

THE FAROESE PARLIAMENT



HISTORICAL OVERVIEW

The first source which mentions the *Løgting* is the 'Færeyingasaga' which was written in Iceland about the year 1200, but historians estimate that the origin of the Faroese *Løgting* can be traced as far back as shortly after the first Norse settlement (landnam) of the Faroes in the year 800.

From the very beginning all major decisions which affected the whole country were taken by the *Løgting* situated in Tórshavn.

In 1035 the Faroes came under the kings of Norway, but historians believe that the old order of business was probably retained.

1274-1816

Originally the Faroese *Løgting* was an Althing where all yeomen had a right to have their say in the policy making, but when the 'Landslóg' of Magnus Lógbætari took effect as from 1274 the Faroese Althing was changed into a *Løgting*.

The *Løgting* consisted of 36 chosen men. The *Løgting* elected the *Løgmaður*, who was appointed by the King. The *Løgting* had judicial power and contact with the king and his officials. The 'Fútin' was the King's High Commissioner and represented the king in the *Løgting* and he

was responsible for the King's Inland Revenue. He was also Public Prosecutor. The *Løgting* had its own secretary, the so-called Sorinskrivari. Another function of the *Løgting* was to be High Court of Justice, and sentences which were passed at the Várting in the various sýslur could be appealed to the *Løgting*.

In 1380 the Faroes as a Norwegian Crownland came under the Danish king but were still considered to be a Norwegian land.

When Christian the V's 'Norska lóg' took effect in the Faroes in 1688, the number of representatives was increased to 48, but no member of the *Løgting* could sit for more than a period of one year at a time. The result of this system was that the members of the *Løgting* were not as experienced as they used to be, and consequently the importance of the *Løgting* diminished, whereas the importance of the Danish officials increased. The Fútin and the Sorinskrivarin gained in power, whereas the office of the *Løgmaður* lost significance.

1816-1852

After Norway was separated from Denmark by the Peace of Kiel in 1814 the Faroes remained with Denmark.

Faroe Amt (administrative district) was presumably

established in 1720, but a separate 'Amtmand' for the Faroe Islands was not appointed until 1816.

In 1816 the Faroes became a Danish amt (administrative district).

The Amtmaður (the Chief Administrative Officer) alone decided which Danish laws were to take effect in the Faroes.

In 1816 the old Faroese *Løgting* were abolished, and so was the office of the *Løgmaður*. The Sorinskrivarin was now the sole judicial authority.

1852-1948

In 1852, at the request of the Faroese people, the *Løgting* was reestablished, but now only functioned as a consultative body for Danish authorities concerning the governing of the Faroes. The *Løgting* had 18 elected members. The Amtmaður and the Próstur (the dean, the then highest clerical authority in the Faroes) had seats in the *Løgting*, and the Amtmaður was chairman.

In 1906 the membership of the *Løgting* was increased to 22, but apart from this minor change, the system initiated in 1852 lasted until 1923. The membership was then changed, so that from then on there were 20 seats, and up to 10 supplementary seats. At the same time the





Próstur lost his seat, and from now on the *Løgting* itself elected the chairman.

1948-2005

After the Second World War a vast majority of the Faroese people wanted a new political status within the Kingdom of Denmark. After negotiations between representatives of the *Løgting* and the Danish Government it was decided that a plebiscite was to take place on 14 September, 1946. The voters could choose between a very limited Home Rule or total independence from Denmark. The result of the plebiscite was a narrow majority for independence. A dispute arose as to how to interpret the result – whether the plebiscite had been consultative or decisive. After the following general election in November 1946 new talks resulted in the the Home Rule Act of 1948.

After Home Rule had come into force the parliamentary work of the *Løgting* changed fundamentally. Before Home Rule the Faroese Parliament had only been a consultative body, whereas now the Faroese Parliament has legislative power within all the branches taken over from the Danish Parliament (Det danske Folketing) According

to the Home Rule Act the various branches of legislative power are divided into an A-sector and a B-sector. The several branches within the A-sector can be taken over by the *Løgting*, if either the *Løgting* or the Danish Government so wish. The branches within the B-sector can only be transferred to the *Løgting* if the Faroese Government (Føroya Landsstýri) and the Danish Government agree on the terms. Matters regarding defence and foreign policy are outside the scope of Home Rule. The Danish Folketing has legislative power in all areas except those which have been taken over by the *Løgting* The Faroese have two seats in the Danish Folketing. Within the framework of Home Rule the *Løgting* provides for constitutional affairs and for the order of business.

According to the Faroese Home Rule Act the organization of internal affairs is solely within the province of the Faroese Parliament. An act concerning this matter was passed on 26 July 1994. According to section No. 1. of this act the division of legal power concerning matters taken over by the Home Rule is now shared jointly between the Faroese Parliament and the Prime Minister, executive power rests with the Government whereas judicial power in such matters rests with the Danish courts. The



Parliament is elected for a period of four years, and the maximum membership is 32 members who are elected in public, secret, and direct elections. The government consists of the Prime Minister (*løgmaður*) and not fewer than two ministers (*landsstýrismenn*). The Prime Minister is appointed indirectly by the Parliament. The Chairman of the Parliament after having had talks with the party leaders submits a proposal for a new Prime Minister, a vote is taken, and if a majority of the members reject the candidate then the proposal is rejected, otherwise the candidate is accepted. The Prime Minister appoints the ministers. Neither the Prime Minister nor a minister may hold their seats if a vote no confidence is put forward and 17 MPs are opposed. The Prime Minister has at any time the power to call an election.

The Prime Minister and the ministers are not permitted to hold seats in the Parliament. The 1978 Faroese General Election Act was amended in 2007, this meant that the islands were united in a single constituency and that the number of MPs was increased to 33.

2005-

In May 2005 two acts and two recommendations con-

cerning acts issued by the Danish Parliament were passed. These were either annexes or amendments to the Home Rule Act. One of these acts is on areas and branches, which are to be transferred to Faroese jurisdiction, it brings article 2 and 3 of the Home Rule Act up to date and thus also amends the A and B sector.

Article 1 provides for matters that cannot be transferred to Faroese jurisdiction: the constitution of the Danish State, Danish citizenship and nationality, the Supreme Court of the Danish State and foreign, security and defence policy as well as exchange and monetary policy.

According to Article 2, certain branches may become Faroese jurisdiction after negotiations between Faroese and Danish authorities. All other matters can be transferred when the Faroese so wish.

The other act is on the Faroese Government entering into agreements of international law. It entitles the Faroese Government to enter agreements in the branches that have been transferred, within certain limits. Furthermore, it includes provisions regarding Faroese membership in international organizations.

THE POLITICAL PARTIES OF THE LØGTING

Six parties are represented in the Løgting. A distinctive feature as regards Faroese politics is the fact that there are two axes, one concerning the independence question, the other is ideological from left to right.

The Faroese parties are still influenced by the fact that the nonpolitical nationalist movement, which came into being in the 1880s, (at the turn of the century) became political.

Sjálvstýrisflokkurinn (The Independence Party) was formally founded in 1909, but got representation in 1906, and its political programme was to confer more power to the Løgting, and to see to it that the Faroese language had the same rights as Danish had as liturgical language, as the medium of instruction, and in public life in general.

Sambandsflokkurinn (The Unionist Party) was founded in 1906 and is a liberal party, whose main purpose is to gain a steady and liberal advancement for the Faroese people both economically, culturally and constitutionally. The party supports, in co-operation with Denmark, to carry out progressive policies in all fields.

Føroya Javnaðarflokkur (The Faroese Social Democratic Party) was founded in 1925. The party is an independent social democratic party. The party bases its policies on a democratic foundation with the aim of

strengthening community solidarity and the promotion of the people's welfare. All people are to have equal right to participate in the struggle for greater welfare and civil freedom.

Fólkaflokkurinn (The People's Party) was founded in 1940. Its platform is political and economic independence based on Christian values. The party's political aim is that each and every family and individual has opportunities and freedom according to individual skills and initiative based on people accepting full responsibility for their activities within the framework of the legal and social system. As a liberal party, it aims at both as little interference as possible from the authorities and at as little burden of taxation as possible.

Tjóðveldi (Republican) was founded in 1948. The Party aims at establishing the Faroe as an independent republic. The party's policy is to strengthen democratic values in all sections of the society based on both rights and obligations.

Miðflokkurinn (The Centre Party) was founded in 1992 and its policy is based on the Christian faith. The party works for a society whose basis is a Christian outlook on life and the party aims at political decisions being taken in harmony with Christians principles.



THE ELECTION OF THE LØGTING

The Løgting is elected for a period of four years. Election of the Løgting can take place before the end of an election period if the Løgting agrees on dissolving itself. The lögmaður issues a proclamation of the forthcoming election and appoints the day of election, which must take place, at the earliest, 6 weeks after the proclamation.

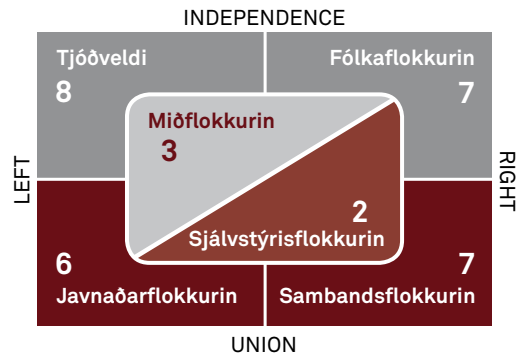
The 2008 election

Total numbers of voters: 34.835. Turn out: 31.112.

Percentage of electorate: 89.3 %.

| | Votes | % | seats |
|----------------------|-------|------|-------|
| Fólkaflokkurin | 6.240 | 20,1 | 7 |
| Sambandsflokkurin | 6.529 | 21,0 | 7 |
| Javnaðarflokkurin | 6.018 | 19,3 | 6 |
| Sjálvstýrisflokkurin | 2.244 | 7,2 | 2 |
| Tjóðveldi | 7.250 | 23,3 | 8 |
| Miðflokkurin | 2.610 | 8,4 | 3 |
| Miðnámsflokkurin | 221 | 0,7 | 0 |

The electoral and voting age is 18.



The session of the Løgting

The first meeting of the Løgting is on Saint Olaf's Day (ólavsøka). On 29 July the members of the Løgting, the ministers (landsstýrismenn), the High Commissioner (ríkisumboðsmaður), and high officials walk in procession from the Parliament building to the Cathedral. After the service the procession returns to Parliament House, and the Løgting is opened. At the first meeting the Prime Minister (Løgmaður) delivers his Saint Olaf's address, in which he gives a general description of the state of the nation.

The Løgting has one major parliamentary debate concerning the state of the nation. The debate is about Løgmaður's Saint Olaf's Address, and the budget.

As a rule the Løgting debates between 100 and 150 various items in one session.



THE SPEAKER AND THE PRESIDIUM OF THE LØGTING

The primary responsibility of the President of the Løgting is to ensure that constitutional provisions regarding the Løgting and its rules of procedure are followed.

The first task of a new elected Løgting is to choose itself a Speaker and 3 deputy Speakers for the whole period of this Løgting. The Speaker of the Løgting and the 3 deputy Speakers form the Presidium that decides issues affecting The Løgting. The Speaker presides over the meetings of the Løgting. To participate in the debates like any other Member, he or she must temporarily relinquish the chair to one of the deputy Speakers.



Hergeir Nielsen,
Speaker (E)



Jógvan á Lakjuni,
1. Deputy (A)



Súsanna Danielsen,
Director

The Secretariat of the Løgting

The Secretariat of the Løgting provides a variety of services for the Speaker, the Presidium and the Members of the Løgting. The Director of the Løgting is Head of the Secretariat.



Alfred Olsen,
2. Deputy (B)



John Johannessen,
3. Deputy (C)

COMMITTEES

The Parliament has 7 standing committees which in accordance with the order of business of the Faroese Parliament are elected for the duration of the election period unless the members of the Parliament agree on electing the committees anew.

Standing Committees:

The Finance Committee. As provided by section 44, subsection 2 of the Home Rule Act, the committee grants supplementary appropriation and in addition it makes recommendations to the Faroese Parliament on matters of finances, economy, taxes, and duties.

Committee on Foreign Affairs. As provided by section 54 of the Home Rule Act the committee makes recommendations to the Faroese Government on foreign affairs, trade matters, and defence matters, and in addition recommendations on relations with Denmark.

Committee on Fisheries and Industry. Its tasks are to make recommendations to the Parliament on fisheries matters, shipping matters, matters concerning the fishing industry, industrial matters, matters concerning fish farming, agricultural matters, matters concerning the

environment, matters concerning communication and transport, matters concerning energy and oil industry, trade matters and furthermore matters concerning commercial companies and registration matters etc.

The Welfare Committee. Its tasks are to make recommendations to the Parliament on social matters, matters concerning the labour market, and matters concerning housing.

Committee on Judicial Affairs. Its tasks are to make recommendations to the Parliament on judicial and municipal matters.

Committee on Governmental Affairs. As provided by section 38 of the Home Rule Act the committee's task is to have judicial supervision with the Prime Minister and the ministers and to see to it that they observe the rules of law. The committee has authority to summon the Prime Minister or ministers to explain in detail items concerning any political question.

THE PROCEDURE OF THE FAROESE PARLIAMENT (FØROYA LØGTING)

The Faroese Parliament works along the legal lines stipulated in the Home Rule Act and according to the order of business of the Faroese Parliament.

Acts, resolutions, and other matters before the parliament have five different forms of procedure

1. Bills to become acts of the Faroese Parliament (Løgting)
2. Recommendations by the Faroese Parliament concerning acts passed by the Danish Parliament (det Danske Folketing) bearing on Faroese Affairs
3. Proposals for Parliamentary Resolutions
4. Accounts, written, oral or unprepared oral questions
5. Vote of no confidence

Only the Prime Minister (Løgmaður), ministers (landsstýrismenn), or MPs (løgtingsmenn) may make a motion.

Provided at least 5 members agree, the committees are entitled to submit written questions regarding certain matters to the Prime Minister and ministers requesting either a written response or an answer in person during a meeting. MPs may also address written questions to the Prime Minister and ministers who shall reply directly to the MP asking the question.

If a citizen or an organization sends the Faroese Parliament a petition or a resolution it does not get a reading unless a member of the Parliament takes responsibility for it within the forms mentioned above.





Bills to become acts of the Faroese Parliament

Bills to become acts of Parliament must have a motion and three readings in four different sittings. The bill is moreover debated in a committee and in the Prime Minister's office.

Motion(s)

A bill is tabled when the Speaker of the Parliament announces the fact from the chair during a session of Parliament. Each Member of Parliament receives a copy of the bill no later than the day it is tabled. When the bill is first tabled it is not discussed, nor can it yet be forwarded to a parliamentary committee.

First reading(s)

The first reading of a bill may take place two workdays after the bill has been tabled. During the first reading the bill is debated in general terms, and possible amendments may be proposed and debated.

Debates in committees

Speaker of the Faroese Parliament (Løgtingsformaðurin) decides whether a bill should be referred to a committee and to which committee it is to be referred. The committee writes a report to the Faroese Parliament and possible amendments may be proposed by either a majority or a minority of the committee. Debates in committees usually take place between the first and the second readings. The Parliament may, however, decide after the second reading to refer the bill to a committee. During the debate in committee the members of the committee study the bill more thoroughly and may collect additional pieces of information from public and private sources. The committee sometimes summons people to give their opinions concerning the bill.

Second reading(s)

The second reading may take place on the third workday after the first reading has been concluded, but not, how-

ever, until the second day after a possible amendment has been proposed by the committee. An MP may move an amendment in writing, but such amendments must be proposed before the parliamentary debate has begun. The committee as a whole, a majority or a minority of the committee may also move an amendment in writing after the second reading has begun, but only before the debate has ended. A vote is taken when the second reading has been concluded. If the bill is defeated this ends the debate.

Third reading(s)

The third reading may take place on the third workday after the second reading has been concluded, or after the presentation of possible amendments proposed by a committee. 4 MPs may jointly propose an amendment in writing, and in cases where the bill has been referred to a committee, after the second or the third reading, a majority or a minority of the committee may propose amendment(s) in writing. Amendment(s) may be proposed at the third reading, but only prior to the beginning of the reading. During the third reading the Parliament first debates the amendment(s) proposed and at this stage the MPs also reach a decision as to possible changes of wording concerning sections of the bill which have been proposed amended, and finally a vote is taken concerning the amendment(s) as a whole. Only then follows the final reading of the bill which is then either passed or rejected.

Confirmation and proclamation

Although Parliament has passed a bill it is not binding on the citizen, until the Prime Minister has confirmed the bill as a Parliamentary Act and it has been proclaimed in the Faroese gazette. The Prime Minister has the authority to reject the bill which then does not become an Act of the Faroese Parliament, but he seldom does so, because it might result in a vote of censure forcing him out of office.

Recommendations by the Faroese Parliament concerning acts passed by the Danish Parliament bearing on Faroese affairs

The procedure for recommendations by the Faroese Parliament concerning acts made by the Danish Parliament bearing on Faroese affairs is the same as that of a bill. The only difference is that the passing of a recommendation is not proclaimed in the Faroese gazette, but the Faroese Prime Minister informs the Danish High Commissioner of the decision of the Parliament. The recommendation decided upon is not binding on the citizen, but it is a non binding recommendation to the Danish Government to legislate in accordance with the recommendation. As a rule, the Danish Government acts on the recommendation.

Proposals concerning parliamentary resolutions

Parliamentary resolutions have only two readings, and after the second reading a vote is taken. The Prime Min-

ister neither confirms nor proclaims resolutions. Parliamentary resolutions are neither binding on the Faroese Government nor on the citizen. In some cases though the Home Rule Act stipulates that a resolution has to be passed by the Faroese Parliament before the Faroese Government may take steps to conclude important treaties with other countries.

Accounts, written, oral or unprepared oral questions

A characteristic feature concerning accounts, written or oral questions, is the fact that the Faroese Parliament does not make any decision based on the debate. The account or the question is debated in the Faroese Parliament and it is then concluded. No vote is taken, and there is no debate in committee. The purpose of these debates is to give MPs the opportunity to collect as much information as they need from the Prime Minister, the ministers (landsstýrismenn), or from the Danish High Commissioner (ríkisumboðsmaður) in order to be able to reach a political decision as to which steps to take.

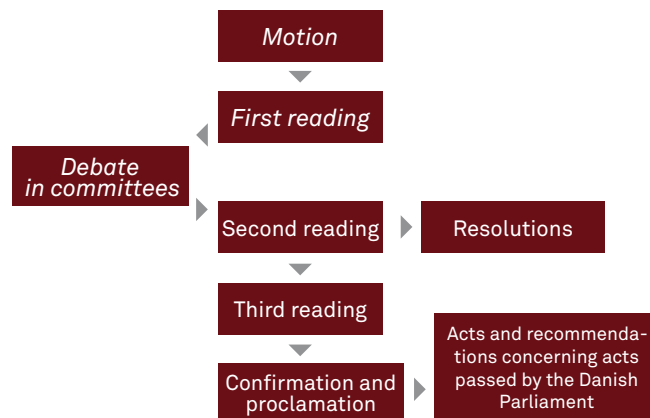
Votes of censure (no-confidence)

According to the Home Rule Act neither the Prime Minister nor the ministers are bound by the Faroese Parliament. The ministers are appointed by the Prime Minister, whereas the Prime Minister is appointed by the Chairman of the Faroese Parliament, the precondition is though that 17 MPs accept the Chairman's candidate for prime

minister. The Prime Minister and the ministers are not completely independent, because if 17 MPs are opposed to one of them, they are forced to resign. In case a vote of censure is put forward for the resignation of either the Prime Minister or a minister it gets only one reading. If a vote of censure is put forward by a member of the Parliament it is immediately debated by the Parliament and is then put to the vote.

The sittings of Parliament

The sittings of the Faroese Parliament are public.



The origin of the Faroese Parliament (the Løgting) can be traced back more than one thousand years. Since 1948 the Løgting has had legislative power as regards the areas which have been taken over as separate jurisdiction in accordance with the Home Rule Act. The Faroese Government has the executive power within these areas.

The Løgting is elected for a period of four years and has 33 members. Since 2007 the Faroes have been a single constituency and currently six parties are represented in the Løgting.



MYNDIR: INGI JOENSEN, JENS KRISTIAN VANG OG ÓLAVUR FREDERIKSEN UPPSETING: GRAFIK STUDIO PRENT: FØROYAPRENT