovnar um embætisfærslu teirra.

- (2) Fyrispurningar kunnu setast og svarast munnliga ella skrivliga, í samráði ella á tingfundi.

### §91 Nevndareftirlit

- (1) Tingnevndirnar kunnu skipa hoyringar og krevja ein og hvønn at mæta við vitnisskyldu.
- (2) Tingnevndirnar kunnu skriva frágreiðingar um kanningar sínar.

### §92 Ábyrgd

- (1) Nú metir lögtingið, at landsstýrismaður hevur ikki hildið skyldur ella heimildir sínar; tá kann tingið staðfesta ónøgð sína við ábreiðslu, samtykt ella við at ákæra fráfarann landsstýrismann.

### §93 Fólksins umboðsmaður

- (1) Tingið velur fólksins umboðsmann.
- (2) Umboðsmaðurin kannar fyrisiting, avgerðir og dómar hjá landsins myndugleikum. Umboðsmaðurin kann ummæla og gera tilmæli, men kann ikki taka ella broyta avgerðir.

## 24. UTTANLANDSVALD

### §94 Samveldi

- (1) Føroyar kunnu sambært sáttmála vera í samveldi við øðrum londum og ríkjum.
- (2) Nú vil tingið broyting í verandi støðu; tá skal tingið samtykkja hetta eins og lóg við avgjördum meiriluta. Eitt ár eftir viðtøku tingsins skal fólkið atkvøða um broyttu støðuna, og tá skal vanligur meiriluti ráða.
- (3) Ein og hvør samveldisstøða, har samveldisstovnar fáa vald, ið annars liggur hjá landsins stovnum, skal greinast væl í sáttmála. Samveldið kann ikki gera seg inn á rættindi fólksins. Fremstu stovnar landsins ansa eftir, at andin í hesi stjórnarskipan og sjálvræði Føroya ikki koma í vanda í samveldisstøðu.

## §95 Umboðan

- (1) Landsstýrið umboðar Føroyar mótvegis útlondum.

## §96 Uttanlandsnevnd

- (1) Løgtingið velur uttanlandsnevnd.
- (2) Nú ætlar landsstýrið at gera sáttmála við onnur lond ella at samráðast um felags viðurskifti; tá skal landsstýrið ráðføra seg við uttanlandsnevndina.
- (3) Uttanlandsnevndin kann áleggja limum sínum tagnarskyldu í týðandi málum.
- (4) Uttanlandsnevndin leggur tilmæli um sáttmálar millum landa fyri tingið og røkir tingsins heimildir og eftirlit, tá samráðingar eru.

## §97 Samtykki

- (1) Løgtingið skal samtykkja millumlandasáttmálar.
- (2) Landsstýrið leggur fram sáttmálarnar saman við frágreiðing um tað, sum krevst til tess, at sáttmáli kann verða framdur.
- (3) Merkir sáttmáli, at lógir skulu samtykkjast, ella hevur hann sjálvur beinleiðis lógarkraft, skal sáttmálin viðgerast eftir regluni um millumlandalógir. Annars er tingsamtykt nóg mikið.
- (4) Nú er sáttmáli millum landa samtyktur, sum stríðir ímóti lógum landsins; tá skal sáttmálin ganga framum. Men er sáttmálin ikki samtyktur eftir regluni um millumlandalógir, tá vinna landsins lógir.

## 25. NEYÐRÆTTUR

## §98 Neyðstøða

- (1) Í neyðstøðu kann lögmaður lýsa undantaksstøðu í landinum. Tá kann hann seta til vikis lógir og fyriskipanir, at ikki størri virði ella trygd landsins skulu fara fyri skeytið.
- (2) Nú berst so á, at landsins stovnar fáa ikki hildið hesa skipan ella landsins lógir í neyðstøðu; tá skulu avvarðandi stovnar skjótast til ber boða tinginum frá.
- (3) Løgrætturin skal meta, um rætt er atborið í neyðstøðu.



## 26. GILDI OG SAMTYKT

### §99 Samtykt

- (1) Henda stjórnarskipan kemur í staðin fyri lóg um stýrisskipan Føroya.
- (2) Henda stjórnarskipan eins og seinni broytingar í henni skulu samtykkjast á tveimum lögtingum á rað og síðan við fólkaatkvøðu. Vanligur meiriluti skal ráða, men í minsta lagi eitt ár skal vera ímillum seinnu tingsamtyktina og fólkaatkvøðuna.

### §100 Gildi

- (1) Henda stjórnarskipan er fram um lógir. Ongin lóg ella siðvenja má tí vera hildin galda, bert tí hon er eldri enn henda skipan ella hevur verið told í langa tíð.



[www.ssn.fo](http://www.ssn.fo)