

Riigikogu Rules of Procedure and Internal Rules Act

UNOFFICIAL TRANSLATION

[Full text in Estonian](#)

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Chapter 1

Convention of New Riigikogu and First Sitting

§ 1. Convention of new Riigikogu

- (1) The first sitting of a new Riigikogu shall be held within ten days after the announcement of the results of the elections to the Riigikogu.
- (2) The first sitting of the Riigikogu shall be convened by the President of the Republic.
- (3) If the President of the Republic cannot convene the Riigikogu for the first sitting, it shall be convened by the Chairman of the National Electoral Committee or his or her deputy.
- (4) The first sitting of the Riigikogu shall be held at Toompea castle in Tallinn, unless for serious reasons otherwise prescribed in the notice of convocation by the person who convenes the sitting.

§ 2. Opening and chairing of first sitting

- (1) The first sitting of a new Riigikogu shall be opened by the President of the Republic.
- (2) Until the President of the Riigikogu is elected, the first sitting of the Riigikogu shall be chaired by the Chairman of the National Electoral Committee or his or her deputy.
- (3) The places of members of the Riigikogu in the chamber of the Riigikogu shall be arranged alphabetically.

§ 3. Taking oath of office

- (1) After the sitting of the Riigikogu is opened, members of the Riigikogu shall take the oath of office.
- (2) The Chief Justice of the Supreme Court shall be present at the taking of the oath of office.
- (3) The eldest member of the Riigikogu who is present shall read aloud the oath of office from the rostrum in the chamber of the Riigikogu and shall sign the text of the oath. Thereafter, the other members of the Riigikogu shall sign the text of the oath.

§ 4. Election of President and Vice-Presidents of Riigikogu

At the first sitting of the Riigikogu, the members of the Riigikogu shall elect the President of the Riigikogu and two Vice-Presidents from among themselves.

§ 5. Notification of resignation of the Government of the Republic

After the election of the President and Vice-Presidents of the Riigikogu, the Prime Minister shall present a

statement concerning the resignation of the Government of the Republic.

Chapter 2

PRESIDENT AND VICE-PRESIDENTS OF RIIGIKOGU

Division 1

Election of President and Vice-Presidents of Riigikogu

§ 6. Bases for election of President and Vice-Presidents of Riigikogu

(1) The President and two Vice-Presidents of the Riigikogu shall be elected at the first sitting of the new Riigikogu. Thereafter, the regular election of the President and Vice-Presidents of the Riigikogu shall be held at the last sitting of the Riigikogu plenary working week before one year has passed since the previous regular election of the President and Vice-Presidents of the Riigikogu.

(2) If the authority of the President or the Vice-Presidents of the Riigikogu terminates prematurely in the cases prescribed in clauses 9 (1) 2), 3) or 4) or clauses 9 (2) 2), 3) or 4) of this Act, the extraordinary election of the President or Vice-Presidents of the Riigikogu shall be held at the first sitting of the following Riigikogu plenary working week.

§ 7. Principles of and procedure for election of President and Vice-Presidents of Riigikogu

(1) The President of the Riigikogu shall be elected first. The Vice-Presidents of the Riigikogu shall be elected concurrently after the election of the President of the Riigikogu.

(2) A candidate may be nominated by a member of the Riigikogu. First, candidates for President of the Riigikogu shall be nominated. After the election of the President of the Riigikogu, the candidates for Vice-Presidents of the Riigikogu shall be nominated. The nominated candidates shall grant their consent concerning their nomination

(3) Voting in the election of the President and Vice-Presidents of the Riigikogu shall be conducted by secret ballot.

(4) Members of the Riigikogu have one vote in the election of the President of the Riigikogu and one vote in the election of the Vice-Presidents of the Riigikogu.

(5) The candidate who receives more than one-half of the valid votes shall become President of the Riigikogu. If no candidate receives the required number of votes, an additional round of voting shall be held between the two candidates who receive the greatest number of votes. In the event of an equal number of votes, lots shall be drawn. If only one candidate is nominated in the election of the President of the Riigikogu, he or she is elected if he or she receives more votes in favour than against.

(6) The candidate who receives the greatest number of votes shall become First Vice-President of the Riigikogu. The candidate who receives the second greatest number of votes shall become Second Vice-President of the Riigikogu. An additional round of voting shall be held between the candidates if they receive an equal number of votes.

§ 8. Commencement of authority of President and Vice-Presidents of Riigikogu

The authority of the President and Vice-Presidents of the Riigikogu shall commence after the election results are announced or after any protests are resolved.

Division 2

Termination of Authority of President and Vice-Presidents of Riigikogu

§ 9. Bases for termination of authority of President and Vice-Presidents of Riigikogu

(1) The authority of the President of the Riigikogu shall terminate:

- 1) upon election of a new President of the Riigikogu or termination of the authority of the Riigikogu;
- 2) during the term of authority of the Riigikogu upon termination of his or her authority as a member of the Riigikogu;
- 3) upon suspension of his or her authority as a member of the Riigikogu in the event of his or her appointment as a member of the Government of the Republic;
- 4) upon his or her resignation.

(2) The authority of a Vice-President of the Riigikogu shall terminate:

- 1) upon election of a new Vice-President of the Riigikogu or termination of the authority of the Riigikogu;
- 2) during the term of authority of the Riigikogu upon termination of his or her authority as a member of the

Riigikogu;

- 3) upon suspension of his or her authority as a member of the Riigikogu in the event of his or her appointment as a member of the Government of the Republic;
- 4) upon his or her resignation.

§ 10. Resignation of President of Riigikogu

- (1) The President of the Riigikogu may resign at his or her own request if he or she gives notice thereof and the reasons therefor at a sitting of the Riigikogu.
- (2) After the President of the Riigikogu has given notice of his or her resignation, he or she shall continue to perform his or her duties until the new President of the Riigikogu is elected.

§ 11. Resignation of Vice-President of Riigikogu

- (1) A Vice-President of the Riigikogu shall resign:
 - 1) at his or her own request;
 - 2) upon the termination of the authority of the President of the Riigikogu in the case prescribed in clause 9 (1) 2), 3) or 4) of this Act;
 - 3) upon the termination of the authority of one of the Vice-Presidents of the Riigikogu in the cases prescribed in clause 9 (2) 2) or 3) of this Act or clause 1) of this subsection.
- (2) If a Vice-President of the Riigikogu resigns at his or her own request, he or she shall give notice thereof and the reasons therefor at a sitting of the Riigikogu.
- (3) Upon resignation, the Vice-Presidents of the Riigikogu shall continue to perform their duties until the new President is or the new Vice-Presidents are elected.

Chapter 3

BOARD OF RIIGIKOGU

§ 12. Composition of Board of Riigikogu

The Board of the Riigikogu consists of the President and Vice-Presidents of the Riigikogu.

§ 13. Duties of Board of Riigikogu

- (1) The Board of the Riigikogu is a collegial directing body which organises the work of the Riigikogu and ensures its administration.
- (2) The Board of the Riigikogu shall:
 - 1) arrange for representation of the Riigikogu and, if necessary, establish general guidelines concerning official travels abroad of members of the Riigikogu;
 - 2) determine the number of members of the standing committees of the Riigikogu and the number of positions in the standing committees for the factions, appoint members of the Riigikogu who do not belong to factions to standing committees, approve the composition of the standing committees and changes thereto and, if necessary, establish general guidelines concerning the organisation of the work and the areas of activity of the committees;
 - 3) register Riigikogu factions and changes to the composition thereof;
 - 4) introduce draft legislation to the legislative proceeding of the Riigikogu and appoint leading committees for the draft legislation;
 - 41) forward draft European Union legislation submitted to the Riigikogu to the European Union Affairs Committee or the Foreign Affairs Committee, designate the standing committees which are to provide an opinion on the draft legislation, and determine the time by which that opinion is to be provided;
 - 5) decide to hold an additional sitting of the Riigikogu and prepare the agenda for the additional sitting;
 - 6) make a proposal to the Riigikogu to establish the working schedule of an extraordinary session of the Riigikogu;
 - 7) prepare the agenda for a plenary working week of the Riigikogu and, in the cases arising from this Act, include issues on the agenda on its own initiative, grant permission to visitors to the Riigikogu to make political statements and specify the time thereof;
 - 8) establish the procedure for compiling verbatim records and taking minutes of the sittings of the Riigikogu;
 - 9) decide on the changing of the time at which documents which are the bases for deliberation of items on the agenda are made available to members of the Riigikogu;
 - 10) establish the rules of legislative drafting for draft legislation;
 - 11) in the case prescribed in subsection 132 (1) of this Act, designate a term for the nomination of candidates

- for Prime Minister and the order of appearance of the nominated candidates for Prime Minister;
- 12) prepare the order of questions for Question Time;
 - 13) determine the duration of the deliberation of matters of significant national importance, the presenters of such matter and the time prescribed for posing questions and presenting comments;
 - 14) [repealed - RT I 2007, 44, 316, entered into force 14.07.2007]
 - 15) decide on the sending of members of the Riigikogu on official travel and establish the conditions and extent of and procedure for reimbursement of foreign assignment expenses of members of the Riigikogu, as well as the compensation of expenses provided in § 30 and subsection 31(2) of the Status of Member of Riigikogu Act;
[RT I 2007, 44, 316, entered into force 14.07.2007]
 - 151) establish the procedure for classifying documents of the Riigikogu and the Chancellery of the Riigikogu as internal, and the procedure for using such documents;
 - 152) establish the extent of and procedure for reimbursement of expenses provided in subsection 31(2) of the Status of Member of Riigikogu Act for members of the 11th Riigikogu;
[RT I 2007, 44, 316, entered into force 14.07.2007]
 - 16) establish the organisational structure of the Chancellery of the Riigikogu and establish the salary rates for positions in the Chancellery of the Riigikogu;
 - 17) appoint the Secretary General of the Riigikogu to office by way of public competition;
 - 18) decide on procedural issues not regulated by this or any other Act;
 - 19) discuss questions posed to the Board by the President of the Riigikogu;
 - 20) if necessary, call the representatives of factions in order to hear their opinions on issues relating to the organisation of the work of the Riigikogu;
 - 201) approve the procedure for maintaining the archives of the Riigikogu;
 - 21) organise other aspects of the work of the Riigikogu.

§ 14. Duties of President of Riigikogu

- (1) The President of the Riigikogu shall represent the Riigikogu and organise the work of the Riigikogu.
- (2) The President of the Riigikogu shall:
 - 1) convene sittings of the Board of the Riigikogu and chair the sittings;
 - 2) convene the first sitting of a committee of the Riigikogu;
 - 3) convene additional sittings of the Riigikogu;
 - 4) convene extraordinary sessions of the Riigikogu;
 - 5) make proposals to the Riigikogu for amending the agenda, specify the time for the oath of office to be taken and agree with the President of the Republic, the Prime Minister and the ministers on the time for them to present any political statements;
 - 6) if there are strong reasons therefor, designate a place for a sitting of the Riigikogu to be held in, which is different from that provided for in this Act;
 - 7) invite persons, who do not have the right arising from their position, to participate in sittings of the Riigikogu;
 - 8) grant permission for film and video recordings and television and radio broadcasts of sittings to be made and for photographs of sittings to be taken;
 - 9) provide an overview of the proceedings of closed sittings of the Riigikogu through the media and grant permission for access to the verbatim records of closed sittings;
 - 10) chair the sittings of the Riigikogu and ensure order in the chamber and the galleries during the sittings;
 - 11) send draft legislation to the Government of the Republic for an opinion;
 - 12) decide to specify a term for the submission of motions to amend a draft which is different from the term prescribed;
 - 13) sign Acts and resolutions of the Riigikogu which are passed;
 - 14) perform the duties of the President of the Republic in the cases prescribed in § 83 of the Constitution of the Republic of Estonia;
 - 15) perform other duties provided by Acts.

§ 15. Duties of Vice-President of Riigikogu

A Vice-President of the Riigikogu shall perform the duties of the President of the Riigikogu in the absence of the President of the Riigikogu, upon the suspension of the authority of the President of the Riigikogu while performing the duties of the President of the Republic and in other cases pursuant to the procedure established by the President of the Riigikogu.

§ 16. Organisation of work of Board of Riigikogu

- (1) A sitting of the Board of the Riigikogu shall be convened as necessary by the President of the Riigikogu. The President of the Riigikogu shall duly announce the time and order of business of a sitting.
- (2) Sittings of the Board of the Riigikogu shall be chaired by the President of the Riigikogu.
- (3) Sittings of the Board of the Riigikogu may be attended by members of the Riigikogu and persons invited by the President of the Riigikogu.
- (4) The Board of the Riigikogu may take a decision only after having heard the opinion of every board member. A resolution of the Board of the Riigikogu shall be adopted by consensus of the members present. If consensus is not reached, a member of the Board of the Riigikogu may put the issue to a vote outside the agenda at a sitting of the Riigikogu.
- (5) A resolution of the Board of the Riigikogu shall enter into force upon its adoption, unless otherwise provided in this Act.

[RT I 2007, 44, 316, entered into force 14.07.2007]

- (6) Minutes shall be taken of the sittings of the Board of the Riigikogu. The minutes shall set out the time at which the sitting begins and ends, the place where the sitting is held, the names and positions of the persons participating in the sitting, the agenda for the sitting and the resolutions adopted. At the request of a speaker, his or her positions shall be entered in the minutes. The minutes shall be signed by the chair of the sitting and the secretary.

Chapter 4

RIIGIKOGU COMMITTEES

Division 1

Classification of Committees of Riigikogu, Procedure for Formation and Competence

§ 17. Types of committees

The Riigikogu shall have standing and select committees, committees of investigation and study committees.

§ 18. Standing committees

(1) The Riigikogu has the following standing committees:

- 1) European Union Affairs Committee;
- 2) Environment Committee;
- 3) Cultural Affairs Committee;
- 4) Rural Affairs Committee;
- 5) Economic Affairs Committee;
- 6) Constitutional Committee;
- 7) Finance Committee;
- 8) National Defence Committee;
- 9) Social Affairs Committee;
- 10) Foreign Affairs Committee;
- 11) Legal Affairs Committee.

(2) Standing committees of the Riigikogu shall prepare draft legislation for deliberation by the plenary assembly of the Riigikogu, exercise supervision over the exercise of executive power within their particular field and perform other functions assigned to the committees by law or by a resolution of the Riigikogu.

(3) The European Union Affairs Committee and the Foreign Affairs Committee of the Riigikogu shall, in matters which concern the common foreign and security policy of the European Union and in co-operation with other standing committees, prepare the opinion of the Riigikogu on draft European Union legislation and shall provide an opinion concerning other affairs of the European Union and exercise supervision over the activities of the Government of the Republic in implementing European Union policies.

[RT I 2004, 12, 77, entered into force 15.03.2004]

§ 19. Select committees

(1) The Riigikogu shall form select committees pursuant to law and in order to perform functions arising from law or international agreements.

(2) A select committee shall be formed by a resolution of the Riigikogu which sets out the composition, including an alternate member to substitute for each committee member, and functions and procedure for

reporting on the activities of the committee.

(3) The Riigikogu may impose the performance of functions specified in subsection (1) of this section on a standing committee.

§ 20. Committees of investigation

(1) The Riigikogu may form committees of investigation in order to investigate the circumstances relating to a matter of public interest.

(2) A committee of investigation shall be formed by a resolution of the Riigikogu which sets out the composition, including an alternate member to substitute for each committee member, and functions and term of authority of the committee.

(3) A committee of investigation shall present an interim report on its activities at least once a year and, upon the termination of its activities, it shall present a final report to the Riigikogu.

§ 21. Study committees

(1) The Riigikogu may form study committees in order to analyse problems of considerable importance.

(2) A study committee shall be formed by a resolution of the Riigikogu which sets out the composition, including an alternate member to substitute for each committee member, and functions and term of authority of the committee.

(3) A study committee shall, upon termination of its activity, present a report on its activities to the Riigikogu.

§ 22. Rights of committees

(1) A committee of the Riigikogu has the right to:

1) require information necessary for its work from the Government of the Republic and agencies of the executive power;

2) require the participation of a member of the Government of the Republic in a committee sitting in order to obtain information on a matter within the powers of the member of the Government;

3) invite officials of government agencies and other persons to participate in a committee sitting in order to provide information to and advise the committee.

(2) A committee of investigation has the right to summon persons to appear before the committee and to demand information and documents necessary for the performance of its functions. A summoned person is required to appear, provide explanations and reply to questions. Information and documents required by a committee shall be forwarded by the date specified by the committee.

§ 23. Obstructing work of committee of investigation

(1) Failure to appear without good reason, when summoned by a committee of investigation, failure to submit information or documents, or refusal to provide a statement or reply to questions is punishable by a fine of up to 300 fine units.

The provisions of the Penal Code (RT I 2001, 61, 364; 2002, 86, 504; 82, 480; 105, 612; 2003, 4, 22) and of the Code of Misdemeanour Procedure (RT I 2002, 50, 313; 110, 654) apply to misdemeanours provided in subsection (1) of this section.

(3) A court shall conduct proceedings in the matters of the misdemeanours provided in subsection (1) of this section.

§ 231. Report of committee

(1) A committee of the Riigikogu may prepare a report for analysing an issue within its competence or for exercise of supervision. For that purpose, the committee appoints a rapporteur from among its members who ensures preparation of the draft report and the submission thereof for approval to the committee. The committee shall also determine a term for submission of the draft report to the committee.

(2) Members of the committee may present reasoned dissenting opinions concerning the report which shall be annexed to the report.

(3) The committee may submit the report to the Riigikogu for deliberation, in pursuance of the provisions of § 153 of this Act.

[RT I 2009, 54, 361 – entered into force 23.11.2009]

Division 2

Composition of Committees of Riigikogu and Convention of First Sitting

§ 24. Members of Riigikogu serving on committees

(1) A member of the Riigikogu shall serve on one standing committee of the Riigikogu listed in clauses 18 (1) 2)-11) of this Act and may be a member of the European Union Affairs Committee, select committees, committees of investigation and study committees.

(2) The President and Vice-Presidents of the Riigikogu shall not serve on standing committees, with the exception of the European Union Affairs Committee, or be alternate members of the committees.

[RT I 2004, 12, 77, entered into force 15.03.2004]

§ 25. Number of members of committee

(1) The number of members of a standing committee of the Riigikogu shall be determined by the Board of the Riigikogu.

(2) The European Union Affairs Committee shall have at least 15 members, including at least one member or alternate member from each of the standing committees listed in clauses 18 (1) 2)-11) of this Act.

[RT I 2004, 12, 77, entered into force 15.03.2004]

§ 26. Representation of factions in committees

(1) The number of positions on the Riigikogu committees prescribed for the Riigikogu factions is proportionate to the number of members of each faction.

(2) The Board of the Riigikogu shall determine the number of positions belonging to a faction on each standing committee.

(3) Factions shall appoint their members to serve on standing committees.

(4) A member of a standing committee who represents a faction may be substituted at a committee sitting by an alternate member appointed by the faction.

[RT I 2004, 89, 607, entered into force 07.01.2005]

§ 27. Participation of non-attached members of Riigikogu in standing committees

The Board of the Riigikogu shall appoint non-attached members of the Riigikogu to the standing committees of the Riigikogu, on the basis of the wishes of the members of the Riigikogu and the feasibility of organising the work.

§ 28. Approval of composition of standing committees

(1) A faction shall adopt a resolution on the appointment of its members and alternate members to the standing committees of the Riigikogu within five working days as of the determination of the number of seats of the faction. The faction has the right to amend the resolution.

(2) The composition of standing committees and any changes thereto shall be approved by the Board of the Riigikogu.

§ 29. Convention and chairing of first sitting of committee

(1) The President of the Riigikogu shall convene the first sitting of a Riigikogu committee within three working days as of approval of the composition of the committee or passage of a resolution on formation of the committee.

(2) Until the chairman and deputy chairman of a committee are elected, the first sitting of a committee shall be chaired by the oldest member of the committee present.

Division 3

Chairman and Deputy Chairman of Committee of Riigikogu

§ 30. Election of chairman and deputy chairman of committee

(1) The members of a Riigikogu committee shall elect the chairman and deputy chairman of the committee from among themselves at the first sitting of the committee. If the authority of the chairman or deputy chairman terminates prematurely in the cases prescribed in clauses 31 2), 3), 4) or 5) of this Act, an extraordinary election of a chairman and deputy chairman of the committee shall be held at the next sitting of the committee.

(2) The chairman and deputy chairman of a committee shall be elected at the same time.

(3) Voting in the election of the chairman and deputy chairman of a committee shall take place by secret ballot. Each member of the committee has one vote.

(4) The candidate who receives the greatest number of votes shall become the chairman of the committee. The

candidate who receives the second greatest number of votes shall become the deputy chairman of the committee.

(5) If, due to an equal division of votes, no candidate is elected as chairman of the committee, an additional round of voting shall be held between the candidates who received an equal number of votes. If the votes are also divided equally in the additional round, lots shall be drawn.

(6) If, due to an equal division of votes, no candidate is elected as deputy chairman of the committee, lots shall be drawn.

§ 31. Bases for termination of authority of chairman and deputy chairman of committee

The authority of the chairman or deputy chairman of a Riigikogu committee shall terminate upon:

- 1) termination of the authority of the Riigikogu;
- 2) termination of his or her authority as a member of the Riigikogu;
- 3) suspension of his or her authority as a member of the Riigikogu in the event of his or her appointment as a member of the Government of the Republic;
- 4) his or her resignation;
- 5) his or her removal.

§ 32. Resignation of chairman and deputy chairman of committee

(1) The chairman or deputy chairman of a Riigikogu committee shall resign:

- 1) at his or her own request;
- 2) upon termination of the authority of the chairman or deputy chairman of the committee, as appropriate, in the case prescribed in clauses 31 2), 3) or 5) of this Act or clause 1) of this subsection.
- (2) If the chairman or deputy chairman of a committee resigns at his or her request, he or she shall give notice thereof and the reasons therefor at a sitting of the committee.
- (3) Upon resignation, the chairman and deputy chairman of a committee shall continue to perform their duties until the new chairman and deputy chairman of the committee are elected.

§ 33. Removal of chairman or deputy chairman of committee

- (1) The removal of the chairman or deputy chairman of a committee may be initiated by not less than one-third of the members of the committee.
- (2) Removal shall not be initiated if, following their resignation, the chairman and deputy chairman of a committee continue to perform their duties pursuant to subsection 32 (3) of this Act.
- (3) A proposal for removal shall be entered on the agenda for the second sitting after submission of the proposal unless the committee chairman or deputy chairman in respect of whom the proposal is submitted demands a quicker resolution.
- (4) The chairman or deputy chairman of a committee is deemed to be removed if more than one-half of the members of a committee vote in favour of the proposal.
- (5) Removal may be initiated again not earlier than during the next regular session of the Riigikogu.

§ 34. Duties of chairman and deputy chairman of committee

- (1) The chairman of a committee of the Riigikogu shall represent the committee, direct and organise the work of the committee.
- (2) The chairman of a committee shall:
 - 1) submit to the committee the work plan and draft agenda for sittings of the committee;
 - 2) chair sittings of the committee;
 - 3) convene extraordinary sittings of the committee;
 - 4) invite members of the Government of the Republic, officials of government agencies and other persons to participate in sittings of the committee.
- (3) The deputy chairman of a committee shall perform the duties of chairman of a committee in his or her absence and in other cases pursuant to the procedure established by the chairman of the committee.

Division 4

Organisation of Work of Riigikogu Committees

§ 35. Time of committee sittings

- (1) Regular sittings of Riigikogu committees shall be held at the times prescribed in § 47 of this Act.
- (2) The chairman of a Riigikogu committee shall convene an extraordinary sitting of the committee on his or

her own initiative or at the request of at least one-third of the members of the committee.

§ 36. Accessibility of committee sittings

- (1) Members of the Government of the Republic have the right to participate in committee sittings and have the right to speak.
- (2) Representatives of state agencies and other persons may participate in committee sittings when invited by the chairman of the committee.
- (3) A committee may declare a sitting to be public if more than one-half of the members of the committee vote in favour thereof.

§ 37. Quorum of committee

- (1) A Riigikogu committee has a quorum at a regular sitting if at least one-third of the members of the committee are present.
- (2) A Riigikogu committee has a quorum at an extraordinary sitting if more than one-half of the members of the committee, including the chairman or deputy chairman of the committee, are present.

§ 38. Procedure for adoption of committee resolutions

- (1) A committee of the Riigikogu shall adopt resolutions by a majority of votes in favour.
- (2) If no committee member participating in the committee meeting requests voting, a resolution shall be deemed to be adopted by consensus.
- (3) A resolution of the Riigikogu on the formation of a select committee may stipulate that some issues are decided by unanimity.

[RT I 2003, 90, 601, entered into force 01.01.2004]

§ 39. Minutes of committee sittings

- (1) Minutes shall be taken of sittings of the committees of the Riigikogu.
- (2) The minutes shall set out:
 - 1) the time at which the sitting begins and ends and the place where the sitting is held;
 - 2) the names and positions of the persons participating in the sitting;
 - 3) the agenda for the sitting and the resolutions adopted;
 - 4) the voting results.
- (3) At the request of a speaker, minutes shall be taken of his or her opinions.
- (4) The minutes shall be signed by the chair of the sitting and the secretary.

RT I 2004, 12, 77, entered into force 15.03.2004]

Chapter 5 FACTIONS

§ 40. Formation of factions

- (1) A faction may be formed by and shall comprise not less than five members of the Riigikogu who are elected from a list of candidates of the same political party. Members of the Riigikogu who are elected from the candidate list of the same political party may form only one faction.
- (2) Each member of the Riigikogu may belong to only one faction.
- (3) A faction shall elect a chairman and a deputy chairman from among its members; the chairman or deputy chairman shall not be President or Vice-President of the Riigikogu at the same time. If a faction comprises more than twelve members, it has the right to elect a second deputy chairman.

§ 41. Registration of factions

- (1) A request for the registration of a faction shall be submitted to the Board of the Riigikogu within five days after the first sitting of the Riigikogu.
- (2) A request for the registration of a faction shall set out the name of the faction, the names of the members of the Riigikogu who formed it, and the names of the chairman and deputy chairman of the faction. The request shall be signed by all members of the Riigikogu who formed the faction.
- (3) The name of the faction shall be the name of the political party which submitted the list of candidates together with the word "fraktsioon" [faction].
- (4) Factions shall be registered with the Board of the Riigikogu.

§ 42. Changes to composition of faction

- (1) The acceptance of a new member shall be decided by the faction. The chairman of a faction shall promptly submit the resolution of the faction together with the request of a member of the Riigikogu to the Board of the Riigikogu.
- (2) A member of the Riigikogu may leave a faction on the basis of an application which he or she shall submit to the Board of the Riigikogu.
- (3) A faction may exclude a member of the Riigikogu from the faction. The chairman of the faction shall promptly submit the resolution of the faction to the Board of the Riigikogu.
- (4) The Board of the Riigikogu shall register any changes to the composition of a faction.

Chapter 6

OTHER ASSOCIATIONS

§ 43. Other associations of members and factions of Riigikogu

- (1) Members and factions of the Riigikogu may form associations.
- (2) The chairman of an association shall submit to the Board of the Riigikogu a notice which sets out the name of the association, the objectives of its activities and the names of the members and factions of the Riigikogu who belong to the association.

Chapter 7

DELEGATIONS OF RIIGIKOGU

§ 44. Delegations of Riigikogu

- (1) The Riigikogu may form delegations of its members in order to organise international communication.
- (2) A delegation shall be formed by a resolution of the Riigikogu for the term of authority of the composition of the Riigikogu. Members of a delegation and alternate members, when necessary, shall be appointed by a resolution of the Riigikogu.
- (3) A delegation shall submit at least once a year a report on its activity to the Foreign Affairs Committee.

Chapter 8

WORKING TIME OF RIIGIKOGU

Division 1

Working Time of Riigikogu during Regular Sessions

§ 45. Regular sessions

- (1) Regular sessions of the Riigikogu shall be held from the second Monday in January to the third Thursday in June and from the second Monday in September to the third Thursday in December.
- (2) The numeration of regular sessions shall begin from the convention of the new composition of the Riigikogu.

§ 46. Working week and working cycle of plenary assembly

- (1) A week during which regular sittings of the Riigikogu are held is the Riigikogu plenary working week.
- (2) Three consecutive plenary working weeks form a plenary working cycle of the Riigikogu.
- (3) The week following a plenary working cycle is allotted for members of the Riigikogu to work with their constituents and to perform duties assigned by the Riigikogu, committees or factions and other duties of members of the Riigikogu.
- (4) The last regular sitting of a Riigikogu shall be held not later than on the Thursday of the second last week preceding the date of the election. No regular sittings of the Riigikogu shall be held from election day until the election results are declared. If the authority of the Riigikogu is extended in the cases provided for in § 131 of the Constitution of the Republic of Estonia, regular sittings shall also be held during that time.

§ 47. Working schedule of Riigikogu

- (1) The Riigikogu shall work according to the following schedule:

1) Monday:

9.00–11.00: work in factions

11.00–13.00: work in standing committees, with the exception of the European Union Affairs Committee

13.30–15.00: work in the European Union Affairs Committee, select committees, committees of investigation and study committees

15.00: a sitting of the Riigikogu begins at which replies are made to interpellations. After replies have been made to all interpellations on the agenda, the time for unscheduled statements from members of the Riigikogu follows and continues until no further requests for statements are made. If replies to interpellations are not scheduled on the agenda for a sitting of the Riigikogu, the unscheduled statements of members of the Riigikogu shall begin after approval of the agenda for the plenary working week and continue until no further requests for statements are made;

[RT I 2009, 54, 361 – entered into force 23.11.2009]

2) Tuesday:

9.00-10.00: work in factions

10.00-13.00: sitting of the Riigikogu

14.00 work begins in standing committees, except in European Affairs Committee, and continues until all items on the agenda have been deliberated;

3) Wednesday:

9.00-10.00: work in factions

13.00-14.00: Question Time

14.00: a sitting of the Riigikogu begins and continues until all the items concerning draft legislation introduced by the Government of the Republic on the agenda have been deliberated, but not longer than until the beginning of the sitting on Thursday;

4) Thursday:

10.00-13.00: sitting of the Riigikogu

14.00-16.00: work in standing committees, except in European Affairs Committee

16.00: work begins in select and study committees and committees of investigation;

5) Friday:

10.00-11.00: work in European Affairs Committee

11.00 work begins in European Affairs Committee and continues until all items on the agenda have been deliberated

Members of the Riigikogu shall work with their constituents, perform duties assigned by the Riigikogu, factions and committees, or perform other duties of members of the Riigikogu.

(2) On the proposal of the chairman of a committee, regular sittings of the committee may be scheduled for a time other than the time provided for in subsection (1) of this section if the chairman of the committee and the members of the committee agree upon the time of the sittings not later than at the first committee sitting of the working week.

(3) The time of the sittings of a committee specified in subsection (2) of this section shall not overlap the working time provided for in subsection (1) of this section for other committees, factions and the Riigikogu.

(4) On the proposal of the chairman of a committee, the regular sittings of the committee may be scheduled for a time outside the regular sessions if the chairman of the committee and the members of the committee agree on the time of the sittings not later than at the previous committee sitting of the regular session. The committee shall inform the Board of the Riigikogu thereof.

(5) [Repealed – RT I 2009, 54, 361 – entered into force 23.11.2009]

§ 48. Changing Riigikogu working schedule

The Riigikogu working schedule may be changed by a resolution passed by a two-thirds majority of the Riigikogu, except in the case provided for in clause 47 (1) 1) of this Act.

§ 49. Additional sittings of Riigikogu

(1) Additional sittings of the Riigikogu may be held outside the working schedule provided for in § 47 of this Act.

(2) The Board of the Riigikogu shall decide on the holding of an additional sitting and shall prepare the agenda for the additional sitting.

(3) An additional sitting of the Riigikogu shall be convened by the President of the Riigikogu. The President of the Riigikogu shall notify members of the Riigikogu of the convention of an additional sitting through the media at least three days prior to the date on which the sitting is to be held. The term for giving notice may be shorter if there are strong reasons therefor.

Division 2

Extraordinary Session of Riigikogu

§ 50. Time of extraordinary session of Riigikogu

Extraordinary sessions of the Riigikogu may be held outside the time of regular sessions of the Riigikogu.

§ 51. Convention of extraordinary sessions

(1) Extraordinary sessions of the Riigikogu shall be convened by the President of the Riigikogu on the proposal of the President of the Republic, the Government of the Republic or at least one-fifth of the component members of the Riigikogu at the time and with the agenda requested by them.

(2) The President of the Riigikogu shall notify members of the Riigikogu of the convention of an extraordinary session through the media.

§ 52. Working schedule of extraordinary sessions

The working schedule of an extraordinary session of the Riigikogu shall be established on a motion of the Board of the Riigikogu by a majority of votes in favour.

Chapter 9

AGENDA

§ 53. Preparation of agenda

(1) An agenda shall set out the list of issues to be deliberated by the plenary assembly of the Riigikogu and the date and order of their deliberation.

(2) The Board of the Riigikogu shall prepare an agenda for a plenary working week of the Riigikogu on the basis of proposals from Riigikogu committees and agreements reached with addressees of interpellations on making replies thereto. If the entry of an issue on the agenda arises from this Act, the Board of the Riigikogu shall enter the issue on the agenda on its own initiative. Riigikogu committees shall submit proposals on the agenda for the following plenary working week not later than by 3 p.m. on the Thursday of the working week.

(3) Issues which were not deliberated during the previous plenary working week shall be entered on the agenda for the new working week prior to other matters.

(4) The agenda for additional sittings of the Riigikogu shall be prepared by the Board of the Riigikogu.

(5) The agenda for an extraordinary session of the Riigikogu shall be prepared by the person who makes the proposal to convene the extraordinary session.

§ 54. Communication of agenda

(1) By the end of a plenary working week of the Riigikogu, the members of the Riigikogu shall be informed of the agenda for the next plenary working week.

(2) The agenda for an additional sitting and extraordinary session of the Riigikogu shall be communicated to the members of the Riigikogu simultaneously with the convention of the additional sitting or extraordinary session.

(3) After the agenda has been communicated, it may be amended only if no faction is opposed thereto, except in the cases prescribed in § 56 of this Act.

§ 55. Adoption of the agenda

(1) The plenary assembly of the Riigikogu shall approve the agenda at the first sitting of the plenary working week or at the beginning of an additional sitting. The agenda for an extraordinary session of the Riigikogu is not subject to approval.

(2) Before an agenda is approved, the Riigikogu may amend the agenda, taking into account the provisions of subsection 54 (3) of this Act.

(3) The Riigikogu shall not remove issues from an agenda which the Riigikogu is required to deliberate pursuant to the Constitution of the Republic of Estonia or this Act.

§ 56. Amendment of agenda

(1) Only the following issues may be added to the agenda for a plenary working week or the agenda for an additional sitting of the Riigikogu after approval thereof:

1) authorisation of a candidate for Prime Minister to form the Government of the Republic, which is introduced for deliberation within fourteen days as of the candidate for Prime Minister being designated by the President of the Republic or after expiry of the term for the nomination of candidates for Prime Minister;

- 2) an expression of no confidence in the Government of the Republic, the Prime Minister or a minister which is introduced for deliberation not earlier than on the second day after its initiation, unless the Government of the Republic demands a quicker decision;
 - 3) an Act which the President of the Republic refuses to proclaim and which is returned to the Riigikogu for renewed deliberation and decision, which shall be introduced for deliberation at the earliest opportunity;
 - 4) a draft Act to approve or repeal a decree of the President of the Republic, which shall be introduced for deliberation at the earliest opportunity;
 - 5) declaration of a state of emergency (the declaration of an emergency situation is in the competence of the Government of the Republic), which shall be introduced for deliberation at the earliest opportunity;
 - 6) declaration of a state of war, mobilisation or demobilisation, which shall be introduced for deliberation at the earliest opportunity;
 - 7) a proposal from the Chancellor of Justice to bring an Act or a resolution of the Riigikogu into conformity with the Constitution or an Act of the Republic of Estonia, which shall be introduced for deliberation at the earliest opportunity;
 - 8) the grant of consent to bring criminal charges against an official, which shall be introduced for deliberation at the earliest opportunity;
 - 9) political statements by the President of the Republic, the Prime Minister and the ministers, which shall be presented at the time agreed upon by the President of the Riigikogu and the presenter of the statement;
 - 10) political statements by visitors to the Riigikogu, which shall be presented at the time specified by the Board of the Riigikogu;
 - 11) an oath of office, which shall be taken at the time specified by the President of the Riigikogu;
 - 12) draft Resolutions connected with preventing or resolving financial crisis, specified in clause 37 (3) 3) of the State Budget Act, which shall be introduced for deliberation at the earliest opportunity.
- [RT I 2009, 19, 117 – entered into force 06.04.2009]
- (2) An agenda shall be amended on the proposal of the President of the Riigikogu.

Chapter 10

SITTING OF RIIGIKOGU

Division 1

General Rules

§ 57. Venue of sittings

The sittings of the Riigikogu shall be held in the Plenary Hall of Toompea Castle in Tallinn, unless the President of the Riigikogu determines another place for holding a sitting, if good reasons exist therefor.

§ 58. Participants in sittings

- (1) Members of the Riigikogu, the President of the Republic, members of the Government of the Republic, the Legal Chancellor, the Auditor General, the State Secretary, employees performing their duties at plenary sittings of the Riigikogu and persons invited to participate in a sitting by the President of the Riigikogu may enter the Plenary Hall and attend a sitting of the Riigikogu.
- (2) Members of the Riigikogu each have a permanent seat in the Plenary Hall. Seating for the President of the Republic and members of the Government of the Republic is also provided in the Plenary Hall.

§ 59. Accessibility of sittings

- (1) Sittings of the Riigikogu shall be public.
- (2) Sittings may be followed from the gallery of the Plenary Hall.
- (3) Film and video recordings and television and radio broadcasts of sittings may be made and photographs of sittings may be taken with the permission of the President of the Riigikogu.

§ 60. Closed sittings

- (1) The Riigikogu may declare a closed sitting by a two-thirds majority.
- (2) Declaration of a closed sitting shall be decided separately with regard to each item on the agenda.
- (3) The President of the Riigikogu shall provide an overview of proceedings of a closed sitting of the Riigikogu to the public through the media.

§ 61. Verbatim records, minutes and transmissions of sittings

- (1) Sittings of the Riigikogu shall be recorded verbatim and minutes shall be taken pursuant to the procedure established by the Board of the Riigikogu.
- (2) The verbatim records of sittings shall be available to the public. Persons specified in subsection 58 (1) of this Act may access the verbatim records of closed sittings. Other persons may access the verbatim records of closed sittings with the permission of the President of the Riigikogu.
- (3) Public sittings of the Riigikogu shall be transmitted to other rooms of the Riigikogu.

§ 62. Time of making documents available

Documents which are the basis for the deliberation of an item on the agenda shall be made available to members of the Riigikogu not later than by 6 p.m. on the second working day before the sitting day when the matter is to be deliberated, unless otherwise provided in the Constitution of the Republic of Estonia or this Act or unless the Board of the Riigikogu decides otherwise.

Division 2

Procedure for Conducting Sittings

§ 63. Chair of sitting

- (1) A sitting of the Riigikogu shall be chaired by the President or a Vice-President of the Riigikogu.
- (2) If the President or Vice-Presidents of the Riigikogu cannot chair a sitting, the eldest member of the Riigikogu who is present shall chair the sitting.

§ 64. Opening and closing of sittings

- (1) The chair of a sitting of the Riigikogu shall open the sitting and shall declare the sitting closed.
- (2) A sitting shall not be closed before an unfinished activity (a report, a comment, the posing of or replying to a question, voting on a motion to amend, a final vote or another activity) comes to an end.
- (3) In the case provided in § 134 of this Act, a sitting shall not be closed before a resolution is adopted on the item on the agenda.

§ 65. Recess

The chair of a sitting may declare a recess of up to thirty minutes.

§ 66. Ensuring order at sittings

The chair of a sitting of the Riigikogu shall ensure order in the Plenary Hall and galleries during the sitting.

§ 67. Report

If a report is made on an agenda item, it shall be presented from the rostrum in the Plenary Hall and shall not exceed twenty minutes, unless otherwise prescribed in this Act. Upon agreement with the presenter, the chair of the sitting may extend the time for a report.

§ 68. Oral questions

- (1) In the cases provided in this Act, members of the Riigikogu may pose oral questions.
- (2) If a member of the Riigikogu wishes to pose a question, he or she shall register himself or herself. The chair of the sitting shall grant permission to pose a question in the order of registration.
- (3) One minute shall be allotted for posing a question.

§ 69. Comments

- (1) In the cases provided in this Act, members of the Riigikogu may present comments.
- (2) If a member of the Riigikogu wishes to present a comment, he or she shall register himself or herself. The chair of the sitting shall grant permission to present a comment in the order of registration.
- (3) A comment shall be presented from the rostrum in the Plenary Hall (a speech) or from the floor.
- (4) If the chair of a sitting wishes to present a comment, he or she shall reassign the chairing of the sitting for the duration of his or her comment and shall present the comments from the rostrum.
- (5) Unless otherwise prescribed by this Act, five minutes shall be allotted for speeches and two minutes for comments from the floor. At the request of the speaker, the chair of the sitting may allot an additional three minutes for a speech.

[RT I 2009, 54, 361 – entered into force 23.11.2009]

§ 70. Counterstatement

- (1) If a member of the Riigikogu or positions contained in his or her speech are mentioned in another speech, the chair of the sitting may grant the member of the Riigikogu permission for the presentation of a counterstatement.
- (2) In the course of deliberation of items on the agenda, the chair of the sitting may grant each member of the Riigikogu permission to present only one reply.
- (3) Two minutes shall be allotted for replies.

§ 71. Right of members of the Government of the Republic and of Chancellor of Justice to speak

- (1) Members of the Government of the Republic and the Chancellor of Justice have the right to present comments.
- (2) The chair of the sitting shall grant permission for comments to be presented taking into consideration, if possible, the wishes of the member of the Government of the Republic or the Chancellor of Justice.

§ 72. Rights of chair of sitting upon deliberation of items on agenda

- (1) If a report, comment or question exceeds the allotted time, the chair of the sitting shall demand that the report, comment or question be brought to a close. If a person presenting a report or comment or posing a question deviates from the item on the agenda, the chair of the sitting shall demand a return to the item on the agenda. If the demand of the chair of the sitting is not met, the chair of the sitting shall interrupt the report, comment or question by switching off the microphone.
 - (11) If a person presenting a report or comment or posing a question uses inappropriate expressions, the chair of the sitting shall reprimand him or her. If the demand of the chair of the sitting is ignored, the chair of the sitting shall interrupt the report, comment or question by switching off the microphone.
- [RT I 2007, 44, 316, entered into force 14.07.2007]
- (2) The chair of the sitting shall propose that the presentation of comments be deemed to have been brought to a close if everyone who wished to present a comment has presented his or her comment or if the chair finds that the item on the agenda has been covered adequately. If a member of the Riigikogu contests the motion of the chair of the sitting, the matter of whether to bring the presentation of comments to a close shall be decided by way of a vote.

§ 73. Impossibility of deliberation of item on agenda

- (1) A chair of the sitting shall not open the deliberation of an item on the agenda, if documents forming the basis for deliberation of the item on the agenda have not been duly made accessible to the members of the Riigikogu or if the presenter of the report does not attend the deliberation of the item on the agenda.
- (2) In the case prescribed in subsection (1) of this section, the deliberation shall be postponed until the next working week.

§ 74. Protests and questions concerning point of order

- (1) If a member of the Riigikogu finds that a point of order has arisen, he or she may submit a protest to the chair of the sitting.
- (2) If a member of the Riigikogu wishes to obtain clarification concerning a point of order, he or she may pose a question to the chair of the sitting.
- (3) A member of the Riigikogu shall give indication of his or her wish to submit a protest or pose a question by raising a hand. The chair of the sitting shall grant permission to submit a protest or pose a question outside the agenda.
- (4) The chair of a sitting shall resolve a protest or reply to a question without delay.

§ 75. Forwarding of notices

Notices to members, committees and factions of the Riigikogu shall be forwarded by the chair of the sitting. The text of a notice shall be submitted to the chair of the sitting in writing.

Division 3

Voting at Sitting of Riigikogu

Subdivision 1

General Rules

§ 76. Quorum of Riigikogu

In an additional sitting and extraordinary session of the Riigikogu, the Riigikogu shall have a quorum if more than one-half of the members of the Riigikogu are present.

§ 77. Attendance check of members of Riigikogu

- (1) The quorum of the Riigikogu shall be verified by an attendance check of the members of the Riigikogu.
- (2) The attendance of the members of the Riigikogu shall be checked at the beginning of a sitting and before a final vote on a draft Act or resolution which requires at least a majority vote of the members of the Riigikogu to be passed.
- (3) During an additional sitting or an extraordinary session of the Riigikogu, attendance shall also be checked before any other votes, if a member of the Riigikogu so requests.

§ 78. Required majority

The Riigikogu shall adopt resolutions by a majority of votes in favour, unless otherwise prescribed by the Constitution of the Republic of Estonia or this Act.

§ 79. Public and secret voting

- (1) Voting at a sitting of the Riigikogu shall be public.
- (2) Voting shall be secret only in the following cases:
 - 1) election of the President of the Republic;
 - 2) election of the President and Vice-Presidents of the Riigikogu;
 - 3) appointment to office of the Chief Justice and justices of the Supreme Court;
 - 4) appointment to office of the Auditor General;
 - 5) appointment to office of the Chancellor of Justice and the Deputy Chancellor of Justice/Adviser;
 - 6) appointment to office of the Chairman of the Board of the Eesti Pank and appointment of members to the Board of the Eesti Pank;

7) [Repealed - RT I, 08.07.2011, 8 – entered into force 22.07.2011]

§ 80. Voting in person

Members of the Riigikogu shall vote in person.

§ 81. Modes of voting

- (1) An electronic voting system shall be employed for voting.
- (2) In the election of the President of the Republic and the President and Vice-Presidents of the Riigikogu the voting shall be effected by means of ballot papers.
- (3) If it is not possible for the electronic voting system to be employed, voting shall take place by a show of hands or, if this Act prescribes a secret vote, by ballot.

§ 82. Competence of National Electoral Committee and voting committee in organising voting

- (1) In the cases provided in subsection 81 (2) of this Act, the National Electoral Committee shall organise the voting, ascertain the election results and resolve the protests.
- (2) In the cases prescribed in subsection 81 (3) of this Act, the voting shall be organised, election results ascertained and protests resolved by a voting committee which comprises one representative from each faction of the Riigikogu.

Subdivision 2

Voting by Electronic Voting System

§ 83. Voting procedure

- (1) One minute before a vote, the chair of the sitting shall notify the members of the Riigikogu thereof with a signal transmitted to the rooms of the Riigikogu.
- (2) The chairman or deputy chairman of a standing committee or faction may request a recess of up to ten minutes before a vote.
- (3) Immediately before a vote, the chair of the sitting shall clearly formulate the question being put to the vote and verify that all members of the Riigikogu understand it in the same manner.
- (4) The chair of the sitting shall confirm the decision to put the matter to a vote by a stroke of the gavel.
- (5) Before the voting results are clear, no-one in the chamber shall voice his or her ideas.

§ 84. Suspension of voting

(1) If the voting procedure is violated in the course of voting or if a member of the Riigikogu is not able to vote due to a technical failure in his or her voting controls, the chair of the sitting shall suspend voting and shall confirm the decision by a stroke of the gavel.

(2) A member of the Riigikogu shall indicate a failure specified in subsection (1) of this section by raising his or her hand.

§ 85. Announcement of voting results

(1) The chair of a sitting shall announce voting results and confirm them by a stroke of the gavel.

(2) Voting results shall not be contested after their confirmation.

Subdivision 3

Voting Effected by Means of Ballot Papers

§ 86. Preparation of voting

(1) If necessary, the chair of a sitting shall declare a recess in order for ballot papers to be prepared.

(2) The names of the candidates in the order of their nomination or spaces marked with the possible answers "poolt" [in favour], "vastu" [against] and "erapooletu" [undecided] shall be entered on the ballot papers.

(3) After the ballot papers have been prepared, the chair of the sitting shall declare the recess to have ended.

(4) Before the declaration of voting, the National Electoral Committee or the voting committee shall examine and seal the ballot box. Thereafter, the chair of the sitting shall explain the voting procedure to the members of the Riigikogu.

(5) Voting shall be declared by the chair of the sitting.

§ 87. Voting procedure

(1) The National Electoral Committee or the voting committee shall provide each member of the Riigikogu with a ballot paper according to the list of members of the Riigikogu. Members of the Riigikogu shall present their identity documents. Members of the Riigikogu shall receive ballot papers against their signatures.

(2) Members of the Riigikogu shall fill out the ballot papers in a voting booth. Members of the Riigikogu shall mark the ballot papers with a cross in the space beside the name of the candidate in favour of whom they wish to vote or the answer which they are in favour of. If the name of only one candidate is entered on the ballot paper, members of the Riigikogu shall mark a cross in the space marked "poolt" [in favour] or "vastu" [opposed] on the ballot paper.

(3) After filling out the ballot paper, members of the Riigikogu shall place the ballot papers in the ballot box.

(4) If a member of the Riigikogu spoils the ballot paper before placing it in the ballot box, he or she has the right to receive a new ballot paper from the Voting Committee. The members of the Riigikogu shall return the spoiled ballot paper to the National Electoral Committee or voting committee.

(5) The chair of a sitting shall declare voting closed thirty minutes after the start of voting.

§ 88. Determination and announcement of voting results

(1) Votes shall be counted publicly after the closing of voting.

(2) Ballot papers on which more than one space or no space is marked are deemed to be invalid.

(3) The National Electoral Committee or the voting committee shall prepare a record concerning the voting results.

(4) The chair of the sitting shall announce the voting results.

§ 89. Contestation of voting results

(1) Members of the Riigikogu may submit protests concerning the organisation of voting or the voting results to the National Electoral Committee or the voting committee.

(2) Protests concerning the organisation of voting shall be submitted promptly after the close of voting.

Protests concerning the voting results shall be submitted promptly after announcement of the voting results.

(3) The National Electoral Committee or the voting committee shall resolve any protests without delay.

Chapter 11

PROCEDURE FOR LEGISLATIVE PROCEEDING OF DRAFT ACTS AND DRAFT RESOLUTIONS OF RIIGIKOGU

Division 1

Initiating Acts Submission of Draft Resolutions of Riigikogu

§ 90. Right to initiate Acts and submit draft resolutions of Riigikogu

(1) The following have the right to initiate Acts and submit draft resolutions of the Riigikogu:

- 1) members of the Riigikogu;
- 2) factions of the Riigikogu;
- 3) committees of the Riigikogu;
- 4) Government of the Republic.

(2) A draft Act to approve or repeal a decree of the President of the Republic together with the respective decree shall be submitted to the Riigikogu by the President of the Republic.

(3) A body which has the right, in the cases provided in clauses 78 11) and 17) and subsections 128 (1) and 129 (1) of the Constitution of the Republic of Estonia, to make proposals to the Riigikogu shall submit the proposal as a draft resolution of the Riigikogu.

§ 91. Submission of draft legislation

(1) Draft legislation shall be submitted to the chair of the sitting of the Riigikogu from the rostrum in the chamber before deliberation of the matters on the agenda. The presenter of the draft legislation may introduce the draft for up to two minutes.

(2) If a draft Act which is not in the legislative proceeding of the Riigikogu is entered on the agenda for an extraordinary session of the Riigikogu, the draft Act shall be submitted to the President of the Riigikogu together with a proposal to convene an extraordinary session.

§ 92. Requirements for draft legislation

(1) The format of draft legislation shall conform to the rules of legislative drafting established by the Board of the Riigikogu.

(2) The draft legislation shall be signed by the initiator or presenter.

(3) An explanatory memorandum which justifies the initiation or submission of draft legislation shall be appended to the draft legislation.

(4) Draft Acts concerning international agreements shall be submitted together with the text of the agreement in Estonian and a foreign language. If the authentic text of an international agreement is only in a foreign language, an Estonian translation of the agreement shall also be submitted.

§ 93. Decision on acceptance of draft legislation for legislative proceeding of Riigikogu

(1) The Board of the Riigikogu shall decide on the acceptance of draft legislation for the legislative proceeding of the Riigikogu within three working days as of submission of the draft legislation.

(2) If the Board of the Riigikogu decides to accept draft legislation for the legislative proceeding of the Riigikogu, the Board shall also appoint a leading committee for the draft legislation from among the standing committees of the Riigikogu.

(3) If the Board of the Riigikogu finds that draft legislation does not comply with the requirements set out in § 92 of this Act, the Board shall return the draft legislation to the initiator or presenter without appointing a leading committee.

(4) The decisions prescribed in subsections (2) and (3) of this section shall be communicated to the members of the Riigikogu.

§ 94. Opinion of the Government of the Republic on draft legislation

(1) The President of the Riigikogu shall send draft legislation initiated by a member, faction or committee of the Riigikogu to the Government of the Republic for an opinion not later than on the next working day following acceptance of the draft legislation for the legislative proceeding. The President of the Riigikogu may also send other draft legislation to the Government of the Republic for an opinion.

(2) The Government of the Republic shall submit its opinion to the leading committee in writing within five weeks as of receipt of the draft legislation.

(3) The Government of the Republic may decline to present an opinion.

§ 95. Withdrawal of draft legislation and recession therefrom

(1) The initiator or presenter of draft legislation has the right to withdraw the draft legislation initiated or submitted thereby at any time.

(2) The initiator or presenter of draft legislation shall submit an application for its withdrawal to the President

of the Riigikogu in writing. If there are two initiators or presenters, both initiators or presenters shall sign the application for withdrawal of the draft legislation. If there are more than two initiators or presenters, more than one-half of the initiators or presenters shall sign the application for withdrawal of the draft legislation.

(3) In the case of draft legislation with several initiators or presenters, an initiator or presenter has the right to recede from the draft legislation provided that at least one initiator or presenter of the draft legislation remains or, in the case of a draft Act, to amend the Constitution of the Republic of Estonia if at least twenty-one members of the Riigikogu remain. Recession shall not lead to the draft legislation being dropped from the legislative proceeding of the Riigikogu. A person receding from draft legislation shall submit an application to recede from the draft legislation to the President of the Riigikogu in writing.

(4) Draft legislation which the Government of the Republic has bound to an issue of confidence shall not be withdrawn.

§ 96. Dropping of draft legislation in legislative proceeding upon termination of term of authority of Riigikogu
Upon termination of the term of authority of the Riigikogu, all draft legislation the proceeding of which is not completed during the term of authority of the Riigikogu shall be withdrawn from legislative proceeding.

Division 2

First Reading of Draft Legislation

§ 97. Entry of first reading of draft legislation on agenda

(1) Draft legislation shall be entered on the agenda for a first reading on the proposal of the leading committee.

(2) The first reading of draft legislation shall take place within seven plenary working weeks of the Riigikogu after acceptance of the draft legislation for the legislative proceeding.

§ 98. Procedure for deliberation of draft legislation at first reading

(1) With the consent of the initiator or presenter of draft legislation, the leading committee may introduce the draft legislation for first reading in the Riigikogu in an amended form.

(2) At the first reading of draft legislation, the general principles of the draft legislation shall be deliberated.

(3) The first reading shall commence with a report presented by the initiator or presenter of the draft legislation or a representative thereof. Thereafter, a representative of the leading committee shall present a report.

(4) Members of the Riigikogu may each pose up to two oral questions.

(5) At the first reading, a debate shall be opened in the course of which representatives of the factions shall present comments.

(6) If the leading committee does not move to reject the draft legislation or if no faction moves to reject the draft legislation in the course of a debate, the first reading of the draft legislation shall be concluded without a vote.

§ 99. Term, conditions and procedure for submission of motions to amend

(1) After the close of the first reading of draft legislation, members, committees and factions of the Riigikogu may submit motions to amend the draft legislation within ten working days. On the motion of the leading committee, the President of the Riigikogu may designate a different term for the submission of motions to amend.

(2) A term for the submission of motions to amend shall be announced on the close of the first reading of the draft legislation.

(3) A motion to amend shall contain a reference to the part of the draft legislation to be amended and the exact wording of the desired amendment.

(4) Motions to amend shall be submitted to the leading committee in writing. Motions to amend shall be signed by the movers thereof.

Division 3

Proceeding of Draft Legislation in Leading Committee between First and Second Readings

§ 100. Review of motions to amend in leading committee

(1) The leading committee shall review all motions to amend submitted in compliance with the term, conditions and procedure provided in § 99 of this Act and shall decide whether to take them into consideration when preparing the new text of the draft legislation.

(2) The leading committee shall allow the mover of a motion to amend to explain the motion before adopting a

resolution thereon.

(3) A motion to amend which has been accepted by the leading committee shall not be withdrawn.

§ 101. New text of draft legislation

(1) In readiness for the second reading of draft legislation, the leading committee shall prepare the new text of the draft legislation which contains all the accepted motions to amend and the amendments made by the leading committee itself.

(2) The leading committee may prepare one text from two or more draft Acts or draft resolutions of the Riigikogu for the second reading.

§ 102. List of motions to amend

(1) In readiness for the second reading of draft legislation, the leading committee shall prepare a list of motions to amend the draft legislation which sets out the wording of the motions to amend in the order of the provisions of the draft legislation, as well as the name of the mover and the resolution of the leading committee.

(2) Motions to amend which have the same submitter and related content shall be entered in the list of motions to amend as one motion.

§ 103. Explanatory memorandum of leading committee

In readiness for the second reading of draft legislation, the leading committee shall prepare an explanatory memorandum which sets out information related to the legislative proceeding of the draft legislation, such as the reasons for the acceptance of or refusal to accept motions to amend, the initiators or presenters of the draft legislation, and the opinions of experts and other persons participating in the legislative proceeding of the draft legislation.

[RT I 2009, 54, 361 – entered into force 23.11.2009]

Division 4

Second Reading of Draft Legislation

§ 104. Entry of second reading of draft legislation on agenda

(1) Draft legislation shall be entered on the agenda for a second reading on the proposal of the leading committee.

§ 105. Procedure for deliberation of draft legislation at second reading

(1) At the second reading of draft legislation, provisions thereof shall be deliberated.

(2) At the second reading of draft legislation, a representative of the leading committee shall present a report. The initiator or presenter of the draft legislation or his or her representative may present a report if he or she so wishes or if the leading committee so decides.

(3) Members of the Riigikogu may each pose up to two oral questions.

(4) At the second reading of the draft legislation, a debate shall be opened in the course of which members of the Riigikogu and representatives of the committees and factions who wish to express their opinion shall present comments.

[RT I 2004, 89, 607, entered into force 07.01.2005]

§ 106. Voting on motions to amend

(1) Motions to amend shall be voted on after the debate has been closed.

(2) The chair of the sitting shall put a motion to amend to a vote only if so requested by the mover or by a committee or faction of the Riigikogu. A motion to amend which is not accepted by the leading committee and which receives less than two votes in favour shall not be put to a vote.

(3) If a motion to amend receives more votes in favour than against, the amendment shall be entered in the text of the draft legislation.

(4) In the case of motions to amend which preclude each other, the motion which receives the largest number of votes from among the motions which receive more votes in favour than against shall be entered in the text of the draft legislation.

§ 107. Suspension of second reading of draft legislation

(1) On the proposal of the Board of the Riigikogu, leading committee or initiator of draft legislation, the

Riigikogu shall suspend the second reading of draft legislation without a vote. The proposal of a faction shall be put to a vote.

(2) If the second reading of draft legislation is suspended, motions to amend the draft legislation may be submitted within the term, under the conditions and pursuant to the procedure provided in § 99 of this Act.

(3) The second reading of draft legislation may be suspended only after voting on the motions to amend.

§ 108. Close of second reading of draft legislation

If the Riigikogu does not suspend the second reading of draft legislation, the second reading is deemed to have been closed and the draft legislation is sent to a third reading.

§ 109. Final vote on draft resolution of Riigikogu

After the close of the second reading, a draft resolution of the Riigikogu may be put to a final vote.

Division 5

Third Reading of Draft Legislation

§ 110. Final text of draft legislation and explanatory memorandum of leading committee

(1) In readiness for the third reading of draft legislation, the leading committee shall prepare the final text of the draft legislation which includes the formative and technical corrections entered in the text by the leading committee after the close of the second reading.

(2) In readiness for the third reading of draft legislation, the leading committee may prepare an explanatory memorandum which gives an overview of the proceedings conducted regarding the draft legislation after the close of the second reading.

§ 111. Procedure for deliberation of draft legislation at third reading and final vote

(1) At the third reading the draft legislation shall be open to debate in the course of which representatives of factions shall present a speech.

(2) At the third reading of draft legislation, the draft legislation shall be put to a final vote.

Division 6

Final Proceedings

§ 112. Formatting of passed Acts and resolutions of Riigikogu

After the passage of an Act or a resolution of the Riigikogu, the President of the Riigikogu or, in his or her absence, the Vice-President of the Riigikogu who chaired the sitting shall sign the Act or resolution not later than on the fifth working day after the passage thereof.

Division 7

Renewed Deliberation of Act which the President of the Republic Refuses to Proclaim

§ 113. Entry on agenda of Act which the President of the Republic refuses to proclaim

An Act which the President of the Republic refuses to proclaim and which is returned to the Riigikogu for renewed deliberation and decision shall be entered on the agenda at the earliest opportunity on the initiative of the Board of the Riigikogu or on the proposal of the President of the Riigikogu.

§ 114. Procedure for renewed deliberation of Act which the President of the Republic refuses to proclaim

(1) At the renewed deliberation of an Act which the President of the Republic refuses to proclaim, reports shall be presented by a representative of the Constitutional Committee and a representative of the leading committee of the Act in the earlier legislative proceeding of the Riigikogu. Members of the Riigikogu may each pose one oral question to both presenters.

(2) Upon renewed deliberation of an Act which the President of the Republic refuses to proclaim, a debate shall be opened in the course of which members of the Riigikogu and representatives of committees and factions who wish to express their opinion shall present comments on the reasons for which the Act has not been proclaimed.

(3) After the debate is closed, the chair of the sitting shall put the repassage of the Act returned to the Riigikogu by the President of the Republic to a vote in unamended form.

(4) An Act which is returned to the Riigikogu by the President of the Republic is deemed to have been

repassed, in unamended form, if it is passed with the same majority as was required for its passage the first time.

(5) If the Riigikogu does not pass an Act returned to the Riigikogu by the President of the Republic unamended for the second time, further legislative proceeding thereof shall be conducted pursuant to §§ 99–108 and 110–112 of this Act. The leading committee to review the draft Act in the earlier legislative proceeding of the Riigikogu shall be the leading committee.

Division 8

Special Procedure for Draft Acts and Resolutions

§ 115. Specifications for legislative proceeding of draft Acts concerning international agreements

Draft Acts concerning international treaties shall be deliberated at two readings unless the leading committee moves to conduct a third reading. The final vote on draft legislation shall be taken at the second reading after voting on the motions to amend.

§ 116. Specifications for legislative proceeding of draft Acts to approve or repeal decrees of the President of the Republic

(1) A draft Act to approve or repeal a decree of the President of the Republic shall be deliberated at one reading.

(2) A leading committee shall not be appointed for draft Acts to approve or repeal decrees of the President of the Republic. The draft resolution shall be entered on the agenda on the initiative of the Board of the Riigikogu or on the proposal of the President of the Riigikogu at the earliest opportunity.

(3) The Prime Minister shall present a report in the course of the reading of a draft Act to approve or repeal a decree. Members of the Riigikogu may each pose one oral question to the presenter.

(4) At the reading of draft legislation, a debate shall be opened, in the course of which representatives of factions shall present a speech.

(5) Motions to amend a draft Act may be submitted in the course of the debate. After the debate is closed, the motions to amend shall be put to a vote. Thereafter, the draft legislation is put to a final vote.

§ 117. Specifications for legislative proceeding of draft resolutions of Riigikogu on appointment to or release from office of officials, appointment of members of supervisory boards and formation of delegations of Riigikogu

(1) Draft resolutions of the Riigikogu on the appointment to or release from office of officials, the appointment of members of supervisory boards and the formation of delegations of the Riigikogu shall be deliberated at one reading. The legislative proceeding of the draft resolutions shall be conducted pursuant to the provisions of Divisions 2 and 3 of this Chapter with the specifications provided for in this section.

(2) If a draft resolution is submitted by a body which has the right to propose arising from the Constitution of the Republic of Estonia or from Acts, motions to amend the draft resolution shall not be submitted. In other cases, the President of the Riigikogu may designate a term for the submission of motions to amend upon acceptance of the draft resolution for the legislative proceeding. Only factions may submit motions to amend.

(3) In the course of the reading of a draft resolution, a representative of the leading committee shall present a report. Candidates for office and officials being released from office have the right to present a report of up to five minutes on the motion of the leading committee. Members of the Riigikogu may each pose one oral question to each presenter. If motions to amend the draft resolution are submitted, the motions shall be put to a vote after the debate is closed, having regard to the provisions of subsections 106 (2) and (3) of this Act. Thereafter, the draft legislation shall be put to a final vote.

[RT I 2009, 54, 361 – entered into force 23.11.2009]

§ 118. Specifications for legislative proceeding of draft resolutions of Riigikogu on declaration of state of emergency, state of war, mobilisation or demobilisation

(1) Draft resolutions of the Riigikogu on the declaration of a state of emergency, a state of war, mobilisation or demobilisation shall be deliberated at one reading.

(2) A leading committee shall not be appointed for such draft resolutions. The draft resolution shall be entered on the agenda on the initiative of the Board of the Riigikogu or on the proposal of the President of the Riigikogu at the earliest opportunity.

(3) In the course of the reading of the draft resolution, the Prime Minister or, on his or her authorisation, another member of the Government shall present a report. Members of the Riigikogu may each pose one oral

question to the presenter.

(4) At the reading of draft legislation, a debate shall be opened, in the course of which representatives of factions shall make a speech. Motions to amend the draft resolution shall not be submitted. After the debate is closed, the draft resolution shall be put to a final vote.

§ 1181. Specifications for legislative proceeding of draft resolutions on submitting an application to the Supreme Court

(1) The European Union Affairs Committee and the Constitutional Committee have the right to initiate draft resolutions of the Riigikogu which include an application to the Supreme Court for its position on how to interpret the Constitution in conjunction with the European Union law.

(2) Draft legislation shall be deliberated at one reading. The legislative proceeding of the draft resolutions shall be conducted pursuant to the provisions of Divisions 2 and 3 of this Chapter with the specifications provided for in this section.

(3) The President of the Riigikogu shall establish a term for submission of motions to amend a draft resolution upon the acceptance of the draft legislation for legislative proceeding. Motions to amend may be submitted by the European Union Affairs Committee, Constitutional Committee and factions.

(4) In the course of the reading of draft resolutions, the presenter of the draft resolution and a representative of the leading committee shall present a report. Members of the Riigikogu may each pose one oral question to both presenters.

(5) At the reading of a draft resolution, a debate shall be opened, in the course of which representatives of factions as well as of the European Union Affairs Committee and the Constitutional Committee shall make a speech.

(6) If motions to amend the draft resolution are submitted, the motions shall be put to a vote after the debate is closed, taking into account the provisions of subsections 106 (2) and (3) of this Act. Motions to amend not accepted by the leading committee shall not be put to a vote. Thereafter, the draft legislation is put to the final vote.

[RT I 2005, 68, 524, entered into force 23.12.2005]

Chapter 12

Procedure for Legislative Proceeding of Draft State Budget

§ 119. Submission of draft State Budget

(1) The Government of the Republic shall submit a draft state budget at least three months before the beginning of the budgetary year.

Upon submission, formatting, deciding on introduction to the legislative proceeding and withdrawal of the draft State Budget, the provisions of §§ 91, 92, 93 and 95 of this Act and § 16 of the State Budget Act (RT I 1999, 55, 584; 2002, 67, 405; 2003, 13, 69) shall be followed.

§ 120. Procedure for deliberation of draft State Budget

(1) A draft State Budget shall be deliberated by the Riigikogu at three readings.

(2) The draft State Budget shall be deliberated with regard to the provisions of Divisions 2, 3, 4, 5 and 6 of Chapter 11 of this Act and taking account the specifications provided in this Chapter.

(3) Motions to amend the draft State Budget shall comply with the conditions provided in § 20 of the State Budget Act.

(4) After the close of the second reading of the draft State Budget and at the third reading of the draft State Budget, committees and factions may submit motions to amend.

(5) Motions to amend which are not supported by the Government of the Republic and not accepted by the leading committee and which are submitted after the suspension of the second reading of the draft state budget, after the close of the second reading and after the suspension of the third reading shall not be put to a vote.

§ 121. Procedure for deliberation of State Budget Amendment Acts and draft supplementary budgets

The legislative proceeding of a draft State Budget Amendment Act and draft supplementary budget shall be subject to the provisions provided in this Chapter, except subsection 119 (1) thereof.

Chapter 13

PROCEDURE FOR LEGISLATIVE PROCEEDING OF DRAFT ACT TO AMEND CONSTITUTION

§ 122. Initiation of amendment of Constitution

- (1) Amendment of the Constitution may be initiated by not less than one-fifth of the members of the Riigikogu, and by the President of the Republic.
- (2) Submission, preparation, deciding on acceptance for the legislative proceeding and withdrawal of a draft Act to amend the Constitution shall be subject to the provisions of §§ 91, 92, 93 and 95 of this Act.
- (3) The initiators of a draft Act to amend the Constitution shall set out the manner in which they wish to pass the Act to amend the Constitution in the explanatory memorandum.

§ 123. Procedure for deliberation of draft Act to amend Constitution

- (1) A draft Act to amend the Constitution shall be deliberated by the Riigikogu at three readings.
- (2) The interval between the first and second readings of the draft Act to amend the Constitution shall be at least three months and the interval between the second and third readings shall be at least one month.
- (3) A draft Act to amend the Constitution shall be deliberated pursuant to the provisions of Divisions 2, 3, 4, 5 and 6 of Chapter 11 of this Act, taking into account the specifications of this Chapter.
- (4) Motions to amend a draft Act to amend the Constitution may be submitted by not less than one-fifth of the members of the Riigikogu.

§ 124. Decision on manner of passing draft Act to amend Constitution

- (1) The Riigikogu shall decide on the manner of passing a draft Act to amend the Constitution at the third reading of the draft Act.
- (2) A proposal concerning the manner of passing a draft Act to amend the Constitution shall be made to the Riigikogu by the Constitutional Committee. The proposal shall be made by the time of the third reading of the draft Act to amend the Constitution.

§ 125. Decision on submission of draft Act to amend Constitution to referendum

- (1) If the Constitutional Committee makes a proposal to the Riigikogu that the Constitution be amended by a referendum, the Committee shall, before the third reading of the draft Act to amend the Constitution, initiate a draft resolution of the Riigikogu to hold a referendum.
- (2) The President of the Riigikogu may designate a term for the submission of motions to amend the draft resolution upon acceptance of the draft resolution for the legislative proceeding. Only factions may submit motions to amend.
- (3) In the case provided in this section, the third reading of the draft Act to amend the Constitution shall be conducted concurrently with the reading of the draft resolution to hold the referendum, in which case the draft Act to amend the Constitution shall be deliberated first and, after voting on motions to amend which have been submitted for the draft Act, the draft resolution shall be deliberated.
- (4) The leading committee shall present a report in the course of the reading of the draft resolution. Members of the Riigikogu may each pose one oral question to the presenter.
- (5) At the reading of the draft resolution, a debate shall be opened in the course of which representatives of the factions shall present comments. If motions to amend the draft resolution are submitted, the motions shall be put to a vote after the debate is closed.
- (6) After voting on motions to amend which have been submitted for the draft resolution, the chair of the sitting shall put the passage of the draft resolution to hold a referendum to a vote. A three-fifths majority of the members of the Riigikogu is required to pass the draft resolution. If the draft resolution does not receive the required majority, the draft Act to amend the Constitution is also deemed to have been rejected.

§ 126. Amendment of Constitution by two successive Riigikogus

- (1) If the Constitutional Committee makes a proposal to the Riigikogu that the Constitution be amended by an Act passed by two successive Riigikogus, the chair of the sitting shall put the draft Act to amend the Constitution to a final vote at the third reading after the voting on all motions to amend. The Act is deemed to have received the support of the Riigikogu if the draft Act receives a majority of the votes of the members of the Riigikogu. If the draft Act does not receive the required majority, the draft Act to amend the Constitution is deemed to have been rejected.
- (2) A draft Act to amend the Constitution which received the support of the majority of members of the preceding Riigikogu shall be entered on the agenda at the earliest opportunity on the initiative of the Board of the Riigikogu.
- (3) Motions to amend the draft Act to amend the Constitution shall not be submitted.

(4) At the reading of a draft Act to amend the Constitution, reports shall not be presented. At the reading of the draft Act, a debate shall be opened, in the course of which representatives of factions shall make a speech.

(5) After the debate is closed, a draft Act to amend the Constitution shall be put to a final vote. A three-fifths majority of the members of the Riigikogu is required to pass the draft Act to amend the Constitution. If the draft Act does not receive the required majority, the draft Act to amend the Constitution is deemed to have been rejected.

§ 127. Amendment of Constitution as matter of urgency

(1) If the Constitutional Committee makes a proposal to the Riigikogu that the Constitution be amended as a matter of urgency, the chair of the sitting shall put a proposal to treat the draft Act as a matter of urgency to a vote at the third reading of the draft Act to amend the Constitution after voting on motions to amend. A four-fifths majority is required to pass a resolution to treat the draft Act as a matter of urgency.

(2) If the manner of amendment specified in subsection (1) of this paragraph receives the required majority, the chair of the sitting shall put the passage of the draft Act to amend the Constitution to a vote. A two-thirds majority of the members of the Riigikogu is required to pass the draft Act.

(3) If the manner of amendment specified in subsection (1) of this section or the draft Act to amend the Constitution does not receive the required majority, the draft Act to amend the Constitution is deemed to have been rejected.

Chapter 14

RESOLUTION TO HOLD REFERENDUM

§ 128. Initiation of referendum

(1) The following have the right to initiate a referendum in order to pass a draft Act or decide on other national issue:

- 1) members of the Riigikogu;
- 2) factions of the Riigikogu;
- 3) committees of the Riigikogu.

(2) If a referendum is initiated in order to pass a draft Act, the initiator shall submit:

- 1) the draft Act to be submitted to a referendum together with a draft resolution to hold the referendum, or
- 2) a draft resolution to hold the referendum which sets out the draft Act in the legislative proceeding of the Riigikogu to be submitted to a referendum. In the latter case, the initiator of the draft Act shall be indicated in the explanatory memorandum.

(3) If a referendum is initiated in order to decide on another national issue, the initiator shall submit a draft resolution to hold a referendum which sets out the issue to be submitted to the referendum to which the only possible answers are “jah” [yes] or “ei” [no].

(4) The title of a draft resolution to hold a referendum shall include the words “rahvahääletuse korraldamine” [holding of referendum].

(5) The draft resolution shall set out the date of the referendum.

§ 129. Resolution to hold referendum in order for Act to be passed

(1) If an initiator submits a draft Act which the initiator wishes to submit to a referendum, proceedings regarding the draft Act shall be conducted together with the draft resolution to hold the referendum following the provisions of Divisions 2, 3, 4 and 5 of Chapter 11 of this Act. If the draft Act is rejected at the first reading, the draft resolution is also deemed to have been rejected from the proceedings. Motions to amend the draft Act and the draft resolution may be submitted.

(2) If an initiator submits a draft resolution to hold a referendum pursuant to the procedure prescribed in clause 128 (2) 2) of this Act, the first reading of the draft resolution shall firstly be conducted following the provisions of Division 2 of Chapter 11 of this Act.

(3) If the Riigikogu decides to combine the proceedings regarding the draft Act and the proceedings regarding the draft resolution by a majority of votes in favour, the joined proceedings shall commence from the stage of the proceedings regarding the draft Act and shall be conducted following the provisions of Divisions 3, 4 and 5 of Chapter 11 of this Act. If necessary, the second reading of the draft resolution shall be conducted before the commencement of the joint proceedings.

(4) If the Riigikogu does not decide to combine the proceedings regarding the draft Act and the draft resolution, the draft resolution is deemed to have been rejected.

(5) If an initiator withdraws from proceedings a draft Act which has been submitted along with a draft

resolution to hold a referendum or which the Riigikogu has bound with a draft resolution to hold a referendum, the draft resolution is also deemed to have been dropped from the proceedings.

(6) The Riigikogu shall decide to hold a referendum in order to pass an Act by a final vote on the draft resolution at the third reading.

(7) A majority of votes in favour is required to pass a draft resolution. In order to submit draft Acts specified in subsection 104 (2) of the Constitution of the Republic of Estonia to a referendum, the draft resolutions must receive a majority of votes of the members of the Riigikogu. If a draft resolution is not passed, the draft Act is also deemed to have been rejected.

§ 130. Submission of other national issue to referendum

(1) Proceedings of a draft resolution to hold a referendum to decide on another national issue shall be conducted pursuant to the provisions of Divisions 2, 3, 4 and 5 of Chapter 11 of this Act.

(2) A majority of votes in favour is required to pass a draft resolution.

Chapter 15

RESOLUTION TO AUTHORISE CANDIDATE FOR PRIME MINISTER TO FORM GOVERNMENT

§ 131. Decision on authorisation of candidate for Prime Minister nominated by the President of the Republic to form government

(1) Resolution to authorise a candidate for Prime Minister designated by the President of the Republic to form a government shall be entered on the agenda on the initiative of the Board of the Riigikogu or on the proposal of the President of the Riigikogu in concordance with the candidate for Prime Minister.

(2) A candidate for Prime Minister shall present a report on the bases of forming a government. Members of the Riigikogu may each pose up to two oral questions to the candidate for Prime Minister. A debate shall not be held.

(3) The authorisation of a candidate for Prime Minister to form a government shall be decided upon by the Riigikogu by a majority of votes in favour. The decision of the Riigikogu shall be formulated by a resolution of the Riigikogu.

§ 132. Nomination of candidate for Prime Minister in Riigikogu

(1) After the transfer to the Riigikogu of the right to nominate a candidate for Prime Minister, the Board of the Riigikogu shall designate a term during which the factions may nominate candidates for Prime Minister.

(2) An application for nomination of a candidate for Prime Minister shall be submitted to the President of the Riigikogu in writing. The consent of the candidate must be appended to the application.

(3) The process of deciding on the authorisation of a candidate for Prime Minister to form a government shall be entered on the agenda on the initiative of the Board of the Riigikogu or on the proposal of the President of the Riigikogu after the expiry of the term specified in subsection (1) of this section.

(4) Candidates for Prime Minister nominated on time shall present reports on the bases for the formation of the government in the order determined by the Board of the Riigikogu. Members of the Riigikogu may each pose up to two oral questions to each candidate for Prime Minister. A debate shall not be held.

(5) If a candidate for Prime Minister has presented a report and replied to questions, the Riigikogu shall decide whether to authorise him or her to form the government by a majority of votes in favour. If the candidate for Prime Minister receives the required majority, the reports of the other candidates shall not be heard.

(6) Authorisation of a candidate for Prime Minister to form the government shall be given in the format of a resolution of the Riigikogu.

(7) If the Riigikogu is unable to nominate a candidate for Prime Minister, the President of the Riigikogu shall notify the President of the Republic thereof in writing promptly after the expiry of the term prescribed for nomination.

Chapter 16

PROCEDURE FOR DECISION ON EXPRESSION OF NO CONFIDENCE AND ISSUE OF CONFIDENCE

Part 1

Procedure for Expression of No Confidence

§ 133. Initiation of expression of no confidence

(1) An expression of no confidence in the Government of the Republic, the Prime Minister or a minister may

be initiated by not less than one-fifth of the members of the Riigikogu if they present a written motion at a sitting of the Riigikogu.

(2) The initiators shall provide the reasons for no confidence in the motion.

§ 134. Deliberation of expression of no confidence

(1) A motion for expression of no confidence in the Government of the Republic, the Prime Minister or a minister shall be entered on the agenda not earlier than on the second day after the presentation thereof, unless the Government of the Republic demands a quicker decision.

(2) A member of the Government who is the object of the initiated expression of no confidence shall be present at the sitting of the Riigikogu during the deliberation and reply to the questions of members of the Riigikogu. Members of the Riigikogu may each pose one oral question.

(3) An expression of no confidence shall be open to debate upon deliberation during which representatives of factions shall present speeches; the first to take the floor is the representative of the faction whose members initiated the expression of no confidence.

(4) After the debate is closed, the chair of the sitting shall put the expression of no confidence to a vote. A motion of no confidence in the Government of the Republic, the Prime Minister or a minister is adopted if a majority of the members of the Riigikogu is in favour of the expression of no confidence.

(5) An expression of no confidence in the Government of the Republic, the Prime Minister or a minister shall be formulated by a resolution of the Riigikogu.

Division 2

Procedure for legislative proceeding of draft legislation bound to issue of confidence

§ 135. Procedure for binding passage of draft legislation to issue of confidence

(1) The Government of the Republic may bind the passage of any draft legislation initiated thereby to the issue of confidence before the second reading of the draft legislation or before the third reading thereof.

(2) The Government of the Republic shall submit an application to bind the passage of any draft legislation to an issue of confidence to the President of the Riigikogu in writing.

§ 136. Procedure for deliberation of draft legislation bound to issue of confidence upon initiation

(1) If the Government of the Republic binds the passage of draft legislation initiated thereby to the issue of confidence upon initiation, a leading committee shall not be appointed for the draft legislation.

(2) The draft legislation shall be entered on the agenda for reading thereof at the time determined by the Government of the Republic, but not earlier than on the second day after the acceptance of the draft legislation for legislative proceeding.

(3) At the reading of draft legislation, a representative of the Government of the Republic shall present a report. Members of the Riigikogu may each pose up to two oral questions to the presenter of the report.

(4) At the reading of draft legislation, a debate shall be opened, in the course of which representatives of factions shall present a speech.

(5) After the debate is closed, the chair of the sitting shall put the draft legislation to a final vote.

(6) If the Riigikogu does not pass draft legislation bound to an issue of confidence, the President of the Riigikogu shall promptly inform the President of the Republic thereof.

§ 137. Procedure for deliberation of draft legislation bound to issue of confidence before second reading

(1) If the Government of the Republic binds the passage of draft legislation initiated thereby to the issue of confidence before the second reading of the draft legislation, the duties of the leading committee shall terminate from the time of binding and the President of the Riigikogu shall forward the submitted motions to amend the draft legislation to the Government of the Republic.

(2) The Government of the Republic shall prepare the documents specified in §§ 101, 102 and 103 of this Act.

(3) The draft legislation shall be entered on the agenda for a second reading at the time determined by the Government of the Republic, but not earlier than on the second day after binding the passage of the draft legislation to an issue of confidence.

(4) At the second reading of draft legislation, a representative of the Government of the Republic shall present a report.

(5) At the second reading of the draft legislation, a debate shall be opened in the course of which members of the Riigikogu and representatives of the committees and factions who wish to express their opinion shall present comments.

- (6) Motions to amend shall not be put to a vote.
- (7) After the debate is closed, the chair of the sitting shall put the draft legislation to a final vote.
- (8) If the Riigikogu does not pass draft legislation bound to an issue of confidence, the President of the Riigikogu shall promptly inform the President of the Republic thereof.

§ 138. Procedure for deliberation of draft legislation bound to issue of confidence before third reading

- (1) If the Government of the Republic binds the passage of a piece of draft legislation initiated thereby to the issue of confidence before the third reading of the draft legislation, the duties of the leading committee shall terminate from the time of binding.
- (2) The Government of the Republic shall prepare the documents specified in § 110 of this Act.
- (3) The draft legislation shall be entered on the agenda for a third reading at the time determined by the Government of the Republic, but not earlier than on the second day after binding the passage of the draft legislation to an issue of confidence.
- (4) At the third reading the draft legislation shall be open to debate in the course of which representatives of factions shall make a speech.
- (5) After the debate is closed, the chair of the sitting shall put the draft legislation to a final vote.
- (6) If the Riigikogu does not pass draft legislation bound to an issue of confidence, the President of the Riigikogu shall promptly inform the President of the Republic thereof.

Chapter 17

INTERPELLATIONS AND QUESTIONS

Division 1

Interpellations

§ 139. Interpellation and submission thereof

- (1) An interpellation of a member of the Riigikogu is a question which is submitted to the Government of the Republic or a member thereof, the Chairman of the Board of the Eesti Pank, the President of the Eesti Pank, the Auditor General or the Legal Chancellor, and which is compiled in the appropriate format and pertains to compliance with legislation regulating the powers of the relevant body or official.

[RT I, 08.07.2011, 8 – entered into force 22.07.2011]

- (2) Interpellations shall be made in the written form. In an interpellation, the member of the Riigikogu shall describe the circumstances which caused the submission of the interpellation. Other materials which pertain to the matter considered in the interpellation may be appended to the interpellation by the member of the Riigikogu.
- (3) Interpellations shall be publicly submitted to the chair of a sitting at the beginning of the sitting of the Riigikogu.
- (4) If an interpellation is submitted in compliance with the provisions of subsections (1)-(3) of this section, the President of the Riigikogu shall forward the interpellation promptly to the addressee. If an interpellation is not submitted in compliance with the provisions of subsections (1)-(3) of this section, the President of the Riigikogu shall return the interpellation to the submitter for the elimination of deficiencies or propose to the submitter that he or she poses the question at Question Time or submits it as a written question.
- (5) The President of the Riigikogu shall notify the members of the Riigikogu of the forwarding of an interpellation to the addressee.

§ 140. Procedure for replying to interpellations

- (1) A reply to an interpellation shall be made at a sitting of the Riigikogu within twenty sitting days as of the interpellation being forwarded to the addressee.
- (2) An interpellation shall be entered on the agenda on the initiative of the Board of the Riigikogu at a time agreed with the interpellator and the addressee of the interpellation.
- (3) A reply to an interpellation shall begin with a speech by the interpellator or a representative of the interpellators which shall not exceed five minutes in duration and which introduces the interpellation and justifies submission thereof. This shall be followed by a speech by the addressee which shall not exceed fifteen minutes in duration and in which replies are given to the questions posed in the interpellation. Members of the Riigikogu may each pose one oral question to the addressee of the interpellation.
- (4) After a reply has been made to an interpellation, a debate shall be opened in the course of which the

interpellator or the representative of the interpellators and thereafter members of the Riigikogu and representatives of the factions and commissions who wish to express their opinion present comments. „Before the conclusion of negotiations, the addressee of an interpellation has the right to present a speech.”
[RT I 2004, 89, 607, entered into force 07.01.2005]

§ 141. Interpellations submitted by members of previous composition of Riigikogu
No replies shall be given before a new Riigikogu to interpellations which were submitted by members of the previous Riigikogu.

Division 2

Question Time

§ 142. Question Time

Question Time, during which the Prime Minister and ministers reply to oral questions from members of the Riigikogu, shall be held from 1 p.m. till 2 p.m. on the Wednesdays of the plenary working weeks of the Riigikogu.

§ 143. Participation of members of the Government in Question Time

- (1) The Prime Minister or the minister substituting for him or her and the ministers appointed by the Prime Minister shall participate in any Question Time.
- (2) The Prime Minister shall inform the President of the Riigikogu of the names of the members of the Government who will participate in a Question Time not later than at 4:00 p.m. on the Monday of the working week. The President of the Riigikogu shall inform the members of the Riigikogu of the names of the members of the Government who will participate in Question Time by 5:00 p.m. on the Monday of the working week.
[RT I 2009, 54, 361 – entered into force 23.11.2009]

§ 144. Registration to pose question

- (1) If a member of the Riigikogu wishes to pose a question to a member of the Government at Question Time, he or she shall submit a written request to the President of the Riigikogu by 12 noon on the sitting day preceding Question Time.
- (2) In a request, the member of the Riigikogu shall designate the member of the Government to whom he or she wishes to pose a question, and the problem from the area of government of the member of the Government or from an area of public life to which the question pertains.
- (3) A member of the Riigikogu may register to pose one question only. Order of posing questions

§ 145. Order of posing questions

- (1) On the basis of requests received from members of the Riigikogu, the Board of the Riigikogu shall prepare the order of questions.
- (2) Upon preparation of the order of questions, the Board shall bear in mind that representatives of all the political parties represented in the Riigikogu should have the opportunity to pose questions.
- (3) The Board of the Riigikogu shall announce the order of posing questions not later than one hour before the beginning of Question Time. The chair of the sitting shall present the order at the beginning of Question Time.

§ 146. Procedure for replying to questions

- (1) The chair of the sitting shall give the floor for the posing of questions pursuant to the order.
- (2) The chair of the sitting may also allow members of the Riigikogu who have registered on the spot to submit questions out of turn.
- (3) The chair of the sitting shall allot one minute for posing a question.
- (4) A question shall be short and enable a short reply.
- (5) The chair of the sitting shall allot two minutes for replying to a question.
- (6) After the reply, the chair of the sitting may allow the person who posed the question to pose questions of clarification.
- (7) The provisions of subsections (3)-(5) of this section apply to questions of clarification and replies given thereto.
- (8) If the chair of the sitting finds that a member of the Government has given an adequate reply to the question of a member of the Riigikogu, he or she shall close the consideration of this question.
- (9) A member of the Government may refuse to reply on a reasoned basis if the question does not pertain to

the problem set out in the request (subsection 144 (2)) or if the question pertains to a state secret or classified information of a foreign state or if replying thereto would endanger national security.

[RT I 2007, 16, 77 – entered into force 01.01.2008]

Division 3

Written Questions

§ 147. Written question and submission thereof

(1) A member of the Riigikogu may submit a written question to the Government of the Republic or a member thereof, the Chairman of the Board of the Eesti Pank, the President of the Eesti Pank, the Auditor General or the Legal Chancellor in order to obtain information on an individual matter within the powers of the body or official.

[RT I, 08.07.2011, 8 – entered into force 22.07.2011]

(2) A question shall be short and enable a short reply. Other materials which are related to the question may be appended to the question by the member of the Riigikogu.

(3) A question shall be submitted in writing to the President of the Riigikogu who shall forward it promptly to the addressee.

(4) If a question is not submitted in compliance with the provisions of subsections (1) and (2) of this section, the President of the Riigikogu shall return the question to the submitter thereof.

§ 148. Replying to written questions

(1) The addressee of a question shall reply to the question in writing within ten working days as of the forwarding thereof.

(2) The addressee of a question shall send a written reply to the President of the Riigikogu who shall organise the communication of the reply to the members of the Riigikogu.

Chapter 18

PROCEDURE FOR LEGISLATIVE PROCEEDING OF PROPOSALS TO BE SUBMITTED TO RIIGIKOGU

§ 149. Proposals to be submitted to Riigikogu

The following are proposals submitted to the Riigikogu regarding which are proceeded pursuant to the procedure provided in this Chapter:

- 1) a proposal of the President of the Republic to bring criminal charges against the Chancellor of Justice;
- 2) a proposal of the Chancellor of Justice to bring criminal charges against a member of the Riigikogu, the President of the Republic, a member of the Government of the Republic, the Auditor General, the Chief Justice of the Supreme Court or a justice of the Supreme Court;
- 3) a proposal of the Chancellor of Justice to bring an Act or a resolution of the Riigikogu into conformity with the Constitution or an Act.

§ 150. Entry of proposals on agenda

Proposals shall be entered on the agenda on the initiative of the Board of the Riigikogu or on the proposal of the President of the Riigikogu at the earliest opportunity.

§ 151. Procedure for deliberation of proposal

(1) The deliberation of a proposal shall begin with a report from the submitter of the proposal. Upon deliberation of a proposal specified in clause 149 3) of this Act, a representative of the Constitutional Committee and a representative of the leading committee for the draft of the Act or the resolution of the Riigikogu under deliberation when it was in the legislative proceeding of the Riigikogu shall also present reports. Members of the Riigikogu may each pose one oral question to each presenter.

(2) At the deliberation of a proposal, a debate shall be opened, in the course of which members of the Riigikogu, representatives of committees and factions who wish to express their opinion shall present a speech.

(3) After the debate is closed, the chair of the sitting shall put the proposal to a vote.

(4) If a proposal concerns the bringing of criminal charges against a member of the Riigikogu, that member of the Riigikogu shall not be given the floor nor participate in the vote.

(5) A majority vote of the members of the Riigikogu is required in order to support a proposal specified in clause 149 1) or 2) of this Act. A majority of votes in favour is required in order to support a proposal specified in clause 149 3) of this Act.

(6) In the cases prescribed in clauses 149 1) and 2) of this Act, the decision of the Riigikogu shall be made in the format of a resolution of the Riigikogu.

§ 152. Implementation of proposal from Chancellor of Justice which has received support of Riigikogu
If the Riigikogu supports a proposal from the Chancellor of Justice to bring an Act or a resolution of the Riigikogu into conformity with the Constitution or an Act, the President of the Riigikogu shall assign a committee of the Riigikogu to initiate a draft Act to bring the Act or resolution of the Riigikogu which is in conflict with the Constitution or an Act into conformity with the Constitution or the Act.

Chapter 181

PROCEDURE FOR LEGISLATIVE PROCEEDING OF EUROPEAN UNION AFFAIRS

[RT I 2004, 12, 77, entered into force 15.03.2004]

§ 1521. Submission to Riigikogu of European Union affairs

(1) In order to enable the Riigikogu to express its opinion, the Government of the Republic shall submit the following draft European Union legislation to the Riigikogu:

- 1) the scope of which requires, pursuant to the Constitution of the Republic of Estonia, adoption, amendment or repealing of an Act or Resolution of the Riigikogu;
- 2) the passage of which would bring about important economic or social consequences.

(2) The Government of the Republic shall submit, on its own initiative or at the request of the Riigikogu, the European Union Affairs Committee or the Foreign Affairs Committee, also other European Union affairs of significance to the Riigikogu for an opinion.

[RT I, 01.10.2011, 1 - entered into force 02.10.2011]

§ 1522. Submission and acceptance for legislative proceeding of draft European Union legislation

(1) An explanatory memorandum which sets out the purpose of the draft European Union legislation, the procedure and schedule for proceedings regarding the draft legislation in the institutions of the European Union, an overview of the effects related to passage of the draft legislation as legislation, analysis of the compliance of the draft legislation with the subsidiarity principle, and the opinion of the Government of the Republic on the draft legislation shall be annexed to draft European Union legislation.

[RT I 2010, 28, 144 - entered into force 14.06.2010]

(2) The Government of the Republic shall submit draft legislation at the earliest opportunity after receipt of the draft legislation.

(3) Draft legislation shall be submitted to the Board of the Riigikogu which shall forward it promptly to the European Union Affairs Committee, or to the Foreign Affairs Committee if the draft legislation concerns the common foreign and security policy of the European Union, and designate one or more standing committees to provide an opinion on the draft legislation.

(4) Members of the Riigikogu shall be notified of forwarded draft legislation and the committees which have been designated to provide an opinion thereon.

[RT I 2004, 12, 77, entered into force 15.03.2004]

§ 1523. Opinion of standing committee on draft legislation

A standing committee which has been designated by the Board of the Riigikogu to provide an opinion on draft legislation shall submit its opinion to the European Union Affairs Committee or the Foreign Affairs Committee by the time specified by the Board of the Riigikogu.

[RT I 2004, 12, 77, entered into force 15.03.2004]

§ 1524. Proceedings regarding draft legislation in European Union Affairs Committee and Foreign Affairs Committee

(1) The European Union Affairs Committee or the Foreign Affairs Committee shall enter the draft legislation on the agenda for a sitting after expiry of the term specified in § 1523 of this Act.

(2) The European Union Affairs Committee or the Foreign Affairs Committee shall form an opinion regarding the draft legislation on behalf of the Riigikogu and the opinion shall be indicated in the minutes of the sitting of the committee. The committee may decline to form an opinion. The committee shall inform the Government of

the Republic of its opinion or of its having declined to form an opinion.

(3) The Government of the Republic is required to adhere to the opinion of the Riigikogu. If the Government of the Republic has failed to do so, it shall provide justification therefor to the European Union Affairs Committee or the Foreign Affairs Committee at the earliest opportunity.

[RT I 2004, 12, 77, entered into force 15.03.2004]

§ 1525. Prime Minister's overview of activities of Government of Republic upon implementation of European Union policies

(1) During the autumn session of the plenary assembly of the Riigikogu, the Prime Minister shall, on behalf of the Government of the Republic, present to the Riigikogu an overview of the activities of the Government in implementing European Union policies. The overview shall be presented pursuant to the procedure provided in § 155 of this Act, taking into account the provisions of subsection (2) of this section.

(2) On the application of the European Union Affairs Committee, the Board of the Riigikogu shall grant the Chairman of the specified Committee an opportunity to make a report after the overview of the Prime Minister but before opening a debate. Members of the Riigikogu may each pose one oral question to the presenter.

[RT I 2009, 54, 361 – entered into force 23.11.2009]

§ 1526. Procedure for legislative proceeding of draft Resolution of the Riigikogu containing a reasoned opinion on why a draft European Union legislative act does not comply with the principle of subsidiarity

(1) The European Union Affairs Committee may submit a draft Resolution of the Riigikogu containing a reasoned opinion on why a draft European Union legislative act referred to in the Protocol on the Application of the Principles of Subsidiarity and Proportionality annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union does not comply with the principle of subsidiarity.

(2) Upon introduction of the draft Resolution to the legislative proceeding, the Board of the Riigikogu shall designate a term for the submission of motions to amend the draft Resolution. Motions to amend may be submitted by standing committees and factions. The European Union Affairs Committee shall be the leading committee of the draft Resolution.

(3) The leading committee shall hear the opinion of the Government of the Republic.

(4) A representative of the European Union Affairs Committee shall present a report at the reading of the draft Resolution. Members of the Riigikogu may each pose two oral questions to the presenter of the report.

(5) At the reading of the draft Resolution, a debate shall be opened, in the course of which representatives of standing committees and factions shall present comments.

(6) If motions to amend the draft Resolution are submitted, the motions shall be put to a vote, having regard to the provisions of § 106 of this Act. Thereafter, the draft Resolution is put to a final vote.

(7) The President of the Riigikogu shall forward the Resolution of the Riigikogu promptly after signing to the relevant European Union institution.

[RT I 2010, 28, 144 - entered into force 14.06.2010]

§ 1527. Procedure for legislative proceeding of draft Resolution of the Riigikogu containing a request to the Government of the Republic to file an action at the European Court of Justice

(1) A standing committee or faction may submit a draft Resolution of the Riigikogu containing a request to the Government of the Republic to file an action at the European Court of Justice concerning a violation of the principle of subsidiarity in a legislative act of the European Union.

(2) The draft Resolution must contain the text of the action.

(3) Proceedings of the draft Resolution shall be conducted pursuant to Divisions 2 to 6 of Chapter 11 of this Act, taking account of the specifications provided for in this section.

(4) The European Union Affairs Committee shall be the leading committee of the draft Resolution.

(5) The draft Resolution shall be sent to the Government of the Republic for an opinion pursuant to subsection 94(1) of this Act. The Government of the Republic shall submit its opinion in writing to the European Union Affairs Committee within three weeks as of receipt of the draft Resolution. The Government of the Republic may not decline to submit an opinion.

(6) The Government of the Republic shall organise the filing of an action at the European Court of Justice.

[RT I 2010, 28, 144 - entered into force 14.06.2010]

§ 1528. Procedure for legislative proceeding of draft Resolution of the Riigikogu to make known its opposition to an initiative taken by the European Council or a proposal of the European Commission

(1) A standing committee or faction may submit a draft Resolution of the Riigikogu to make known its

opposition to an initiative taken by the European Council to adopt a decision referred to in the first or second subparagraph of Article 48(7) of the Treaty on European Union, or a proposal of the European Commission to adopt a decision referred to in the second subparagraph of Article 81(3) of the Treaty on the Functioning of the European Union.

(2) Upon introduction of the draft Resolution to the legislative proceeding, the Board of the Riigikogu shall designate a term for the submission of motions to amend the draft Resolution. Motions to amend may be submitted by standing committees and factions. The European Union Affairs Committee shall be the leading committee of the draft Resolution.

(3) The leading committee shall hear the opinion of the Government of the Republic.

(4) A representative of the initiator of the draft Resolution and a representative of the European Union Affairs Committee shall present a report at the reading of a draft Resolution. Members of the Riigikogu may each pose one oral question to both presenters. If the draft Resolution has been submitted by the European Union Affairs Committee, members of the Riigikogu may each pose two oral questions to the presenter of the report.

(5) At the reading of the draft Resolution, a debate shall be opened, in the course of which representatives of standing committees and factions shall present comments.

(6) If motions to amend the draft Resolution are submitted, the motions shall be put to a vote, having regard to the provisions of § 106 of this Act. Thereafter, the draft Resolution is put to a final vote.

(7) The President of the Riigikogu shall forward the Resolution of the Riigikogu promptly after signing to the relevant European Union institution.

[RT I 2010, 28, 144 - entered into force 14.06.2010]

Chapter 19

PROCEDURE FOR DELIBERATION OF OTHER ISSUES

§ 153. Deliberation of matter of significant national importance

(1) A committee or faction of the Riigikogu may initiate the deliberation of a matter of significant national importance by submitting a corresponding request to the Board of the Riigikogu. The request shall set out the matter to be deliberated and the desired time for the deliberation.

(2) The Board of the Riigikogu shall determine the duration of deliberation, the presenters and the time prescribed for posing questions and presenting comments on the proposal of the committee or faction which initiates the deliberation.

(3) A faction may initiate the deliberation of one matter of significant national importance during a calendar year.

[RT I 2009, 54, 361 – entered into force 23.11.2009]

§ 154. Legislative proceeding of draft resolutions of Riigikogu which contain proposals to the Government of the Republic and draft statements, declarations and communications of Riigikogu

(1) Factions may present draft resolutions of the Riigikogu which contain proposals to the Government of the Republic. A draft statement, declaration or communication of the Riigikogu may be initiated by not less than one-fifth of the members of the Riigikogu.

(2) A draft resolution shall be submitted, formatted and introduced to the legislative proceeding following the provisions of §§ 91, 92 and 93 of this Act. Upon introduction of the draft resolution to the legislative proceeding, the President of the Riigikogu shall designate a term for the submission of motions to amend the draft resolution and shall appoint a leading committee. Only factions may submit motions to amend.

(3) A draft resolution shall be deliberated at one reading.

(4) A draft resolution shall be entered on the agenda on the motion of the leading committee following the provisions of § 97 of this Act.

(5) In the course of the reading of a draft resolution, the presenter of the draft resolution and a representative of the leading committee shall present reports. Members of the Riigikogu may each pose one oral question to both presenters.

(6) At the reading of draft legislation, a debate shall be opened, in the course of which representatives of factions shall present a speech.

(7) Voting on motions to amend shall be conducted after the debate is closed. Thereafter, the draft legislation is put to a final vote.

§ 155. Political statements of the President of the Republic, Prime Minister and ministers, and reports from and overviews by officials

- (1) The President of the Republic, the Prime Minister and ministers have the right to present political statements at a sitting of the Riigikogu. Other officials shall present reports or overviews prescribed by the Constitution or Acts of the Republic of Estonia at a sitting of the Riigikogu.
- (2) An official who wishes to present a statement, report or overview shall submit a corresponding request to the Board of the Riigikogu which sets out the subject of the statement, report or overview and the desired time and duration of the presentation.
- (3) The Board of the Riigikogu shall designate a time for the presentation of the statement, report or overview.
- (4) Members of the Riigikogu may each pose one oral question to an official who presents a statement, report or overview unless the Board of the Riigikogu and the official have agreed otherwise.
- (5) After presentation of a statement, report or overview and replies to questions, a debate shall be opened in the course of which representatives of the factions shall present comments.

§ 156. Deliberation of action plan of the Government of the Republic

- (1) The Government of the Republic may introduce its action plan to the Riigikogu for deliberation.
- (2) The President of the Riigikogu shall appoint a leading committee to review an action plan submitted by the Government of the Republic and to prepare a report thereon.
- (3) The deliberation of an action plan shall be entered on the agenda on the motion of the leading committee.
- (4) A representative of the Government of the Republic and a representative of the leading committee shall present reports in the course of the deliberation of an action plan. Members of the Riigikogu may each pose one oral question to both presenters.
- (5) Upon deliberation of an action plan, a debate shall be opened in the course of which members of the Riigikogu and representatives of the committees and factions who wish to express their opinion shall present comments.

§ 157. Unscheduled statements

- (1) In order to hear comments from members, factions and committees of the Riigikogu, time shall be allotted for unscheduled statements on the Mondays of plenary working weeks of the Riigikogu.
- (2) During unscheduled statements, comments shall be presented from the rostrum in the chamber of the Riigikogu and up to five minutes shall be allotted for each comment.
- (3) Questions shall not be posed to the presenter of a comment and a debate shall not be opened.

Chapter 19

CHANCELLERY OF THE RIIGIKOGU

[RT I 2007, 44, 316, entered into force 14.07.2007]

§ 1571. Status of Chancellery of the Riigikogu

- (1) The Chancellery of the Riigikogu is a state administrative agency who ensures servicing of the Riigikogu, the organs thereof and Members of the Riigikogu.
- (2) The Chancellery of the Riigikogu shall be financed from the state budget.
- (3) The Chancellery of the Riigikogu shall have a seal bearing its name and the small national coat of arms of the Republic of Estonia.
- (4) The Chancellery of the Riigikogu shall be registered in the state register of state and local government agencies pursuant to the procedure provided for in the statutes of the register.

[RT I 2007, 44, 316, entered into force 14.07.2007]

§ 1572. Functions of the Chancellery of the Riigikogu

- (1) The main functions of the Chancellery of the Riigikogu are the following:
 - 1) advise the Riigikogu and its bodies and members in legislative drafting and in issues concerning the performance of other functions of the Riigikogu;
 - 2) provide services to the Riigikogu, manage its operations and create the necessary conditions for the Riigikogu to perform its functions;
 - 3) provide assistance to the Riigikogu in communication with other state bodies and with the public, and manage the foreign relations of the Riigikogu;
 - 4) manage issues concerning the office-related benefits of members of the Riigikogu;
 - 5) provide services to the National Electoral Committee;
 - 6) organise the administration of state assets pursuant to the State Assets Act;
 - 7) prepare the draft budget of the Riigikogu and implement the approved budget.

(2) The Chancellery of the Riigikogu shall also perform functions arising from other Acts and imposed thereon by bodies of the Riigikogu pursuant to Acts.

(3) In order to perform its functions, the Chancellery of the Riigikogu has the right to obtain relevant documents and information from other state and local government administrative agencies.

[RT I 2007, 44, 316, entered into force 14.07.2007]

§ 157. Directing and structure of Chancellery of the Riigikogu

(1) The Chancellery of the Riigikogu is directed by the Secretary General of the Riigikogu who is appointed to office for a term of five years by the Board of the Riigikogu by way of public competition.

(2) Public servants at the Chancellery of the Riigikogu shall be employed in service and released from service by the Secretary General of the Riigikogu.

(3) The rights and main functions of the Chancellery of the Riigikogu, and the organisation of management and the competence of structural units thereof shall be provided by the statutes of the Chancellery of the Riigikogu, which shall be established by the Board of the Riigikogu.

(4) The structure, composition of staff, titles of positions and support staff positions, salary scale and salary rates of the Chancellery of the Riigikogu shall be established by the Board of the Riigikogu.”

[RT I 2007, 44, 316, entered into force 14.07.2007]

Chapter 20

FINAL PROVISIONS

§ 158. Working language

(1) The working language of the Riigikogu is Estonian.

(2) Draft legislation, interpellations and other documents shall be submitted in Estonian.

(3) Reports and comments shall be presented and questions shall be posed and replied to in Estonian.

§ 158¹. Access to documents

(1) Documents prepared by or submitted to the Riigikogu and the Chancellery of the Riigikogu are accessible to the public.

(1¹) The records specified in subsection 1 of this section shall be transferred to the National Archives on the expiry of the prescribed term pursuant to the procedure provided for in the Archives Act

[RT I, 21.03.2011, 1 – entered into force 01.01.2012]

(2) Documents shall not be disclosed in the cases provided by law.

[RT I 2004, 12, 77, entered into force 15.03.2004]

§ 158². Archives of the Riigikogu

(1) The archives of the Riigikogu are made up of documents of the Plenary Assembly, committees, factions, the Board and the Chancellery of the Riigikogu as well as the documents of the National Electoral Committee.

(2) The procedure for maintaining the archives of the Riigikogu shall be approved by the Board of the Riigikogu.”

[RT I 2006, 12, 80, entered into force 19.03.2006]

§ 158³. Temporary specifications for legislative proceeding of draft Resolutions of Riigikogu in connection with financial crisis

On the proposal of the Government of the Republic, the specifications provided in § 118 of this Act may also be applied upon legislative proceeding of the draft Resolutions of the Riigikogu until 1 July 2010 if a Resolution is initiated for the purpose provided in clause 37 (3) 3) of the State Budget Act and if it concerns:

1) acquiring of holdings and other financial assets;

2) granting of state guarantee;

3) taking or assumption and granting or acquiring of loans or other debt obligations;

4) use of the funds of the Stabilisation Reserve Fund.

[RT I 2009, 19, 117 – entered into force 06.04.2009]

§§ 159-161 [Omitted from this text]

30.10.2012