

Constitutional Act No. 1/1993

The Czech National Council passed the following Constitutional Act

Preamble

We, the citizens of the Czech Republic in Bohemia, Moravia and Silesia, at this time of the reconstitution of an independent Czech State, true to all the sound traditions of the ancient statehood of the Lands of the Crown of Bohemia as well as of Czechoslovak statehood, resolved to build, protect and advance the Czech Republic in the spirit of the inalienable values of human dignity and freedom as the home of equal and free citizens who are aware of their obligations towards others and of their responsibility to the community, as a free and democratic State founded on respect for human rights and on the precept of a community of citizens, as a member of the family of democratic nations of Europe and the world, resolved to protect and develop their natural, cultural, material and spiritual heritage, resolved to heed all the well-proven tenets of law-abiding state, have adopted through our freely elected representatives this Constitution of the Czech Republic.

Chapter one

Fundamental Provisions

Article 1

(1) The Czech Republic is a sovereign, unitary and democratic, law-abiding State, based on respect for the rights and freedoms of man and citizen.

(2) The Czech Republic shall observe its obligations under international law.

Article 2

(1) The people are the source of all power in the State; they exercise it through bodies of legislative, executive and judiciary power.

(2) A Constitutional Act may define when the people exercise state power directly.

(3) State power shall serve all citizens and may be applied only in cases, within limits and by methods defined by law.

(4) Everybody may do what is not prohibited by law and nobody may be forced to do what the law does not instruct him to do.

Article 3

An integral component of the constitutional system of the Czech Republic is the Charter of Fundamental Rights and Freedoms.

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Article 6

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

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Article 8

Self-government of territorial self-governing units is guaranteed.

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Article 10

Promulgated international agreements, the ratification of which has been approved by the Parliament and which are binding on the Czech Republic, shall constitute a part of the legal order; should an international agreement make provision contrary to a law, the international agreement shall be applied.

Article 11

The territory of the Czech Republic constitutes an indivisible entity the state frontiers whereof may be changed only by a Constitutional Act.

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Chapter seven

Territorial Self-government

Article 99

The Czech Republic shall be divided into communities, which shall be fundamental self-governing territorial divisions, and regions, which shall be superior self-governing territorial divisions.

Article 100

(1) Self-governing territorial divisions are communities of citizens inhabiting a particular area, which have the right of self-government. The law shall define when they constitute administrative areas.

(2) A community shall be always a component of a superior self-governing territorial division.

(3) A superior self-governing territorial division may be constituted or abolished only by a Constitutional Act.

Article 101

(1) A community shall be independently administered by a community assembly.

(2) A superior self-governing territorial division shall be independently administered by an assembly of representatives.

(3) Self-governing territorial divisions are public-law corporations which may have their own property and which operate according to their own budget.

(4) The State may intervene in the activities of self-governing territorial divisions only if such intervention is required by protection of the law and only in a manner defined by law.

Article 102

(1) Assembly members shall be elected by secret ballot on the basis of universal, equal and direct suffrage.

(2) The term of office of an assembly shall be four years. The law shall define the conditions under which a new election of an assembly shall be called prior to the expiration of its term of office.

Article 103

Abrogated

Article 104

(1) The jurisdiction of assemblies may be set only by law.

(2) A community assembly shall decide on matters of community self-government save in cases where these matters are entrusted to the assembly of a superior self-governing territorial division.

(3) Assemblies may within the scope of their jurisdiction issue generally binding ordinances.

Article 105

Exercise of state administration may be entrusted to territorial self-government bodies only when so provided by law.