



On the Rules of Procedure of the Verkhovna Rada of Ukraine (Abstract text from 10.02.2010)

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Law of Ukraine

"On the Rules of Procedure of the Verkhovna Rada of Ukraine"

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The Law establishes the Rules of Procedure of the Verkhovna Rada of Ukraine (hereinafter referred to as "Rules of Procedure").

Article 1 of the Rules of Procedure establishes that the operating procedures of the Verkhovna Rada of Ukraine, its bodies and officials, its principles of establishment, organization of activities and dissolution of parliamentary factions of the Verkhovna Rada of Ukraine shall be regulated by the Constitution of Ukraine, the Rules of Procedure of the Verkhovna Rada of Ukraine, and the Laws of Ukraine "On Committees of the Verkhovna Rada of Ukraine", "On Status of People's Deputy of Ukraine", and "On Interim Investigating Commissions, a Special Interim Investigating Commission and Special Interim Commissions of the Verkhovna Rada of Ukraine".

The Verkhovna Rada shall meet at the premises of the Verkhovna Rada (5 Grushevskogo st., Kyiv).

According to Article 3 of the Rules of Procedure, meetings of the Verkhovna Rada shall be open and public, except where specified in the Constitution of Ukraine and the Rules of Procedures.

Closed plenary meetings of the Verkhovna Rada devoted to consideration of specific matters shall be conducted pursuant to a resolution of the Verkhovna Rada adopted by the majority of votes of the elected parliamentary assembly after an abbreviated discussion (Article 4 of the Rules of Procedure).

Article 6 of the Rules of Procedure envisages that the President of Ukraine and the Prime Minister of Ukraine may attend plenary meetings without invitation.

Article 7 of the Rules of Procedure establishes that the Verkhovna Rada Secretariat shall provide organizational, legal, scientific, documentary, informational, expert and analytical, material and technical, and financial support of the activities of the Verkhovna Rada, its bodies, people's deputies, and parliamentary factions (parliamentary groups) in the Verkhovna Rada.

According to Article 9 of the Rules of Procedure, the Verkhovna Rada shall work in sessions, both regular and extraordinary.

Regular sessions of the Verkhovna Rada, except for the first session, shall be held and commence on the first Tuesday of February and on the first Tuesday of September each year, and end no later than 45 and 10 days before the opening of the next session (Article 10 of the Rules of Procedure).

Article 14 of the Rules of Procedure establishes that prior to opening of the first session of the newly elected Verkhovna Rada, the deputies of the newly elected Verkhovna Rada shall take an oath before the Verkhovna Rada at the ceremonial meeting.

Article 20 of the Rules of Procedure states that the agenda of a Verkhovna Rada session shall be approved by the Verkhovna Rada for the each regular session.

A Verkhovna Rada session agenda shall consist of two parts:

- first - matters which have been prepared in full for the Verkhovna Rada's consideration and submitted to people's deputies according to the established procedure;

- second - matters to be prepared or revised by parliamentary committees, special interim commissions of the Verkhovna Rada, in addition to draft laws deemed a priority by the President of Ukraine.

The Agenda of plenary meetings of the Verkhovna Rada for each day of a plenary week shall be prepared by the Secretariat of the Verkhovna Rada based on the approved schedule of the session's plenary meetings, taking into account the priority and actual readiness of each issue to be considered by the Verkhovna Rada (Article 25 of the Rules of Procedure).

Article 32 of the Rules of Procedure envisages that no one shall take the floor at a plenary meeting of the Verkhovna Rada unless so permitted by the presiding officer.

According to Article 34 of the Rules of Procedure, the President of Ukraine, the Prime Minister of Ukraine, the Head of the National Bank of Ukraine, the Head of the Constitutional Court of Ukraine, the Head of the Supreme Court of Ukraine, the Head of the Accounting Chamber of Ukraine, the Prosecutor General of Ukraine, or persons authorized by them, and the Authorized Human Rights Representative of the Verkhovna Rada shall have a guaranteed right to take the floor with respect to issues being discussed that fall within their competence

Article 36 of the Rules of Procedure establishes that a presenter shall keep to the issue for which he/she has been granted the floor, and adhere to any time limits allocated for the speech. Under normal circumstances, nobody shall interrupt the presenter.

According to Article 37 of the Rules of Procedure, resolutions of the Verkhovna Rada shall be adopted by open or secret vote in accordance with the procedure established by the Rules of Procedure.

Open voting shall be conducted as follows:

- by open registered (roll call) vote using electronic ballots through the electronic vote-counting system, with possible printing of the personal ballots of each deputy. By request of the people's deputies, the vote results per parliamentary factions may be shown on the screen;
- by a show of hands (in case of voting through the electronic vote-counting system being impossible for technical reasons).

A secret vote shall be performed by a people's deputy in person by submission of a ballot.

Article 44 of the Rules of Procedure establishes that voting on resolutions of the Verkhovna Rada on any issue shall be conducted at the plenary meeting, immediately after discussion of such issues, except in cases when voting is impossible.

According to Article 46 of the Rules of Procedure, resolutions of the Verkhovna Rada shall be acts of the Verkhovna Rada, as well as other procedural acts and decisions which are recorded in the minutes of plenary meetings of the Verkhovna Rada.

Acts of the Verkhovna Rada shall be adopted in the form of laws, resolutions, declarations, appeals and addresses.

Article 54 of the Rules of Procedure establishes that minutes shall be taken at Verkhovna Rada plenary meetings. Minutes of Verkhovna Rada meetings shall be maintained by the Verkhovna Rada Secretariat.

Chapter III of the Rules of Procedure determines the procedure for forming the bodies of the Verkhovna Rada of Ukraine.

Parliamentary factions shall be formed on a party basis by people's deputies elected by a political party (election blocs of political parties) that received a sufficient political mandate based on the results of the parliamentary elections. A political party (an election bloc of political parties) may form only one faction in the Verkhovna Rada (Article 58 of the Rules of Procedure).

Article 73 of the Rules of Procedure states that the Conciliation Commission shall be established as an advisory body for preliminary preparation and consideration of organizational matters pertaining to the activities of the Verkhovna Rada.

Article 81 of the Rules of Procedure envisages that committees shall be established in compliance with requirements of the Law of Ukraine

"On Committees of the Verkhovna Rada of Ukraine" and the Rules of Procedure. The Verkhovna Rada shall form committees consisting of heads, first deputy heads, deputy heads, secretaries and committee members.

Article 85 of the Rules of Procedure establishes that the Verkhovna Rada shall have the authority to form special interim commissions for the purposes of preparation and preliminary consideration of issues, as well as preparation and finalization of draft laws and drafts of other acts of the Verkhovna Rada, acting as the lead committee.

The Verkhovna Rada can form interim investigating commissions.

Section IV of the Rules of Procedure establishes the legislative procedure.

According to Article 89 of the Rules of Procedure, the right of legislative initiative in the Verkhovna Rada shall be granted to the President of Ukraine, people's deputies, the Cabinet of Ministers of Ukraine and the National Bank of Ukraine.

The Cabinet of Ministers of Ukraine shall have the exclusive right to submit the draft of the Law on the State Budget of Ukraine.

Article 96 of the Rules of Procedure states that a plenary meeting of the Verkhovna Rada shall consider only draft laws which have been included in the parliamentary agenda. However, the Verkhovna Rada may include a draft law in the session agenda for urgent consideration by a procedural decision (without additional inclusion into the session agenda), if such draft law has been prepared for urgent consideration according to a relevant instruction of the Verkhovna Rada.

Alternative draft laws shall be draft laws which contain provisions that regulate the same issues and are similar in nature to the provisions regulating the same social relations.

Article 102 of the Rules of Procedure establishes that draft laws are considered by the Verkhovna Rada in three readings, as a rule.

According to Article 114 of the Rules of Procedure, following the first reading of a draft law, the Verkhovna Rada may decide to:

- accept the draft law as a basis and charge the lead committee with preparation of the draft law for a second reading;
- reject the draft law;
- return the draft law to the sponsoring entity authorized to submit it for further drafting, or send it to the lead committee for additional preparation in advance of a repeat first reading;
- publish the draft law in the print media specified by the Verkhovna Rada for public debate, subsequently revise it in compliance with the results of the debate, and submit it for a repeat first reading.

Article 116 of the Rules of Procedure establishes that suggestions and amendments to a draft law being prepared for a second reading can only concern the parts of the draft law (articles, paragraphs, sub-paragraphs, sentences) that have been adopted by the Verkhovna Rada as a basis. Such suggestions and amendments shall be made within 14 days from the day on which the draft law was adopted as a basis.

Article 123 of the Rules of Procedure envisages that based on the results of the second reading of a draft law, the Verkhovna Rada shall resolve to:

- adopt the draft law in the second reading and charge the lead committee with preparation of the draft law for a third reading;
- reject the draft law;
- adopt the draft law in the second reading and in its entirety;
- adopt the draft law in the second reading, except for individual chapters, sections, articles and paragraphs, and resubmit the pertinent parts to the lead committee for further drafting, with subsequent submission for the third or repeat second reading;
- return the draft law to the lead committee for further drafting with subsequent submission for the third or repeat second reading.

Article 125 of the Rules of Procedure states that amendments to a draft law sent for a third reading shall be made within five days following the previous reading.

Article 129 of the Rules of Procedure establishes that based on the

outcome of the third reading, the Verkhovna Rada may resolve to:

- adopt the law in its final reading and send it to the President of Ukraine for signing;
- postpone the vote on the draft law in its entirety due to adoption of a resolution to postpone consideration of the draft law, or postpone it pending receipt of the draft acts of the Cabinet of Ministers of Ukraine, which must be adopted in accordance with the requirements of the draft law under consideration;
- adopt the draft law in its final reading and submit it for a national referendum;
- reject the draft law.

The Chairman of the Verkhovna Rada shall send a signed law to the President to Ukraine without delay.

According to Article 132 of the Rules of Procedure, if the President of Ukraine vetoes a law adopted by the Verkhovna Rada and returns a law to the Verkhovna Rada supported by a substantiated and clear proposal, the results of the vote for the law in its entirety shall be cancelled and the procedure of its repeated consideration in the Verkhovna Rada shall be initiated.

Article 134 of the Rules of Procedure envisages that proposals of the President of Ukraine to the returned law are considered at a plenary meeting of the Verkhovna Rada in accordance with the procedure for voting on proposals and amendments.

The resolutions and other acts (decisions, declarations, addresses and announcements) of the Verkhovna Rada are adopted by a majority vote of its elected parliamentary assembly (Article 138 of the Rules of Procedure).

Resolutions and other acts adopted by the Verkhovna Rada shall be signed and promulgated by the Head of the Verkhovna Rada.

According to Article 142 of the Rules of Procedure, the right to submit to the Verkhovna Rada a draft law proposing amendments to the Constitution of Ukraine shall be granted to the President of Ukraine and people's deputies in the number provided for by the Constitution of Ukraine.

Article 146 of the Rules of Procedure states that in case a draft law proposing amendments to the Constitution of Ukraine has been included into the plenary meeting agenda, the Verkhovna Rada may adopt a decision to establish a special interim commission that will be considered a lead commission for preparing the draft law proposing amendments to the Constitution of Ukraine.

Consideration of the draft law on the State Budget of Ukraine for the subsequent year shall comply with the provisions of the Budget Code of Ukraine and the Rules of Procedure.

Each year, the Cabinet of Ministers of Ukraine shall submit to the Verkhovna Rada the draft law on the State Budget of Ukraine for the subsequent year, no later than September 15 of the current year. Together with the draft law, it shall submit a report on implementation of the State Budget of Ukraine in the current year (Article 153 of the Rules of Procedure).

Article 155 of the Rules of Procedure envisages that the draft law on the State Budget of Ukraine is considered by the Verkhovna Rada in three readings.

Article 161 of the Rules of Procedure establishes that the Verkhovna Rada shall monitor implementation of the State Budget of Ukraine both directly and through the Accounting Chamber.

According to Article 170 of the Rules of Procedure, in the event that the Verkhovna Rada discovers facts concerning the President's inability to perform his duties for health reasons, the Head of the Verkhovna Rada or a minimum of 45 people's deputies shall introduce a resolution to establish an interim investigative commission to inquire into said facts.

A draft resolution of the Verkhovna Rada submitted by the people's deputies who are members of the special interim investigative commission which brings charges against the President of Ukraine shall be based only on any information contained in the recommendations and proposals of the special interim investigative commission. Each charge against the President of Ukraine shall be stated in the Verkhovna Rada resolution draft separately for each

criminal offense.

According to Article 185 of the Rules of Procedure, if a resolution to bring charges against the President of Ukraine for an act of treason or other criminal offense is adopted, the Verkhovna Rada shall adopt a resolution by a majority vote which shall request:

- the Constitutional Court of Ukraine to examine the case and issue an opinion concerning compliance with the constitutional procedure for investigation and consideration of impeachment of the President of Ukraine;
- the Supreme Court of Ukraine to issue an opinion on the elements of treason or other criminal offenses in the actions of which the President of Ukraine is accused.

After receiving the opinions of the Constitutional Court of Ukraine and the Supreme Court of Ukraine concerning compliance with the constitutional procedure for investigation, consideration of the motion to impeach and the validity of the elements of treason or other criminal offenses of which the President of Ukraine is accused, the Verkhovna Rada shall call a secret vote to adopt a resolution on impeachment of the President of Ukraine (Article 187 of the Rules of Procedure).

Article 192 of the Rules of Procedure establishes that the Verkhovna Rada shall ratify an international agreement of Ukraine by adopting a law (on ratification, initiation or accession) or withdraw from an international agreement of Ukraine in accordance with the Constitution of Ukraine, the Law of Ukraine "On International Agreements of Ukraine", the Vienna Convention on the Law of Treaties as signed on May 23, 1969, and the Rules of Procedure.

Article 203 of the Rules of Procedure states that international agreements of Ukraine ratified by the Verkhovna Rada shall be published in official printed media of Ukraine in the Ukrainian language.

Article 217 of the Rules of Procedure establishes that the Authorized Human Rights Representative of the Verkhovna Rada, members of the High Council of Justice, justices of the Constitutional Court of Ukraine and members of the Central Election Commission shall take an oath before the Verkhovna Rada, within the timeframe and according to the form provided for by the Laws of Ukraine "On the Ukrainian Parliament Commissioner for Human Rights", "On the Constitutional Court of Ukraine" and "On the Central Election Commission". The oath shall be taken by the aforementioned officers in person, at a plenary meeting of the Verkhovna Rada.

Article 218 of the Rules of Procedure envisages that the Verkhovna Rada shall approve a charge of liability, detention or arrest of a people's deputy, and detention or arrest of a justice of the Constitutional Court of Ukraine or a justice of a general jurisdiction court.

Section 39 of the Rules of Procedure regulates the procedure for parliamentary hearings.

Parliamentary hearings in the Verkhovna Rada are organized to examine issues of public concern and issues that require legislative regulation. Parliamentary hearings shall be held during session periods, as a rule, not more than once a month in weeks allocated for committee and faction work (Article 233 of the Rules of Procedure).

According to Article 237 of the Rules of Procedure, a motion to dissolve the Verkhovna Rada of the Autonomous Republic of Crimea prior to term may be introduced by the Head of the Verkhovna Rada or a minimum of 45 people's deputies.

Article 239 of the Rules of Procedure envisages that discussion of a motion on early dissolution of the Verkhovna Rada of the Autonomous Republic of Crimea at a plenary meeting of the Verkhovna Rada shall follow the procedure for full discussion, and a representative of the Verkhovna Rada of the Autonomous Republic of Crimea shall be granted the floor for presentation, for up to 20 minutes.

Summary is prepared by Yaroslav the Wise Institute of Legal Information.

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