

# **The Constitution of the Kingdom of Yugoslavia**

**Belgrade, September 3, 1931**

We, Alexander I, by the Grace of God and the will of the people King of Yugoslavia, do hereby decree and promulgate the constitution of the Kingdom of Yugoslavia, which reads as follows:

## **Chapter I. General Provisions**

Art. 1. The kingdom of Yugoslavia is a hereditary and constitutional monarchy.

Art. 2. The arms of the Kingdom are a two-headed white eagle with outspread wings on a red shield. On the two heads of the double-headed eagle is the Crown of the Kingdom. On the breast of the eagle is a shield bearing: a white cross on a red shield with a flint and steel in each corner, a shield divided into 25 fields, alternately silver and red, and below it a blue shield with 3 gold six-pointed stars and a white crescent.

The national standard is blue-white-red in the horizontal sense against an vertical staff.

Art. 3. The official language of the Kingdom is Serb-Croat-Slovene.

## **Chapter II. Elementary Rights and Duties of Citizens**

Art. 4. There is but one single nationality in the whole Kingdom. All citizens are equal before the law. All enjoy equal protection from the authorities.

Nobility, titles or other hereditary privileges are not recognized.

Art. 5. Personal liberty is guaranteed.

Nobody may be subject to interrogation, placed under arrest or deprived of liberty by anyone, except in cases prescribed by law.

Illegal deprivation of liberty is punishable.

Art. 6. No one may be tried by a court which is not competent.

Art. 7. No one may be sentenced without having been previously interrogated by the competent authority or without being legally invited to defend himself.

Art. 8. No punishment may be laid down except by law; it may be applied solely to acts previously deemed by law to be so punishable.

Art. 9. No citizen may be banished from the State. He may not be deported from one place in the country to another, nor may he be obliged to remain at a certain place except in the cases expressly contemplated by law.

No one may be expelled from his place of origin without a judicial decision.

Art. 10. The abode is inviolable.

Authorities may not search or examine the dwelling of a citizen except in the cases contemplated and the forms prescribed by law.

The illegal violation of a dwelling house is punishable.

Art. 11. Freedom of religion and conscience is guaranteed. Recognized religious denominations have equal rights before the law and may publicly practice their worship. The enjoyment of civil and political rights is independent of the exercise of religion. No one can claim exemption from civil and military obligations and duties by reason of the prescriptions of his religion.

Religions may be recognized only by law. Those permitted and recognized shall settle

independently their domestic affairs and manage their endowments and funds within the limits of the law.

No one is obliged to practice his religion publicly. No one is obliged to participate in religious acts, festivities, rites and ceremonies, exception being made for State holidays and festivities and, in the cases governed by law, for persons subject to parental, guardians' and military authority.

Religious denominations permitted and recognized may maintain relations with their supreme religious leader, even beyond the State frontiers, to the extent required by the spiritual prescriptions of the various sects. The manner of maintaining such relations shall be regulated by law.

So far as provision is made by the State budget for religions denominations, the sums must be divided among the different, confessions which are permitted and recognised in a manner proportionate to the numerical following and to the actual proved needs of each.

Religions representatives must not make use of their spiritual authority for party purposes, either in places of worship, or by publications of a religions character, or otherwise in the exercise of their official functions.

Similarly no one shall be permitted to engage in any political propaganda in places of worship or during religious services or meetings in general.

Art. 12. Everyone is free, within the limits of the law, to express his opinion orally, in writing, by pictures, or in any other appropriate manner.

Art. 13. Citizens have the right to form associations, and to hold meetings and consult together, within the limits of the law. Associations for political party purposes or for purposes of physical culture may not be formed on a denominational, racial or religious basis. No one may attend meetings armed.

Art. 14. Citizens have the right of petition. Petitions may be signed by one or more persons and also by any legal entity. They may be addressed to all authorities without distinction.

Art. 15. Science and arts are free.

Art. 16. In addition to State public schools, private schools may also be allowed within the limits of the law.

Elementary education is compulsory. In the State primary schools it is free.

All schools must impart a moral education and develop the civic conscience in the spirit of national unity and religions tolerance.

All educational institutions are placed under State control.

Art. 17. The secrecy of letters and telegraphic and telephonic communications is inviolable, except in cases of criminal investigation, mobilization and war.

All persons who violate the secrecy of letters, or telegraphic or telephonic communications, shall be punished in accordance with the law.

Art. 18. Every national who has been the victim of an offence committed by an official of the State or the autonomous administrative bodies in the exercise of his functions, has the right to bring an action before a court of law, directly and without authorization.

Special provisions are applicable to Ministers, judges and soldiers with the colours.

The officials of the State or autonomous administrative body in question, as well as the State and the said body, are responsible before the regular courts for damages caused to citizens through the irregular exercise of their functions.

Art. 19. All offices in all branches of the civil service are open on equal terms to all citizens.

Art. 20. Every national enjoys the protection of the State in foreign countries. He is free to relinquish his nationality after fulfilling all his obligations toward the State.  
The extradition of nationals is not permitted.

### **Chapter III. Social and Economic Provisions**

Art. 21. Marriage, the family and children are under the protection of the State.

Art. 22. Property is guaranteed.  
The form and the limits of property rights are defined by law.  
The expropriation of private property in the public interest is permitted, in virtue of the law and on payment of just compensation.

Art. 23. The freedom of labour and the liberty of contract in economic relations are recognized.  
The State has, in the interests of the community and in accordance with the law, the right and the duty to intervene in the economic relations of nationals, in a spirit of justice and in order to prevent social conflicts.

Art. 24. As an advisory body in social and economic matters an Economic Council is established, which shall, at the request of the Government or of Parliament, give its expert opinion.  
The Economic Council is composed of representatives of the economic professions and of experts in economic and social matters.  
The composition and procedure of the Economic Council shall be laid down by a special law.

### **Chapter IV. The Powers of the State**

Art. 25. The powers of the State are exercised in accordance with the provisions of this constitution.

Art. 26. Legislative power is exercised conjointly by the King and Parliament.  
Parliament consists of the Senate and the Chamber of Deputies.

Art. 27. Executive power is vested in the King, who exercises it through responsible Ministers, in accordance with the provisions of this constitution.

Art. 28. Judicial power is exercised by the courts. Their sentences and judgments are pronounced and executed in the name of the King and in accordance with the law.

### **Chapter V. The King**

Art. 29. The King is the guardian of national unity and State integrity. He is the protector of their interests at all times.

The King sanctions and promulgates the laws, appoints civil servants, and confers military rank, in accordance with the provisions of the law.

The King is the supreme commander of all the military forces. He confers decorations and other distinctions.

Art. 30. The King has the right of amnesty. Amnesty annuls the legal consequences of a punishable act, but it cannot prejudice the rights of individuals to compensation for damages. An amnesty may be granted at the opening of criminal proceedings, in the course of these proceedings or after the final sentence. Amnesty is general or individual.  
The King has the right of pardon. He may remit altogether, reduce or commute a penalty. The right of pardon in respect of acts punishable on individual complaint shall be governed by the Code of Criminal Procedure.

Art. 31. The King represents the State in all relations with foreign States. He declares war and concludes peace. If the country is not attacked, or is not the object, of a declaration of war on the part of any other State, the previous consent of Parliament is necessary before war can be declared.

If war be declared on the country, or if it be attacked, Parliament must be convoked at once.

Art. 32. The King convokes Parliament in ordinary or extraordinary session.

The King in person opens and closes sessions by a speech from the Throne, or through the Council of Ministers by means of a message or decree.

When the King opens or closes sessions by a speech from the Throne, the Senate and the Chamber of Deputies sit together.

The speech from the Throne, message or decree is countersigned by all the Ministers.

The King may at any time, according to the needs of the State, convoke Parliament when it is adjourned.

The King has the right to dissolve the Chamber and to order fresh elections. The decree relating to the dissolution and that concerning the fresh elections shall be countersigned by all the Ministers.

Art. 33. The King may not be at the same time the head of any other State without the consent of Parliament.

Art. 34. Every written act of the Royal power shall be countersigned by the competent Minister or by the Council of Ministers.

The minister who countersigned, or the Council of Ministers, is responsible for any act of Royal authority.

The Minister for War and Marine is responsible for all acts of the King as supreme military commander.

Art. 35. The King and the Heir to the Throne attain majority at the age of 18.

The King's person is inviolable. The King cannot be held responsible for anything whatever, nor can he be sued. This does not apply to the King's private property.

Art. 36. King Alexander 1, of the Karageorge dynasty, (2) reigns over the Kingdom of Yugoslavia. King Alexander shall be succeeded by his male descendants in the order of primogeniture.

Art. 37. If the King has no male descendants, he shall designate his heir from the collateral line. If the King has not prior to his death designated his heir, Parliament shall in joint session elect a King from the same dynasty.

Art. 38. The Royal house consists of: The Queen Consort; the King's living ascendants and descendants in a direct line, with their wives and descendants; the younger brothers of the King and their descendants, with their wives; the sisters of the reigning King and all female descendants until they marry; Prince Ars'ne, uncle of King Alexander; Prince Paul, with his wife and descendants, including the female descendants until their marriage. (3)

The relations and rank of members of the Royal house are regulated by a statute drawn up by the King.

Art. 39. When the King ascends the Throne, he takes an oath before Parliament as follows: «I (name), on ascending the Throne of the Kingdom of Yugoslavia and assuming the Royal power, do swear by Almighty God that I will preserve above all the unity of the nation, the independence of the State and the integrity of the national territory; that I will govern according to the constitution and the laws, and that I will be guided in all my aspirations by the welfare of the people. So help me God! Amen.»

Art. 40. The King permanently resides in the country. If it is necessary for him to leave the country for a short time, the Heir to the Throne acts for him by right. If the Heir to the Throne is a minor or if he is prevented, the Council of Ministers act on behalf of the King. This replacement is effected in accordance with the terms of the instructions issued by the King. This applies also in the event of an illness of the King which does not entail permanent incapacity.

During the absence of the King or of the Heir to the throne, the Council of Ministers has no right to dissolve the Chamber.

The King's replacement by the Council of Ministers may not last longer than 6 months. After the expiration of this period, the provisions of the constitution regarding regency come into operation.

Art. 41. The Royal authority is exercised by a Regency when the King

1. is a minor;

2. is by reason of mental or physical illness permanently incapable of exercising the royal power.

If the King is permanently incapable of exercising the Royal power, Parliament decides in joint session the time of the establishment and of the termination of the Regency.

When the Council of Ministers establishes the incapacity of the King, it communicates the fact to Parliament, together with the opinion of three doctors taken from the Faculties of Medicine of the country. The same procedure shall be followed when the Heir to the Throne is concerned.

Art. 42. The exercise of the Regency appertains by right to the Heir to the Throne if he has attained his majority.

If the Heir to the Throne, for one of the reasons enumerated in article 41, cannot exercise the power of Regent, this shall be exercised by three persons appointed by special act or by the will of the King. At the same time the King shall appoint a substitute for each of the three Regents. If the post of a Regent and that of his substitute become vacant, Parliament elects by secret vote, in joint session, a new Regent from, the two remaining substitutes. If only one of them is alive, he succeeds to the vacant post of Regent without a vote being taken.

In case the King has not appointed any Regents either by act or by will, or if it is impossible to establish a Regency of at least two Regents, on account of the illness or death of the Regents and their substitutes, Parliament elects by secret vote, in joint session, the necessary number of Regents. The Regents must be nationals of the Kingdom of Yugoslavia.

Before assuming the Royal power, the Regents shall take oath before Parliament that they will be loyal to the King and will govern in accordance with the constitution and the laws of the country.

Art. 43. If one of the three Regents is, temporarily absent or prevented, the other two may deal with the business of State without him.

Art. 44. The Regents will supervise the education of the minor King.

The guardians appointed under the King's will shall manage the property of the minor King. If the deceased King has not appointed any guardians, the Regents shall make provision for such in agreement with the presidents of the Council of State, the Court of Cassation, and the Supreme Audit Department.

Art. 45. Until the Regents take office the Council of Ministers shall provisionally exercise the Royal power, on their own responsibility.

Art. 46. In case of the death or abdication of the King, the Heir to the Throne, if he has attained his majority, receives the Royal power at once, announces it to the people by proclamation, and takes the prescribed oath before Parliament.

Art. 47. If the deceased King leaves no male descendants, and the Queen, at the time of the King's death, is pregnant, and if the King has not appointed Regents, by special act or by will, Parliament shall elect temporary Regents who will exercise the Royal power until the confinement takes place. The Government must submit to Parliament, prior to the election of the Regents, the opinion of three physicians taken from the Faculties of Medicine of the country regarding the pregnancy of the Queen. The same action shall be taken when the Heir to the Throne dies leaving his wife in a condition of pregnancy at the time of the King's death.

Art. 48. In the event of the Throne remaining without an Heir under the provisions of the present constitution, the Council of Ministers shall assume the Royal power and at once convoke Parliament in special session, at which a decision shall be made regarding the Throne.

Art. 49. The civil list is fixed by law. Once fixed, it cannot be increased without the consent of Parliament, or decreased without the consent of the King.

The Regents shall, during the exercise of their functions, receive from the national Treasury an amount fixed by Parliament on the proposal of the Council of Ministers.

## **Chapter VII. Parliament**

### The Senate

Art. 50. The Senate is composed of senators appointed by the King and elected senators. Senators may not be less than 40 years old.

Regulations regarding the number of senators elected and their election will be prescribed by law.

The King may nominate the same number of senators as those who are elected.

No one may exercise at the same time the mandate of senator and that of deputy.

Art. 51. The mandate of elected senators lasts for 6 years. Every 3 years the Senate is renewed by fresh elections of one-half the number of the elected members.

Art. 52. The mandate of senators appointed by the King is for a period of 6 years. They may be removed from their duties on the proposal of the President of the Council of Ministers in the case of physical incapacity or if sentenced by the courts for an infraction of the Criminal Code.

Civil servants on active service who are appointed senators may not retain their positions as civil servants.

Art. 53. The Senate meets at the same time as the Chamber of Deputies and adjourns at the same time.

The Senate itself examines and decides upon the validity of the mandates of elected senators.  
The Chamber of Deputies

Art. 54. The Chamber of Deputies is composed of members freely elected by the people on the basis of universal, equal and direct suffrage.

The Chamber of Deputies is elected for 4 years. The mandate of a deputy can expire prior to the expiration of this term in cases prescribed by the electoral law.

Regulations regarding the number and election of deputies will be laid down by law.

Art. 55. Every national by birth or naturalisation has the right to vote if he has attained 21 years of age.

Officers on the active list, and also non-commissioned officers and soldiers with the colours, may neither exercise the right to vote nor be elected.

The question of woman suffrage shall be decided by law.

Art. 56. The right to vote is temporarily lost by

1. persons condemned to hard labour or imprisonment for more than 1 year, until such time as their rights are restored to them;
2. those condemned to loss of civil rights, during the period of their sentence;
3. individuals who are declared bankrupt;
4. those under the care of guardians;
5. those who have been deprived by judgment of the right to vote on account of infractions of the electoral law.

Art. 57. Only such persons may be elected senator or deputy as enjoy the right to vote, whether or not they are entered on the lists of voters.

The following conditions are required of every senator or deputy:

1. to be a national of the Kingdom of Yugoslavia by birth or naturalisation. Naturalised subjects must have been domiciled for at least 10 years in the Kingdom, counting from the date of naturalisation;
2. to be respectively 40 or 30 years of age; and
3. to speak and write the national language.

Loss of the right to vote entails also the forfeiture of the mandate of senator or deputy. Senators and deputies may not be at the same time suppliers or contractors to the State.

Art. 58. Civil servants on the active list may not submit their names as candidates for the mandate of senator or deputy.

Police, revenue and forest officials, as well as those dealing with agrarian reform, may not submit their names as candidates unless they have resigned their duties 1 year before the date of the decree fixing the elections.

Ministers on the active list and those «en disponibilité?» may be candidates.

Art. 59. Every senator and deputy represents the entire nation.

All members of Parliament shall take an oath of fidelity to the King, engaging above all to preserve the unity of the people the independence of the State and the integrity of the national territory, and to Safeguard the constitution and be inspired solely by the public welfare.

Art. 60. Parliament is convoked by Royal decree in Belgrade, the capital, in ordinary session, on the 20th October of each year.

If, in the event of war, the capital is transferred elsewhere, Parliament shall meet at the place specified in the Royal decree convoking it.

The ordinary session may not be closed until the State budget has been voted.

Art. 61. The Chamber of Deputies itself examines and decides upon the powers of its members.

Art. 62. The Chamber of Deputies elects its secretariat for each session from among its members.

Art. 63. Bills are introduced, with the Royal consent, by the various Ministers.

The right to introduce bills is vested in every Member of Parliament whose motion has the support in writing of at least one-fifth of the members of the Senate or Chamber of Deputies.

Art. 64. A bill passed by the Chamber of Deputies is forwarded to the Senate for debate and vice versa. If the bill is passed without modification by both the Chamber of Deputies and the Senate it is considered as passed by Parliament. If any modifications or amendments are made by the Senate or, as the case may be, by the Chamber of Deputies, the bill is returned to the Chamber of Deputies or the Senate for consideration. If these modifications or amendments are accepted by the Chamber of Deputies or the Senate, the bill is considered as passed by Parliament. If the Senate and the Chamber of Deputies cannot agree on a bill, either as a whole or as to particular details, the bill is considered as rejected and is removed from the

agenda of the session. If this occurs again in the course of the following session, the King shall decide regarding the bill in question.

Art. 65. The King concludes treaties with foreign States, but for the ratification of these treaties the previous approval of Parliament is required. The approval of Parliament is not required for the ratification of purely political conventions.

The approval of Parliament is necessary for a convention authorizing a foreign army to occupy or traverse the territory of the Kingdom. Parliament may, when it is to the interest of the State, authorize in advance the Council of Ministers to decree measures for the immediate application of the proposed convention.

State territory may not be alienated or exchanged without the consent of Parliament.

Art. 66. The King promulgates laws by decree containing the text of the laws passed by Parliament. The decree in question is countersigned by all the Ministers. The Minister for Justice affixes the Seal of State and sees to the publication of laws in the *Sluzhbene Novine*. The law acquires binding force 15 days after its publication in the *Sluzhbene Novine*, unless the law itself provides otherwise. The day of publication in the *Sluzhbene Novine* is included.

Art. 67. Parliament has the right of enquiry and investigation in electoral and purely administrative questions.

Art. 68. Every member of the Senate and of the Chamber of Deputies has the right to address questions and interpellations to Ministers. Ministers must reply thereto during the same session.

Art. 69. The Senate and Chamber of Deputies communicate directly only with the Ministers.

Art. 70. Right, of speech in the Senate and the Chamber of Deputies appertains only to the senators and deputies, to members of the Government, and to commissioners of the Government designated for this purpose by Royal decree.

Art. 71. The deliberations of the Senate and the Chamber of Deputies are valid if one-third of all the senators or deputies is present.

A majority of the votes of the senators or deputies present is necessary for valid decisions. If the votes are equally divided, the motion voted on is considered accepted.

Art. 72. Before being finally accepted each bill shall be voted upon twice during the same session.

Art. 73. Deliberations of the Senate and the Chamber of Deputies in joint session take place only in the cases expressly specified.

Joint sessions are presided over by the presidents of the Senate and of the Chamber of Deputies alternatively.

Art. 74. A senator or deputy cannot be held responsible by anyone for a vote cast as member of Parliament.

For all statements or acts in the exercise of their mandates, whether in sessions of the Senate or of the Chamber of Deputies, or in committees, or in special missions, or in special delegations, constituted by order of the Senate or the Chamber of Deputies, senators and deputies are only responsible to the Senate or Chamber of Deputies in accordance with their regulations. For such statements and acts as constitute an infraction of the Criminal Code a senator or deputy shall be responsible to the ordinary courts, if the Senate or Chamber of Deputies consent thereto. For insults, calumny or crimes a senator or deputy shall be responsible to the ordinary courts even without the previous consent of the Senate or of the Chamber of Deputies.



Art. 75. Without the consent of the Senate or of the Chamber of Deputies their members may not be called upon to answer for offences committed outside the exercise of their mandates, or be deprived of their freedom during the validity of their mandate, except when caught in flagrante delicto. Nevertheless in the latter case, the Senate or Chamber of Deputies, if in session, is immediately informed and consents or refuses to allow the proceedings to continue during the session.

The immunity of senators or deputies begins on the day of their election or nomination.

If a national becomes a deputy or senator before judgment is passed on him for an offence, the authorities conducting the enquiry and examination shall inform the Senate or the Chamber of Deputies, as the case may be, which will agree or refuse to allow the proceedings to take their course.

A member of the Senate or of the Chamber of Deputies cannot be held responsible except in respect of the act for which his immunity is forfeited.

Art. 76. The Senate and the Chamber of Deputies have the exclusive right of maintaining order among their members through their presidents. No armed force may be stationed in the buildings or in the court without the consent of the president. Similarly no Government organ may effect any act of public authority in the Senate or the Chamber of Deputies without the consent of the president.

No armed person may enter the building of the Senate or the Chamber of Deputies, with the exception of those in the service of the Senate or Chamber of Deputies who are authorized by the regulations to carry arms.

#### **Chapter VIII. The Executive Power**

Art. 77. The King appoints and dismisses the President of the Council of Ministers and the Ministers. The President of the Council of Ministers and the Ministers form the Council of Ministers, which is directly under the King's orders.

The Ministers are at the head of the different departments of State administration.

There may also be Ministers without portfolios.

Ministers appoint subordinate civil servants in accordance with the provisions of the law.

Before taking office Ministers shall take an oath that they will be loyal to the King and will act in conformity with the constitution and laws.

Art. 78. The King and the Chamber of Deputies may indict Ministers for violation of the constitution and the laws of the country in the exercise of their functions. The State is responsible to nationals for damages caused to them by Ministers through the illegal exercise of their functions, while Ministers are responsible to the State.

Art. 79. Ministers may be indicted both while in office and during the 5 years following their surrender of office.

Motions relating to the indictment of Ministers must be in writing and must specify the points of indictment.

When an accusation is brought by the Chamber of Deputies against a Minister the decision bringing him before the court requires a majority of two-thirds of the members present.

Art. 80. More detailed rules regarding the responsibility of Ministers are contained in a special law.

Art. 81. The Executive Power may issue regulations necessary for the application of the laws.

Art. 82. Administration in the Kingdom is effected through Banovinas, districts and communes.

Art. 83. The Kingdom of Yugoslavia comprises Banovinas, viz.:

1. The Drava Banovina, with headquarters at Ljubljana.
2. The Sava Banovina, with headquarters at Zagreb.
3. The Vrbas Banovina, with headquarters at Banja Luka.
4. The Coast Banovina, with headquarters at Split.
5. The Drina Banovina, with headquarters at Sarajevo.
6. The Zeta Banovina, with headquarters at Cetinje.
7. The Danube Banovina, with headquarters at Novi Sad.
8. The Morava Banovina, with headquarters at Nish [Nic].
9. The Vardar Banovina, with headquarters at Skoplje.

The Drava Banovina is bounded by a line passing from the point where the northern boundary of the district of Cabar cuts the State frontier, then following the State frontier with Italy, Austria and Hungary to a point where the State frontier with Hungary reaches the river Mura (north-east of Cakovac). From the river Mura, the boundary of the Banovina follows the eastern and then the southern boundaries; of the districts of Lendava, Ljutomer, Ptuj, Šmarje, Brezice, Krsko, Novo Mesto, Metljika, Crnomelj, Kocevje and Logatec, including all the districts mentioned.

The Sava Banovina is bounded on the north, as far as the river Mura, by the above-mentioned boundary of the Drava Banovina. Thereafter the boundary of this Banovina follows the river Mura, then the State frontier with Hungary to the point where this leaves the Drava; from this point the boundary of the Banovina follows the course of the Drava, then that of the Danube, as far as the northern boundary of the district of Ilok. From this point the boundary of the Banovina leaves the Danube and goes towards the Sava, following the eastern boundaries of the district, of Vukovar, Vinkovci and Zupanja; taking in these districts. It then follows the course of the river Sava to the mouth of the river Una, then the course of the river Una as far as the north-eastern boundary of the district of Dvor (south-west of Kostajnica). From this point to the Adriatic (Morlaques canal) the boundary of the Banovina follows the southern boundaries of the districts of Kostajnica, Petrinja, Glina and Virginmost, then the south-eastern boundary of the district of Vojnic and the eastern boundaries of the districts of Slunj, Korenica and Donji Lapac. The boundary then passes along the southern boundary of the districts of Gracac and Gospic, which it includes. From the Adriatic coast the boundary follows the gorge of Ljubaški and the canal of Nova Poljana, passes between the islands of Maon and Planik, to rejoin, north of the islands of Olib and Silva, the State frontier on the Adriatic.

The Vrbas Banovina is bounded, from the north-eastern boundary of the district of Dvor (south-west of Kostajnica) by the river Una to the point where it flows into the Sava; it then follows the course of the Sava, which it leaves to follow the eastern boundaries of the districts of Derventa and Gracanica, as far as the river Bosna at the village of Dolac. It then continues along the south-western boundary of the district of Maglaj as far as the intersection of the boundaries of the three districts of Tešanj, Maglaj and Zepce. From this point the boundary of the Banovina follows the northern boundary of the districts of Zepce, Zenica, and Travnik, to mount Vlastic (Ljuta Greda hill 1740); thence it passes by hill 1446, following the eastern slope of the Lesina (hill 1433), hill 1057, the Jelic (hill 1192), hill 1018, hill 1139, the Obrenovac, (hill 1167), and then across the Radanja Planina, (hill 1366) and the Igrališta, (hill 1085), and up to the Rakovec (hill 1217). From this point the boundary passes the villages of Podripci and Sultanovic, and then passes between the villages of Gmici and Guvno to the Osoj (hill 888); it continues along the ridge, following the Suljaga (hill 1533), the Demirovac (hill 1724), and the Crni Vrh (hill 1403), to the Mali Vitorog (hill 1748). From the Mali Vitorog the frontier follows the eastern and then the south-western boundary of the district of Glamoc to the foot of hill 1156, on mount Staretina; from there the boundary cuts the western part of the plain of Livno, to the Troglav (hill 1913) on the south-western boundary of the district of Livno, and follows this line to the Veliki Bat (hill 1851). From this point the boundary continues following the southern and western boundaries of the district of Bosanski Pebrovac as far as the intersection of the boundaries of the three districts of Donji Lapac, Knin and Bosanski Petrov. From this point to the north-eastern boundary of the district of Dvor (south-west of Kostajnica) the boundary coincides with the boundary already indicated

of the Sava Banovina.

The Coast Banovina is bounded on the north by the southern boundaries already drawn of the Sava and Vrbas Banovinas as far as the intersection of the limits of the three districts of Jajce, Bugojno and Travnik (Rakovce, hill 1217). From this point the boundary of the Banovina follows the eastern border of the district of Bugojno, then the northern boundary of the district of Konjic, to continue along the eastern boundary of the districts of Konjic and Mostar up to the intersection of the boundaries of the districts of Mostar, Stolac and Nevesinje. It then continues along the eastern boundary of the district of Stolac, which it includes. On the Adriatic the boundary of the Banovina passes through the Neretva and Pelješac channels to join the maritime frontier of the State.

The Drina Banovina is bounded on the west, as far as the Sava, by the boundaries above indicated of the Coast and Vrbas Banovinas, then on the north by the river Sava to where it is joined by the Kolubara. From this confluence and up to the eastern boundary of the Coast Banovina (eastern boundary of the district of Konjic, hill 2058 on the Trskavica mountains) the boundary of the Drina Banovina follows the eastern boundaries of the districts of Posava (capital, Obrenovac), Tamnava, Kolubara (capital, Mionica) and Pozega, including the district of Ljubic. It then follows the eastern boundaries of the districts of Trnava and Dragacevo, then the southern and western boundaries of the district of Moravica, continuing along the southern boundaries of the districts of Arilja, Zlatibor, Višegrad, Cajnice, Rogatica and Sarajevo.

The Zeta Banovina is bounded on the north by the southern boundaries of the Coast and Drina Banovinas, already indicated, as far as the intersection of the boundaries of the three districts of Dragacevo, Zica and Studenica. From this point and as far as the national frontier with Albania, the boundary of this Banovina follows the eastern boundaries of the districts of Studenica, Dezevo, Mitrovica, Drenica and Drin, including all these districts. Then the boundary coincides, up to the Adriatic Sea, with the Yugoslav-Albanian State frontier.

The Danube Banovina is bounded on the south-west by the boundaries already indicated of the Sava and Drina Banovinas, on the north and north-east by the State frontiers with Hungary and Romania, up to the point where the latter frontier meets the Danube. The boundary then follows the course of the Danube up to the eastern boundary of the district of Ram and then turns along the south-eastern boundary of the Pozarevac district. It then follows the eastern boundaries of the districts of Morava, Lepenica, Kragujevac and Gruza, as far as the Dulenski Crni Vrh (hill 919), turning towards the Gledic mountains and thence over the Krecane (hill 760) and Brzak (hill 822) up to the boundary of the Drina Banovina on mount Kotlenik, near Crni Vrh (hill 768).

The Morava Banovina is bounded on the north and the east by the State frontiers with Romania and Bulgaria as far as the southern boundary of the district of Luznica (at Descani Kladenac). From this point the boundary of the Banovina follows the southern boundaries of the districts of Luznica, Nish, Dobric, Prokuplje, Kosanica, Lab and Vucitrn, including all these districts, and at the intersection of the boundaries of the three districts of Vucitrn, Gracanica and Drenica it joins the above-indicated boundary of the Zeta Banovina. The boundary then continues northwards, coinciding with the boundaries of the Zeta, Drina and Danube Banovinas already indicated.

The Vardar Banovina is bounded on the north by the boundaries already indicated of the Zeta and Morava Banovinas, and on the east, south and west by the State frontiers with Bulgaria, Greece and Albania.

Disputes concerning the Banovina boundaries will be settled by the Minister for the Interior.

Art. 84. The Banovinas are at the same time administrative and autonomous units.

The division of the Banovinas into districts and communes will be laid down in a special law.

The organisation of the municipal administrations and the delimitation of their jurisdiction will form the object of a special law based on the principle of autonomy.

Urban communes may by law be organised on another basis.

Art. 85. The city of Belgrade, together with Zemun and Pancevo, forms a separate administrative territory, which shall also include the other localities which may in future be detached from the Banovina of the Danube to unite with the municipality of Belgrade, Zemun or Pancevo.

Art. 86. A Ban is at the head of each Banovina. The Ban represents the supreme authority in the Banovina.

Bans are appointed by the King on the proposal of the President of the Council of Ministers.

Art. 87. The Ban appoints, removes, pensions and dismisses administrative officials within the limits defined by the law regarding the administration of Banovinas.

Autonomous Authorities

Art. 88. As an autonomous administrative body, each Banovina has a Banovina Council and a Banovina Committee.

Art. 89. The Banovina Council is elected for a period of 4 years by Universal, equal and direct vote, according to the provisions of the law.

The Council elects from among its members the Banovina, Committee which is the executive body of the Banovina in autonomous affairs.

The Ban appoints and dismisses Banovina officials on the proposal of the Banovina Committee.

Art. 90. The Banovina Councils may organise the various branches of Banovina administration and autonomous life by means of Banovina, decrees, in accordance with the authority contained in the law regarding the organisation of Banovinas and other laws.

Banovina decrees have the force of law in the respective Banovinas. They may not be in conflict with provisions of the constitution or other laws in force; if they do conflict with these provisions they may not be applied.

Art. 91. Banovina Committees draft the Banovina decrees, upon which the Banovina, Councils decide.

Banovina decrees are proclaimed and published by the Ban, who must request beforehand the concurrence of the Council of State as regards the legality of the decrees. These may not be promulgated if the Council of State refuses its acquiescence.

The Council of State must give or refuse its consent within not more than 1 month; if the Council fails to pronounce on the matter within that period, its concurrence shall be considered as having been given.

Art. 92. The central State authorities shall see that the administrative autonomous authorities perform their functions within the limits prescribed and in a manner not prejudicial to any general interest of the State.

Art. 93. The Ban, or the State body designated by law for this purpose, has the right to abrogate all decisions of the Banovina Council and the Banovina, Committee, or of municipal convocations or councils which may be contrary to the constitution or the laws or decrees in force. Appeals against the Ban's decisions may be lodged, within the period prescribed by law, with the Council of State.

Decisions or pronouncements which are, generally prejudicial to the interests of the State may also be abrogated. In such cases, appeals against the decision must be submitted to the Minister for the Interior within the period prescribed by law.

A Banovina Council may be dissolved by Royal decree before the expiration of the 4 years' term on the proposal of the Minister for the Interior, and fresh elections for the respective Banovina may be ordered.

Art. 94. During its first session the Banovina Council shall come to a decision each year regarding the budget for the next year, on the proposal of the Banovina Committee.

Art. 95. Banovina budgets shall be approved by the Minister for Finance, and the State Audit Department shall verify their execution by inspecting the final accounts.

Art. 96. Communes are autonomous bodies. They may by special laws be charged also with executive functions, which they shall discharge under the supervision of the administrative bodies delegated for this purpose.

Art. 97. Provisions regarding the organisation and competence of autonomous Banovina and municipal authorities shall be prescribed by law.

Art. 98. Administrative Courts are established for disputes of in administrative nature. Their seats, jurisdiction and organisation are laid down by law.

Art. 99. The Council of State is the supreme administrative court. The manner in which members of the Council of State are appointed, as well as its composition, competence and procedure, are fixed by law.

#### **Chapter IX. The Judicial Powers**

Art. 100. Courts are independent. In administering justice they are subject to no authority, but judge in accordance with law.

Courts and judicial jurisdiction may only be established by law.

The law prescribes the mode of selection and appointment of presidents of courts and judges.

State Sheriat judges shall have jurisdiction in the family and inheritance matters of Mussulmans.

Art. 101. Judges of all courts are permanent. A judge may not be relieved of his functions or removed for any reason whatsoever from office against his will except under a decree or verdict of a regular court or a disciplinary decree of the Court of Cassation. No complaint may be brought against a judge for the way in which he exercises his magisterial functions, without the consent and approval of the competent court.

A judge may not be even temporarily called upon to fill any other salaried or honorary public function without his consent and the approval of the Court of Cassation.

A judge may be transferred only with his own consent.

Judges may remain in service up to the end of their 70th year. Before this period elapses they may be retired only upon their written application or in the case of physical or mental incapacity rendering it impossible to perform their duties. In the latter case decisions regarding their retirement shall be taken by the Court of Cassation.

#### **Chapter X. Finances and Domain of the State**

Art. 102. Each year Parliament shall approve the State budget, which shall be valid for 1 year only.

The budget must be submitted to the Chamber of Deputies at the latest 1 month from the date of its meeting in ordinary session. The final accounts for the last expired fiscal year shall be submitted to the Chamber for inspection and approval simultaneously with the budget.

The Chamber of Deputies may not increase the proposed section., but has the right to reduce and reject certain of them.

The budget shall be approved by sections.

The manner in which the budget is to be drawn up and passed is prescribed by law.

Savings effected under one budget section or in one fiscal year may not be expended to defray needs under another section or another year without the previous consent of Parliament.

Art. 103. Until the budget submitted to it is passed, Parliament may grant budgetary twelfths in respect of one or more months. If the Chamber of Deputies is dissolved before the passing of the budget, the budget for the preceding year shall be extended by decree for a period not exceeding 4 months. If the budget is not passed during this period, the previous budget may be extended by Royal decree up to the end of the new fiscal year.

Art. 104. State imposes and general taxes shall only be laid down by law.  
The Government shall submit a report to the Chamber of Deputies, certified by Cite State Audit Department, regarding the execution of agreements concluded for State loans and regarding their expenditure, in accordance with the law.

Art. 105. The obligation to pay imposts is general, and all State taxes are equal throughout the whole country.

The King and the Heir to the Throne pay State taxes on their private property.  
No permanent or temporary subsidies and no gifts or remuneration whatsoever may be paid out of the State Treasury if not based on law.

Art. 106. State property is administered by the Minister for Finance unless otherwise provided for by law.

A special law shall govern the alienation of State domains.

The right of monopoly appertains to the State.

Mines, waters, mineral springs and natural power are the property of the State.

A special law shall govern the granting of mining, industrial or other concessions of any kind.

Art. 107. The State Audit Department shall act as the supreme court of accountancy for the verification of State accounts and the supervision of the execution of the budgets of the State and administrative and autonomous bodies.

The president and members of the State Audit Department are elected by the Chamber of Deputies from a list of candidates prepared by the Council of State and including twice as many candidates as there are vacancies.

The composition, competence and procedure of the State Audit Department shall be determined by law.

The law shall determine the cases in which appeals against decisions of the State Audit Department may be made to the Court of Cassation.

The State Audit Department examines, corrects and passes the accounts of the general administration and of all persons accountable for public funds. It sees that expenditure is restricted to the budgetary provisions and that no transfer is made from one heading of the budget to another.

It closes the accounts of all State administrations and is responsible for the collection of all necessary evidence and information.

The final State accounts are submitted to Parliament for decision, with the observations of the State Audit Department, within a maximum of 1 year from the close of the fiscal year.

## **Chapter XI. The Army**

Art. 108. Military service is general under the law. The organization and strength of the army and navy are prescribed by law. The formation of units of the size laid down by law shall be decreed by the King, on the proposal of the Minister for War and Marine. The budget shall fix each year the number of effectives to be maintained with the colours.

Art. 109. Military courts are independent. In administering justice they shall not be under any authority whatsoever, but shall pronounce judgment in accordance with the laws.

The judge of the military court of first instance may not be indicted for his acts as judge except with the consent of the Military Court of Appeal. The judge of the Court of Appeal

may not be indicted without the consent of the Court of Cassation.  
The Court of Cassation has cognizance in final instance of the sentences of military courts.

Art. 110. Offences committed jointly by civilians and soldiers shall be tried by civil courts, but in time of war they shall be tried by military courts.

Art. 111. No one who has reached 20 years of age may obtain employment in the civil service or retain the same unless he has performed his military service or has been exempted in conformity with the provisions of the military law.

Art. 112. The army may only be used for maintaining internal order upon the request of the competent civil authorities.

Art. 113. A foreign army may not be taken into the service of our State, nor may the army of our State be put at the disposal of any foreign State without the previous approval of Parliament.

## **Chapter XII. Modifications of the Constitution**

Art. 114. Modifications to be made in the constitution shall be determined by the King, together with Parliament.

Art. 115. Proposed modifications in or additions to the constitution may only be introduced by the King or the Parliament.

Such proposals must specifically state all the articles of the constitution which are to be altered or supplemented.

If the proposal is made by the King, it shall be communicated to the Senate and the Chamber whereupon the Chamber of Deputies must be immediately dissolved and a new Chamber convened at the latest within 4 months.

If the proposal emanates from the Senate or the Chamber of Deputies, a decision shall be arrived at by a majority of three-fifths of the total number of members of the Assembly, in accordance with the manner prescribed for the passing of bills. The proposal shall then be submitted to the Senate or Chamber of Deputies, as the case may be, which shall decide thereon by a majority of three-fifths of the total number of senators or deputies.

Upon the adoption of the proposal in the above manner, the Chamber of Deputies shall be dissolved and a new Chamber of Deputies convened at the latest within 4 months of the date of the adoption of the proposal.

In both cases the Senate or the Chamber of Deputies may only decide upon such changes in or additions to the constitution as are contained in the proposal for the examination of which the Assemblies are convened.

The Senate or the Chamber of Deputies shall pronounce by a majority plus one of the total number of its members.

If the Senate and the Chamber of Deputies fail to agree as to the adoption of the proposed changes in or additions to the constitution, either in whole or in part, the further procedure shall be the same as in the case of other bills (article 64).

Art. 116. In case of war, mobilization, disorder or disturbances endangering public order and the

security of the State, or in general if public interests are endangered, the King may, in such extraordinary case, decree all absolutely necessary extraordinary measures to be taken throughout the entire Kingdom or in any part thereof, irrespective of constitutional and legal prescriptions.

All exceptional measures taken shall subsequently be submitted to Parliament for approval.

Transitory Provisions

Art. 117. The King shall promulgate and publish laws by decree until the date of the meeting of Parliament.

These decrees shall be countersigned by the President of the Council of Ministers, the competent Minister and the Minister for Justice.

Art. 118. All laws in force, with the exception of the law of the 6th January 1929, (4) regarding the Royal power and the supreme direction of the State, shall remain in operation until modified or cancelled in the ordinary way.

Art. 119. Provisions under article 101 of the present constitution will not be applied during a period of 5 years; from the date of the entry into force of the constitution.

Final Provisions

Art. 120. This constitution shall enter into force and become binding when published in the Sluzhbene Novine.

The President of the Council of Ministers and all Ministers shall supervise the execution of the present constitution.

We order our Minister for Justice to publish this constitution, and all our Ministers to see to its execution, and we call upon all authorities to act in accordance with it and upon all and everyone to obey it.

ALEXANDER.

Belgrade, September 3, 1931.

The Constitution of 3 September 1931 replaced the «Vidovdan Constitution» of 28 June 1921 (15 June, old calendar).

Footnotes

(1) Original text in Sluzhbene Novine, September 3, 1931.

(2) Karageorge [vic], the English translation of Karadjordje, after the first Prince [Gospodar] of Serbia, Djordje Petrovic (1752 - 1817, reigned from 1804).

(3) See article Information on the use of styles and the Advisory Bodies of the Crown.

(4) Published in British and foreign state papers, Vol. CXXX, p. 973.

Material Courtesy: Mr. Dag Trygslund Hoelseth