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# **RULES AND REGULATIONS OF THE SENATE**

**RESOLUTION**  
**OF THE SENATE OF THE REPUBLIC OF POLAND**  
**of November 23, 1990**

**January 2011**

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## **SECTION I**

### **GENERAL RULES**

#### ***Article 1***

1. The duties and rights of Senators, and the conditions of fulfilling the duties of their office, are derived from the Constitution of the Republic of Poland and from the provisions of the act on the exercise of the Deputy's and Senator's mandate.
2. The Rules and Regulations of the Senate describe the specific duties and rights of Senators which pertain to internal organisation and procedures of the Senate and its bodies, the means of performing constitutional and statutory duties by state bodies with respect to the Senate and the procedure for providing citizens with information.

#### ***Article 2***

The Senators shall fulfil their duties and rights, being guided by the consideration for the well being of the Nation and by their own conscience.

#### ***Article 3***

1. The Senate shall pass its resolutions by a simple majority vote of at least half of the statutory number of Senators, unless otherwise specified in the Constitution of the Republic of Poland, the statutes or the Senate Rules.
2. The provisions of para. 1 apply to voting on formal motions.

## **SECTION II**

### **SENATE BODIES**

#### ***Article 4***

The bodies of the Senate shall be:

- 1) The Marshal of the Senate;
- 2) The Presidium of the Senate;
- 3) Council of Seniors;
- 4) Senate Committees.

### **Article 5**

The Presidium of the Senate shall consist of the Marshal and Deputy Marshals of the Senate.

### **Article 6**

1. The Senate shall elect the Marshal from among candidates submitted by at least 10 Senators, by secret ballot, passing the resolution with an absolute majority of votes.
2. If none of the candidates has received the required majority, consecutive balloting shall be conducted which effects the consecutive elimination of the candidate who receives the least number of votes. In case of an equal number of votes, elimination is effected by drawing lots. If in the last round of voting none of the candidates achieves the required majority then the voting procedure is repeated.
3. Recalling the Marshal of the Senate shall take place on a motion from at least 34 Senators in a secret ballot, passed with an absolute majority of votes cast by the statutory number of Senators.

### **Article 7**

1. The Senate shall elect no more than four Deputy Marshals from among candidates submitted by at least 10 Senators in a secret ballot with an absolute majority of votes being required. The election of the Deputy Marshals is governed by Article 6, para. 2.
2. The provisions of Article 6, para. 3 are applicable respectively to the recall of a Deputy Marshal.

### **Article 8**

1. The Marshal of the Senate shall:
  - 1) protect the rights and the dignity of the Senate;
  - 2) represent the Senate;
  - 3) handle relations with the Sejm, with parliaments of other countries, and with institutions and other agencies of the European Union;
  - 4) establish the plan for the Senate's work, after seeking the opinion of the Council of Seniors;
  - 5) convene sittings of the Senate;
  - 6) establish a draft agenda after seeking the opinion of the Council of Seniors;
  - 7) preside over sittings of the Senate and watch over their conduct;
  - 8) order the printing of acts of law passed by the Sejm, draft acts, draft resolutions,

opinions of the committees on documents submitted in matters concerning the membership of the Republic of Poland in the European Union and other Senate papers, and make them available to Senators;

- 8a) give course to documents submitted in matters concerning the membership of the Republic of Poland in the European Union;
  - 9) supervise adherence by the Senate and its bodies to the timetable for its work;
  - 10) supervise the work of the Senate committees and may instruct them to consider certain matters;
  - 11) convene the sittings of the Presidium of the Senate, preside over the sittings and direct its work;
  - 12) convene the Council of Seniors and preside over its sittings;
  - 13) oversee the performance by state and local self-government bodies, and units subordinate to them, and other obligated entities, of their constitutional and statutory duties with respect to the Senate, the Senate bodies and Senators;
  - 14) conduct assessments of the performance by state and local self-government bodies of their duties with respect to the Senate, the Senate bodies and Senators, and present these assessments to Senators;
  - 15) provide assistance to Senators in the performance of their mandate and undertake, at their request, appropriate steps to deal with issues submitted;
  - 16) ensure order and decorum within the entire precinct of the Senate;
  - 17) set the draft budget for the Chancellery of the Senate after having sought the opinion of the Presidium of the Senate, and the Rules, Ethics and Senatorial Affairs Committee, and - with respect to the care over Polish émigré communities and Poles abroad - the Emigration Affairs and Contacts with Poles Abroad Committee, and supervise its performance;
  - 18) establish in an order the statute for the Chancellery of the Senate after having sought the opinion of the Presidium of the Senate and the Rules, Ethics and Senatorial Affairs Committee;
  - 19) appoint and dismiss the Head of the Chancellery of the Senate, after having sought the opinion of the Presidium of the Senate and the Rules, Ethics and Senatorial Affairs Committee;
  - 20) carry out other tasks ensuing from the Senate Rules.
2. The Marshal of the Senate shall also perform other tasks foreseen in the Constitution and other acts of law.

3. The Marshal of the Senate shall sign on behalf of the Senate letters to external addressees.
4. The Marshal of the Senate may authorise a Senator or a group of Senators to perform specific duties.

### **Article 9**

The Presidium of the Senate shall:

- 1) without prejudice to the entitlements of the Marshal and Deputy Marshals of the Senate set out in Article. 42 para. 2, interpret the Rules and Regulations of the Senate after having sought the opinion of the Rules, Ethics and Senatorial Affairs Committee;
- 2) refer specific matters to committees for consideration;
- 3) establish the principles for organising scientific advice for the Senate and its bodies, appointing advisors and use of opinions and expert studies;
- 4) oversee the performance by Senators of their duties;
- 5) give opinions on issues raised by the Marshal of the Senate;
- 6) undertake other activities resulting from the Rules and Regulations of the Senate.

### **Article 10**

1. The daily agenda of the debates and times of the sittings of the Presidium of the Senate shall be set by the Marshal of the Senate.
2. The Head of the Chancellery of the Senate and persons invited by the Marshal of the Senate shall participate in the sittings of the Presidium of the Senate in an advisory capacity.
3. Minutes shall be prepared of the sittings of the Presidium of the Senate, signed by the Marshal of the Senate. The minutes shall be the only official record of the sitting of the Presidium and shall be available to all the Senators.
4. The Presidium of the Senate shall undertake resolutions and other decisions by a majority vote. In the case of an equal number of votes, the Marshal of the Senate shall have a casting vote.

### **Article 11**

1. Deputy Marshals of the Senate shall:
  - 1) preside over the sittings of the Senate in the name of the Marshal of the Senate;
  - 2) perform, in the name of the Marshal of the Senate, duties assigned to them by him.
2. When acting on behalf of the Marshal of the Senate Deputy Marshals have all the rights and duties of the Marshal of the Senate resulting from the Senate Rules and Regulations.

### **Article 12**

1. The Senate committees shall be appointed to consider and elaborate matters upon their own initiative as well as those referred to them by the Senate, the Marshal of the Senate or the Presidium of the Senate.
2. The committees, within the scope of their competence, shall examine bills passed by the Sejm and present reports thereon to the Senate.
3. The committees shall also assume position regarding the correctness of enactment and the manner of implementation of statutes.
4. The committees may prepare their own rules of procedure upon consultation with the Rules, Ethics and Senatorial Affairs Committee.

### **Article 13**

1. The Senate shall appoint standing committees designated for specific matters, and can appoint and dissolve special committees for carrying out specific assignments.
2. The chairmen and the members of committees shall be elected and recalled by the Senate.
3. The Marshal of the Senate, upon his own initiative or that of the Presidium of the Senate, and also upon the motion of at least four chairmen of committees, shall convene a sitting of the chairmen of Senate committees.
4. Sittings of the chairmen of the Senate committees shall co-ordinate co-operation between committees, delineate needed legislative initiatives, as well as consider other matters presented by the Marshal of the Senate, by the Presidium of the Senate or by the chairmen of the committees.

### **Article 14**

1. Proposals of resolutions concerning the appointment and dissolution of committees, as well as concerning their composition, shall be prepared and presented to the Senate by the Rules, Ethics and Senatorial Affairs Committee.
2. Proposals of resolutions concerning the appointment and recall of the chairman of a committee shall be prepared and presented to the Senate by the Rules, Ethics and Senatorial Affairs Committee upon a motion of the pertinent committee, after having consulted the Convention of Elders, except as provided in para. 4. The same applies to a proposal of a resolution concerning the recall of the chairman of a committee in the case of his written resignation from the office proffered to the Marshal of the Senate.
3. The provisions of section IX are not applicable to proposed resolutions specified in paras. 1

and 2.

4. A motion for the recall of a chairman of a committee may also be presented by the Marshal of the Senate on his own initiative or on a motion from the Presidium of the Senate.

### **Article 15**

1. The following standing committees shall be designated:
  - 1) The Budget and Public Finance Committee;
  - 2) The National Economy Committee;
  - 3) The Culture and Media Committee;
  - 4) The Science, Education and Sports Committee;
  - 5) The National Defence Committee;
  - 6) The Human Rights, the Rule of Law and Petitions Committee;
  - 7) The Rules, Ethics and Senatorial Affairs Committee;
  - 8) The Family and Social Policy Committee;
  - 9) The Agriculture and Rural Development Committee;
  - 10) The Local Government and State Administration Committee;
  - 11) The Emigration Affairs and Contacts with Poles Abroad Committee;
  - 12) The European Union Affairs Committee;
  - 13) The Foreign Affairs Committee;
  - 14) The Environment Committee;
  - 15) The Legislation Committee
  - 16) The Health Committee.
2. The areas of responsibility for standing committees shall be defined in an appendix to the Rules and Regulations of the Senate.

### **Article 16**

1. The Council of Seniors is a body which provides for the co-operation of Senate clubs and Senate groups on issues connected with the activity and the course of work of the Senate.
2. The Council of Seniors shall consist of: the Marshal, Deputy Marshals and Senators who represent Senate clubs, and who represent agreements specified in Article 21, para. 5, as well as parliamentary clubs if they consist of at least 7 Senators.
3. The Council of Seniors shall carry out its assignments through:
  - 1) issuing opinions upon the proposals for agenda of Senate sittings;
  - 2) issuing opinions on the work schedule and statements pertaining to the dates of sittings



- of the Senate;
- 3) pointing out needed legislative initiatives;
  - 4) considering and presenting motions on the order of the debate or the sitting of the Senate;
  - 5) considering other matters presented by the Marshal of the Senate, the Presidium of the Senate or representatives of clubs and agreements specified in Article 21, para. 5.
4. The Council of Seniors shall be convened by the Marshal of the Senate, on his<sup>1</sup> own initiative, by the Presidium of the Senate or upon the motion of a club or one of the agreements specified in Article 21, para. 5.
  5. In Article 10 paras. 1-3 shall apply to the sittings of the Council of Seniors.

#### **Article 17**

1. The Senate shall elect from among its members from six to eight Secretaries of the Senate. The election is done jointly, unless decided otherwise by the Senate.
2. The Secretaries of the Senate shall keep a list of the speakers and a record of the sittings, do the vote count and carry out other tasks assigned by the Marshal of the Senate.

### **SECTION III RIGHTS AND DUTIES OF SENATORS**

#### **Article 18**

1. Prior to assuming their mandate, Senators shall take an oath of office at the first sitting of the Senate in accordance with the Senators' oath code.
2. A Senator absent from the first sitting of the Senate shall take the oath at the next sitting at which he is present.
3. Cases of Senators who have not taken the oath within 3 months of the date of the first sitting shall be handled by the Presidium of the Senate. After having sought the opinion of the Rules, Ethics and Senatorial Affairs Committee the Presidium of the Senate will rule whether the reasons for failing to take the oath are indicative of an attempt to avoid taking the oath.

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<sup>1</sup> *Whenever the male term is used in this text, it should be understood to refer also to the female. This note is not part of the text of the Senate Rules.*

4. After taking the oath of office a Senator is issued with his Senator's identity document.

### **Article 19**

1. A Senator shall be obliged to attend and actively participate in sittings of the Senate and Senate bodies to which he has been elected.
2. Senators can request the Marshal of the Senate or Presidium of the Senate for the Senate or Senate committees to consider specific issues.
3. A Senator participating in a sitting may not decline to take part in voting. Voting may only be performed in person.
4. A Senator may not decline, without valid reason, to undertake a function in the Senate bodies.
5. A Senator shall be entitled to permanent assistance from the Chancellery of the Senate.
6. A Senator-rapporteur of motions from joint committees is obliged to represent the Senate when its resolutions are considered by Sejm committees. In a situation where the acceptance of a Senate resolution is not preceded with a sitting of the joint committees, then the obligation to represent the Senate rests with one of committee rapporteurs appointed by committee chairmen.
7. In the event of an obstacle preventing a Senator-rapporteur from participating in a sitting of Sejm committees, the chairmen of the Senate committees specified in para. 6 shall appoint another Senator, who will perform rapporteur duties.

### **Article 20**

1. A Senator must submit his candidature to one standing committee.
- 1a. The provision of para. 1 above does not apply to members of the Presidium of the Senate.
2. A Senator may not be a member of more than two standing committees but can participate in the work of other committees, however without a voting right.
3. Repealed.
4. A Senator holding the position of minister or secretary of state must not be a member of a standing committee the subject area of which coincides with that of the government administration body in which the Senator holds that position.

### **Article 21**

1. Senators can establish Senate clubs or Senate groups organised along political lines in the Senate.

2. Clubs are created by at least 7 Senators.
3. Groups are created by at least 3 Senators.
4. A Senator can only belong to one Senate club or Senate group.
5. Senate clubs or Senate groups can appoint a joint representative in the Council of Seniors on the basis of mutual agreements.
6. Senators can create groupings at the Senate organised according to other principles than those set forth in para. 1.
7. The authorities of clubs, groups or groupings and agreements shall present their composition and internal rules to the Presidium of the Senate.

### **Article 22**

1. A Senator shall confirm his presence at a sitting of the Senate, the National Assembly or their constituent bodies by signing the roll. The presence of a Senator at a sitting of the Senate is also confirmed by printouts of participation in votes.
2. In case of an impediment making his presence at a sitting of the Senate, the National Assembly or their constituent bodies impossible, a senator should give reasons for his absence in writing, within 14 days of the occurrence. The letter must be addressed to the Marshal of the Senate or in case of a committee sitting - to the chairman of that committee.
- 2a. Justified impediments making the presence of a Senator at a sitting of the Senate, committee, National Assembly or their constituent bodies, or participation in voting at a Senate sitting impossible, are:
  - 1) sickness;
  - 2) having to take care of a sick person;
  - 3) foreign or domestic travel associated with the senatorial mandate, approved by the Marshal of the Senate;
  - 4) convergent timing of the sittings of committees of which the Senator is a member, if he has taken part in any such sitting;
  - 5) leave granted to the Senator under Article 23;
  - 6) other important reasons.
3. Absence of a senator without justification at:
  - 1) two Senate sittings within the same year;
  - 2) three committee sittings within the same year;
  - 3) The National Assembly or its constituent body sitting shall be handled in accordance with Article 25.

4. In the case of a Senator's absence without justification from a Senate sitting, an appropriate note shall be entered in the roll.
5. The Marshal of the Senate shall order a reduction in a salary and a parliamentary per diem allowance, or one of these payments if just one is due to a Senator:
  - 1) by 1/30 for each day of unjustified absence by a Senator at a sitting of the Senate or for the unjustified failure on a given day to participate in more than 1/5 votes, if there were more than 10 voting sessions, with the exclusion of voting on formal motions and secret ballots;
  - 2) by 1/30 for each day of unjustified absence by a Senator at a committee sitting;
  - 3) by 1/30 for each day of unjustified absence by a Senator at a sitting of the National Assembly or its constituent body.

Article 24 applies respectively to Senators who do not collect a salary or a per diem allowance.

6. In the event of an unjustified absence on the same day at sittings of bodies referred to in para. 3, only one reduction referred to in para. 5 shall apply.
7. A Senator affected by an order of the Marshal as specified in para. 5 can appeal it to the Presidium of the Senate within 14 days of its delivery. The Presidium of the Senate decision, issued upon consultation with the Rules, Ethics and Senatorial Affairs Committee, shall be final.
8. The Presidium of the Senate shall determine the modes of handing in and considering justifications for a Senator's absence from a sitting of the Senate, committee, National Assembly or its constituent body, or from voting at a Senate sitting, as well as procedures in cases where there is no justification for absence.

### **Article 23**

The Marshal of the Senate, upon a motion from a Senator, may grant him leave of absence for valid reasons. During the leave of absence, the Senator's salary and per diem allowance may be suspended.

### **Article 24**

1. Cases of Senators who are accused of a breach or failure to adhere to the duties defined in Articles 33-35a of the Act on the exercise of the Deputy's and Senator's mandate, shall be considered by the Presidium of the Senate after seeking the opinion of the Rules, Ethics and Senatorial Affairs Committee.

2. The Presidium of the Senate, after considering a case as specified in para. 1, may by means of a resolution:
  - 1) bring the matter to the Senator's attention and oblige the Senator to ensure proper behaviour;
  - 2) administer the Senator with an admonition;
  - 3) reprimand the Senator.
3. The Presidium of the Senate must inform the Senate of the resolution specified in para. 2.
4. A Senator is entitled to appeal the Presidium of the Senate decision to the Senate within 14 days of its delivery. The Senate shall consider the appeal upon hearing a representative of the Presidium of the Senate and, if requested, by the Senator in question. There shall be no discussion over the appeal.
5. The Senate may, after hearing the appeal, resolve to annul or maintain the validity of the resolution of the Presidium of the Senate.

### **Article 25**

1. Cases of Senators who do not fulfil their senatorial duties, as well as of the Senators who act in a manner unbecoming the Senator's dignity, upon a motion from the Presidium of the Senate, shall be considered by the Rules, Ethics and Senatorial Affairs Committee.
2. The Rules, Ethics and Senatorial Affairs Committee may, pursuant to the consideration of cases cited in para. 1 above, by means of a resolution:
  - 1) bring the matter to the Senator's attention;
  - 2) administer the Senator with an admonition;
  - 3) reprimand the Senator.
3. A Senator may appeal the committee resolution to the Presidium of the Senate within 14 days of its delivery. The appeal shall be addressed to the Marshal of the Senate who shall present it at a sitting of the Presidium of the Senate. The ruling of the Presidium of the Senate shall be final.

### **Article 25a**

1. Cases of Senators who obstruct the work of the Senate, the National Assembly or their constituent bodies by blatantly breaching the provisions of pertinent rules and regulations shall be scrutinized by the Marshal of the Senate.
2. As a consequence of that scrutiny, the Marshal may:
  - 1) order to reduce the Senator's salary by up to one half of its monthly amount – for a

- period not exceeding three months;
- 2) order to reduce the Senator's parliamentary per diem allowance by up to one half of its monthly amount – for a period not exceeding three months;
  - 3) order a withdrawal of the Senator's entitlement to the parliamentary per diem allowance.
3. In the order referred to in para. 2, subparas 1 and 2, the Marshal shall establish the time period during which the reduction of the Senator's salary or parliamentary per diem allowance shall apply as well as the amount of the reduction.
  4. Senators can appeal the Marshal's order referred to in para. 2 to the Presidium of the Senate within 14 days of its delivery. The appeal must be handed to the Marshal, who shall then present it at the sitting of the Presidium of the Senate. The Presidium of the Senate decision shall be final.

### **Article 26**

1. A motion for a Senate consent to bring a Senator to criminal liability is submitted by the Marshal of the Senate to the Rules, Ethics and Senatorial Affairs Committee. After having considered the motion, the committee adopts a report jointly with a proposal to accept or reject the motion.
2. The Senate considers the report of the Rules, Ethics and Senatorial Affairs Committee without holding a discussion. The Senator concerned by the motion has an opportunity to provide explanations and other Senators are entitled to question him on the issue at hand.
3. If the Senate completes its term in office after the proceeding on the motion has been initiated but before the Senate rules on the matter, the proceeding continues in the Senate of the successive term provided that the Senator concerned by the motion is re-elected, with the understanding that:
  - 1) all actions taken hitherto remain binding, except as provided in subpara. 2 above;
  - 2) the term to effect necessary actions in connection with the examined motion, interrupted as a result of the end of the Senate term in office, begins from the start on the day the Senator concerned by the motion takes oath;
  - 3) if the Rules, Ethics and Senatorial Affairs Committee of the preceding term has adopted the report referred to in para. 1 above, the Chairman of the Rules, Ethics and Senatorial Affairs Committee of the following term must present it within 30 days from the day the Senator concerned by the motion takes oath.

### **Article 27**

1. Provisions of Article 26 shall apply accordingly to a proceeding on a motion to obtain a Senate consent to bring a Senator to liability for a misdemeanour, proceeding on a motion to obtain a Senate consent to bring a Senator to civil liability before a court of law for activities within his mandate which breach third party rights, and proceeding on a motion to obtain a Senate consent to retain or arrest a Senator.
2. Provisions of Article 26, paras. 1-2 apply accordingly to a proceeding on a motion to have the Senate request a suspension of a criminal proceeding initiated prior to the Senator's election.

### **Article 27a**

1. The Marshal shall refer the preliminary motion to bring a Senator to constitutional accountability before the Tribunal of State to the Rules, Ethics and Senatorial Affairs Committee. The course of action taken by the committee shall be governed by the Code of Criminal Proceedings.
2. The Chairperson of the Rules, Ethics and Senatorial Affairs Committee must immediately forward a copy of the preliminary motion to the implicated Senator and inform him of his right to submit written clarifications within 30 days following its receipt and of other rights he is entitled to in committee proceedings.
3. After taking preliminary cognizance of the submitted charges as well as clarifications and motions submitted by the implicated Senator, the Committee shall establish the scope and manner of conducting evidence hearings.
4. The implicated Senator and his defence counsel can participate in committee sittings dedicated to hearing the evidence and in pertinent actions initiated upon committee authorization.

### **Article 27b**

1. The Rules, Ethics and Senatorial Affairs Committee shall present a proceeding report to the Senate jointly with a motion to bring the Senator to constitutional accountability or to repeal the proceeding in the matter. Jointly with the report, the committee shall present the Senate with a candidate for prosecutor selected among Senators.
2. The report and motion referred to in para. 1 shall be handed to all Senators jointly with information on the availability of the pertinent case file. The file shall be available for a period of not less than 21 days prior to the Senate considering the case at a sitting.

3. The Senate may return the report to the Rules, Ethics and Senatorial Affairs Committee for the purpose of supplementing the proceeding, and establish at that time the direction and scope of the committee's further course of action.

#### ***Article 27c***

The Senate shall adopt a resolution to bring the implicated Senator to constitutional accountability by an absolute majority of votes in the presence of at least one half of the statutory number of Senators.

#### ***Article 28***

Repealed.

### **SECTION IV FIRST SITTING OF THE SENATE**

#### ***Article 29***

1. The first sitting of the Senate shall be convened by the President by the deadline defined in the Constitution.
2. The Chancellery of the Senate shall inform Senators about the order of the President in this matter.

#### ***Article 30***

1. The first sitting of the Senate shall be opened by the President of the Republic of Poland who shall appoint, as Chairman, the eldest Senator (the Marshal-Senior). Should the President be unable to carry out this function, the first sitting of the Senate shall be opened by the Marshal-Senior.
2. In case of impediment, the function of chairman of the sitting shall be assumed by the next oldest Senator.
3. The Marshal-Senior shall take an oath and call from among the youngest Senators, three secretaries for the first sitting.
4. The Marshal-Senior, with the assistance of the secretaries of the first sitting, shall receive the senatorial oath and conduct the election of the Marshal of the Senate.



5. The Senators shall take the oath in the following manner: after the senatorial oath is read out aloud, they are each called out by the secretary of the first sitting, stand up and say "I swear", which at the Senator's discretion can be followed by the words "So help me God".
6. The Senator elected as Marshal of the Senate shall declare his acceptance of the function of the Marshal of the Senate and then take over the presidency of the sitting from the Marshal-Senior.

### **Article 31**

The Marshal of the Senate, with the assistance of the secretaries of the first sitting, shall conduct the election of Deputy Marshals of the Senate and of Secretaries of the Senate.

## **SECTION V FUNCTIONING OF THE SENATE**

### **Chapter 1 Sittings of the Senate**

#### **Article 32**

1. The Senate shall deliberate in sittings.
2. The Marshal of the Senate, no later than 7 days before the planned sitting, shall notify of the date and proposed agenda for this sitting, the Senators, the President of the Republic of Poland, the Marshal of the Sejm, the Prime Minister, and in cases when deliberations on the budgetary legislation are scheduled - also the President of the Supreme Chamber of Control.
3. In particularly justified cases, the Marshal of the Senate may decide to shorten the deadline specified in para. 2 above.

#### **Article 33**

1. The right to attend the sittings of the Senate is held by the persons named in Article 32, para. 2, and members of the Presidium of the Sejm, members of the Council of Ministers, the President of the Constitutional Tribunal, the Commissioner for Citizens' Rights, and the First President of the Supreme Court.
2. The right to attend the sittings of the Senate is also given to guests invited by the Marshal of

the Senate.

3. Authorised employees of the Chancellery of the Senate shall have the right to enter the sitting hall.

#### **Article 34**

1. Sittings of the Senate shall be held on the days set by a resolution of the Senate or by the Marshal of the Senate.
2. The proposal for the agenda for a sitting of the Senate shall be set by the Marshal of the Senate. However, the agenda may only contain matters made known to the Senators by way of printed notice given to them no later than 3 days before the sitting. In exceptional cases, this period may be shortened upon agreement by the Senate.
- 2a. Upon a motion by the European Union Affairs Committee, the Marshal of the Senate shall add to the agenda the relevant Council of Ministers' information in a matter concerning the membership of the Republic of Poland in the European Union.
3. Committees and Senators may submit to the Marshal of the Senate, no later than 10 days before a sitting, motions concerning the agenda. Non-compliance with them shall require that an explanation be given at the presentation of the agenda to the Senate.

#### **Article 35**

Repealed.

#### **Article 36**

1. Sittings of the Senate shall be open.
2. The Senate, upon a motion from the Marshal of the Senate or of at least 10 Senators, may pass a resolution to hold deliberations in camera, if the good of the State is at stake. This resolution shall be passed by the Senate with an absolute majority vote with the presence of at least half of the statutory number of Senators.
3. The Senate shall decide upon holding in camera deliberations in a closed sitting.

#### **Article 37**

1. The right of a citizen to obtain information on the activities of the Senate and its bodies, in the meaning of the Access to Information Act, is exercised by:
  - 1) giving advance notification to the general public on sittings of the Senate;
  - 2) providing access to sittings of the Senate and Senate committees;

- 3) providing access to Senate papers, minutes and stenographic reports on sittings of the Senate, minutes and stenographic records from Senate committees, as well as other documents, materials and information connected with the activities of the Senate and its bodies.
2. Access to documents and other information referred to in para. 1, subpara. 3 is provided by way of placing them on the computer information network. An application must be submitted to receive access to information not available on the network.
3. Access to documents and other information referred to in para. 1, subpara. 3 can be also provided by way of laying them out or hanging them in public places, or by way of installing a device that makes it possible to view them in public places.
4. Decisions concerning a refusal of access to public information and discontinuance of a proceeding to obtain access to public information shall be issued by the Chief of the Chancellery of the Senate.
5. The Marshal of the Senate shall specify by way of a directive the procedure of accessing public information in a manner specified in para. 1, subparas 2 and 3, in particular where and when it can be accessed.

#### **Article 37a**

Professional lobbying activities can be performed in the Senate.

#### **Article 38**

Information on a scheduled sitting of the Senate and its draft agenda shall be passed on to news agencies.

#### **Article 39**

1. Minutes and a stenographic record shall be made of the course of the Senate sitting; those shall be the only official records of the Senate sitting.
2. The minutes of the Senate sitting shall include a brief account of the deliberations and-as an annex-full texts of acts passed, resolutions undertaken, reports presented and motions as well as other materials considered by the Senate.
3. The minutes and the stenographic record, together with the annexes, shall be made available to Senators within 30 days after the sitting of the Senate. The working version of the stenographic record shall be made available to Senators the day after the sitting.

4. Senators and anyone participating in the debate may submit reservations or corrections to the minutes no later than up to the starting date of the Senate sitting following the sitting the minutes of which have been made available. The Marshal of the Senate shall decide on whether such corrections should be accepted.
5. Minutes, to which no objections or corrections have been filed, shall be considered valid. The adoption of the minutes shall be confirmed by the signature of the Marshal of the Senate or the presiding Deputy Marshal and the secretary of the sitting in charge of the minutes. The minutes bearing the seal of the Senate of the Republic of Poland shall be kept in the Senate Archives.
6. Individual results of a vote conducted with the use of electronic equipment and the results of a vote by roll call conducted with the use of voting cards, shall be published in the stenographic record.
7. Printing of the stenographic record shall be ordered by the Marshal of the Senate.

#### ***Article 40***

Repealed.

#### ***Article 41***

Repealed.

### ***Chapter 2***

#### ***Debate***

#### ***Article 42***

1. The Marshal of the Senate shall preside over debates of the Senate with the assistance of two secretaries of the Senate appointed by the Marshal.
2. When presiding Senate debates, the Marshal of the Senate is responsible for interpreting the applicability of Senate Rules to particular situations.

#### ***Article 43***

1. The Marshal of the Senate shall present, for the Senate's approval, the draft of the agenda.
2. If the draft agenda presented by the Marshal does not take into account the motions specified in Article 34, para. 3, and these are upheld by the parties submitting these motions, then the Senate shall resolve whether to include the motions.

#### **Article 44**

1. The Marshal of the Senate shall give the floor in matters included in the agenda.
2. Senators intending to take part in a debate pertaining to a specific point in the agenda should sign up with the secretary of the Senate keeping a list of speakers.
- 2a. Every Senator may add his undelivered pronouncement to the minutes. The text shall also be added to the stenographic record.
- 2b. The Marshal of the Senate shall be entitled to reject a pronouncement referred to in point 2a when:
  - 1) its content cannot be established;
  - 2) it is evident that it could not be delivered within the time available to each Senator in the debate.
3. Signed motions of a legislative nature shall be submitted by Senators by the end of the discussion on a point in the agenda.
4. The Marshal of the Senate shall give the floor to Senators in the order recorded in the list of speakers. The first to speak shall be the rapporteur; if there was a difference of opinions in the committee, the further speakers shall be the rapporteurs of the views of minorities.
5. Before undertaking deliberations, Senators may ask the rapporteur, from their seat, short questions of no longer than 1 minute concerning the bill, resolution or problem on which he is reporting. The rapporteur shall answer these questions.
6. The Senators may also pose, from their seats, short questions of no longer than 1 minute concerning the currently discussed point of the agenda to persons referred to in Article 33, paras 1 and 2, and present at this sitting, in matters within the scope of bodies or institutions they direct.
7. The Marshal of the Senate may draw the attention of a Senator who, in his presentation, is straying from the subject under consideration, by saying: "to the point, please". Having twice called upon the Senator to keep "to the point, please", the Marshal of the Senate may request the Senator in question to surrender the floor.

#### **Article 45**

The subjects to be included in Senate debates may be:

- 1) bills passed by the Sejm;
- 2) legislative initiatives from the Senate and other resolutions;
- 2a) information of the Council of Ministers on the participation of the Republic of Poland in activities of the European Union;

- 3) reports and information presented to the Senate by the Constitutional Tribunal, First President of the Supreme Court, Commissioner for Citizens' Rights, Commissioner for Children's Rights, National Council of Radio Broadcasting and Television and President of the Institute of National Remembrance - Commission of the Prosecution of Crimes against the Polish Nation.

#### **Article 45a**

The Senate shall examine information of the Council of Ministers on the participation of the Republic of Poland in activities of the European Union, upon a prior delivery thereof to Senators.

#### **Article 46**

1. The presentation of a rapporteur speaking on behalf of a committee may not last more than 20 minutes; the allocution of a Senator in a discussion may not exceed 10 minutes, except when the Marshal of the Senate extends this time limit due to the gravity of the matter under deliberation.
2. In discussion over an issue, a Senator may speak only twice. The second allocution in the same matter may not exceed 5 minutes.
3. The Marshal of the Senate shall decide about extending the time limit of an allocution or about granting additional floor time to a speaker.
4. The Marshal of the Senate may undertake a decision to delete from the minutes a statement coming from a Senator who has not been granted the floor or who has continued his allocution after his right to speak has been rescinded.

#### **Article 47**

1. The Marshal of the Senate, during the sitting, shall watch over adherence to the Senate Rules and proper decorum and order in the chamber.
2. The Marshal of the Senate shall "call to order" a Senator who disturbs the order during the course of the sitting.
3. The Marshal of the Senate shall "call to order with a record in the minutes" a Senator who has seriously violated the order during the course of the sitting.
4. The Marshal of the Senate may make a decision to exclude a Senator from a sitting, if the Senator disturbs the order during the course of the sitting even though he has already, at this sitting, been called to order with a record in the minutes.
5. In the case cited in para. 4 above, the Marshal of the Senate may call a recess in the sitting.

6. A Senator can appeal to the Rules, Ethic and Senatorial Affairs Committee against the Marshal's decision referred to in paras 3 and 4. The committee shall reject the appeal or request the Marshal to rescind his decision. The Marshal shall accept the motion of the Committee or present the case for resolution by the Senate.
7. Until a decision is reached, the Senator who has been excluded shall not participate in the sitting.

#### **Article 48**

1. Outside the framework of the agenda or in respect to the debate, the Marshal of the Senate shall grant the floor only for the purpose of submitting a formal motion, reply, or rectification of an incorrectly understood or inaccurately quoted statement. Such intervention may not exceed 3 minutes.
2. Motions of order shall include the following:
  - 1) announcing a recess or a postponement of the sitting;
  - 2) declaring the sitting *in camera*;
  - 3) closing the list of speakers;
  - 4) postponement or closure of a discussion;
  - 5) proceed according to the agenda;
  - 6) referring a matter to a committee;
  - 7) a vote without discussion;
  - 8) an addition to or a change in the draft agenda or its final version;
  - 9) a change in the method of conducting deliberations, discussion or voting;
  - 10) curtailing floor time;
  - 11) declaring a quorum;
  - 12) counting votes.
3. A motion of order should contain the request and a brief justification.
4. Approval or rejection of a motion of order shall be decided by the Senate after hearing the mover and possibly one of the opponents of the motion.

#### **Article 49**

1. The Marshal of the Senate at the end of a sitting after the agenda has been exhausted grants the floor to Senators for the purpose of delivering senatorial statements. A statement can relate to issues connected with the exercise of a Senator's mandate, but it cannot relate to issues that were included in the agenda of the current Senate sitting.
2. A senatorial statement cannot last longer than 5 minutes. Every Senator shall be entitled to

file his undelivered statement in the minutes. Its text shall be also added to the stenographic record.

2a. The Marshal of the Senate shall be entitled to reject a statement when:

- 1) its content cannot be established;
  - 2) it is evident that it could not be delivered within the time available to each Senator in the debate.
3. No discussion shall be conducted on a Senator's statement.
  4. Senators' statements, if they include specific motions and comments addressed to members of the Council of Ministers, representatives of state or local government bodies and institutions, shall immediately be directed by the Marshal of the Senate to the indicated addressees with a request for them to take a position.
  5. Answers are granted to Senators in writing within no longer than 30 days from the date of delivering a statement.
  6. In the event of exceeding the period specified in para. 5 or providing an answer that is clearly unsatisfactory then the provisions of Article 8, para. 1, subparas 13 and 14 are applicable respectively.

#### ***Article 50***

1. Beyond the scheduled order of speakers, the Marshal of the Senate shall grant the floor to the Prime Minister and members of the Council of Ministers, upon request.
2. Beyond the scheduled order of speakers, the Marshal of the Senate shall also grant the floor to persons referred to in Article 32, para. 2 and Article 33, para. 1, and may also grant the floor to invited guests.

#### ***Article 51***

Beyond the scheduled order of speakers, the Marshal of the Senate may grant the floor to the rapporteur or the chairman of the committee which has prepared the report in question.

#### ***Article 52***

1. The rapporteur, presenting a draft resolution to the Senate, shall discuss the filed motions, explaining the consequences of their passing, and the inter-relations or contradictions existing between them.
2. Once the list of speakers has been exhausted, the Marshal of the Senate shall close the



discussion. Should committees present varying motions in draft resolutions, or should motions referred to in Article 44, para. 3 be presented, the Marshal of the Senate shall call a recess in order that the appropriate committees may state their position with respect to these motions.

3. The committees shall deliberate jointly. Included in a report from the joint committees shall be a list of the motions presented by the committees, minority motions and motions from Senators submitted during the discussion.
4. The author of a motion can make alterations to the motion, if the committees agree that the alterations do not constitute a significant change to the contents of the motion.
5. Committees can change the wording of a motion to limit its provisions exclusively to the proposed change in the law. If the author of a motion is present at the sitting of committees then the committees shall listen to his position.
6. After the recess, only rapporteurs and authors of a motions may speak.
7. The author of a motion can withdraw it up to the moment when the Senate proceeds to taking a vote. Any Senator can retain a motion being withdrawn by taking over the rights of the original author of a motion.

### ***Chapter 3***

#### ***Voting Procedure***

#### ***Article 53***

1. After the closing of discussion or the allocution of a rapporteur speaking on behalf of a committee, the Marshal of the Senate shall announce the vote in the Senate. From that moment on there shall be permitted only a submission or justification of a formal motion on the means or order of voting or asking the rapporteurs questions to clarify the contents of the amendment proposed.
2. Voting takes place using electronic apparatus registering the individual vote of Senators voting and consists of pressing a button on the apparatus and raising an arm (open voting).
3. On a motion made by the Marshal of the Senate or by at least 20 Senators, as well as, in the case of failure of the electronic equipment, voting shall be conducted without the use of the electronic device for counting votes in the following manner:
  - 1) raising of the hand with the Marshal of the Senate ordering a count of the votes by the secretaries of the Senate (open vote); or
  - 2) using voting cards marked with the Senator's first and last name (roll-call vote)

4. A roll-call vote shall be conducted on the motion of the Marshal of the Senate or of at least 20 Senators.
5. A roll-call vote is conducted with the use of a ballot box prepared for this purpose. The Senators, one by one, in alphabetical order, shall be called out by the secretary of the Senate, and place their ballots in the box. The box shall be opened and the ballots counted by three secretaries of the Senate designated by the Marshal of the Senate.
6. A vote in personal matters must be secret, except in the case of votes on the composition of Senate committees and on the recall of the chairman of a committee in the case of his written resignation from the office proffered to the Marshal of the Senate.
7. Secret ballots shall be held using sealed voting cards. The provisions of para. 5 shall apply accordingly.
8. The voting results shall be announced by the Marshal of the Senate. The results of a roll-call vote and of a secret vote shall be announced by the Marshal of the Senate on the basis of a report presented by the secretaries of the Senate charged with counting the vote. The voting results shall be final and may not be the subject of discussion.

#### ***Article 54***

1. The order of voting shall be as follows:
  - 1) voting on a motion to reject a bill;
  - 2) voting on a motion to accept a bill without amendments;
  - 3) voting on amendments to particular articles or paragraphs, according to the sequence of the provisions of the bill:
    - a) voting is first carried out for amendments, the acceptance or rejection of which is decisive for other amendments; in the case of accepting an amendment which excludes other amendments, those amendments shall not be voted upon;
    - b) in a case where several amendments are filed to the same provision, first the furthest reaching amendment shall be voted; the sequence of voting shall be decided by the Marshal of the Senate upon consultation with the rapporteur;
    - c) amendments which entail alterations to other provisions shall be voted upon jointly,
  - 4) the Marshal of the Senate may order a joint voting over a group of amendments if no motion, contrary to this, was placed;
  - 5) voting on the acceptance of the resolution in-total with the revisions resulting from the accepted amendments and, in case of all amendments having been rejected – voting to

adopt the resolution without amendments, if such motion is presented.

2. The Marshal of the Senate may postpone voting on the total of the resolution for the time needed to ascertain if, as a result of the accepted amendments, there will not arise contradictions between the particular provisions.
3. The Senate may decide to vote on the resolution in-total, together with the amendments, if no objection has been declared in this matter.
4. The Marshal of the Senate shall not put to a vote:
  - 1) Motions to the Sejm resolution referred to in Article 72 para. 1 which exceed the scope specified in Article 72 para. 3;
  - 2) Motions to the draft resolution referred to in art. 85a para. 3 subpara. 1 which exceed the scope specified in Article 85c.";
- 4a. The Marshal of the Senate, prior to submitting an amendment to a bill implementing the law of the European Union to a vote, should there be a doubt as to the scope of the amendment, may ask the European Union Affairs Committee for an opinion,
5. In the event that a resolution is rejected, the Senate may return its proposal to be considered again by the respective committees.

#### ***Article 55***

Repealed.

#### ***Article 56***

Reconsideration of a resolution shall be allowed only during the same sitting of the Senate and only in the case of an obvious mistake in a resolution previously taken.

#### ***Article 57***

A resolution taken by the Senate pertaining to a bill under consideration shall be submitted by the Marshal of the Senate to the Marshal of the Sejm.

## **SECTION VI**

### **COMMITTEES AND THEIR MEMBERS**

#### ***Article 58***

1. The first sitting of a committee shall be convened and conducted by the Marshal of the Senate. At this sitting, the committee shall elect, from among its members, the candidate for its chairman.
2. The chairman shall organise the work of the committee and shall be responsible for its activity.
3. A committee shall elect a deputy chairman from among its members and it shall recall him. If the Senate's Presidium permits so, a committee may elect more than one deputy chairman. A deputy chairman shall fulfil the duties of the chairman in the event of the latter's absence, and the duties entrusted to him by the chairman.
4. The secretary shall keep minutes and be responsible for the records of the committee.
5. The chairman shall sign documents in the name of the committee.

#### ***Article 59***

1. Sittings of committees shall take place at times set by the committee itself or by its chairman. Upon the motion of the Marshal of the Senate, Presidium of the Senate or a written motion by one fourth of the total number of members of the committee, the chairman shall be obliged to call a sitting to consider a specific matter.
2. Senators can request that a committee consider specific issues.
3. Sittings of a committee shall be open.
4. Upon the motion of the Marshal of the Senate, chairman of a committee or at least 3 members of a committee, a committee can decide to hold a secret sitting or a sitting in camera. A committee by deciding to make a sitting secret or to hold a sitting in camera, specifies the people who must be present at the sitting. The provisions of Article 36, paras 2 and 3 are applicable respectively.

#### ***Article 60***

1. Committee sittings may be attended by Senators who are not members of this committee. They may take the floor in discussion and submit motions but shall not hold any voting rights.

2. Committee sittings may be attended by Deputies, representatives of the Council of Ministers, and Deputies to the European Parliament elected in the Republic of Poland.
- 2a. Professional lobbyists can participate in sittings of committees during consideration of legislation or legislative proposals. They shall be entitled to present their desired outcome of such consideration on terms specified by the committee chairman.
3. On the request of a committee or committee chairman, representatives of the Council of Ministers, state and local government bodies, institutions, works and enterprises, commercial law companies with state holdings or municipal corporate bodies and social organisations receiving subsidies from the state budget, shall be obliged to co-operate with the committee on issues being the subject of its activities, and in particular:
  - 1) to present information, clarifications, opinions in writing or using suitable media;
  - 2) to provide materials;
  - 3) to actively participate in committee sittings.
4. In the work of committees the Council of Ministers shall be represented by an authorised member of the Council of Ministers, a secretary of state, an under-secretary of state, a government plenipotentiary or head of a central office, and in particularly justified cases also by another person operating in the specified area of government administration with written authorisation from the Prime Minister. Other entities shall be represented by a person authorised in accordance with the procedure of external representation required for this entity or, with the consent of the committee chairman, a different person.
5. In performing the obligation to co-operate the entities specified in para. 3 are obliged to be guided by the deadline set by the chairman of the committee. The provision of Article 49, para. 6 is applicable respectively.
6. The chairmen of committees can request the preparation of opinions and can invite experts, representatives of groups and organisations interested in the subject of a committee's work, and other persons, to attend the sittings.

### **Article 61**

1. Senate papers and other materials relating to the issues considered at a committee sitting should be handed to its members no later than the day before a sitting.
2. The provisions of para. 1 are not applicable:
  - 1) if a committee sitting was convened during debates of the Senate and in connection with these debates;
  - 2) in specific cases, with the consent of the committee.

## **Article 62**

1. Resolutions of committees shall be carried by a majority vote with the presence of at least one third of its members. In voting on issues other than motions for rejection, acceptance without amendment or the introductions of amendments to an act, draft act or draft resolution, then in the event of an even number of votes, the vote of the chairman conducting the deliberations shall be decisive.
2. Committees may hold joint sittings chaired by one of the chairmen of these committees. The rules relating to sittings of a committee shall be applicable respectively to the sittings of joint committees, with the reservation of para. 3.
3. In the case of joint sittings of more than one committee, the passing of resolutions shall require the presence of at least one third of the members of each of the committees in sitting.
4. A minority motion from a committee shall be a motion which:
  - 1) was voted on and has obtained the support of at least two Senators, or
  - 2) has been excluded by the adoption of another motion, but obtained the support of at least two Senators.
5. During deliberations of a committee the provisions of Article 53, paras 2-8, and Articles 54-56 are applicable respectively. The voting on the recall of the deputy chairman of a committee in the case of his written resignation from the office proffered to the Marshal of the Senate shall be done by open ballot.

## **Article 63**

1. The Senate, the Presidium of the Senate or the Marshal of the Senate shall be presented with a report from a committee on issues referred by the Senate to the committee for consideration.
2. Motions rejected by committees shall be, on the request of the authors, included in the report as minority motions.
3. A committee shall select from amongst its members a rapporteur who shall present in an objective manner the conclusions presented in the committee's report. When a committee reports on legislation or legislative proposal it has been considering, the rapporteur informs about the activities performed by professional lobbyists during the course of the committee work and presents their desired outcome of that consideration as well as the committee position in the given matter.

#### **Article 64**

Committees may appoint sub-committees from amongst their members and specify their membership and areas of responsibility. The appointment of a standing sub-committee shall require the consent of the Marshal of the Senate given after seeking the opinion of the Presidium of the Senate.

#### **Article 65**

A Senator who during his speech shall depart from the subject of the committee's deliberations may be requested by the chairman of the committee not to discuss unrelated issues using the phrase: "Please keep to the subject". After a Senator has been twice requested to "keep to the subject" the chairman of a committee may deprive the Senator of the floor.

#### **Article 66**

1. Minutes and a stenographic record shall be drawn up on the course of the sitting of a committee.
2. A member of a committee may submit reservations to the minutes at the next sitting of the committee after the minutes were made available; the committee shall decide whether to accept or reject reservations. Minutes which have no reservations included with them shall be considered as accepted. The minutes shall be signed by the chairman of the committee conducting the sittings.

#### **Article 67**

Committees shall prepare reports on their activity at the end of their terms of office.

## **SECTION VII PROCEDURE IN MATTERS OF STATUTES PASSED BY THE SEJM**

#### **Article 68**

1. The Marshal of the Senate shall refer to the relevant Senate committees the text of a bill adopted by the Sejm and passed to the Senate.

- 1a. When considering a bill which implements the law of the European Union, the appropriate committee may ask the European Union Affairs Committee to express an opinion relative to the whole bill or a part thereof.
2. Committees, after considering the bill, shall propose within no longer than 18 days, and in the case of urgent bills and those implementing the law of the European Union - by the deadline set by the Marshal of the Senate, a draft Senate resolution on the bill passed by the Sejm, in which they shall recommend:
  - to accept the bill without amendments;
  - enter amendments into its text; or
  - reject the bill.
3. The chairman of a committee may ask the Marshal of the Senate to extend the time limit described in para. 2.
4. A resolution on an act passed by the Sejm is passed by the Senate within 30 days of the date of its transmittal.

#### **Article 69**

1. If during work on a bill passed by the Sejm a committee perceives the need to introduce legislative changes exceeding the issue in the act under consideration, then together with the draft resolution specified in Article 68, para. 2 the committee can present a motion for a legislative initiative to be commenced together with a relevant bill.
2. The motion specified in para. 1 shall be presented by the committee's rapporteur together with the draft resolution specified in Article 68, para. 2.
3. After hearing the motion, the Senate shall decide whether to have a second reading of the bill, except as provided in Article 79 and Article 80 paras 1, 1a, 2 and 4. The second reading of a bill is conducted at the same sitting as a separate item on the agenda.
4. Failure to pass a resolution on commencing a second reading means that the draft bill is sent for consideration in accordance with the procedure defined in section IX.

#### **Article 70**

1. A resolution on a statute amending the Constitution shall be passed by the Senate within 60 days of its transmittal. The passing of a resolution by the Senate requires an absolute majority of votes with the presence of at least half the statutory number of Senators.
2. The provisions of Article 32, para. 3 and Article 34, para. 2, second sentence, shall not be applicable to proceedings regarding a statute amending the Constitution.



### **Article 71**

1. A resolution regarding a bill submitted as an urgent draft shall be taken by the Senate within 14 days of the date of its transmittal.
2. The following shall not apply in procedures relating to a bill submitted as an urgent draft: Article 16 para. 3, subparas 1 and 2 and the time limits described in Article 32 para. 2, Article 34 para. 2.

### **Article 72**

1. The Marshal of the Senate shall refer a resolution of the Sejm to remove inconsistencies in a bill, in the understanding of Article 122, para. 4 of the Constitution, to the relevant committees, including the Legislation Committee. The committees shall conduct joint sittings.
2. Committees shall prepare a draft resolution of the Senate on the removal of inconsistencies in a bill by the deadline defined by the Marshal of the Senate, however no longer than 14 days, in which they propose:
  - to pass the Sejm's resolution without amendment;
  - to introduce amendments into the text of the Sejm's resolution.
3. Motions submitted by committees and Senators to a resolution of the Sejm to remove inconsistencies in a bill can only include amendments designed to remove inconsistencies in the bill with the Constitution and their necessary consequences.

## **SECTION VIII**

### **THE STATE BUDGET PROCEDURE**

### **Article 73**

1. The Marshal of the Senate shall refer the budgetary statute to the Senate committees.
2. The Senate committees, having considered the appropriate parts of the Budget, shall pass on their opinions to the Budget and Public Finance Committee, which on their basis shall prepare the draft for the Senate resolution, in which it shall propose:
  - to pass statute without amendments; or
  - to enter amendments.
3. The Budget and Public Finance Committee shall be required to justify its action of not

accommodating the opinions referred to in para. 2 above.

#### **Article 74**

A resolution on the state budget statute shall be taken by the Senate within 20 days of its transmittal.

#### **Article 75**

During the procedure involving the budget statute, committees may question authorised representatives of the respective government departments.

### **SECTION VIIIa**

## **PROCEDURE IN MATTERS CONCERNING THE MEMBERSHIP OF THE REPUBLIC OF POLAND IN THE EUROPEAN UNION**

#### **Chapter 1**

#### ***Giving opinions on documents submitted to the Marshal of the Senate***

##### **Art. 75a.**

1. The Marshal of the Senate shall refer to the European Union Affairs Committee all documents submitted in matters concerning the membership of the Republic of Poland in the European Union.
2. Upon the motion of the chairman of the European Union Affairs Committee, the Marshal of the Senate may refer any documents referred to in para. 1 to the relevant Senate committees.

##### **Art. 75b.**

1. The European Union Affairs Committee may adopt an opinion on:
  - 1) a European Union draft legislative act or any other legal act of the European Union;
  - 2) a position held by the Republic of Poland in the process of making European Union law;
  - 3) a position of the Republic of Poland to be held by the Council of Ministers when a draft legislative act or any other legal act is considered by the Council of the European Union;
  - 4) any other submitted document.

2. In the case referred to in Article 75a, para. 2, the European Union Affairs Committee shall adopt an opinion based on the opinion of the committee, to which the documents were referred. Should the opinion of the committee not be accommodated, a justification shall be required.

**Art. 75c.**

1. If it is the Senate who is the competent body to issue an opinion, the committee, having considered the matter, shall submit to the Marshal of the Senate, by the deadline set by him, a motion for a resolution initiative to be commenced together with the draft opinion of the Senate.
2. The Marshal of the Senate shall refer the draft opinion of the Senate to the relevant committees, including the European Union Affairs Committee.

**Chapter 2**

***Observing the principle of subsidiarity***

**Art. 75d.**

1. If the committee adopts an opinion, in which it declares the non-compliance of a considered draft legislative act of the European Union with the principle of subsidiarity, it shall submit to the Marshal of the Senate a motion for a resolution initiative to be commenced together with the draft opinion of the Senate on the non-compliance with the subsidiarity principle.
2. The Marshal of the Senate shall refer the draft opinion of the Senate to the relevant committees, including the European Union Affairs Committee.

**Art. 75e.**

1. The committee may submit a draft resolution of the Senate on filing a complaint to the Court of Justice of the European Union concerning the European Union legislative act to be in infringement of the principle of subsidiarity, together with the complaint.
2. The Marshal of the Senate shall forward the draft resolution referred to in para. 1 to the relevant committees, including the European Union Affairs Committee.

**Chapter 3**

***Expressing opposition***

**Art. 75f.**

1. The Marshal of the Senate shall forward to the relevant committees, including the European

Union Affairs Committee, matters for consideration, in the case of which the Senate is entitled to express opposition pursuant to Article 48, para. 7 of the Treaty on European Union and Article 81, para. 3 of the Treaty on the Functioning of the European Union.

2. Having considered the matter, the committees, by the deadline specified by the Marshal of the Senate, shall present to the Senate a joint report expressing their opinion.

#### ***Art. 75g.***

The Senate shall pass a resolution concerning the opposition referred to in Article 48, para. 7 of the Treaty on European Union and Article 81, para. 3 of the Treaty on the Functioning of the European Union by an absolute majority of votes in the presence of at least one half of the statutory number of Senators.

## **SECTION IX PROCEDURE IN MATTERS OF LEGISLATIVE INITIATIVES OF THE SENATE AND OTHER RESOLUTIONS**

#### ***Article 76***

1. The Senate shall undertake a legislative initiative procedure on a motion from committees or from at least 10 Senators.
2. The Marshal of the Senate shall inform the Marshal of the Sejm and the Prime Minister of the legislative initiative procedure being undertaken.

#### ***Article 77***

1. A legislative initiative motion accompanied by a bill shall be submitted in writing to the Marshal of the Senate; the author, presenting the bill, shall indicate a representative authorised to represent him during works on the bill.
2. A justification shall be included with a bill, which should contain:
  - 1) an explanation of the objective of the act;
  - 2) a presentation of the status quo in the area to be affected by the legislative motion;
  - 3) an indication of the difference between the current and the projected legal status;
  - 4) a presentation of the anticipated social, economic, financial and legal consequences of the legislative action;

- 5) a presentation of the premises behind the basic executive orders required by the act;
  - 6) a statement of compliance of the bill with European Union law or a statement to the effect that the subject matter of the bill is not covered under European Union law.
3. The Marshal of the Senate may ask the Senator representing the author of the bill to supplement the text of the justification if it does not meet the requirements defined in para. 2.

### **Article 78**

1. A consideration of bills shall take place in three readings.
2. The author of the bill, up to the end of the second reading, may withdraw his proposal. A legislative initiative motion made by at least 10 Senators is considered as withdrawn if the number of Senators supporting the bill is less than 10.

### **Article 78a**

In case of justified doubts regarding the compliance of a bill or submitted amendments with European Union law, the author of the bill or the involved committees shall require information in this regard to be presented, by the deadline set by them, from a minister competent in matters related to the Republic of Poland's membership in the European Union.

### **Article 79**

1. The Marshal of the Senate shall refer bills to the relevant committees including the Legislation Committee.
2. Committees, which have been sent a bill for consideration in the first reading of a draft bill, shall deliberate in joint sittings. These committees may request other committees to express their opinion about the bill or parts of the bill.
3. The representative of the author of the bill shall be obliged to participate in committee sittings.

### **Article 80**

1. The first reading of the bill shall be conducted no earlier than 14 days after the bill papers have been delivered to the Senators. A notification of the first committee sitting dedicated to the bill shall be delivered to all Senators no later than 7 days prior thereto.
- 1a. The first reading of a bill proceeds thus:
  - 1) presentation of the bill by a representative of its author;
  - 2) discussion and submission of motions.

2. Upon discussion over a draft bill, the committees shall prepare – within two months of the date the Marshal referred the draft bill - a joint report in which they shall present a motion for:
  - 1) acceptance of the draft without amendments;
  - 2) acceptance of the draft with amendments in the form of a text for the unified draft;
  - 3) rejection of the draft.
3. Repealed.
4. The chairmen of the committee can appeal to the Marshal of the Senate for a prolongation in the deadline defined in para. 2.
5. A committee's report shall be presented at a sitting of the Senate by a rapporteur Senator selected from amongst its members.

### **Article 81**

1. The second reading of a draft bill includes:
  - 1) presenting the Senate with the reports from committees on the draft bill;
  - 2) conducting a discussion and submitting motions.
2. Prior to entering into the discussion Senators can submit questions lasting no more than 1 minute to the rapporteur in connection with a report presented, and to an authorised representative of the author of a motion, as specified in Article 77, para. 1.
3. The second reading shall end with the draft bill being referred to committees for them to take a position on the motions submitted during discussions, with the reservation of para. 5.
4. The Senate referring a draft bill to committees can also set them a time limit for presenting an additional report.
5. If during a discussion no one submits a motion against the motion presented by committees in the report then the Senate shall immediately proceed to the third reading.

### **Article 82**

1. The third reading of a draft bill shall include:
  - 1) presenting the Senate with an additional report from committees, if the draft was sent to committee after the second reading;
  - 2) voting.
2. An additional report from committees shall include a list of all the motions submitted during discussions. The provisions of Article 52, paras 4 to 6 shall apply accordingly.
3. Prior to taking a vote Senators can submit questions to the rapporteurs and authors of a

motion, lasting no longer than one minute in connection with the additional report presented.

4. The author can withdraw his motion submitted during the second reading. The provisions of Article 52, para.7 are applicable respectively.
5. The provisions of Section V, Chapter 3 shall apply accordingly in voting on a Senate resolution regarding the introduction of a legislative initiative, except as provided in para. 6.
6. The voting sequence shall be as follows:
  - 1) vote over a motion to reject the draft;
  - 2) vote over amendments to individual Articles or paragraphs, in the sequence of draft provisions;
  - 3) vote over the adoption of the draft in full, with changes ensuing from adopted amendments.

### **Article 83**

1. A resolution on the introduction of a legislative initiative shall be submitted by the Marshal of the Senate to the Marshal of the Sejm.
2. The Marshal of the Senate shall inform the Prime Minister about having introduced a legislative initiative in the Sejm.

### **Article 84**

1. A draft resolution of the Senate may be tabled by a committee, and individually or collectively by Senators, except as provided in Article 101.
2. The Marshal of the Senate may demand that the author justifies the draft resolution.
3. Draft resolutions shall be considered in three readings.
4. Article 77, para. 1, Article 78 para. 2, Article 79, Article 80, paras. 1, 1a, 2 and 5, Article 81 and Article 82 also apply to draft resolution procedures. The Marshal of the Senate may decide to reduce the time limits set in Article 80, para. 1. The report referred to in Article 80, para. 2 shall be prepared without delay.
5. The committees may decide to consider the draft resolutions referred to them jointly. Should that be the case, the committees shall present, in a joint report, a motion to adopt the drafts in the form of a consolidated text or motions to reject each draft.
6. The draft resolution of the Senate agreed upon with all Senate clubs and Senate groups may be added to the agenda by the Marshal of the Senate without the first reading. The draft shall be presented to the Senate by a duly authorised representative of the author, who shall request that it be adopted without amendments.

### ***Article 85***

Under the procedure for resolutions the Senate may adopt special resolutions, declarations, appeals and opinions.

## **SECTION IXa EXECUTION OF JUDGMENTS OF THE CONSTITUTIONAL TRIBUNAL**

### ***Article 85a***

1. The Marshal of the Senate shall refer a judgment of the Constitutional Tribunal:

- 1) On the non- conformity of a statute or a part thereof;
- 2) On conformity of a statute or a part thereof, the content of which indicates the need to modify the statute;
- 3) Which signals defects or loopholes in law, the elimination of which is indispensable to ensure cohesion of the legal system of the Republic of Poland

to the Legislation Committee, entrusting it with the examination of the necessity for taking legislative measures in the given area.

2. When transmitting a judgment of the Constitutional Tribunal to the Legislation Committee, the Marshal of the Senate shall assign it a deadline for consideration of the matter. The Committee Chairman can apply to the Marshal of the Senate for deadline extension.

3. After considering the matter, the Committee:

- 1) Shall submit to the Marshal of the Senate a motion to adopt a legislative initiative jointly with the bill which executes the judgment of the Constitutional Tribunal, or;
- 2) Shall inform the Marshal of the Senate of the reasons behind not filing a motion to adopt a legislative initiative.

### ***Article 85b***

The Marshal of the Senate can motion relevant State organs to collaborate with the Senate on executing the verdict of the Constitutional Tribunal.

### ***Article 85c***

The bill referred to in Article 85a para. 3 subpara. 1 and motions to amend that bill can only encompass amendments leading to the execution of the judgment of the Constitutional Tribunal and their indispensable consequences.



### ***Article 85d***

The report referred to in Article 80 para. 2 must be drawn up within a period not exceeding 45 days.

### ***Article 85e***

The Marshal of the Senate shall also inform the Chairman of the Constitutional Tribunal of having transferred to the Sejm a legislative initiative which executes the judgment of the Constitutional Tribunal.

### ***Article 85f***

Provisions of Part IX shall be applied to handling bills which execute judgments of the Constitutional Tribunal, unless provisions of the present Part provide otherwise.

## **SECTION IXb THE PROCEDURE IN RESPECT OF THE REPORT OF THE NATIONAL COUNCIL OF RADIO BROADCASTING AND TELEVISION**

### ***Article 85g***

1. The National Council of Radio Broadcasting and Television performance report and information about principal problems facing radio and television shall be submitted to the appropriate committee. The committee considers it and then submits to the Senate a draft resolution:
  - 1) To adopt the report; such resolution can contain comments and reservations;
  - 2) To reject it.
2. Article 81 and Article 82 paras 1 – 4 shall apply accordingly to the procedure in respect of the resolution referred to in para. 1.
3. Part V Chapter 3, except para. 4, shall be applied accordingly to voting on the Senate resolution concerning the National Council of Radio Broadcasting and Television

performance report.

4. The order of voting is as follows:

- 1) voting on amendments to the resolution in the sequence of their appearance therein;
- 2) voting on the adoption of the resolution in full, account taken of the adopted amendments.

## **SECTION X**

### **PROCEDURE FOR A REFERENDUM**

#### ***Article 86***

The Senate shall pass a resolution on granting consent to order a referendum within 14 days of receipt of the draft ruling of the President to order a referendum.

#### ***Article 87***

The Marshal of the Senate may ask the President to present a justification for the draft ruling to order a referendum, which should contain:

- 1) a definition of the need and objective of ordering a referendum;
- 2) an explanation of the questions and options for solutions to the issue submitted to referendum;
- 3) a presentation of the anticipated social, economic, financial and legal consequences of the issue submitted to referendum.

#### ***Article 88***

1. The Marshal of the Senate shall refer the draft ruling, as specified in Article 86, to the relevant Senate committees.
2. Committees, after considering the draft ruling of the President, shall present to the Senate an opinion in this matter.

#### ***Article 89***

The Senate shall pass the resolution as specified in Article 86 by an absolute majority vote in the presence of at least half of the statutory number of Senators.

### **Article 90**

1. The Senate may pass a resolution on a motion to hold a referendum.
2. The motion, as specified in para. 1, except for the motion to hold a referendum approving the amendment to the Constitution of the Republic of Poland, should define the proposed questions or options for solutions to the issue to be submitted to referendum.
3. In respect to the procedure concerning the resolution referred to in para. 1, Article 84 shall apply.
4. A resolution of the Senate on a motion to hold a referendum shall be submitted by the Marshall of the Senate to the Marshal of the Sejm.
5. The Marshal of the Senate shall notify the President of the Republic and Prime Minister of a resolution of the Senate on a motion to hold a referendum.

## **SECTION Xa**

### **CONSIDERATION OF PETITIONS**

#### **Article 90a**

The Marshal of the Senate shall refer a petition immediately upon reception to the Human Rights, the Rule of Law and Petitions Committee.

#### **Article 90b**

1. The Chairman of the Human Rights, the Rule of Law and Petitions Committee shall refer the petition to be considered at the Committee sitting or submits the petition to a competent public authority body if he deems its matter to be beyond the Senate competence. The Chairman of the Committee notifies the Marshal of the Senate and Committee members of the fact that the petition was submitted to another body.
2. Upon request of a Committee member, a petition which was referred by the Chairman to another public authority body shall be considered at a Committee meeting.

#### **Article 90c**

The Human Rights, the Rule of Law and Petitions Committee may ask another Committee to issue an opinion regarding the petition under consideration.

### **Article 90d**

1. Having considered the petition the Human Rights, the Rule of Law and Petitions Committee shall:
  - 1) submit to the Marshal of the Senate a motion to undertake a legislative (resolution) initiative complete with a draft bill (draft resolution), or
  - 2) authorise one of the Committee members to submit a specific legislative motion during the discussion over a specific point from the agenda of the Senate, or
  - 3) present to the Marshal of the Senate an opinion on the justifiability for the Senate or its body to exercise its rights set forth in the Constitution of the Republic of Poland, in a statute or the Rules and Regulations of the Senate.
2. Having considered the petition the Human Rights, the Rule of Law and Petitions Committee may also decide not to undertake any actions referred to in para. 1 of which fact it shall inform the Marshall of the Senate providing justification.

### **Article 90e**

The Chairman of the Human Rights, the Rule of Law and the Petitions Committee shall inform the petitioner of referring the petition to a competent public authority body, actions undertaken under the provisions of the Article 90d para.1, or reasons for not taking any such actions.

### **Article 90f**

The Human Rights, the Rule of Law and Petitions Committee shall submit to the Senate an annual report on the petitions examined by the Committee.

### **Article 90g**

1. Petitions not examined before the end of the Senate term of office shall be examined by the Human Rights, the Rule of Law and Petitions Committee of the next Senate term of office under Articles 90b-90e.
2. The Committee shall also decide on submitting a new a motion to undertake a legislative (resolution) initiative referred to in the Article 90d para. 1 subpara. 1, if in the previous Senate term of office the proceeding relating to this legislative (resolution) initiative had not been completed.

**SECTION XI**  
**ELECTION AND EXPRESSION OF CONSENT FOR THE**  
**APPOINTMENT AND RECALL OF GOVERNMENT BODIES**

***Article 91***

1. The Senate shall pass a resolution on granting consent for
  - 1) the appointment of the Commissioner for Citizens' Rights within a month of the relevant resolution of the Sejm being presented to the Senate;
  - 2) for the appointment and recall of the President of the Supreme Chamber of Control and the Commissioner for Children's Rights within a month of the relevant resolution of the Sejm being presented to the Senate;
  - 3) for the appointment and recall of the General Inspector for Personal Data Protection, the President of the Institute of National Remembrance - Commission of the Prosecution of Crimes against the Polish Nation and the president of the Office of Electronic Communications.
2. The Senate, before passing the resolutions as described in para. 1, may call a candidate for a post or person holding a post to present an explanation or answer questions posed by Senators.
3. Resolutions of the Senate on the issue specified in para. 1 shall be presented by the Marshal of the Senate to the Marshal of the Sejm.

***Article 92***

1. The Senate shall be empowered to elect and recall:
  - 1) two Senators to the National Council of the Judiciary;
  - 2) repealed;
  - 3) two Senators to the National Council of the Prosecutor's Office.
2. The Senate shall appoint and recall:
  - 1) a member of the National Council of Radio Broadcasting and Television;
  - 2) three members of the Monetary Policy Council;
  - 3) two members of the Council of the Institute of National Remembrance – Commission of the Prosecution of Crimes against the Polish Nation.
3. Resolutions on the issues defined in paras 1 and 2 shall be passed by the Senate with an absolute majority of votes with the presence of at least half the statutory number of Senators.

### **Article 93**

1. A motion for the election or appointment of individuals to the state positions defined in Article 92, para. 1 and para. 2, subparas 1 and 2 can be submitted by a group of at least 7 Senators.
2. A Senator can grant his support to at most two candidates to each of the bodies referred to in Article 92, para. 1, one candidate to the National Council of Radio Broadcasting and Television and three candidates to the Monetary Policy Council.
3. Data on the candidate, his consent for his candidature and justification taking into account in particular the criteria resulting from applicable acts, shall be included with the motion.

### **Article 94**

1. The motions as specified in Article 93 shall be submitted to the Marshal of the Senate.
2. The Marshal of the Senate shall establish and inform Senators of the start and end of the period for submitting motions so that the period for submitting motions is no shorter than 14 days and so that motions are submitted no later than 30 days:
  - 1) prior to the end of the term of office for the bodies or members of the bodies specified in Article 92, para. 1 and para. 2, subparas 1 and 2;
  - 2) following the date of recall, expiry of the mandate or declaration of the expiry of a mandate;
  - 3) following the date of commencing the first sitting of the Senate-in relation to candidates for members of the National Council of the Judiciary and the National Council of the Prosecutor's Office.
3. The Marshal of the Senate shall refer motions to the relevant committees for their opinion.
4. The committees shall present the Senate with a list of correctly submitted candidatures and opinions formulated based on interviews conducted with the candidates.

### **Article 95**

1. The Senate, prior to passing resolutions on the election or recall of persons to the state positions defined in Article 92, paras 1 and 2, can demand from candidates the submission of clarifications and answers to questions from Senators.
2. If in voting none of the candidates obtains the required majority of votes, then further rounds of voting are conducted excluding the candidate who in the given round obtained the lowest number of votes. With an equal number of votes then exclusion is decided by drawing lots.
3. If in voting no election has been made or the appointment of the required number of

members for state bodies specified in Article 92, para. 1 and para. 2, subparas 1 and 2 has not been carried out then Senators shall be entitled to re-submit candidatures within 7 days of the vote. Article 93 and 94, paras 1, 3 and 4 are applicable respectively.

#### ***Article 95a***

1. The Marshal of the Senate shall request the relevant committee to give an opinion on candidates for members of the Council of the Institute of National Remembrance – Commission of the Prosecution of Crimes against the Polish Nation submitted by the assembly of electors. The committee shall present the Senate with opinions formulated based on interviews conducted with the candidates.
2. The Marshal of the Senate shall inform the chairman of the assembly of electors in case the required number of members of the Council is not appointed.
3. In case the assembly of electors fails to submit the required number of candidates for members of the Council within the specified period or membership in the Council ceases before the end of the term of office, the Senate shall appoint members of the Council subject to Art. 93-95 accordingly.

#### ***Article 96***

1. The recall of members of any state body referred to in Article 92, para. 1, subpara. 1 and 3 can take place through the submission to the Marshal of a motion from a group composed of at least seven Senators. The motion shall be submitted with a justification.
2. The recall of members of any state body referred to in Article 92, para. 2 can take place exclusively in circumstances defined in applicable acts of law. The Marshal of the Senate shall present the Senate with a pertinent draft resolution.
3. The provisions of Article 94, paras 3 and 4 and Article 95, para. 1 shall be applicable respectively to the proceedings for the motion specified in para. 1, and for the draft resolution specified in para. 2.

## **SECTION XII**

### **THE CHANCELLERY OF THE SENATE**

#### ***Article 97***

The Chancellery of the Senate shall perform organisational and technical tasks pertaining to the activities of the Senate and the Senate bodies and assist the Senators in exercising the functions of their senatorial mandate.

#### ***Article 98***

The tasks of the Chancellery of the Senate shall include in particular:

- 1) preparation of motions, opinions and remarks on matters pertaining to the subjects of work of the Senate and its bodies, and presenting them to the Marshal of the Senate and the Presidium of the Senate; caring for the adherence to deadlines and agenda of the Senate and the Senate Committees as well as for the application of the Rules of the Senate;
- 2) gathering materials needed and making them available to Senators, preparation of studies and materials assisting the activities of the Senate and its bodies and presenting them to the proper bodies of the Senate, initiating such studies and materials and co-ordination of the tasks of experts serving the Senate;
- 3) performing activities connected with implementing citizen rights to obtain information on the activities of the Senate and its bodies;
- 4) providing the proper organisational and technical facilities and conditions necessary for the work of the Senate and its bodies;
- 5) providing the proper technical, organisational and financial conditions for the functioning of Senators' offices or other organisational units which service Senators' activities in constituencies;
- 6) preparing a budget proposal for the Chancellery of the Senate and making reports on its implementation.

#### ***Article 99***

1. The Chancellery of the Senate shall be directed by the Head of the Chancellery of the Senate.
2. The Head of the Chancellery of the Senate shall be the administrative supervisor of all the employees of the Chancellery of the Senate.



### ***Article 100***

The organisation of the Chancellery of the Senate shall be determined by the Statute of the Chancellery of the Senate, passed upon a motion by the Head of the Chancellery of the Senate under Article 8, para. 1, subpara. 18.

## **SECTION XIII CLOSING REGULATIONS**

### ***Article 101***

Any amendment to this resolution shall be made at the motion submitted by the Marshal of the Senate, the Presidium of the Senate, the Rules, Ethics and Senatorial Affairs Committee or at least 10 Senators.

### ***Article 102***

It is required that this resolution be published in the Official Gazette of the Republic of Poland "Monitor Polski".

### ***Article 103***

The resolution of the Senate of the Polish Peoples' Republic dated July 4, 1989, regarding bodies of the Senate, shall hereby be rendered invalid ("Monitor Polski" No. 22, item 161 and No.26, item 206; and No.27, item 216 of 1990).

Appendix to the Rules and Regulations of the Senate

### ***The Subject matters of Senate Committees***

The following are the subject matters of committees:

- 1) The Budget and Public Finance Committee – state financial system (including monetary policy, state budget revenues and expenditure, special purpose funds, fiscal control), accounting, foreign exchange law, financial markets functioning (including

banking, insurance, investment funds and securities);

2) The National Economy Committee – current and future state economic policy, terms of shaping ownership relations and ownership transformations, restructuring of the national economy, State Treasury matters, state-owned enterprise operations, antimonopoly measures, spatial and housing management, construction, transportation, communications, informatisation and maritime management, mining and power industries, tourism, foreign economic relations;

3) The Culture and Media Committee – culture and art, development of artistic creativity, culture promotion, cultural heritage protection, foreign cultural co-operation, organisation of cultural institutions, state information policy, media ethics;

4) The Science, Education and Sports Committee – organization and development of scientific research, system of education and upbringing, system of perfecting professional qualifications of teachers and scientific cadres, children's and youth's affairs, occupational counselling of youth and preparation of secondary school and university graduates for employment, physical culture and sports, organization of scientific and educational institutions, foreign scientific cooperation;

5) The National Defence Committee – state defence and security, arms industry, activities and functioning of the armed forces;

6) The Human Rights, the Rule of Law and Petitions Committee – civil rights and freedoms and their institutional guarantees, issues related to the administration of justice and public safety, compliance with the law and human rights, civil society institutions and non-governmental organizations, consideration of petitions addressed to the Senate and its bodies;

7) The Rules, Ethics and Senatorial Affairs Committee – examining parliamentary immunity motions, actions associated with a motion to bring a Senator to constitutional accountability in front of the Tribunal of State, conditions for performing a Senator's mandate, expiry of a mandate, examining accusations of failure by a Senator to perform his duties and of behaviour unbecoming to a Senator and other ethical matters, analysing Senators' financial status declarations and presenting the results to the Presidium of the Senate, activities of Senators' offices, expressing opinions on issues defined in the Rules and Regulations of the Senate relating, amongst others, to the interpretation and application of the Rules and Regulations, analysing complaints and motions addressed to the Senate and its bodies, and considering issues arising from the functioning of the Chancellery of the Senate;

- 8) The Family and Social Policy Committee – legal protection of the family and economic, housing, educational and cultural problems facing the family, state welfare policy, labour law, employment policy and unemployment countermeasures, social insurance system, employee protection including workplace health & safety, issues facing the handicapped;
- 9) The Agriculture and Rural Development Committee – agricultural production, processing agricultural products, agricultural market, restructuring and modernization of agriculture and related environment, multi-functional rural development, infrastructure for rural areas, financial problems of agriculture and of food processing industry and agriculture-related industries, foreign trade in agricultural and food products, shaping agricultural ownership, social problems facing citizens engaged in agriculture, agricultural organisations and institutions, creating markets for new agricultural products and services;
- 10) The Local Government and Public Administration Committee – organisation and functioning of local-government structures, regional development, local-government finance, communal property management, functioning of state administrative bodies, relations between the State and churches and confessional associations, preservation and development of cultural identity of the national, ethnic and language minorities, along with the protection of their rights;
- 11) The Emigration Affairs and Contacts with Poles Abroad Committee – links with Poland of Poles and persons of Polish descent living abroad and their legal situation, initiating and co-ordinating co-operation of Polish émigré milieus, protection of Polish cultural and historical heritage abroad, and submission of opinion statements to the Presidium of the Senate relative to the plan and performance of tasks commissioned by the Presidium of the Senate with respect to care over the Polish émigré community and Poles abroad;
- 12) The European Union Affairs Committee – functioning of the European Union and the membership of the Republic of Poland therein, giving opinions on the documents submitted to the Marshal of the Senate in matters concerning the membership of the Republic of Poland in the European Union, considering legislative proposals of the Senate in matters concerning the membership of the Republic of Poland in the European Union, assuming positions and expressing opinions on draft international agreements to which the European Union, the European Atomic Energy Community or their member states are to be a party, as well as operational programmes of the Council of the European

Union and annual legislative programmes of the European Commission, considering information and other documents submitted by the Council of Ministers and European Union bodies;

13) Foreign Affairs Committee – state foreign policy, inter-parliamentary relations and international economic relations;

14) The Environment Committee – protection and shaping of the environment, protection of natural resources, water management, geology, forestry and forest management, hunting, ecological education, state financial management in the area of environmental protection, nuclear industry and radiological protection, foreign environmental-protection cooperation;

15) The Legislation Committee – general legislative and law-coherence issues, considering amendments to the Constitution, codification regulations, Senate legislative and resolution initiatives, analysing the judicial decisions of the Constitutional Tribunal and initiating legislation aimed at the execution of Constitutional Tribunal judgments;

16) The Health Committee – health promotion, disease prevention, healthcare system organization, health security and foreign co-operation on health issues.