

REPUBLIC OF LITHUANIA
LAW ON THE PRESIDENT

26 January 1993 – No I-56

Vilnius

(As last amended on 11 November 2008 – No X-1798)

CHAPTER ONE
GENERAL PROVISIONS

Article 1. Purpose of the Law

This Law shall establish legal grounds for the activities of the President of the Republic of Lithuania (hereinafter referred to as the “President of the Republic”) and the Office of the President of the Republic, as well as material and social guarantees for the President of the Republic and his or her family members.

Article 2. Definitions

1. Accompanying person shall mean a person selected, in the absence of a spouse of the President of the Republic or where the spouse of the President of the Republic is unable to attend, by the President of the Republic and performing respective functions set out in the state and/or diplomatic protocol.

2. Residence of the President of the Republic shall mean the place of work and/or residence of the President of the Republic in office.

3. Family members shall mean the spouse, children (adopted children).

CHAPTER TWO
OATH OF THE PRESIDENT OF THE REPUBLIC

Article 3. Commencement of the Exercise of Presidential Duties

1. After the official proclamation of the presidential election results, the Central Electoral Commission of the Republic of Lithuania (hereinafter referred to as the Central

Electoral Commission) shall, not later than within five working days, issue the certificate of the President of the Republic to the candidate elected.

2. The President-elect of the Republic shall assume office on the day following the expiration of the term of office of the former President of the Republic, after swearing an oath to the Nation in Vilnius, in the presence of the members of the Seimas who are representatives of the Nation.

3. Where the President of the Republic is elected in the cases provided for in paragraph 1 of Article 89 of the Constitution of the Republic of Lithuania, the President-elect of the Republic shall assume office on the fifth working day following the proclamation of the presidential election results, after swearing an oath to the Nation in Vilnius, in the presence of the members of the Seimas who are representatives of the Nation.

4. On the day when the President-elect of the Republic assumes office, the Government of the Republic of Lithuania shall return its powers to the President of the Republic.

5. The person elected as the President of the Republic must suspend his or her activities in political parties and political organisations until the beginning of a new presidential election campaign. The President of the Republic must publish his or her statement on the suspension of activities in political parties and political organisations on the next day after the Central Electoral Commission issues him or her the certificate of the President of the Republic.

Article 4. Text of the Oath of the President of the Republic

The President of the Republic shall take an oath by reading one of the following texts of the oath:

1) "I, (first name, surname),

swear to the Nation to be faithful to the Republic of Lithuania and the Constitution, to respect and observe laws, to protect the integrity of the territories of Lithuania;

swear to conscientiously execute the office of President of the Republic and to be equally just to all;

swear to strengthen, to the best of my ability, the independence of Lithuania, and to serve my Homeland, democracy, and the well-being of the people of Lithuania.

So help me God.";

"I, (first name, surname),

swear to the Nation to be faithful to the Republic of Lithuania and the Constitution, to respect and observe laws, to protect the integrity of the territories of Lithuania;

swear to conscientiously execute the office of President of the Republic and to be equally just to all;

swear to strengthen, to the best of my ability, the independence of Lithuania, and to serve my Homeland, democracy, and the well-being of the people of Lithuania.”

Article 5. Procedure for Taking the Oath of the President of the Republic

1. The President of the Republic shall take the oath of office at a sitting of the Seimas in the building of the Seimas of the Republic of Lithuania.

2. The President of the Republic shall take the oath of office while standing in front of the President of the Constitutional Court who shall administer the oath or, in the absence of the latter, in front of one of the justices of the Constitutional Court; the President of the Republic shall read the text of the oath while holding his or her hand on the Constitution of the Republic of Lithuania.

3. Upon having read the oath, the President of the Republic shall sign the act of oath. The act of oath of the President of the Republic shall be countersigned by the President of the Constitutional Court or, in the absence of the latter, by one of the justices of the Constitutional Court who has administered the oath. The act of oath of the President of the Republic shall be handed to the Speaker of the Seimas and kept in the Office of the Seimas.

4. The text of the oath of the President of the Republic shall not be amended or changed. Non-compliance with this provision, as well as refusal to take an oath at a sitting of the Seimas, refusal to sign the act of oath, or signing with reservations shall mean that the President of the Republic has not taken an oath and therefore may not execute the office of President.

5. The National Anthem shall be sung after the signing of the act of oath of the President of the Republic.

6. The inaugural swearing-in ceremony of the President of the Republic shall be broadcast live by the Lithuanian National Radio and Television.

7. The signatories of the Act on the Re-establishment of the State of Lithuania of 11 March 1990, who were deputies of the Supreme Council of the Republic of Lithuania (Reconstituent Seimas), as well as members of the Government of the Republic of Lithuania, foreign diplomats accredited in Lithuania, hierarchs of traditional and other religious communities and societies recognised by the State, representatives of political parties and political organisations, associations shall be invited to the inaugural swearing-in ceremony of the President of the Republic.

CHAPTER THREE

EXECUTION OF THE OFFICE OF PRESIDENT OF THE REPUBLIC

Article 6. Right of the President of the Republic to Speak on the Lithuanian National Radio and Television

1. The President of the Republic, as the head of the State, shall be allotted time on the Lithuanian National Radio and Television to speak on issues of domestic and international policy.

2. In case of urgency, the President of the Republic must be allotted time to speak other than scheduled in programmes of the Lithuanian National Radio and Television.

Article 7. Symbols of the President of the Republic

1. The President of the Republic shall use a round seal and document forms bearing the coat of arms of the State of Lithuania. The seal shall bear the inscription: "The President of the Republic of Lithuania".

2. The President of the Republic shall have a flag which shall be the symbol of the head of the State.

3. The flag of the President of the Republic shall be made of a piece of purple cloth, both sides of which shall carry the coat of arms of the State of Lithuania in the centre, supported by a griffin in dexter and a unicorn in sinister. The width to length ratio of the flag of the President of the Republic shall be 1:1.2.

4. The flag of the President of the Republic and its image must always correspond to the standard image of the colours of the flag of the President of the Republic, which is approved by the Seimas of the Republic of Lithuania on the recommendation of the Lithuanian Heraldry Commission.

5. The flag of the President of the Republic shall be hoisted over the residence of the President of the Republic when the President of the Republic is in Vilnius, the capital of the State of Lithuania, as well as on vessels and other vehicles when they carry the President of the Republic.

6. A vehicle may bear the image of the flag of the President of the Republic when it carries the President of the Republic.

Article 8. Inviolability of the President of the Republic

1. The person of the President of the Republic shall be inviolable: while in the office of President of the Republic, he or she may neither be arrested nor be subject to criminal or administrative liability.

2. The President of the Republic may be prematurely removed from office only for gross violation of the Constitution of the Republic of Lithuania or breach of the oath of office,

also when it is discovered that a crime has been committed. The issue of the removal of the President of the Republic from office shall be decided by the Seimas of the Republic of Lithuania through impeachment proceedings.

Article 9. Legal Acts Issued by the President of the Republic

1. When exercising the powers vested in him or her, the President of the Republic shall legislate by decree.

2. Decrees of the President of the Republic shall be registered in the book of decrees of the President of the Republic and shall be given a number.

3. The President of the Republic shall issue ordinances on issues concerning the internal work organisation in the Office of the President of the Republic and in other cases specified by legal acts.

4. Decrees of the President of the Republic shall be officially published and enter into force in accordance with the procedure laid down by laws of the Republic of Lithuania.

Article 10. Procedure for Signing Decrees of the President of the Republic

1. When exercising the powers vested in him or her, the President of the Republic shall sign decrees on his or her own account, except for the cases specified in paragraph 2 of this Article.

2. Decrees of the President of the Republic on issues specified in Article 85 of the Constitution of the Republic of Lithuania shall be co-signed by:

1) the Prime Minister of the Republic of Lithuania – concerning the appointment and recall of diplomatic representatives of the Republic of Lithuania in foreign states and international organisations;

2) the Minister of Foreign Affairs of the Republic of Lithuania – concerning the conferment of highest diplomatic ranks and special titles;

3) the Minister of National Defence of the Republic of Lithuania – concerning the conferment of highest military ranks;

4) the Prime Minister of the Republic of Lithuania – concerning the declaration of a state of emergency;

5) the Minister of the Interior of the Republic of Lithuania – concerning the granting of the citizenship of the Republic of Lithuania.

Article 11. Procedure for Signing Laws of the Republic of Lithuania

1. The text of a law of the Republic of Lithuania submitted to the President of the Republic for signature and promulgation must, in accordance with the procedure established by the Statute of the Seimas, be followed by the entry about the authenticity of the law passed by the Seimas of the Republic of Lithuania with the signature of the Speaker or a Deputy Speaker of the Seimas.

2. Laws of the Republic of Lithuania which are submitted to the President of the Republic for signature and promulgation shall be registered in a special book in which the date of the signature and promulgation thereof shall later be indicated, or records shall be made about the return of these laws to the Seimas of the Republic of Lithuania for repeat consideration.

3. At the end of the text of a law of the Republic of Lithuania, and right above the signature of the President of the Republic the following words shall be entered: "I promulgate this Law passed by the Seimas of the Republic of Lithuania."

Article 12. Gifts Given to the President of the Republic

1. Gifts which the President of the Republic has received during his or her official visits to foreign states, as well as gifts which have been given by representatives of foreign states during their official visits to Lithuania shall be the property of the State and shall be kept in the residence of the President of the Republic. These gifts may, in the prescribed manner, be transferred for safe keeping to museums, while particularly valuable gifts – to the Bank of Lithuania.

2. The procedure established in this Article shall also apply in the cases when gifts to the President of the Republic, as the head of the State, are given in Lithuania.

Article 13. Office of the President of the Republic

1. The Office of the President of the Republic shall be a state institution assisting the President of the Republic in the performance of his or her functions and providing financial, economic and material services to the residence of the President of the Republic.

2. The Office of the President of the Republic shall be a public legal entity having its settlement bank account, a seal bearing the coat of arms of the Republic of Lithuania and the inscription: "The Office of the President of the Republic of Lithuania".

3. The Office of the President of the Republic shall be headed by the Chancellor of the Office of the President of the Republic. The Chancellor shall be appointed through competition and dismissed by the President of the Republic in accordance with the procedure established by the Law of the Republic of Lithuania on Civil Service.

4. The regulations and structure of the Office of the President of the Republic shall be approved by the President of the Republic.

5. The maximum allowable number of positions of civil servants of political (personal) confidence of the President of the Republic, civil servants of the Office of the President of the Republic and employees working under employment contracts shall be approved by the President of the Republic or a person authorised by him or her in accordance with the procedure established by the Law of the Republic of Lithuania on Civil Service.

Article 14. Provisions for the President of the Republic by the State

1. The President of the Republic shall be provided by the State with the following:

1) a residence in Vilnius;

2) a special aircraft and two motor cars;

3) expenses relating to representation within the country and during foreign visits – to be accounted for in accordance with international diplomatic practice, as well as a monthly amount of 25 percent of the monthly remuneration of the President of the Republic without accounting for these expenses.

2. The President of the Republic and his or her family members shall be given and ensured protection in accordance with the procedure established by legal acts.

Article 15. Remuneration of the President of the Republic

The monthly remuneration of the President of the Republic shall be equal to 55 base amounts of the basic salary of state politicians, judges, state officials and civil servants.

Article 16. Social Guarantees for the President of the Republic in the Event of Sickness

Where the President of the Republic falls sick and is therefore temporarily unable to execute the office of President, he or she shall be paid remuneration.

Article 17. Social Guarantees for the President of the Republic in the Event of an Accident

1. Where the President of the Republic has perished while in the office of President, a lump-sum compensation equal to 120 months' remuneration that would be paid in the month of his or her death shall be paid in equal shares to his or her dependants (paragraph 7 of this Article).

2. Where the health of the President of the Republic has been impaired due to his or her injury, and he or she has become disabled, the President of the Republic shall be paid a lump-sum compensation in the amount between 12 and 60 months' remuneration that would be paid in the month when the level of capacity for work is established:

1) having lost 85–100 percent of capacity for work – in the amount of 60 months' remuneration;

2) having lost 65–80 percent of capacity for work – in the amount of 48 months' remuneration;

3) having lost 45–60 percent of capacity for work – in the amount of 36 months remuneration.

3. Where the President of the Republic has not become disabled, though has lost capacity for work, lump-sum compensations calculated on the basis of the rate of remuneration valid in the month of health impairment shall be paid in the amount as follows:

1) in case of severe health impairment – in the amount of 24 months' remuneration;

2) in case of less serious health impairment – in the amount of 18 months' remuneration;

3) in case of minor health impairment – in the amount of 12 months' remuneration.

4. The compensations provided for in paragraphs 1–3 of this Article shall be paid where the President of the Republic has perished or his or her health has been impaired for reasons related to the execution of the office of President of the Republic. A decision as to whether the President of the Republic has perished or his or her health has been impaired because of the office of President of the Republic he or she held shall be taken by an ad hoc commission set up by the Government, with the participation of representatives of law enforcement and other competent institutions.

5. Where the spouse of the President of the Republic or the accompanying person has perished, a lump-sum compensation equal to 25 percent of the lump-sum compensation provided for in paragraph 1 of this Article shall be paid in equal shares to his or her dependants (paragraph 7 of this Article). In cases of health impairment when the spouse of the President of the Republic or the accompanying person becomes disabled, the amount of a lump-sum compensation paid to him or her shall be equal to 25 percent of the compensation specified in paragraph 2 of this Article, while in cases when he or she has not become disabled, though has lost capacity for work – 25 percent of the compensation specified in paragraph 3 of this Article. The amount of the lump-sum compensations provided for in this paragraph shall be determined on the basis of the remuneration of the President of the Republic valid in the month of, respectively, the death, establishment of the level of capacity for work or health impairment of the spouse of the President of the Republic or the accompanying person.

6. The compensations provided for in paragraph 5 of this Article shall be paid where the spouse of the President of the Republic or the accompanying person has perished or his or her health has been impaired due to the performance of the functions set out in the state and/or diplomatic protocol. A decision about the causal relation between the death or health impairment and the performance of these functions shall be taken by an ad hoc commission set up by the Chancellor of the Office of the President of the Republic.

7. Pursuant to paragraphs 1 and 5 of this Article, lump-sum compensations shall be paid to the spouse of the deceased, his or her children (adopted children) under 18 years of age, as well as over 18 years of age if they are full-time students at higher education establishments, vocational and general education schools registered in the prescribed manner or if they have been recognised as disabled (before 1 July 2005 – invalids) before attaining 18 years of age, children of the deceased born after his or her death, his or her father (adoptive father), mother (adoptive mother), as well as persons incapable of working who were maintained or had the right to be maintained by the deceased on the day of his or her death.

8. The level of capacity for work, regardless of the age of the President of the Republic, the spouse of the President of the Republic or the accompanying person, as well as the degree of health impairment shall be established by the Disability and Working Capacity Assessment Office under the Ministry of Social Security and Labour.

9. The compensations provided for in this Article shall be paid by the Office of the President of the Republic with the funds of the state budget allocated for that purpose.

Article 18. Care of the Health of the President of the Republic

1. Two personal doctors shall be appointed for the President of the Republic. Doctors shall be appointed by the Minister of Health of the Republic of Lithuania, upon agreement with the President of the Republic.

2. Health care services provided to the President of the Republic shall be paid for by the Office of the President of the Republic from the appropriations allocated for it.

Article 19. Ensuring of the Performance of Functions Set out in the State and/or Diplomatic Protocol

1. Where the spouse of the President of the Republic or the accompanying person is employed, he or she shall be granted leave of absence from work to perform the functions set out in the state and/or diplomatic protocol, and shall be paid remuneration by the Office of the President of the Republic for this time in the amount of not less than his or her average salary.

2. The spouse of the President of the Republic or the accompanying person shall be reimbursed for expenses relating to representation within the country and during foreign visits subject to being accounted for in accordance with international diplomatic practice, as well as the spouse shall be paid a monthly amount of 15 percent of the monthly remuneration of the President of the Republic for representative costs without accounting for these expenses.

CHAPTER FOUR

ACTING AS, AND SUBSTITUTING FOR, THE PRESIDENT OF THE REPUBLIC

Article 20. Acting as the President of the Republic

1. The Speaker of the Seimas shall act as the President of the Republic in the following cases specified in paragraph 1 of Article 89 of the Constitution of the Republic of Lithuania:

- 1) upon the death of the President of the Republic;
- 2) upon the resignation of the President of the Republic;
- 3) in case of the removal from office of the President of the Republic by the Seimas through impeachment proceedings;
- 4) in case when the Seimas decides that the President of the Republic is unable to discharge the duties of his or her office for health reasons.

2. The Speaker of the Seimas, acting as the President of the Republic, shall lose his or her powers at the Seimas, and all the powers of the President of the Republic shall temporarily be devolved upon him or her. The Speaker of the Seimas shall act as the President of the Republic until a newly elected President of the Republic takes an oath in accordance with the procedure established by the Law.

3. The Speaker of the Seimas, acting as the President of the Republic, his or her spouse or accompanying person shall be entitled to the material and social guarantees specified in Articles 14-19 of this Law.

Article 21. Substituting for the President of the Republic

1. The Speaker of the Seimas shall temporarily substitute for the President of the Republic in the following cases specified in paragraph 2 of Article 89 of the Constitution of the Republic of Lithuania:

- 1) when the President of the Republic is temporarily abroad and is therefore temporarily unable to execute the office of President;
- 2) when the President of the Republic falls sick and is therefore temporarily unable to execute the office of President.

2. In the cases specified in paragraph 1 of this Article, the Speaker of the Seimas shall have his or her powers as the Speaker of the Seimas.

3. When temporarily substituting for the President of the Republic, the Speaker of the Seimas may neither announce early elections to the Seimas nor dismiss or appoint ministers without the consent of the Seimas.

Article 22. Prohibition against the Exercise of the Powers of the President of the Republic by Other Persons or Institutions

The powers of the President of the Republic may not be exercised by any other persons or institutions in any cases other than those specified in Article 89 of the Constitution of the Republic of Lithuania.

CHAPTER FIVE

MATERIAL AND SOCIAL GUARANTEES FOR THE PRESIDENT OF THE REPUBLIC UPON THE TERMINATION OF THE POWERS OF THE PRESIDENT OF THE REPUBLIC

Article 23. Material and Social Guarantees for the President of the Republic upon the Termination of the Powers of the President of the Republic

1. A person who has served as the President of the Republic shall hold the title of President of the Republic for life.

2. The President of the Republic whose powers have terminated on the grounds specified in paragraphs 1, 2, 3 and 6 of Article 88 of the Constitution of the Republic of Lithuania shall, for life, be:

1) granted and paid a Presidential retirement pay. It shall be paid by the Office of the President of the Republic under the conditions and in accordance with the procedure laid down in the Law of the Republic of Lithuania on the Presidential Retirement Pay;

2) ensured the support staff and transport. The number of positions of the support staff and vehicles shall be approved by the Government of the Republic of Lithuania on the recommendation of the Office of the President of the Republic;

3) ensured protection. Protection shall be carried out by the VIP Protection Department under the Ministry of the Interior in accordance with the procedure established by legal acts.

3. The President of the Republic shall, if so desires, be provided with housing (residential premises) under a loan for use agreement in accordance with the procedure established by the Government of the Republic of Lithuania.

4. Where the President of the Republic dies while in the office of President or after the expiration of the term of office, his or her spouse shall, if so desires, be provided with housing (residential premises) under a loan for use agreement in accordance with the procedure established by the Government of the Republic of Lithuania.

5. Where it is established that the President of the Republic has perished after the expiration of his or her term of office because of the office of President of the Republic he or she held, the persons listed in paragraph 7 of Article 17 of this Law shall be paid compensations of the same amount as in the event of his or her death while in the office of President of the Republic.

6. A decision as to whether the former President of the Republic has perished because of the office of President of the Republic he or she held shall be taken by an ad hoc commission set up by the Government of the Republic of Lithuania, with the participation of representatives of law enforcement and other competent institutions.

7. Funeral expenses shall be borne by the State.

CHAPTER SIX FINAL PROVISIONS

Article 24. Final Provisions

The funds allocated to finance the President of the Republic, the residence of the President of the Republic and the Office of the President of the Republic, as well as other expenses specified in this Law shall be earmarked for the Office of the President of the Republic in a law on the approval of financial indicators of the state budget and municipal budgets for each year.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

ACTING PRESIDENT OF THE REPUBLIC

ALGIRDAS BRAZAUSKAS