

DECISION No. 3 OF MAY 10, 1995 ON CC No. 6/95

Motion by a group of Members of Parliament challenging the constitutionality of the National Assembly decision of March 1, 1995 (DV, No. 24 of March 14, 1995) to release Kristian Krustev, Deputy Speaker of the National Assembly. The Constitutional Court ruled down the challenge and defined the National Assembly decision that was challenged as non-anticonstitutional. Parliament abided by the Standing Orders. The provision of Art. 5 para 1 subpara 2 of the Standing Orders is not a constitutional norm. Violation, if any, does not lead to anti-constitutionality. The Constitutional Court ruled that the judgment of constitutionality according to Art. 149 para 1 subpara 2 of the C. has to be given solely in view of whether there has been violation of Constitution provisions and not of other by-laws that pose extra requirements or call for additional procedures. Besides the constitutionality of Art. 5 para 1 subpara 2 and Art. 2 of the Standing Orders is not challenged. The challenged decision of the National Assembly violates neither Art. 73 of the C. nor any other constitutional norm.