

# Regulations of the Chamber of Deputies of Romania

## Chapter I

### *Organisation of the Chamber of Deputies*

#### *Section 1*

### *Establishment of the Chamber of Deputies*

**Article 1.** - The newly elected Chamber of Deputies shall convene on the day and at the time set in the convening document issued by the President of Romania, in compliance with the provisions of the Constitution of Romania, republished.

**Article 2.** - (1) Before the Standing Bureau is elected, the sittings of the Chamber of Deputies shall be chaired by the oldest Deputy, acting as a senior President, assisted by the 4 youngest Deputies, acting as secretaries.

(2) If the senior President or one or several of the Secretaries referred to in paragraph (1) should be unable to perform their duties, they shall be rightfully replaced by the next oldest Deputy or, as the case may be, by the next youngest Deputies from amongst those present.

(3) During the time interval stipulated under paragraph (1), no parliamentary debates may take place, except for those regarding the validation of the Deputies' mandates.

**Article 3.** - (1) To validate the mandates, the Chamber of Deputies shall elect, in its first sitting, a Committee comprised of 30 Deputies, which shall reflect the political configuration of the Chamber of Deputies, as resulted from the establishment of the Parliamentary Groups.

(2) The Validation Committee shall work throughout the term of office of the Chamber of Deputies.

**Article 4.** - (1) The number of Deputies appointed by each Parliamentary Group in the Validation Committee shall be set such as to reflect the proportion of its Members in the total number of Deputies.

(2) Proposals for setting the number of Deputies belonging to each Parliamentary Group shall be made, under the terms of article 12, by the Group leaders and submitted to the Secretaries of the Chamber of Deputies.

(3) The senior President shall submit the proposals thereof to the Chamber in the decreasing order of the number of Parliamentary Group Members, and the plenum of the Chamber of Deputies shall rule on them based on the vote of a majority of the Deputies present.

(4) Proposals for the nominal composition of the Validation Committee shall be made by the Parliamentary Groups, within the limits of the number of seats approved.

(5) The composition of the Validation Committee shall be approved based on the vote of a majority of the Deputies present.

**Article 5.** - The Validation Committee shall elect a President, a Vice-President and a Secretary, who make up the Committee Bureau, and shall be organised into 9 Working Groups, comprised of 3 Members each, in observance of the proportion stipulated under article 4 (1).

**Article 6.** - (1) The Validation Committee Bureau shall distribute to the Working Groups the Deputies' election files, as received from the Central Election Bureau, except for those regarding the Members of the Working Groups.

(2) The lawfulness of the election of Deputies making up the Working Groups shall be verified by the Validation Committee Bureau.

(3) The Validation Committee Bureau and the Working Groups shall be under obligation to submit to the Committee proposals for the validation or invalidation of the Deputies' mandates, in writing, within 3 days of the setting up of the Committee. Such proposals shall be adopted based on the vote of a majority of the Bureau's or Working Groups' Members.

(4) After expiry of the 3 days' deadline, a discussion on the unsolved files shall take place in the plenum of the Validation Committee.

(5) The Validation Committee shall verify and pronounce on the following matters:

- a) the legal contests contained in the files received from the Central Election Bureau, which are unsolved or the solution of which has violated the legal provisions on the solving procedure;
- b) how each Deputy meets the eligibility terms and whether all the documents required by the legislation in force for the validation of his/her mandate have been filed.

**Article 7.** - (1) The Validation Committee shall draw up a report mentioning the Deputies for whom validation, invalidation, or, as the case may be, deferral of the validation of their mandate is being suggested, with a brief reasoning of the proposals for invalidation or deferral.

(2) The Validation Committee shall propose the validation of the mandates of Deputies whose files are complete and the election of whom is found to have been in compliance with the legal provisions.

(3) Where, with respect to eligibility terms, violation of legal provisions has been ascertained and where a final and irrevocable sentence has been passed as a result of crimes perpetrated by a Deputy during the voting process, the Validation Committee shall propose the invalidation of that Deputy's election.

(4) Deferral of a Deputy's mandate validation shall be proposed by the Validation Committee to the plenum of the Chamber of Deputies if no clarifications could be made, within the stipulated time period, on the aspects relating to the solution of legal contests and if the Deputy in question has not filed all the documents required by the legislation in force for the validation of his/her mandate. Within 10 days of the clarification of the matters having grounded the deferral, the Validation Committee shall propose the validation or invalidation of that mandate, as the case may be.

**Article 8.** - The report shall be approved by the Validation Committee based on the vote of a majority of its Members.

**Article 9.** - (1) The Chamber of Deputies shall rightfully convene on the 5th day after the setting up of the Validation Committee, in order to debate the latter's report.

(2) The Validation Committee's report shall be presented to the plenum of the Chamber of Deputies by the Committee President.

**Article 10.** - (1) As regards Deputies for whom there are no grounds for invalidation under article 7 (3), a list of their full names shall be drawn up, per constituency, in respect of which the Chamber of Deputies shall pronounce in a single ballot. As regards Deputies for whom invalidation of mandate has been proposed, the Chamber of Deputies shall debate and pronounce by a separate ballot for each individual case.

(2) The validation or invalidation of Deputies' mandates shall be done based on the vote by a majority of Deputies.

**Article 11.** - (1) The Chamber of Deputies shall be lawfully established after the validation of two thirds of the Deputies' mandates and after the Deputies in question have taken oath.

(2) Deputies who refuse to take oath shall be deemed invalidated. Refusal to take oath shall be ascertained by the Chairman.

## *Section 2*

### ***Parliamentary Groups***

**Article 12.** - (1) The Parliamentary Groups are structures of the Chamber of Deputies. They may be comprised of at least 10 Deputies who stood on the lists of the same political party, political formation, political alliance or electoral alliance.

(2) Deputies of a political party or political formation may establish a single Parliamentary Group.

(3) Deputies who stood on the lists of one political alliance or electoral alliance but belong to a different political party may establish Parliamentary Groups of the political party to which they belong.

(4) Deputies who belong to the political parties, political formations, political alliances or electoral alliances that do not meet the numerical requirements to establish a Parliamentary Group, as well as independent Deputies may assemble in joint Parliamentary Groups or may become affiliated to other Parliamentary Groups established under paragraph (1).

(5) Deputies who represent organisations of citizens that belong to national minorities, who have obtained their Deputy mandates in compliance with article 62 (2) of the Constitution of Romania, republished, may establish a single Parliamentary Group.

**Article 13.** - (1) The Deputies who have not become Members of Parliamentary Groups established when the Chamber of Deputies was convened, the Deputies whose Parliamentary Groups have ceased to exist, as well as the Deputies who have become independent, following resignation, expulsion from the party, or after having left a Parliamentary Group, shall have the following rights, unless they have established Parliamentary Groups in compliance with the provisions of article 12 (1)-(4):

- a) to speak in general debates, or in the debate on motions, for 20 seconds' time; they shall be able to cumulate such time in seconds for a single intervention made by a common representative;
- b) to delegate a common representative, as an observer without a right to vote, in the meetings of the Parliamentary Group Leaders Committee;
- c) to take part in the delegations abroad of friendship groups, Standing Committees, or based on personal invitations, with the consent of the Standing Bureau.

(2) Based on a decision by the Standing Bureau, the Secretary General shall make available to the Deputies stipulated under paragraph (1), for common usage, a meeting room, the adequate logistics, a car and technical staff comprised of a driver and a Secretary.

**Article 14.** - (1) In its first meeting, each Parliamentary Group, after being established, shall designate its own leadership comprised of the leader and, as the case may be, one or several vice-leaders and a Secretary.

(2) The leader of a Parliamentary Group shall have the following powers:

- a) to present to the Chamber of Deputies the name of that Parliamentary Group, the number of its Members, its nominal composition and its leadership, as well as

- any changes occurring throughout the term of office;
- b) to propose to the Chamber of Deputies the Parliamentary Group's representatives in the Validation Committee;
  - c) to represent the Parliamentary Group and negotiate on its behalf;
  - d) to appoint the representatives of his/her Parliamentary Group in the Standing Committees of the Chamber of Deputies, in the Special or Enquiry Committees thereof or in the Joint Committees of the Chamber of Deputies and the Senate;
  - e) to appoint the representatives of his/her Parliamentary Group in the public institutions or authorities working under the Parliament of Romania, in interparliamentary friendship groups, or in international parliamentary structures Romania is a party to;
  - f) to submit proposals and present the candidates of his/her Parliamentary Group for managerial positions and for the positions of representative in various bodies of the Chamber of Deputies, offices that rightfully belong to that Group, according to the proportion of his/her Parliamentary Group in the original political configuration of the Chamber of Deputies and to the negotiations between Group leaders;
  - g) to request dismissal from office or replacement of his/her Parliamentary Group's representatives in the bodies of the Chamber of Deputies;
  - h) to attend the meetings of the Standing Bureau of the Chamber of Deputies and take part in the debates, without being entitled to vote;
  - i) he/she may call upon the plenum of the Chamber of Deputies for: a consultation break, a verification of the quorum, holding non-public sittings of the plenum, the closure of debates in the Chamber of Deputies;
  - j) to inform the Members of his/her Parliamentary Group on the activities of the Chamber of Deputies and its bodies;
  - k) to introduce to the plenum of the Chamber of Deputies the representative of his/her Parliamentary Group who participates in the general debates;
  - l) to present the amendments brought by his/her Parliamentary Group to the draft laws and legislative proposals under debate in the Standing Committees of the Chamber of Deputies;
  - m) to propose that a draft law or legislative proposal should be sent back to the Committee, under the terms of the present Standing Orders;
  - n) to propose a voting method to the plenum of the Chamber of Deputies;
  - o) to present the viewpoint of his/her Parliamentary Group as regards the proposal for waiver of the parliamentary immunity of one of the Members of his/her own Group;
  - p) he/she may delegate his/her powers to one of the Members of the leadership of his/her Parliamentary Group; should the latter be absent, his/her powers may be delegated to any Member of the Group.

(3) One of the vice-leaders of a Parliamentary Group shall rightfully deputise for the leader in his/her absence or whenever necessary. In the absence of both the leader of a Parliamentary Group and of his/her vice-leaders and Secretary, that Parliamentary Group shall decide upon the designation of a substitute for the time of their absence.

(4) The Secretary of a Parliamentary Group shall keep records of the attendance by that Group's Deputies, ensure that the minutes are being drawn up, and carry out any other duties assigned by the Parliamentary Group to which he/she belongs.

**Article 15.** - In the first sitting, for the setting up of the Chamber of Deputies, the Parliamentary Groups shall be presented in order of their size, as they have resulted from the elections.

**Article 16.** - (1) According to their proportion in the Chamber of Deputies, Parliamentary Groups shall have at their disposal staff employed for secretarial work, specialised personnel, the necessary logistics for carrying out their tasks, as well as cars, in compliance with the Standing Bureau's decision.

(2) Appointment and dismissal of the employed staff shall be based on a proposal by the leader of the Parliamentary Group, under the terms of the law. If an employee working for a Parliamentary Group should no longer be accepted by the Members of the same Parliamentary Group or if the Group should cease to exist, the Secretary General of the Chamber of Deputies shall see to it that the employee(s) of that Parliamentary Group be transferred to equivalent offices.

**Article 17.** - At the beginning of the first session of the term of office, the President of the Chamber of Deputies, together with the leaders of the Parliamentary Groups, shall assign to each Parliamentary Group its seats in the sitting hall.

**Article 18.** - Political parties that have not obtained mandates following the elections cannot establish Parliamentary Groups.

**Article 19.** - (1) Any change occurring in the composition of a Parliamentary Group shall be notified to the President of the Chamber of Deputies, under the signature of that Group's leader and, where applicable, of the Deputy who has changed his/her membership to that Parliamentary Group.

(2) The President of the Chamber of Deputies shall inform the Deputies, in a public sitting, of the changes occurring in the composition of the Parliamentary Groups.

(3) Each Deputy shall be entitled to inform the plenum of the Chamber of Deputies of any change in his/her membership to a Parliamentary Group.

### *Section 3*

#### ***Election of the President of the Chamber of Deputies and of the other Members of the Standing Bureau***

**Article 20.** - (1) After the lawful establishment of the Chamber of Deputies, the President of the Chamber of Deputies and, subsequently, the other Members of its Standing Bureau shall be elected.

(2) The President of the Chamber of Deputies shall belong to the Standing Bureau of the Chamber of Deputies and shall be its President. The Standing Bureau of the Chamber of Deputies shall also be comprised of 4 Vice-Presidents, 4 Secretaries, and 4 Quaestors.

(3) The Standing Bureau of the Chamber of Deputies shall be established as a result of negotiations between the leaders of the Parliamentary Groups, in observance of the political configuration of the Chamber of Deputies, as resulted from the original establishment of the Parliamentary Groups.

(4) The capacity as President of the Chamber of Deputies or that of Member of the Standing Bureau shall be terminated upon resignation, dismissal, or the loss of their capacity as Deputies.

**Article 21.** - (1) The President of the Chamber of Deputies shall be elected for the length of the Chamber's term of office, by secret ballot, using ballot papers that must state the full names of all the candidates proposed by the Parliamentary Groups, in alphabetical order. Each Parliamentary Group may make a single proposal.

(2) The candidate who won the vote of a majority of the Deputies shall be declared President-elect of the Chamber of Deputies.

(3) If none of the candidates has won the vote of a majority of Deputies after two ballots, new ballots shall be organised, following which the candidate who obtained a majority of the votes of the Deputies present shall be pronounced President of the Chamber of Deputies, if the quorum stipulated under article 67 of the Constitution of Romania, republished, has been met.

**Article 22.** - Once the President of the Chamber of Deputies has been elected, the activity of the senior President elected under article 2 shall rightfully cease.

**Article 23.** - (1) Election of the Vice-Presidents, Secretaries, and Quaestors who form the Standing Bureau shall take place following the proposals made by the Parliamentary Groups, in compliance with their proportion which reflects the original political configuration of the Chamber of Deputies, and the negotiation between the leaders of the Parliamentary Groups.

(2) For proposals to be submitted, the Chamber of Deputies shall approve the number of seats in the Standing Bureau - as negotiated by the leaders of the Parliamentary Groups -, the way they are supposed to be distributed, per offices, to the Parliamentary Groups established according to the original political configuration of the Chamber of Deputies.

(3) The nominal proposals for the offices stipulated under paragraph (1) shall be made by the Parliamentary Group leaders, within the number of seats set down under paragraph (2). The list of candidates proposed for the Standing Bureau shall be entirely subject to the vote of the Chamber of Deputies, and approved with a majority of the Deputies' votes. If no such majority can be reached, a new ballot shall be organised, where the list shall be

approved based on a majority of the votes of the Deputies present. The ballot shall be secret, using voting balls.

**Article 24.** - The Vice-Presidents, Secretaries, and Quaestors of the Chamber of Deputies shall be elected at the beginning of each ordinary session, following a proposal by the Parliamentary Groups to which those seats were assigned, in compliance with the provisions of article 23.

**Article 25.** - The President of the Chamber of Deputies and any other Member of the Standing Bureau may be dismissed before the expiry of their term of office, based on the votes of a majority of Deputies. The ballot shall be secret, using ballot papers for the election of the President of the Chamber of Deputies, and balls for the election of the other Members of the Standing Bureau. A proposal for dismissal shall be made in writing, and shall bear the signatures of the persons that initiated it.

**Article 26.** - (1)\* Dismissal from office of the President of the Chamber of Deputies may be proposed by a majority of Deputies, when the political majority in the Chamber of Deputies changes.

(2)\* Dismissal from office of the President of the Chamber of Deputies may also be proposed following a request by at least one third of the total number of Deputies, in one of the following instances:

- a) he/she is in breach of the provisions of the Constitution of Romania;
- b) he/she is in serious or repeated breach of the provisions of the Standing Orders of the Chamber of Deputies or of the Standing Orders of the joint sittings of the Chamber of Deputies and the Senate.

(3) Dismissal of the President of the Chamber of Deputies may be requested by the Parliamentary Group that proposed him/her for that office.

(4)\* The proposal for dismissal shall be submitted to the Standing Bureau, which shall formally verify that the terms stipulated under paragraphs (1), (2), (3) and (7), as the case may be, have been met and then shall place the dismissal proposal on the draft agenda of the next plenary sitting. The debate on the dismissal proposal shall be held in compliance with the provisions of article 227. The debate shall be based on an advisory opinion by the Legal, Discipline and Immunities Committee, in connection with the instances stipulated under paragraph (2) a) and b).

(5) The President of the Chamber of Deputies whose dismissal has been requested may not chair the meeting of the Standing Bureau or the plenary sitting in which his/her dismissal is being debated. He/she shall be replaced by one of the Vice-Presidents, following a vote taken in the Standing Bureau.

(6) If the dismissal proposal is approved by the plenum of the Chamber, the election of a new President shall be organised, in compliance with the provisions of article 21.

(7)\* If the President of the Chamber of Deputies should be dismissed, following a request by the newly established political majority, from amongst which the new President has been elected, the majority shall transfer, for the remainder of the term of office, a Vice-President's office to the Parliamentary Group having held the office of President of the Chamber of Deputies, so that the political configuration may be observed, in compliance with the provisions of article 20 (3). The Vice-President's office, which is being transferred, shall be established by renegotiation within the political majority in question and stated in the dismissal request submitted to the Standing Bureau. If the new President-elect should belong to a Parliamentary Group in the political majority that has proposed the dismissal, the political configuration shall be observed through renegotiation inside that majority.

*\* Text pronounced unconstitutional by the Constitutional Court Decision no. 602 of 14 November 2005, published in the Official Gazette of Romania, Part I, no. 1 027 of 18 November 2005; it ceased its legal effects on 2 January 2006, pursuant to article 147 (1) of the Constitution of Romania, republished.*

**Article 27.** - (1) Dismissal from office of any other Member of the Standing Bureau may be requested by the Parliamentary Group that has proposed the Member in question.

(2)\* Dismissal from office of any other Member of the Standing Bureau may also be proposed at the request of at least one third of the total number of Deputies, in one of the following instances:

- a) they are in breach of the provisions of the Constitution of Romania;
- b) they seriously or repeatedly breach the provisions of the Standing Orders of the Chamber of Deputies or the Standing Orders of the joint sittings of the Chamber of Deputies and the Senate.

(3) The dismissal proposal shall be submitted to the Standing Bureau, which shall formally verify that the terms stipulated under paragraph (1) or (2)\*, as the case may be, have been met, and then shall place the dismissal proposal on the draft agenda of the next plenary sitting. The debate on the dismissal proposal shall be held in compliance with the provisions of article 227. The debate shall be based on an advisory opinion by the Legal, Discipline and Immunities Committee, in connection with the circumstances stipulated under paragraph (2)\* a) and b).

(4) The Members of the Standing Bureau of the Chamber of Deputies whose dismissal has been requested may not chair or, as the case may be, participate in chairing the meetings of the Standing Bureau or the plenary sitting of the Chamber of Deputies in which their dismissal is being discussed; following the vote by the Standing Bureau, they shall be replaced by one of the Members of the Standing Bureau who meets the terms of the Standing Orders, but may attend the meeting as an interested party.

(5) If the dismissal proposal is approved by the plenum of the Chamber of Deputies, the election of a new Member of the Standing Bureau of the Chamber of Deputies shall be

organised, in observance of the original political configuration of the Chamber of Deputies, under article 23.

(6) If a Parliamentary Group in the Chamber of Deputies has ceased to exist, the offices pertaining to that Parliamentary Group shall be reassigned to the other remaining Parliamentary Groups, proportionally.

*\* Text pronounced unconstitutional by the Constitutional Court Decision no. 602 of 14 November 2005, published in the Official Gazette of Romania, Part I, no. 1 027 of 18 November 2005; it ceased its legal effects on 2 January 2006, pursuant to article 147 (1) of the Constitution of Romania, republished.*

**Article 28.** - (1) The office of President of the Chamber of Deputies, vacated during a term of office for reasons other than dismissal, shall be filled in compliance with the provisions of article 20 (3) and article 21.

(2) The offices in the Standing Bureau vacated during a session for reasons other than dismissal shall be filled based on a proposal by the Parliamentary Group to which that office has been reassigned, under the terms stipulated under article 23.

**Article 29.** - Once the Standing Bureau has been elected, the length of service of the Secretaries appointed under the terms of article 2 (1) shall cease.

**Article 30.** - The decisions stipulated under articles 1-29 shall be adopted by a show of hands, unless otherwise provided for.

#### *Section 4*

#### ***Standing Bureau of the Chamber of Deputies and Parliamentary Group Leaders Committee***

**Article 31.** - (1) The Standing Bureau of the Chamber of Deputies shall have the following powers:

- a) to propose to the Chamber a date of opening and closure of the parliamentary session;
- b) to request from the President of the Chamber to convene an extraordinary session;
- c) to submit for approval by the Chamber of Deputies the latter's Standing Orders, as well as amendment proposals;
- d) to submit for approval by the Chamber of Deputies the latter's draft budget and the budgetary year closure account. The draft budget shall be distributed to the Deputies, along with its supporting note and annexes, at least 7 days before the date of its submission to the plenum of the Chamber for approval;
- e) to prepare and ensure a smooth running of the sitting of the Chamber of Deputies ;
- f) to receive, in electronic format, the draft laws, legislative proposals, draft

decisions of the Chamber of Deputies, amendments tabled by the Government, and reports by the parliamentary Committees and to post them on the web site of the Chamber of Deputies, in the same order in which they were submitted to the General Secretariat of the Chamber of Deputies. The above-mentioned documents may also be transmitted on paper, at the written request of the Deputies, which needs to be submitted at the beginning of each session;

g) to decide, as a first Chamber notified, on whether to retain legislative initiatives for debate and adoption or to refer those for which the Chamber of Deputies is a decisional Chamber to the Senate;

h) to distribute the working programme, agenda, newsletters on the legislative initiatives registered with the Standing Bureau of the Chamber of Deputies, draft decisions by the Chamber of Deputies, adopted laws on which the Deputies may notify the Constitutional Court, as well as other documents that are not listed under point f) to the Deputies' pigeonholes;

i) to draw up the draft agenda of the Chamber of Deputies sittings and the draft working programme, which it shall refer to the Parliamentary Group Leaders Committee for debate and approval;

j) to solve any notification on any incompatibility, vacancy, blockage, obstruction or abusive behaviour by the Committee Bureau or a group of Deputies of a Standing Committee, which has remained unsolved by that Committee;

k) to organise the Chamber's relation with the parliaments of other states, with parliamentary organisations, based on consultations with the Board of Directors of the Romanian Group of the Interparliamentary Association, the Parliamentary Groups, the Foreign Policy Committee, and other Standing Committees depending on the sort of actions considered, and to inform the Chamber of Deputies on the measures agreed upon, including the nominal composition of delegations;

l) to submit to the Chamber of Deputies, for approval, the composition of the permanent representations to world or regional parliamentary organisations, following consultations with the Parliamentary Groups and in observance of the original political configuration of the Chamber;

m) to endorse and submit to the plenum of the Chamber, for approval, the organisational chart, list of positions and the regulations of the Service Divisions in the Chamber of Deputies;

n) to manage and control the Service Divisions in the Chamber of Deputies;

o) to approve the regulations on the security and access of persons into the premises of the Chamber of Deputies;

p)\* to propose to the Chamber of Deputies the appointment of the Secretary General and the Deputy Secretary General;

r) to carry out any other duties stipulated in the present Standing Orders, other legal provisions, or assignments given by the Chamber of Deputies.

(2) The meetings of the Standing Bureau shall be attended by the Government's Representative for the Relation with Parliament, the leaders of the Parliamentary Groups established in the Chamber, and the meetings on the Committees' work shall be attended by the Presidents of the Standing Committees of the Chamber of Deputies.

(3) Debates in the Standing Bureau shall be recorded in verbatim reports and posted on the web site of the Chamber of Deputies, except for those pronounced confidential.

(4) The Deputies may consult the verbatim reports or may obtain a copy of them, except for those pronounced confidential by the Standing Bureau, which may only be consulted.

*\* Article 31 (1) p) was amended by the Chamber of Deputies Decision no. 4/2006, published in the Official Gazette of Romania, Part I, no. 143 of 15 February 2006.*

**Article 32.** - The Standing Bureau shall be convened at the request of the President of the Chamber of Deputies, or at the request of at least 4 of its Members.

**Article 33.** - The powers of the President of the Chamber of Deputies shall be as follows:

- a) to convene the Deputies in ordinary or extraordinary sessions, under the provisions of the present Standing Orders;
- b) to chair the plenary sittings of the Chamber of Deputies, with the mandatory assistance of two Secretaries, and to ensure that order is being maintained during debate and that the provisions of the present Standing Orders are being complied with;
- c) to give the floor, conduct the debate, sum up the issues under debate, establish the voting order, state the matters put to the vote and announce the result of votes;
- d) to chair the meetings of the Standing Bureau;
- e) to notify the Constitutional Court under the terms stipulated in article 146 a), b), c) and e) of the Constitution of Romania, republished;
- f) to ensure the draft laws adopted or rejected by the Chamber of Deputies are immediately referred to the Senate, for debate, or, as the case may be, that the voted laws are referred to the President of Romania, for promulgation, within the lawful time limits;
- g) to represent the Chamber of Deputies in its domestic and foreign relations;
- h) to present annual explanatory reports, in the plenum, on the way in which the President's funds have been used;
- i) to perform any other duties stipulated in the present Standing Orders, as well as the assignments established by the plenum of the Chamber of Deputies.

**Article 34.** - The Vice-Presidents shall take over the President's powers by rotation, either at his/her request or if he/she should be unavailable, and perform any other duties assigned by the Standing Bureau.

**Article 35.** - The Secretaries shall draw up the list of persons to take the floor, based on their requests, in the order in which the requests were submitted; they shall present the proposals, amendments and any other communications submitted to the plenum of the Chamber of Deputies, make the roll call, record the voting results, keep records of the decisions adopted, ensure that the verbatim reports of the plenary sittings of the Chamber of Deputies are being drawn up, assist the President of the Chamber of Deputies in

fulfilling his/her powers, and carry out any other assignments received from him/her or the Standing Bureau.

**Article 36.** - (1) The Quaestors shall monitor the manner in which assets are being managed, the functioning and quality of the Chamber of Deputies Service Divisions and make appropriate proposals to the Standing Bureau. They shall exercise financial control over the expenditures incurred, submit the draft budget of the Chamber of Deputies and the annual budgetary year closure account to the Standing Bureau, ensure that order is being maintained within the premises of the Chamber of Deputies, and perform any other duties, in compliance with the requests of its President or the Standing Bureau.

(2) In exercising their auditing powers, the Quaestors shall be supported by a control body comprised of 2 auditors, and subordinated solely to the plenum of the Chamber of Deputies.

(3) At the end of each parliamentary session, the Quaestors shall submit a report on the results of their audits to the plenum of the Chamber of Deputies.

**Article 37.** - The Parliamentary Group Leaders Committee shall be comprised of the leaders of the Parliamentary Groups established in accordance with the original political configuration, and shall have the following powers:

- a) to approve the agenda and working programme of the sittings of the Chamber of Deputies, as well as the amendments or additions to the agenda or working programme;
- b) to propose to the plenum of the Chamber of Deputies a manner of organising debates in the plenum of the Chamber of Deputies by allocating to each Parliamentary Group the time assigned for taking the floor in the plenary sitting of the Chamber of Deputies, in accordance with its share in the total number of Deputies; allocation of the time assigned for debates shall be mandatory in political debates and optional in general debates on a draft law or a legislative proposal;
- c) it may include on the agenda the debate on a draft law or a legislative proposal for which the deadline for report submission is overdue.

**Article 38.** - (1) The Parliamentary Group Leaders Committee shall rule with a majority resulting from the proportion of the vote of each Member present. Such proportion is the result of the share in the total number of Deputies of the Parliamentary Group represented by the leader, in accordance with the original political configuration.

(2) The meetings of the Parliamentary Group Leaders Committee in the Chamber of Deputies shall be attended by the President of the Chamber of Deputies, with no right to vote, and, where applicable, by the representative of the Government of Romania or the President of the parliamentary Committee that has exceeded the deadline for report submission.

(3) The Parliamentary Group Leaders Committee in the Chamber of Deputies shall convene on a weekly basis, usually on Wednesdays or whenever necessary, at the request of a Parliamentary Group leader, of the President of the Chamber of Deputies, or of the Standing Bureau of the Chamber of Deputies.

(4) The Parliamentary Group Leaders Committee shall meet and work rightfully in the presence of over half of the number of the Parliamentary Group leaders who represent the majority of the Deputies, and shall be chaired by the President of the Chamber of Deputies.

*Section 5*  
***Committees of the Chamber of Deputies***

**1. Common provisions**

**Article 39.** - The Committees of the Chamber of Deputies shall constitute its working bodies, established for the purpose of carrying out the powers stipulated by law and by the present Standing Orders. The Committees of the Chamber of Deputies shall prepare the working documents for its plenary sittings and exercise parliamentary control.

**Article 40.** - (1) The Chamber of Deputies shall establish Standing Committees, and may establish Enquiry Committees or other Special Committees.

(2) The Chamber of Deputies shall also establish Mediation Committees or other Joint Committees with the Senate.

(3) The Standing Committees of the Chamber of Deputies shall be comprised of 11 to 33 Deputies, except for the Standing Orders Committee, which shall be comprised of a representative of each Parliamentary Group in the Chamber of Deputies. The number of Members of the Standing Committees shall be established, for each particular case, by the plenum of the Chamber of Deputies, following a proposal by the Parliamentary Group Leaders Committee in the Chamber of Deputies. The objectives, number of Members, nominal composition and leadership of the Enquiry or Special Committees of the Chamber of Deputies shall be approved by the plenum at the time of their establishment.

(4) A Deputy cannot belong to more than one Parliamentary Committee, except for the Members of the Standing Orders Committee, the Information and Communication Technology Committee, and the Committee for Equal Opportunities for Women and Men, who may also belong to another Standing Committee. Throughout their terms of office, the Members of the Standing Bureau may opt for one of the Standing Committees.

**Article 41.** - (1) The composition of the Committees of the Chamber of Deputies shall reflect its original political configuration.

(2) The number of seats in each Committee allotted to each Parliamentary Group or to independent Deputies shall be approved by decision of the Chamber of Deputies, following a proposal by the Parliamentary Group Leaders Committee.

**Article 42.** - The proposals for membership of the Committees of the Chamber of Deputies shall be made by the Parliamentary Groups, within the number of the seats approved by the plenum of the Chamber of Deputies, under the present Standing Orders, and within the time limit established by the Standing Bureau of the Chamber of Deputies.

**Article 43.** - (1) The number of Members in each Committee of the Chamber of Deputies shall be established by leave of the Parliamentary Groups leaders, in compliance with the original political configuration of the Chamber of Deputies.

(2) Should there be no disagreement on the number of Members in the Committees of the Chamber of Deputies according to paragraph (1), the plenum of the Chamber of Deputies shall approve, in a decision, the composition of its Committees, by number and names, by show of hands of a majority of the Deputies present.

**Article 44.** - Should the Parliamentary Groups be unable to reach an agreement on the composition of one or several Committees, the Standing Bureau shall submit for approval and, based on the vote of a majority of the Members present, the Chamber of Deputies shall rule on the candidacies endorsed by each of the Parliamentary Groups, in observance of the original political configuration of the Chamber.

**Article 45.** - (1) On their first meeting convened by the Standing Bureau of the Chamber of Deputies, the Standing Committees shall elect their Bureaus, comprised of one President, 2 Vice-Presidents and 2 Secretaries each, except for the Standing Orders Committee, the Bureau of which shall be comprised of one President, one Vice-President and 2 Secretaries. Positions in the Bureau of the Standing Orders Committee shall be filled in order of the size of the Parliamentary Groups.

(2) The composition of a Committee Bureau shall be established following negotiations between the leaders of the Parliamentary Groups, in observance of the original political configuration of the Chamber, as resulted from the initial establishment of the Parliamentary Groups.

(3) Nominal proposals for the positions provided for in paragraph (1) shall be made by the leaders of the Parliamentary Groups within the number of seats established under paragraph (2).

(4) The entire list of candidates for a Committee Bureau shall be put to the vote of its Members, and approved with a majority of the votes cast by the Deputies present.

(5)\* Dismissal of a Member from a Committee Bureau shall be decided based on the vote of a majority of the Deputies in that Committee, at the request of the Parliamentary

Group having proposed him/her, or of more than half of the number of Committee Members.

*\* The final sentence of this text was pronounced unconstitutional by the Constitutional Court Decision no. 602 of 14 November 2005, published in the Official Gazette of Romania, Part I, no. 1 027 of 18 November 2005; it ceased its legal effects on 2 January 2006, pursuant to article 147 (1) of the Constitution of Romania, republished.*

**Article 46.** - The Bureau of each Committee of the Chamber of Deputies shall:

- a) propose the meeting agenda and submit to that Committee the list of all the legislative initiatives and other matters falling within its competence;
- b) propose the draft Rules of Procedure of that Committee and any amendment to them;
- c) propose the duties conferred upon the Deputies in that Committee;
- d) adopt decisions in matters related to the smooth running of the Committee meetings, establish the duties of the staff of the Committee, and ensure that they are being complied with;
- e) where necessary, establish sub-Committees, based on the Committee's approval, setting their mission, composition and leaders;
- f) invite representatives of the civil society, of owners', vocational or trade union associations, of central or local public administration, and other legal entities, as well as natural entities, following a request by Committee Members, by the Government, or by the interested persons, to attend the Committee meeting;
- g) organise advisory meetings with the representatives of civil society, owners' and vocational associations, trade unions, central or/and local public administration, following the proposal by Committee Members;
- h) approve the presence of the persons interested in attending the Committee meetings, under the terms provided for in article 140 (1) sentence II.

**Article 47.** - The President of a Committee shall:

- a) chair the Committee meetings;
- b) be entitled to propose that the Committee meetings be attended by other persons as well, for the purpose of ensuring their proper functioning;
- c) convene the Committee Bureau in order to establish how the activities provided for in article 46 are being carried out;
- d) ensure that the Committee is being represented in its relation with the Government of Romania, the Standing Bureau of the Chamber, and the other Committees in the Chamber of Deputies and the Senate;
- e) carry out other powers required for the smooth running of the Committee meetings, as stipulated in the present Standing Orders, the Rules of Procedure of the joint sittings of the Chamber of Deputies and the Senate, as well as the Rules of Procedure of the Committee in question;
- f) require secretarial and specialised staff from the Standing Bureau of the Chamber of Deputies, to assist the Committee and its Members in their work, as

well as the necessary logistics for the Committee's work, and cars, similarly to the Group leader.

**Article 48.** - The Committee Vice-Presidents shall carry out, in turn, the President's powers, in his/her absence or according to a delegation that he/she has issued.

**Article 49.** - The Committee Secretaries shall:

- a) keep records of attendance of the Committee meetings by its Members;
- b) ensure that all the Committee documents are being drawn up;
- c) count the votes cast in Committee meetings;
- d) see that minutes and verbatim reports are being drawn up or that the Committee proceedings are recorded, as the case may be;
- e) monitor the proper operation of the Committee's equipment, and the work of the staff;
- f) carry out any other activities needed for the proper functioning of the Committee, following the Bureau's or its President's instructions.

**Article 50.** - Before approval of the agenda, the Chairman shall put to the vote all the proposals for amendments or additions to the agenda.

**Article 51.** - (1) A Committee meeting shall be convened at least 24 hours in advance by the Committee President or, in his/her absence, by the Vice-President who deputises for him/her.

(2) Attendance of the Deputies in Committee meetings shall be mandatory.

(3) For a Committee meeting to take place in accordance with the Standing Orders, the presence of a majority of Committee Members shall be necessary.

(4) The decisions by the Committees of the Chamber of Deputies shall be adopted with the vote of a majority of the Members present.

(5) In the event that a Deputy is unjustifiably absent from the Committee meetings, an amount of money representing the 21<sup>st</sup> part of his/her monthly emolument shall be withheld per each day of absence, in addition to the travel allowance due to him/her.

(6) A Deputy absent from the Committee meetings may be deputised for by another Deputy in the same Group, based on a power of attorney signed by the leader of that Parliamentary Group.

**Article 52.** - (1) The meetings of Parliamentary Committees may be held at the same time as the plenary sittings of the Chamber of Deputies, based on an approval by the Standing Bureau, at the request of the Committee President.

(2) The meetings of the Parliamentary Committees may not be held at the same time as a plenary sitting dedicated to a final vote, according to the agenda. A Committee meeting shall be rightfully suspended when the President of the Chamber of Deputies requests the presence of the Deputies in the plenary sitting.

(3) The Standing Committees of the Chamber of Deputies shall work, as a rule, at the Parliament's premises. In exceptional instances, and based on prior approval by the Standing Bureau, the Committees may work outside the Parliament's premises.

**Article 53.** - The meetings of the Chamber of Deputies Committees shall be open, unless otherwise ruled in their plenum. The meetings of the Committees of the Chamber of Deputies may be broadcast on the internal TV network of the Chamber of Deputies and on the radio and television stations.

**Article 54.** - (1) Ministers may attend Committee meetings. If their attendance has been requested, their presence in the meeting shall be mandatory. The Committee President shall ensure that the Government is notified, at least 24 hours in advance, of the date, time and place of the Committee meeting.

(2) Once per session, Ministers shall present a work report and their Ministries' strategies before the competent Committees of the Chamber of Deputies.

**Article 55.** - (1) The Deputies and Senators who have tabled proposals that are the grounds for a Committee meeting, such as authors of legislative proposals, authors of amendments etc., as well as Legislative Council experts shall be invited to attend that Committee meeting.

(2) Committees may invite interested persons, representatives of non-governmental organisations and experts from public authorities or from other specialised institutions to attend their meetings. The representatives of non-governmental organisations and the experts may present their opinions on the matters that are under discussion in the Committee, or may hand over documents regarding the matters under discussion to the Committee President.

(3) Only Deputies who are Members of a standing Committee or their authorised substitutes shall be entitled to vote in Committee meetings.

(4) Following a proposal by the Committee Bureau, the president, or a Deputy, the Committee may decide to limit the speaking time. Deputies, Senators and guests shall refer solely to the matter under debate. Otherwise, the President may withdraw their right to speak. No one may take the floor unless by leave of the President.

**Article 56.** - (1) At the beginning of debate on an item on the agenda, the Committee shall designate one or more rapporteurs from amongst its Members, following a proposal by the Committee President or by another Member.

(2) The rapporteur shall participate in the drawing up of the Committee report or opinion, which will be subject to the Committee's approval, and may read the report in the plenum of the Chamber.

(3) The reports and opinions shall mandatorily comprise, apart from the opinion of a majority of the Committee Members, the admitted amendments, the reasoned contrary opinions of the other Deputies who are Members in the Committee, and the rejected amendments.

**Article 57.** - (1) As a rule, voting in the Committee shall be taken by a show of hands.

(2) Under certain circumstances, decided upon based on the vote of the Committee Members, a ballot may be resorted to.

**Article 58.** - (1) As regards the progression of Committee meetings, minutes shall be drawn up, verbatim reports may be drawn up or recordings may be taken, that may be consulted by the Deputies.

(2) At the end of each meeting, the Committee Bureau shall ensure that a summary of the proceedings is prepared and a press release is made.

(3) A summary of each Committee meeting shall be published in the Official Gazette of Romania, Part II, on a weekly basis. The summary shall comprise the matters under debate, the result of the votes on law articles and draft laws, and the full names of the persons present and absent.

## **2. Standing Committees of the Chamber of Deputies**

**Article 59.** - The Standing Committees shall be elected for the entire duration of a term of office. The names and scopes of activity of the Standing Committees shall be as follows:

### 1. Economic Policies, Reform and Privatisation Committee

- economy restructuring at macroeconomic level and at sectorial level; reconstruction and development programmes; economic prognosis; free market economy means and institutions; issues relating to price and competition; free enterprise; privatisation; economic activity of the Authority for the Valorisation of State Assets, financial investments companies, autonomous régies and state or mixed-capital trading companies; capital import and export;
- other issues relating to the strategy of economic development and reform policies.

### 2. Budget, Finance and Banking Committee

- state budget and budgetary execution; budget of state social securities and its execution; financial policies; system of taxes and fees, insurances and

reinsurances; monetary balance; circulation of money, credits and credit systems, interests, discounts; stock market and effects; foreign loans of the state or guaranteed by the state; investments made by means of budget credits.

### 3. Industries and Services Committee

- industry and its branches; transports, (home and foreign) trade, tourism; consumer protection; development strategies of industries and services; ensuring resources of raw materials and energy for national economy; development of small and medium-sized enterprises in industry and services; specific issues relating to privatisation in industry and services and the development of the private sector in these branches; industrial commodities and services markets; investment strategies; quality of industrial products and services; standards and brands; protection of investments and brands; technical progress and technological development; effectiveness and competition capability of products and services on the domestic and foreign markets.

### 4. Agriculture, Forestry, Food Industry, and Specific Services Committee

- programmes in the field of agriculture, flower growing, stock breeding, fishery, forestry, wild game; specific issues relating to privatisation in agriculture; free enterprise, forms of property, association, crediting, leasing; management of land resources; activity of state or mixed-capital companies and rČgies in agriculture, forestry and food industry; services of agriculture, land reclamation, food industry and forestry.

### 5. Human Rights, Religious Issues and National Minorities' Issues Committee

- human and citizen's rights; minority issues; freedom of conscience; issues relating to religious denominations; freedom of expression using other means than mass media.

### 6. Public Administration, Territorial Planning and Environmental Protection Committee

- local autonomy; administrative reforms; administrative and territorial organisation; by-laws of civil servants; urban systems; urban and rural networks; local public finance; environmental systems and environmental protection; quality of air, water, soil; protection of flora, wild life and human settlements; rehabilitation of damaged areas; technologies for the control and removal of polluting emissions; water management, territorial planning; constructions.

### 7. Labour and Social Protection Committee

- individual labour relations (individual labour contract, work time, leaves, labour safety, wage system, labour jurisdiction, legal status of employed women); collective labour relations (collective negotiations, collective labour contract,

jurisdiction of collective labour conflicts); legal status of trade unions and employers' organisations; system of social securities (pensions, emoluments, unemployment benefits, state allowances); social assistance (material relief, free services); material relief for persons in need: elderly persons, disabled persons, minors and others; employment issues.

#### 8. Health and Family Committee

- protection of the population's health; health care; organisational structure of the health care system; social issues of the family, mother and child, elderly persons and disabled persons; demographic issues.

#### 9. Education, Science, Youth and Sports Committee

- education in all forms and at all levels; scientific research; sporting activity; youth issues; protection of intellectual property.

#### 10. Culture, Arts, and Mass Media Committee

- art and cultural institutions; protection of national cultural patrimony; activity of the press and other mass media.

#### 11. Legal, Discipline and Immunities Committee

- constitutionality of draft laws and legislative proposals; Standing Orders in the field of civil, criminal, or infringement law, civil, criminal, administrative procedure, judicial organisation; other mainly legal regulations; issues of parliamentary discipline, incompatibilities and immunities.

#### 12. Defence, Public Order and National Security Committee

- defence, public order, and national security issues.

#### 13. Foreign Policy Committee

- issues and programmes relating to Romania's foreign policy; bilateral dialogue with similar Committees of other states' parliaments and of international parliamentary bodies; endorsement of treaties, conventions and other international instruments to which Romania has adhered; hearing of persons to be appointed as ambassadors of Romania abroad, followed by a consultative opinion.

#### 14. Committee for the Research of Abuse, Corruption and for Petitions

- examination of the petitions received and research of the abuses reported in such petitions; commencement of enquiries on the abuses notified, where the Chamber

of Deputies decides so as a result of a request put before the plenum of the Chamber of Deputies, under the Standing Orders.

#### 15. Standing Orders Committee

- interpretation of the Standing Orders, monitoring and review of speeches on procedure issues delivered in the plenum of the Chamber of Deputies, and drawing up of proposals for amending the Standing Orders at the beginning of ordinary sessions, where appropriate; the recording and regularity of the parliamentary common laws; review of the parliamentary procedures in other states or in pan-European parliamentary assemblies and prompt information of the Chamber and the Standing Bureau; drawing up and submission of proposals for amending and completing the Standing Orders of the Chamber of Deputies to the Standing Bureau of the Chamber of Deputies; review of notifications tabled by the Chamber, the Standing Bureau, or the President of the Chamber regarding the Standing Orders and presentation of its/his/her viewpoint in the Chamber of Deputies; endorsement of the Rules of Procedure of the Standing Committees.

#### 16. Information and Communication Technology Committee

- information and communications technology, state-of-the-art technologies typical this field, adhesion to the international regulations and standards, respectively, and intellectual property in the field.

#### 17. Committee for Equal Opportunities for Women and Men

- elimination of any form of discrimination on the basis of sex, and improvement of woman's condition in society;
- integration of the principle of equal opportunities for women and men into legislative initiatives, into policies and programmes regarding both women and men;
- ensuring that the provisions regarding equal opportunities for and treatment of women and men resulting from the international documents ratified by Romania are being implemented.

**Article 60.** - (1) Replacement of a Member in a Committee of the Chamber of Deputies shall be made following a request by the Parliamentary Group having endorsed him/her, based on approval by the plenum of the Chamber of Deputies. (2) If a Parliamentary Group should change its composition or cease to exist, the Chamber of Deputies may rule on whether the Deputies thus having become independent should be allowed to remain in the Committees, within the number of seats still available. (3) A Committee Member's capacity may be terminated either by resignation or following the proposal of the Parliamentary Group to which the Deputy in question belonged, if he/she no longer is a Member of that Group. In this instance, the Parliamentary Group may propose that another Deputy be elected as a Committee Member.

**Article 61.** - The Standing Committees of the Chamber of Deputies shall examine the draft laws, legislative proposals, draft decisions of the Chamber of Deputies, opinions and amendments, with a view to drawing up reports or opinions, as the case may be; they shall debate and rule on other matters referred to them by the Standing Bureau of the Chamber of Deputies; they may conduct parliamentary enquiries, and carry out other tasks, in compliance with the provisions of the present Standing Orders and of the Rules of Procedure of the joint sittings of the Chamber of Deputies and the Senate.

**Article 62.** - The Standing Bureau shall send the draft laws, legislative proposals, draft decisions of the Chamber, and amendments formulated by the Government to the Standing Committees notified on the subject matter, within the competence of which the matter provided for in the draft/proposal in question falls, for examination and for the purpose of drawing up the necessary reports. The Bureau may also notify other Committees of such documents and request their opinion.

**Article 63.** - If the Standing Bureau should notify two or more Committees on the subject matter of a legislative initiative, the Committees in question shall draw up a joint report. If the Committees notified on the subject matter work together, the Committees' meetings shall be chaired by their Presidents, by rotation.

**Article 64.** - (1) Any Standing Committee may submit to the Standing Bureau a reasoned request to draw up a joint report, to participate in drawing up a joint report or to issue its opinion on a draft law or a legislative proposal submitted to another Committee for examination.

(2) The request shall be submitted within 5 days of the notification of the Committee which is to draw up the report or issue its opinion, provided the time limit for submitting the report is observed.

(3) Should the request be approved, the amendments already submitted shall be referred to the Committee in question as well.

(4) Should a Standing Committee estimate that a draft law or a legislative proposal that has been placed before it does not fall within its competence, it may submit to the Standing Bureau a reasoned request to refer that legislative initiative to another Committee, no later than 3 days of it being notified.

(5) Should the Standing Bureau reject a Committee's requests under paragraphs (1) and (4), the Chamber shall rule on the matter by putting it to the vote.

**Article 65.** - (1) A Standing Committee notified on the substance matter itself shall set a time limit within which the opinion(s) of the other Committees examining the draft law or legislative proposal should be delivered to it, following consultations with the Committees in question and bearing in mind the time limit for submitting the report.

(2) The time limit for delivering an opinion (opinions) may not be under half the time limit that has been allocated to the Committee notified on the subject matter to submit the report.

(3) If the time limit should not be observed, the Committee notified on the subject matter may draw up its report without further waiting for the opinion(s) in question.

(4) Deputies who do not belong to a Committee notified on the subject matter, as well as the Government, may table amendments within a time limit that may not be under half the time limit allocated to the Committee notified on the subject matter to submit its report, from the time when that draft law or legislative proposal is announced in the plenum of the Chamber.

(5) The Committee notified on the subject matter may finalise and submit the report only after expiry of a time limit that may not be under half the time limit allocated to the Committee notified on the subject matter to submit its report.

**Article 66.** - Should their attendance be needed, both the Rapporteurs of the Committees notified for offering their opinion and the Legislative Council experts shall be invited to attend the meetings of the Committee notified on the subject matter.

**Article 67.** - (1) The report by the Committees notified on the subject matter shall refer to all the opinions by the other Committees that have examined the draft or proposal in question, to all the amendments, either admitted or rejected, to the Legislative Council's opinion, and to the opinions offered by other public authorities, if such opinions have been given.

(2) The report shall comprise reasoned proposals for the admission without amendments of the document under scrutiny, for its rejection or for its admission with amendments and/or additions, and shall be forwarded to the Standing Bureau.

(3) If a Committee should examine, on the subject matter, several draft laws and legislative proposals with the same regulatory object, a single report shall be drawn up, under articles (1) and (2).

**Article 68.** - (1) If a Committee should examine on the subject matter several legislative initiatives with the same regulatory object, a single report shall be drawn up.

(2) The first legislative initiative shall be retained by the Committee as the original draft, for which an approval proposal shall be made. For the other legislative initiatives, a rejection proposal shall be made. Their provisions shall be deemed amendments to the draft proposed for approval.

(3) If the Chamber of Deputies is the decisional Chamber, it shall request the Senate to submit to it the legislative initiatives that constituted the grounds for the form adopted by the Senate.

(4) If urgency procedure has been approved for one of the legislative initiatives dealt with in paragraph (1), the report shall be drawn up in urgent procedure.

**Article 69.** - (1) The Standing Bureau shall approve the time limits set for report submission following consultations with the Presidents of the Committees notified on the subject matter; the Standing Bureau may approve alterations of the time limits no more than two times, following a written request by the President of the Committee notified on the subject matter. The time limits approved by the Standing Bureau, if the Chamber of Deputies is the first Chamber notified, may not, as a rule, be less than 10 days or exceed 15 days. If the Chamber of Deputies is the decisional Chamber, such time limits may not, as a rule, be under 14 days or exceed 60 days.

(2) For the draft laws and legislative proposals for which the Chamber of Deputies is the first Chamber notified, the report shall be printed and distributed to the Deputies at least 3 days before the date set for debating the draft law or legislative proposal in the plenum of the Chamber of Deputies. For those for which the Chamber of Deputies is a decisional Chamber, such time limit shall be at least 5 days.

(3) For draft laws dealing with the ratification of international treaties and conventions, or loan agreements, the Standing Bureau may choose to adopt them in urgent procedure.

**Article 70.** - The draft shall be referred for re-examination to the Committee notified on the subject matter if, following debates in the plenum, a reasoned request to do so is made, or important amendments to its contents are brought. The Chamber of Deputies shall pronounce on this measure by putting it to the vote, following a proposal by its initiator, the Chairman, a Parliamentary Group, or the President or the Rapporteur of the Committee notified. The Chairman shall set a time limit for drawing up an additional report, and shall submit the time limit to the plenum of the Chamber of Deputies for approval.

**Article 71.** - (1) At the request of one or several of its Members, any Standing Committee may, within its competence, commence an enquiry on the work carried out by the Government or the public administration, with the consent of the plenum of the Chamber of Deputies.

(2) In order to obtain the consent thereof, the Standing Committee shall submit to the Chamber a reasoned request, adopted with the vote of a majority of its Members, stating the matters that form the subject of the enquiry, its purpose, the necessary means and the deadline by which the Committee's report is to be placed before the plenum to the Chamber of Deputies.

### **3. Special Committees of the Chamber of Deputies**

**Article 72.** - (1) Following a proposal by 50 Deputies belonging to at least two Parliamentary Groups, the Chamber of Deputies may set up special Committees to endorse certain complex legislative documents, draw up legislative proposals or for other

purposes stated in the decision for setting up the Committee. The legislative proposals thus drawn up shall not be examined by other Committees as well.

(2) The same decision shall also state the name and objectives of the Committee and its composition. The composition of the Committee and its Bureau shall be established following a proposal by the Parliamentary Groups Leaders Committee, in observance of the original political configuration of the Chamber of Deputies.

(3) The special Committees set up under article (1) shall have the same status as the Standing Committees.

(4) The Members of the special Committees shall preserve their capacity as Members of the Standing Committees as well.

(5) Should the provisions of article 39-58 not suffice, the other issues relating to the organisation and functioning of a Committee shall be regulated by the latter's Bureau.

#### **4. Enquiry Committees of the Chamber of Deputies**

**Article 73.** - (1) Where clarification is deemed necessary of the causes of and the circumstances under which events or actions with harmful effect have occurred, as well as to establish the conclusions, liabilities and steps to be taken, the Chamber of Deputies may decide to commence a parliamentary enquiry.

(2) Such an enquiry may be conducted by a Standing Committee, under article 71, or by a Parliamentary Enquiry Committee set up for that purpose.

**Article 74.** - (1) The investigation of actions or activities that form the subject of criminal enquiries or are on cause-lists in courts of law may not be the subject of a parliamentary enquiry.

(2) A parliamentary enquiry shall rightfully cease at the time of a judicial procedure being started in relation to the actions or activities making its object, in which case the Standing Bureau of the Chamber of Deputies shall inform the criminal investigation authorities that they may have access to all the documents referring to that case, existing in the archives of the Chamber of Deputies.

**Article 75.** - Following a request by at least 50 Deputies of at least two Parliamentary Groups, the Chamber of Deputies may decide on setting up an Enquiry Committee, the provisions of articles 39-58 and article 72 (2)-(5) being applicable.

**Article 76.** - (1) In view of the hearing, the Parliamentary Enquiry Committee may send citations to any person who may know something about an action or circumstance likely to serve in finding out the truth in the matter that forms the subject of the Committee' work.

(2) The persons having received a citation shall be under obligation to come before the Parliamentary Enquiry Committee.

(3) Following a request by the Parliamentary Enquiry Committee, any person acquainted with actions or circumstances related to the object of the investigation, or being in possession of evidence, shall be under obligation to tell about them or produce them within the time limits set. Under the law, the institutions and organisations shall be under obligation to respond to the requests of the Parliamentary Enquiry Committee within the time limit set by the latter.

(4) When, in order to clarify actions or circumstances needed for finding out the truth, it is necessary to draw up expert's examination reports, the Parliamentary enquiry Committee shall request such expert's examinations to be carried out.

(5) The provisions of the law regarding the citation, appearance and hearing of witnesses, as well as those regarding the producing and handing over of objects or documents, or the performing of expert's examinations, shall apply accordingly.

(6) The President of the Committee conducting the enquiry shall advise the person being heard that he/she is under obligation to tell the truth, to withhold nothing of what he/she knows, and that failure to comply with that obligation shall entail criminal liability.

(7) During the investigations, the Committee may also request the access to classified information, under the law.

(8) The expenditures needed to conduct an expert's examination and take other procedure steps pertaining to the committee's work shall be approved by the Standing Bureau of the Chamber of Deputies, following a request by the President of the Parliamentary Enquiry Committee.

**Article 77.** - The work of the Parliamentary Enquiry Committee shall be terminated once a report on the enquiry has been drawn up, which shall be debated by the Chamber of Deputies, within 15 days of it being submitted. The maximum time limit for an enquiry conducted by a Committee shall be 180 days, within which the Committee shall be under obligation to submit the final report. Following a reasoned request by the Bureau of the Parliamentary Enquiry Committee, the plenum of the Chamber of Deputies may extend that time limit only once by no more than 60 days.

**Article 78.** - (1) The conclusions, liabilities and steps contained in the parliamentary enquiry report, as debated in the Chamber of Deputies, shall be reflected in the content of a decision that, after adoption, shall be forwarded to the competent authorities for examination and solutions, together with the report, if need be.

(2) In order to solve the issues resulting from the decision of the Chamber of Deputies and the report by the Parliamentary Enquiry Committee and the competent authorities

may have access to all the documents based on which that report was drawn up, which shall be kept in the archives of the Chamber, under the law in force.

(3) The authorities having been notified of the decision of the Chamber of Deputies and the report by the Parliamentary Enquiry Committee shall be under obligation to inform the Standing Bureau of the Chamber of Deputies, within 30 days of the solution being adopted, about the solutions adopted and their reasoning. The Standing Bureau shall submit the information received from the notified authority to the plenum of the Chamber of Deputies.

**Article 79.** - The provisions of articles 76, 77 and 78 shall also apply to the Standing Committees carrying out enquiries under article 71.

### **5. Mediation Committees\***

*\* Under article 155 (1) of the Constitution of Romania, republished, the mediation procedure shall only refer to draft laws and legislative proposals under way of becoming laws, filed before the adoption of the Law for revising the Constitution of Romania, but it shall be applicable to the constitutional laws.*

**Article 80.** - (1) If one of the Chambers should adopt a draft law or a legislative proposal in a different wording from the one approved by the other Chamber, the President of the Chamber of Deputies and the President of the Senate shall start the mediation procedure.

(2) For that purpose, the Standing Bureau shall propose to the Chamber of Deputies, after consultations with the Parliamentary Groups, a number of 7 Deputies to form the Mediation Committee, in observance of the political configuration of the Chamber.

(3) The Deputies approved by the Chamber of Deputies, together with 7 Senators designated by the Senate, shall make up the Mediation Committee.

**Article 81.** - (1) The Mediation Committee shall convene at the headquarters of one of the Chambers following a summoning by the President of the Committee notified on the subject matter from the Chamber that adopted the draft last, and shall lay down the rules based on which it shall carry out its work, including the time limit within which it is to present its report.

(2) The proceedings shall be chaired, by rotation, by a Deputy or a Senator, appointed by the Committee.

**Article 82.** - The committee's decisions shall be made with the consent of a majority of its Members. In the event of a 7-vote tie, the vote of the person chairing the Committee meeting at the time of voting shall prevail.

**Article 83.** - (1) The Committee's work shall cease once the report is submitted, the approval of which shall take place under article 82, as well as if the Committee is unable to reach an agreement on its report within the time limit set.

(2) Unless the Mediation Committee reaches an agreement on the texts which are divergent within the time limit set under article 81 (1) or one of the Chambers has approved the report by the Mediation Committee, the divergent texts shall be subject to debate in the joint sitting of the two Chambers, under the Rules of Procedure of such sittings.

## **Chapter II**

### ***Conduct of the Chamber of Deputies sittings***

#### *Section 1*

#### ***Sessions and documents of the Chamber of Deputies***

**Article 84.** - (1) The Chamber of Deputies shall work in two ordinary sessions per year. The first session shall start in February and may not exceed the end of June. The second session shall start in September and may not exceed the end of December.

(2) The Chamber of Deputies shall also convene in extraordinary sessions, at the request of the President of Romania, the Standing Bureau or at least one third of the number of Deputies.

(3) A request to convene an extraordinary session shall be made in writing and shall comprise the agenda and the duration of the session. Should the Chamber fail to approve the agenda, an extraordinary session may not be held.

(4) The Chamber of Deputies shall be convened by its President. The President shall disregard the requests for convening an extraordinary session that do not meet the terms stipulated under paragraphs (2) and (3).

(5) During sessions, the Deputies shall work in plenary sittings, in Committees, in Parliamentary Groups, at their parliamentary offices, in their constituencies, or carry out other duties assigned by the Chamber of Deputies.

(6) Outside sessions, Deputies may work, by consent of the Standing Bureau, in Standing or Special Committees, or complete other duties assigned by the Chamber of Deputies.

(7) Outside sessions, Deputies may work in Parliamentary Groups, as instructed by or with the consent of their Group's leadership, and exercise their position at their parliamentary offices and in their constituencies.

**Article 85.** - The Chamber of Deputies shall adopt laws, decisions, simple motions, messages, statements, resolutions and other political documents in the presence of a majority of the Deputies, under the present Standing Orders.

*Section 2*

***Agenda and working programme of the Chamber of Deputies***

**Article 86.** - (1) The draft agenda and draft working programme of the Chamber of Deputies for the coming week shall be drawn up by the Standing Bureau.

(2) The Standing Bureau, on its own initiative or following a reasoned request by the initiator, may include in the draft agenda the debate on a draft law or a legislative proposal where the time limit for its report submission has become overdue.

**Article 87.** - (1) The agenda of the Chamber of Deputies shall comprise all the issues that are subject to the Chamber's debate and approval.

(2) Draft laws and legislative proposals shall be entered in the draft agenda within 5 days of their receipt by the Standing Bureau of the Committee notified on the subject matter, if the Chamber of Deputies is the first Chamber notified, and no later than 7 days for those where it is a decisional Chamber.

(3) Draft decisions shall be entered in the draft agenda no later than 5 days of the date of receipt by the Standing Bureau of the report drawn up by the Committee notified on the subject matter.

(4) When preparing and adopting the agenda in the legislative field, priority shall be given to the requests submitted by the Standing Committees' Bureaus, debates in urgent procedure, requests for adopting such procedure, draft laws and legislative proposals for which the Chamber of Deputies is the first Chamber notified and debates on the reports drawn up by the Mediation Committees.

(5) Other proposals or documents than the ones in the legislative field shall be submitted to the Standing Bureau, in order to be included in the draft agenda, at least two days before the Parliamentary Group Leaders Committee meeting, unless the law, the present Standing Orders or a decision by the Chamber of Deputies stipulate a shorter time limit.

(6) The requests by the President of Romania, the reports and declarations by the Prime Minister shall be given precedence on the agenda.

(7) A draft law or legislative proposal sent for re-examination under article 104 (3) shall be given precedence on the agenda, for debate in urgent procedure.

**Article 88.** - The working programme of the Chamber of Deputies shall be established in compliance with the agenda and may comprise measures to be taken to organise the Chamber's debates.

**Article 89.** - The draft agenda and the draft working programme shall be drawn up weekly and shall be approved by the Parliamentary Group Leaders Committee on the Wednesday of each working week of the Chamber, for the coming week.

**Article 90.** - In exceptional instances, the Parliamentary Group Leaders shall approve a change in the agenda or in the working programme, at the request of the Standing Bureau.

**Article 91.** - (1) The approved agenda and working programme shall be sent to the Deputies and the Parliamentary Groups both in writing and by electronic means, and shall be displayed at the Chamber of Deputies' premises on the same day on which they were approved by the Parliamentary Group Leaders Committee.

(2) The provisions of paragraph (1) shall apply accordingly where there are changes in or additions to the agenda or the working programme.

(3) In the first meeting of the Chamber, following a vote taken in the Parliamentary Group Leaders Committee, the Parliamentary Group leaders shall be entitled to present to the Chamber their Group's position on the agenda and the working programme.

### *Section 3* ***Legislative procedure***

**Article 92.** - (1) In the exercise of its right to legislative initiative, the Government shall submit draft laws to the Chamber. Deputies, Senators, and the citizens stipulated under article 74 of the Constitution of Romania, republished, may place legislative proposals before the Chamber of Deputies. Such proposals shall be accompanied by a statement of reasons and drawn up in the form required for draft laws.

(2) Deputies may also present draft decisions of the Chamber of Deputies.

(3) In respect of the legislative proposals submitted under the terms of paragraph (1) the President of the Standing Bureau shall request the opinion of the Legislative Council and a viewpoint or information, as the case may be, by the Government, which need to be submitted within 15 days of the date of the request. The Government's viewpoint may also contain amendments.

(4) In respect of the legislative proposals submitted under paragraph (1) that entail changes in the provisions of the state budget or the state social securities budget, the President of the Chamber of Deputies shall be under obligation to request an information from the Government, under article 111 of the Constitution of Romania, republished, within the same 15-day time limit.

(5) If the Legislative Council or the Government should not submit its opinion, viewpoint or information, as applicable, within 15 days of the request, the Standing Bureau shall designate the Committee notified on the subject matter, the endorsement Committees,

and the time limit for submitting the report on the legislative proposal in question and shall refer to them the draft for debate and for drawing up the report.

(6) If, during the debate, amendments occur in the Committee notified on the subject matter which impose changes in the provisions of the state budget or the state social securities budget, the President of the Committee shall be under obligation to request an information from the Government, under article 111 of the Constitution of Romania, republished, within a time limit that meets the deadline for report submission.

(7) As regards legislative proposals initiated by citizens, before sending them to the Deputies and notifying the competent Standing Committee on the subject matter, the President of the Chamber of Deputies shall call upon the Constitutional Court to verify that the constitutional terms are being met for the exercise of the right to a legislative initiative.

(8) Under article 75 of the Constitution of Romania, republished, the following shall be subject to the debate and adoption by the Chamber of Deputies, as a first notified Chamber:

1. draft laws and legislative proposals for ratifying international treaties or other agreements and the legislative steps deriving from the implementation of such treaties or agreements;
2. drafts of organic laws stipulated in the Constitution of Romania, republished, under:
  - a) article 31 (5) - Organisation and functioning of public radio and television services, and parliamentary control over them;
  - b) article 40 (3) - Right of association, and incompatibility of a number of social-vocational categories with the capacity as Member of a political party;
  - c) article 55 (2) and (3)\* - Terms under which the Romanian citizens shall complete their military duties;
  - d) article 58 (3) - Organisation and functioning of the People's Advocate Institution;
  - e) article 73 (3) - Categories of laws:
    - letter e) - organisation of the Government and of the Supreme Council of Defence of the Country;
    - point k) - administrative civil disputes;
    - point l) - organisation and functioning of the Superior Council of Magistracy, the courts of law, the Public Prosecutor's Office, and the Court of Audit;
    - point n) - general organisation of education;
    - point o) - organisation of local public administration, territorial administration, as well as the general terms of local autonomy;
  - f) article 79 (2) - Setting up, organisation and functioning of the Legislative Council;
  - g) article 102 (3) - Government - role and structure;

- h) article 105 (2) - Incompatibilities with the position of Member of the Government;
- i) article 117 (3) - Establishment of autonomous administrative units;
- j) article 118 (2) and (3) - Structure of the national defence system, preparation of the population, economy and territory for defence, status of the military cadres and similar regulations regarding the other components of the armed forces;
- k) article 120 (2) - Relationships between the citizens belonging to a national minority with the de-concentrated public services in administrative-territorial units, where those minorities have a significant weight, as regards the use of their mother tongue;
- l) article 126 (4) and (5) - Composition of the High Court of Cassation and Justice, its Rules of Procedure, and setting up of courts of law specialised in particular matters;
- m) article 142 - Constitutional Court.

(9) Under article 75 of the Constitution of Romania, republished, the following shall be submitted to the Chamber of Deputies, as a decisional Chamber, for debate and adoption:

1. all the draft laws and legislative proposals at the level of ordinary laws, other than those for ratifying international treaties or other international agreements, as well as the legislative measures deriving from their implementation;
2. the drafts of organic laws stipulated in the Constitution of Romania, republished, under:
  - a) article 3 (2) - Country's borders;
  - b) article 5 (1) - Acquisition and loss of the Romanian citizenship;
  - c) article 12 (4) - National symbols;
  - d) article 16 (4) - The right of the European Union citizens to elect and be elected in the local public authorities;
  - e) article 44 (2) - The right to private property;
  - f) article 52 (2) - The right of a person harmed by a public authority;
  - g)\*\* article 63 (1) - Extension of the Parliament's term of office;
  - h)\*\* article 70 (1) - Oath taken by Deputies and Senators.
  - i) article 73 (3) - Categories of laws:
    - point a) - election system, organisation and functioning of the Standing Election Authority;
    - point b) - organisation, functioning and financing of political parties;
    - point d) - Organisation and progression of referendums;
    - point f) - terms of the state of partial or full mobilisation of the armed forces and terms of the state of war;
    - point g) - terms of the state of siege and of the state of emergency;
    - point h) - crimes, sentences and the terms of serving them;
    - point i) - granting amnesty or collective pardon;
    - point j) - by-laws of civil servants;

- point m) - general legal status of property and inheritance;
- point n) - general terms of labour relationships, trade unions, employers' associations, and social protection;
- point r) - status of the national minorities in Romania;
- point s) - general status of religious denominations;

- j) article 83 (3) - Extension of the President's term of office;
- k) article 23 (3) - Prefect's powers;
- l) article 125 (2) - Status of the judges in relation to the Superior Council of Magistracy;
- m) article 128 (2) - Use of the mother tongue and use of an interpreter before the courts of law by Romanian citizens belonging to national minorities;
- n) article 136 (3), (4) and (5) - The sole object of public property, putting out goods that are public property for administration, lease or rental, inviolability of private property;
- o) article 141 - Economic and Social Council.

(10) The draft laws shall be submitted to the Chamber of Deputies and shall be accompanied by the Legislative Council's opinion.

*\* Text pronounced unconstitutional as regards the reference to article 55 (3) of the Constitution of Romania, republished, by the Constitutional Court Decision no. 602 of 14 November 2005, published in the Official Gazette of Romania, Part I, no. 1 027 of 18 November 2005; it ceased its legal effects on 2 January 2006, pursuant to article 147 (1) of the Constitution of Romania, republished.*

*\*\* Text pronounced unconstitutional by the Constitutional Court Decision no. 602 of 14 November 2005, published in the Official Gazette of Romania, Part I, no. 1 027 of 18 November 2005; it ceased its legal effects on 2 January 2006, pursuant to article 147 (1) of the Constitution of Romania, republished.*

**Article 93.** - The Draft laws, legislative proposals and draft decisions of the Chamber of Deputies shall be distributed to the Deputies after having been presented to the Standing Bureau.

**Article 94.** - (1) At the beginning of each plenary sitting of the Chamber of Deputies, the Chairman shall announce that the documents stipulated under paragraphs (2) and (3) have been distributed to the Deputies, for their information.

(2) The following documents shall be distributed to the Deputies' pigeonholes: the working programme, the agenda, the information on draft laws, the legislative proposals and draft decisions of the Chamber of Deputies. The information shall state the title, the initiator, the Committees notified on the subject matter and the Committees which are to draw up an opinion, as well as the time limits for submission of the report and amendments.

(3) Deputies shall receive in their pigeonholes a list of the reports drawn up by the Committees notified on the subject matter, in the chronological order of their submission to the Standing Bureau, a list of the draft laws and legislative proposals adopted by the two Chambers and for which the right to notify the Constitutional Court may be exercised, under the law, a list of the contents of each Official Gazette of Romania and the complete texts of the simple motions and censure motions.

(4) At the express request of the Deputies, the specialised staff of the Chamber of Deputies shall have the content of the document stipulated under paragraphs (1) and (2) printed. Access to such documents shall be available also at the Deputies' constituency offices, which shall be equipped with a connection to the Chamber of Deputies database.

**Article 95.** - The draft laws, the legislative proposals, as well as the draft decisions of the Chamber of Deputies stipulated under article 94 shall be immediately referred by the Standing Bureau to the competent Standing Committees, for debate and endorsement, in observance of the provisions of article 92, as applicable.

**Article 96.** - (1) The initiator of a draft or legislative proposal may withdraw his/her draft or proposal before approval of the agenda on which it was included.

(2) If a legislative proposal belongs to more than one initiator, a written consent by all the initiators shall be necessary to withdraw that proposal.

**Article 97.** - (1) After examination of and debate on a draft law or legislative proposal, the Standing Committee or the Standing Committees notified on the subject matter shall draw up a report, within the set time limit.

(2) The report by the Committee notified on the subject matter shall propose the adoption, adoption with amendments, or rejection of a draft law or legislative proposal, and shall comprise the amendments admitted and the amendments rejected, stating their authors, the opinions of the other Committees, references on how the proposals contained in the opinion of the Legislative Council have been solved, references on the Government's viewpoint, whether there are financial implications on the state budget or on the state social securities budget, other opinions where applicable, specifications on the articles belonging to the decisional competence of the Chamber of Deputies or the Senate, respectively, if the Chamber of Deputies is the decisional Chamber. For draft laws on the approval or rejection of ordinances, the necessary measures to take in respect of the legal effects of the ordinance during its implementation period shall be laid down, where applicable.

(3) The report shall be referred to the Standing Bureau, which shall ensure that it is multiplied and distributed to the Government, Deputies and initiators, in compliance with the time limit stipulated under article 69 (2).

(4) In the instance stipulated under article 104\* (3), the Committee shall draw up a report comprising the proposal for adoption or for adoption with amendments of the draft or legislative proposal.

*\* The number of the article was rectified in the Official Gazette of Romania, Part I, no. 54 of 20 January 2006.*

**Article 98.** - The drafts and legislative proposals endorsed under articles 95-97 shall be subject to debate in the Chamber in the order stipulated under the approved agenda, under the Standing Orders.

**Article 99.** - (1) Deputies, Parliamentary Groups or the Government, under the signature of a Member of the Government shall be entitled to submit amendments to the Committee notified on the subject matter, within the time limits stipulated under article 65 (4).

(2) As regards the legislative proposals prepared by a special Parliamentary Committee, the amendments shall be submitted to the Committee within 7 days of them being announced in the plenum of the Chamber of Deputies. On the day of its announcement in the plenum, a legislative proposal shall be notified to the Government. After expiry of the time limit for the submission of amendments, the Committee shall be under obligation to draw up, within 5 days, an additional report on them, which shall be distributed to the Deputies. The legislative proposal may be placed on the agenda only after that time limit has expired.

(3) The amendments brought by the Deputies shall be reasoned, submitted in writing, and under the initiator's signature, to the Committee notified on the subject matter, and, if necessary, shall state the Parliamentary Group to which the initiator belongs.

(4) The Government's amendments shall be submitted to the Standing Bureau only under the signature of a Member of the Government, and shall be referred to the Committee notified on the subject matter.

(5) The date of amendment submission shall be the same as the date of its registration with the Committee or the Standing Bureau, as applicable, where a special record of all the amendments received shall be kept. On request, the author shall be issued a proof that the amendment has been received.

(6) The Committee notified on the subject matter or, as applicable, the Special Committee shall pronounce on the amendments submitted, in compliance with the time limit stipulated under paragraph (1) or (2). Should it deem it necessary, the Committee shall also request the opinion of another Committee on one or several amendments.

(7) The President of the Committee notified on the subject matter may request the Legislative Council to issue a viewpoint on a number of amendments. Such viewpoint shall be given within the time limit set by the Committee.

(8) As regards oral amendments presented in the plenum, in compliance with article 108 (3), the Committee's opinion shall also be given by the rapporteur orally, following the President of the Chamber's request.

(9) The President of the Chamber may not submit to debate or put to the vote an amendment on which the Committee has not pronounced, except for the instance stipulated under article 37 c).

**Article 100.** - (1) The general debate on a draft law or a legislative proposal shall be preceded by the initiator's statement of reasons for the draft's submission and by disclosure of the Standing Committee's report, presented by its President or by a rapporteur designated by the Committee.

(2) The President, the rapporteur and the members of the Committee may be assisted by parliamentary experts belonging to the Chamber of Deputies throughout the debates.

**Article 101.** - For the general debate on a draft or a legislative proposal, each Parliamentary Group may designate one representative. The President of the Chamber shall give the floor to the Representatives of the Parliamentary Groups in the order of their requests to speak. He/she may propose to the Chamber that the time allocated to the general debate be reduced.

**Article 102.** - The initiator of a draft or legislative proposal, the President of the Committee notified on the subject matter or the Rapporteur of that Committee shall be entitled to speak before the general debate is closed.

**Article 103.** - At the stage of a general debate on a draft or legislative proposal, no amendments may be proposed.

**Article 104.** - (1) If the report by the Committee notified on the subject matter proposes rejection of the draft, legislative proposal or draft decision of the Chamber of Deputies, the President shall ask the Chamber to pronounce by putting the matter to the vote after the general debate has been closed.

(2) The rejection proposal may be put to the vote in a special voting meeting.

(3) Should the Chamber of Deputies disagree with the rejection proposal, a debate per articles shall be held in a subsequent meeting, in which, according to the agenda, the amendments deposited with the Committee notified on the subject matter and listed in the report as rejected amendments shall be considered. The procedure shall be concluded with a proposal for adoption of the Chamber of Deputies' initiative or decision; otherwise, the President shall refer the report to the Committee notified on the subject matter, for reconsideration, and a deadline for drawing up a new report shall be set.

**Article 105.** - (1) As far as ordinances are concerned, an ordinance approval draft law shall be put to the vote, if the last report by the Committee notified on the subject matter

should propose its approval or approval with amendments. If the Committee notified on the subject matter should propose rejection of the ordinance, the ordinance rejection draft law shall be put to the vote.

(2) After debating upon the last report drawn up, where the Chamber of Deputies is the decisional Chamber, if the plenum of the Chamber fails to pass the draft law regarding an ordinance, the draft in question shall be reconsidered in the following session, in the form in which it was originally placed before the Chamber, based on the last report drawn up by the Committee notified on the subject matter.

(3) If the decisional competence belongs to the Senate and it is ascertained that the plenum of the Chamber has not been able to pronounce on an emergency ordinance, the provisions of article 115 (5) of the Constitution of Romania, republished, shall apply.

**Article 106.** - The Chamber of Deputies shall only proceed to debate on the draft or legislative proposal per articles where the report by the Committee notified on the subject matter contains admitted or rejected amendments.

**Article 107.** - (1) When discussing the articles to which amendments have been made, the Deputies may take the floor to express their viewpoint. The representative of the Government or of the initiator and the rapporteur of the Committee notified on the subject matter may also take the floor.

(2) As a rule, a Deputy's speaking time on a text to be put to the vote in the Chamber of Deputies shall be 5 minutes. At the beginning of the debate on a draft law or legislative proposal, a different speaking time for interventions may be established. After the Deputies have spoken on a certain text, the project initiator and the Rapporteur of the Committee notified on the subject matter may take the floor.

(3) The Chairman may submit to the sitting's approval the closure of discussions on the article under debate.

**Article 108.** - (1) Discussion of the articles shall start with both the admitted and the rejected amendments submitted to the Committees.

(2) During debates, the Deputies, the Government or the Parliamentary Groups may wish to discuss the amendments rejected by the Committee notified on the subject matter or the amendments submitted to the Committee, in compliance with the provisions of the present Standing Orders.

(3) In the plenum of the Chamber, technical-legislative correlation, and grammatical or linguistic amendments may be formulated. The amendments shall be submitted in writing to the Chairman and the Rapporteur of the Committee notified on the subject matter.

(4) No fundamental amendments may be placed before the plenum of the Chamber.

**Article 109.** - Where debate on the amendments reveals that they have a major impact on that draft law or legislative proposal, the President of the Chamber of Deputies may refer the texts under scrutiny to the Committee notified on the subject matter and set the deadline for the presentation of its viewpoint. In such an instance, the authors of the amendments shall be entitled to be heard in the Committee. The Government representatives shall have the same right.

**Article 110.** - (1) Debate on amendments shall consider first those amendments containing a proposal to remove some of the texts in the article considered, and then the amendments containing a proposal to amend and complete the article in question.

(2) The amendments shall be put to the vote in the following order: firstly, the proposals for removing texts, secondly, the proposals for amending and/or completing texts, tabled by the Committee notified on the subject matter, thirdly, the rejected proposals, included in the Committee report, for amending and/or completing texts, and lastly, the proposals for technical, legislative, grammatical and linguistic correlation.

(3) The Chamber shall pronounce by putting each individual amendment to the vote, unless the adoption of a particular amendment precludes the adoption of the others.

(4) The texts of articles to which no amendments, objections and remarks have been formulated shall be deemed adopted. The texts of articles to which amendments have been formulated or to which objections and remarks have been made shall be adopted with the vote of a majority of the Deputies present.

(5) Where the Chamber of Deputies is the decisional Chamber, if all the amendments to an article are rejected, the text as worded by the initiator or by the Senate shall be put to the vote.

(6) The result of the vote - the number of votes "in favour", "against", and the number of abstentions - shall be announced by the chairman and recorded in the verbatim report.

(7) The article, as resulting from the approval of the texts, shall be put to the vote in its entirety, and approved with the vote of a majority of the deputies present.

**Article 111.** - (1) A draft law or legislative proposal, in the form resulting from the debate per articles, shall be submitted to the Chamber for approval if the lawful quorum requirements are met.

(2) The final vote may be taken in a sitting dedicated to that purpose, in compliance with the working programme approved. If the debate per articles has not been concluded by the date of the final vote sitting, as set in the agenda, the vote shall be rightfully postponed.

(3) A draft law or legislative proposal to which no amendments have been brought by the date of the voting sitting shall be immediately put to the final vote, after the initiator has

presented the reasons supporting it, and the committee notified on the subject matter has presented its report, as well as after hearing the viewpoints of the representatives of the parliamentary groups.

**Article 112.** - In the instance stipulated under article 37 (c), the debate shall be held under the common legislative procedure, and shall take into consideration all the amendments submitted to the committee within the time limit stipulated under the present Standing Orders, as well as those formulated during debates, under article 108 (3).

**Article 113.** - (1) Under article 75 (1) and (2) of the Constitution of Romania, republished, the Chamber of Deputies, as a first notified Chamber, shall pronounce on a draft law or legislative proposal within 45 days of the date of its submission to the Standing Bureau. The extremely complex codes and laws shall constitute an exception to this, as the Chamber shall pronounce on them within 60 days of the date of their submission to the Standing Bureau, as well as the emergency ordinances, for which the time limit is 30 days of the date of their submission to the Chamber of Deputies.

(2) On the date of expiry of the time limits stipulated under paragraph (1), the draft laws or legislative proposals shall be deemed adopted by the Chamber of Deputies and shall be referred to the Senate under the signature of the President of the Chamber of Deputies.

(3) The amendments, opinions and, where applicable, the report that has not been debated in the plenum shall be referred to the Senate as a documentary material.

**Article 114.** - The provisions of articles 93 112 shall also be applicable to the draft laws received from the Senate, where the Senate is the first Chamber notified and the Chamber of Deputies is the decisional Chamber.

#### *Section 4* ***Urgency procedure***

**Article 115.** - (1) At the initiator's request, following a proposal by the Standing Bureau or a Parliamentary Group, the Chamber of Deputies may adopt draft laws or legislative proposals in urgent procedure.

(2) The initiator's request, proposals by the Standing Bureau and Parliamentary Groups shall be submitted for approval to the Parliamentary Group Leaders Committee.

(3) The draft laws dealing with the harmonisation of the Romanian legislation with that of the European Union and the Council of Europe, as well as draft laws regarding the approval or rejection of emergency ordinances shall be rightfully submitted to the Chamber of Deputies, for debate and adoption in urgent procedure.

(4) The urgency procedure shall apply also where the Chamber of Deputies has adopted, as a first notified Chamber, a provision in the draft law that, having not been accepted by the Senate, falls within the Chamber's decisional competence, and was referred back to it

for reconsideration. The urgency procedure shall apply also where the Senate, as a decisional Chamber, has adopted, in a draft law, a provision over which the Chamber has decisional competence.

**Article 116.** - (1) Deputies, Parliamentary Groups, or the Government may present written reasoned amendments, which shall be referred to the Committee notified on the subject matter, within the time limits set under article 65 (4) from the approval of urgency procedure. The opinion by the Legislative Council shall be referred to the Committee notified on the subject matter, under the Law for urgency procedure.

(2) The time limit for report submission shall be set by the Standing Bureau.

**Article 117.** - After receiving the report by the Committee notified on the subject matter, the Standing Bureau shall give priority to placing on the draft agenda the draft law, the legislative proposal or the provisions referred to in article 115 (4).

**Article 118.** - (1) At the stage of general debate, each Parliamentary Group is entitled to only one intervention, and the length of a representative's speech may not exceed 5 minutes.

(2) After conclusion of the general debate, the President of the Chamber shall ask the President of the Committee notified on the subject matter or its Rapporteur, as the case may be, for proposals regarding the time needed for debate on the report. The time proposed shall be submitted for approval by the plenum of the Chamber and then the Chamber shall proceed to the debate per articles.

**Article 119.** - When discussing each article for which amendments have been made, the debate procedure stipulated under articles 107114 shall apply. During debates no amendments may be brought.

**Article 120.** - (1) The debate on a draft law or legislative proposal in urgent procedure may not exceed the time approved by the Chamber, following the proposal by its president, after consulting the Bureau of the Committee notified on the subject matter.

(2) If the time approved for debates has expired, the debate shall be closed and the President of the Chamber shall put to the vote each amendment comprised in the report of the Committee notified on the subject matter and each amended article. No further interventions shall be allowed. The Chamber shall then proceed to the final vote, which may take place in a special voting sitting.

#### *Section 5* ***Voting procedure***

**Article 121.** - The laws, decisions, and simple motions shall be adopted by the Chamber of Deputies by putting them to the vote. The laws adopted by the Chamber of Deputies may be constitutional laws, organic laws and ordinary laws.

**Article 122.** - Any amendment, other legislative text or request that is to be approved shall be deemed adopted if, following a request by the President of the Chamber, there are no objections.

**Article 123.** - (1) A Deputy's vote shall be private. It may be open or secret.

(2) An open vote shall be cast by electronic means, by a show of hands or by roll-call. The open vote shall be cast, as a rule, by electronic means. The other open vote procedures shall be approved by the Chamber, following a proposal by the Chairman or a group leader.

(3) A vote by electronic means, by a show of hands, or by roll-call shall have the following meanings: "in favour", "against", or "abstention". If a group leader should challenge the correctness of the count of the votes, and if the plenum of the Chamber approves the resumption of the vote, the President shall proceed accordingly using the voting procedure approved by the Chamber.

(4) The secret vote shall be cast by means of ballot papers, balls or by electronic means.

(5) As a rule, the vote shall be open. The vote shall be secret in the following instances: if the Standing Orders stipulate so and if the Chamber decides so, following a proposal by the Chairman or by a Group Leader.

(6) In case of a secret vote cast by ballot papers or balls, a Committee shall be established to at count and validate the votes. The Committee shall be comprised of one representative of each Parliamentary Group, assisted by the two Secretaries of the sitting.

**Article 124.** - (1) If the vote by electronic means is open, it should be posted on the web site of the Chamber of Deputies for each Member of Parliament, where the vote is final or where the plenum of the Chamber expressly decides so.

(2) The open votes cast by each Deputy in the Standing Bureau on the latter's decisions and in the Parliamentary Committees, for the vote for report approval, shall be put down in the verbatim report or, as the case may be, in the sitting written report.

**Article 125.** - (1) The roll-call voting procedure is as follows: the President shall explain the matter put to the vote and the meaning of the words: "in favour", "against" and "abstention"; one of the Secretaries shall read the Deputies' full names, and each Deputy shall answer: "in favour", "against" or "abstention".

(2) After concluding the roll-call, the full names of the Deputies who have not answered shall be repeated.

**Article 126.** - The vote using balls shall take place as follows: a white ballot box and a black ballot box shall be placed before the President of the Chamber of Deputies. The Deputies shall come, one by one, before the ballot boxes, after receiving from the

Secretaries two balls, one white and the other black, which they shall place in the two ballot boxes. A white ball placed in the white ballot box and a black ball placed in the black ballot box shall mean an "in favour" vote, whereas a black ball placed in the white ballot box and a white ball placed in the black ballot box shall mean an "against" vote; for a "null vote", both balls shall be placed in the black ballot box. The Standing Bureau shall decide on the means to ensure the secrecy of voting.

**Article 127.** - (1) The vote by electronic means shall be accomplished by plugging one of the contacts representing a "vote in favour", a "vote against" or an "abstention". The result of the electronic vote shall be displayed following the Chairman's instructions. If the Chairman, assisted by the two secretaries, should notice malfunctions in the circuit connection, he/she shall ask the plenum to repeat the ballot using a different voting procedure. A Group Leader may also notify the Chairman of such malfunctions.

(2) The device enabling a Deputy's access to the electronic voting means shall be personal. Its use by another Deputy shall be forbidden. Failure to comply with this interdiction shall entail the sanction stipulated under article 213 (1) e).

**Article 128.** - (1) As regards the ballot-paper voting procedure, the ballot-paper shall state the candidates' full names, the positions they stand for, and, as the case may be, the Parliamentary Group to which they belong or which has proposed them.

(2) The votes for appointment to positions shall be cast using ballots-papers, unless the law or the Standing Orders stipulate a different voting procedure.

(3) A Deputy shall vote "in favour" by leaving untouched the full name of the person proposed on the ballot; he/she shall vote "against" by crossing the full name of the person proposed.

(4) Ballots-papers shall be inserted in ballot boxes.

(5) The ballots-papers that do not comply with the design presented, those not bearing the control stamp and those on which the number of candidates whose names have not been crossed exceeds the number of positions for which the election is held shall be null and void.

**Article 129.** - (1) Constitutional laws shall be adopted with the vote of a majority of at least two thirds of the number of Deputies.

(2) Organic laws and decisions on the Standing Orders of the Chamber of Deputies shall be adopted with the vote of the majority of Deputies.

(3) Ordinary laws and decisions made in the law-making process shall be adopted with the vote of a majority of the Deputies present, provided that the lawful quorum requirements are met.

(4) If the Constitution of Romania, republished, or the Standing Order provides for a majority of votes of at least two thirds and the President notices the impossibility of meeting the majority beforehand requirements, he/she shall defer the voting, setting the day and time for it to take place. A new deferral of the voting may not exceed 30 days.

(5) Unless the present Standing Orders provide otherwise, the other documents of the Chamber of Deputies shall be adopted with the vote of a majority of the Deputies present.

(6) Before the voting takes place, the President may ask for the quorum to be checked by roll call, by electronic means or by counting by the secretaries. The Deputies who do not exercise their right to vote, but who were present in the sitting hall, shall count in the preserved number for establishing the quorum.

(7) If a majority of the Deputies are not present in the sitting hall, the President shall defer the voting until the legal quorum requirements are met.

**Article 130.** - (1) In the event of a tie, the voting shall be repeated.

(2) The President of the Chamber shall cast his/her vote after the Deputies present have cast theirs.

**Article 131.** - During the voting, the Deputies shall not be granted the right to take the floor, if not to speak on the process of the secret voting procedure.

**Article 132.** - The draft laws and the legislative proposals rejected by the Chamber of Deputies as a decisional Chamber may not be submitted for debate again during the same session, except for the instances stipulated under article 104.

**Article 133.** - (1) The draft laws and legislative proposals adopted or rejected by the Chamber of Deputies as a first notified Chamber shall be endorsed by its President.

(2) The draft laws and the legislative proposals adopted or rejected by the Chamber of Deputies as a first notified Chamber shall be referred to the Senate, as a decisional Chamber, stating the provisions that pertain to the decisional competence of the Chamber of Deputies, if the case arises. The Government shall be notified of this.

(3) A law adopted by the Chamber of Deputies on which the Senate has pronounced as a first notified Chamber or, as the case may be, as a decisional Chamber for some of the provisions, signed by the President of the Chamber of Deputies and the President of the Senate, shall be communicated to the Government, the High Court of Cassation and Justice, the People's Advocate, as well as to the Secretary General of the Chamber of Deputies and the Secretary General of the Senate, 5 days before being sent for promulgation, with a view to ensuring exercise of the right to notify the Constitutional Court. If the law is adopted in urgent procedure, the deadline shall be two days.

(4) The date on which the adopted law was forwarded the Secretary General of the Chamber of Deputies shall be passed on to the Deputies, within 24 hours of.

(5) After reaching the deadlines stipulated under paragraph (3), the law shall be sent, under the signature of the President of the Chamber of Deputies, to the President of Romania, in view of promulgation.

**Article 134.** - (1) In the instances of unconstitutionality ascertained under article 146 a) of the Constitution of Romania, republished, the Chamber of Deputies shall re-examine the provisions in question, where it is the first Chamber notified, with a view to reconciling the unconstitutionality instances with the decision of the Constitutional Court, based on the report by the Legal, Discipline and Immunities Committee. The same procedure shall apply where the provisions in question are being sent from the Senate, where it is the first Chamber notified.

(2) The report by the Legal, Discipline and Immunities Committee shall include proposals for the removal of or amendment to the provisions pronounced unconstitutional by the decision of the Constitutional Court. The report by the Committee shall be debated under the provisions of articles 99-112. On the occasion of the reexamination, the Chamber of Deputies shall make the necessary technical-legislative correlations, and after the re-examined provisions are adopted, they shall be forwarded to the Senate.

(3) In the event of notification of unconstitutionality of the international treaties or of other agreements submitted to the Parliament for ratification, under article 146 b) of the Constitution of Romania, republished, the parliamentary procedure shall be suspended, and then resumed after the decision by the Constitutional Court has been published.

(4) In the instances of unconstitutionality ascertained under article 146 b) of the Constitution of Romania, republished, the Chamber of Deputies may not ratify the international treaty or agreement pronounced unconstitutional.

(5) In the instances of unconstitutionality ascertained under article 147 (1) of the Constitution of Romania, republished, the legal effects of the provisions pronounced unconstitutional in the laws, regulations and ordinances approved by the law shall cease 45 days after the decision by the Constitutional Court has been published; for this period of time such provisions shall be rightfully suspended. With a view to harmonising those provisions with the provisions of the Constitution of Romania, the Chamber shall re-examine the texts pronounced unconstitutional based on the report by the Legal, Discipline and Immunities Committee.

(6) The texts pronounced unconstitutional shall be firstly re-examined by the first Chamber notified.

**Article 135.** - (1) The re-examination of the law by the Chamber of Deputies, following a request by the President of Romania, in accordance with article 77 (2) of the Constitution of Romania, republished, shall take place no later than 30 days of the receipt of the

request. The law shall be re-examined first by the Chamber of Deputies where it is the first Chamber notified.

(2) The request of the President of Romania for the re-examination of a law shall be examined by the Standing Committee notified on the subject matter about the draft law or the legislative proposal; the committee shall draw up a report and shall make proposals on the objections raised in the re-examination request.

(3) The report by the commission along with the re-examination request shall be submitted to the Chamber of Deputies for debate following the rules of the legislative procedure.

**Article 136.** - If a mediation should be necessary, it shall be conducted under the provisions of the regulations, and the report by the Mediation Committee shall be included in the agenda of the Chamber, according to the procedure stipulated under articles 86-110.

**Article 137.** - (1) The report by the Mediation Committee shall be debated in each Chamber.

(2) Under the procedure of debating a law per articles, only the solutions proposed by the Mediation Committee, and which are different from those originally adopted by the Chamber shall be put to the vote. In all instances, the report by the Mediation Committee shall be approved with a majority of votes necessary for adopting the law in its final form. The reports by the Mediation Committee shall be approved in the sittings dedicated to the final vote on draft laws.

(3) If the Deputies and Senators approve the law text in the form proposed by the Mediation Committee, the provisions of article 133 (3) shall apply.

**Article 138.** - If the Mediation Committee should not reach an agreement on the divergent issues or if one of the Chambers should reject the report by the Mediation Committee, entirely or partially, the provisions of article 83 shall apply.

#### *Section 6*

#### *Progression of a sitting of the Chamber of Deputies*

**Article 139.** - The sittings of the Chamber of Deputies shall be public and broadcast online, unless, at the request of the President or a Parliamentary Group and based on the vote cast by a majority of the Deputies present it is ruled that certain meetings should be secret.

**Article 140.** - (1) The public sittings of the Chamber of Deputies may be attended by diplomats, representatives of the press, radio and television channels, as well as other guests, based on accreditations or invitations endorsed by the Secretary General of the Chamber, under the terms established by the Standing Bureau. Citizens may attend the

proceedings of the Chamber of Deputies based on passes distributed on request, in the order in which the requests are received, within the number of seats available in the lodges designated for the public.

(2) Members of Government or their representatives shall be entitled to attend the Chamber's sittings. If their attendance should be requested, their presence shall be mandatory.

(3) In the debates on draft laws initiated by the Government, the competent Minister or the Secretary of State for the Relation with Parliament in the Ministry responsible shall be under obligation to attend the sitting; otherwise, the draft law shall be withdrawn from the agenda.

(4) The persons attending the meeting shall maintain silence and refrain from any display of approval or disapproval. Otherwise, they shall be removed from the hall by the public security force made available to the President.

(5) The President of the Chamber, at the request of a Deputy or on his/her own initiative, may, after having consulted the Chamber, make official statements regarding clearly inaccurate information (such as omissions, distortions, etc.) about the proceedings of the Chamber, or regarding comments that might cause harm to the image of the parliamentary institution.

(6) The Division for Communication, Media, and Public Relations of the Chamber of Deputies shall present a daily press review to the Standing Bureau Members, the Parliamentary Groups Leaders, and the Presidents of the Standing Committees.

**Article 141.** - (1) The Deputies shall be under obligation to attend the Chamber's sittings and sign in on the list of presence, kept by one of the secretaries.

(2) A Deputy who is unable to attend a sitting for objective reasons shall be under obligation to inform the Standing Bureau, in a written statement of reasons, endorsed by his/her group leader, stating the reasons that prevent him/her from participating.

(3) Should a Deputy be unable to explain the reasons of his/her absence, an amount of money representing the 21<sup>st</sup> part of his/her monthly emolument shall be withheld per each day of absence, in addition to the travel allowance due to him/her.

**Article 142.** - (1) The Deputies shall carry out their activities on a weekly basis in the plenum, in Committees, in Parliamentary Groups and in their Constituency Parliamentary Offices. As a rule, the 5th and 6th days of the week shall be reserved for activities in the constituencies in which Deputies were elected.

(2) Following a proposal by the Standing Bureau, and based on approval by the Committee of Parliamentary Group Leaders, the working programme may be altered.

(3) Following a well reasoned request by the Chairman or a Parliamentary Group Leader, made at the beginning of a working sitting in the plenum, the agenda or the working programme may be altered based on the Chamber's approval.

**Article 143.** - (1) The sitting of the Chamber of Deputies shall be opened by the President of the Chamber of Deputies. In the absence of the President, he/she shall be replaced by one of the Vice-Presidents, by rotation.

(2) The Chairman shall be under obligation to state whether the lawful quorum requirements have been met, to announce the agenda and the working programme.

(3) The President must be assisted by two Secretaries designated by rotation, one of whom shall belong, as a rule, to the opposition.

**Article 144.** - (1) The Chamber of Deputies shall adopt laws, decisions and simple motions in the presence of the majority of Deputies.

(2) Under the legislative procedure, the provisions of paragraph (1) shall apply only to the vote for adoption of a law in its entirety, and where, under the present Standing Orders, the rejection of a draft law or legislative proposal is put to the vote.

(3) Verification that the quorum requirements have been met shall be requested by the President only in the final voting meetings, immediately before the vote, on his/her own initiative or at the request of a Parliamentary Group Leader.

(4) Should the quorum requirements not be met, the meeting shall be suspended and the President shall state the date and time when proceedings are to be resumed. Resumption of proceedings shall also be done by derogation from the approved agenda, and in observance of the succession laid down in it.

(5) The President of the Chamber of Deputies may require that all the Deputies currently inside the premises of the Chamber should report for voting. Otherwise, they shall be deemed absent, with all the consequences that derive from this.

**Article 145.** - The President of the Chamber or the Vice-President that replaces him/her shall run the debates, ensure that the agenda is observed during debates, and that the Standing Orders are complied with.

**Article 146.** - (1) The Secretaries shall draw up lists of Deputies who ask leave to speak.

(2) The Deputies shall take the floor in the order in which their names have been entered in the list, with leave by the President of the Chamber.

(3) The ministers present in the Chamber may be given the floor at all stages of the debates, whenever they should request it.

**Article 147.** - No one may take the floor unless permitted by the President. The persons who take the floor in the Chamber shall speak at the rostrum or from another place where a microphone is installed.

**Article 148.** - (1) Following a proposal by the Chairman or by a Parliamentary Group Leader, the plenum of the Chamber of Deputies may reduce the speaking time according to the matter under debate, by putting such measure to the vote.

(2) The Deputies and the other persons who take the floor shall be under obligation to refer only to the matter for the discussion of which they have asked leave to speak, except for political statements, which shall be made during the time interval allocated to them, according to the schedule. Otherwise, the Chairman shall summon them and, should they not comply, withdraw the floor from them and cut off the sound in their microphone.

**Article 149.** - (1) Outside the legislative or political debates that are held in the Chamber, according to the agenda, a Deputy may ask leave to speak on matters of procedure, for the right to a reply, or to communicate a matter of personal interest to the plenum.

(2) When a Deputy requests the floor on matters of procedure or for the right to a reply, the President shall be under obligation to give him/her the floor without delay.

(3) A Deputy may request the floor for matters of procedure only if he/she should consider that, at that time of the debate, certain provisions of the Standing Orders have been breached, provisions to which he/she shall refer in his/her intervention.

(4) A Deputy may request the right to a reply if, at that time of the debate, incorrect or offensive allegations were made against him/her on the microphone of the Chamber of Deputies. The right to a reply shall be formulated in such a manner as not to generate a new right to a reply.

(5) A Deputy may request the floor in order to present a problem of personal interest which is related to his/her capacity as a Deputy, and the Chairman shall give him/her the floor at the beginning or the end of the plenary sitting.

(6) The speeches made in compliance with the provisions of paragraphs (3), (4), and (5) shall not exceed two minutes.

**Article 150.** - (1) The Chairman or the leader of a Parliamentary Group may request closure of debate on a matter placed before the Chamber.

(2) The proposal for closure of debate shall be adopted based on the vote by a majority of the Deputies present.

**Article 151.** - (1) Uttering insults or slanders either at the rostrum of the Chamber of Deputies or in the meeting hall during a plenary sitting or in a Committee meeting shall be prohibited.

(2) Dialogue between a speaker at the rostrum and the persons in the hall shall be prohibited.

**Article 152.** - The Chairman shall call to order the Deputies who disturb the debate or cause disorder. Should the disturbance persist, he/she may interrupt the sitting and may order the exclusion from the hall of the persons who prevent in any way the normal conduct of the proceedings.

**Article 153.** - (1) The debates in the sittings of the Chamber of Deputies shall be recorded by electronic means and in verbatim reports.

(2) The verbatim reports shall be posted on the web site of the Chamber of Deputies and published in the Official Gazette of Romania, Part II, within ten days, except for those concerning secret meetings.

(3) A summary of the Standing Bureau meetings and of the Committee meetings shall be posted on the web site of the Chamber of Deputies within ten days at the most, except for secrets meetings.

(4) Deputies shall be entitled to verify the accuracy of a verbatim report, by confronting it with the electronic recording, no later than five days of the meeting date.

(5) The Deputies shall not be entitled to obtain a copy of the verbatim report before it is published in the Official Gazette of Romania.

#### *Section 7*

#### ***Procedure of commencement of a criminal investigation of Members of the Government***

**Article 154.** - The Chamber of Deputies shall be entitled to request that a criminal investigation be commenced on Members of the Government.

**Article 155.** - (1) The debate on the request stipulated under article 154 shall be based on a report prepared either by a Standing Committee, following an enquiry carried out under the terms of article 71, or by a Special Enquiry Committee established for that purpose. If the Minister in question is also a Deputy, the request shall be forwarded for examination to the Legal, Discipline and Immunities Committee, which shall draw up a report to be placed before the Chamber.

(2) The reports stipulated under paragraph (1) shall have precedence on the draft agenda.

(3) The request shall be adopted with the vote of at least two thirds of the number of Deputies.

**Article 156.** - If the Chamber of Deputies should decide to request that a criminal investigation be commenced, the President of the Chamber shall submit a request for

commencement of a criminal investigation to the Minister of Justice, under the law. He/she shall also notify the President of Romania of a possible suspension from office of the Member of Government whose criminal investigation has been requested.

**Article 157.** - The provisions of articles 123-153 shall apply accordingly.

### **Chapter III**

#### ***Motions, questions, interpellations, information of Deputies, petitions and political statements***

##### **1. Motions**

**Article 158.** - (1) A simple motion may be initiated by at least 50 Deputies, and shall state their position on a particular matter of domestic or foreign policy, or, as the case may be, on an issue having formed the subject of an interpellation.

(2) Before completion of debate on a simple motion, a Deputy who has endorsed it may not endorse another simple motion on the same matter.

(3) Initiation of censure motions shall take place under the terms stipulated under article 78 of the Rules of Procedure of the joint sittings of the Chamber of Deputies and the Senate.

(4) The President of the Chamber shall disregard the simple motions that do not meet the requirements stipulated under paragraph (1) or those the object of which is typical of a censure motion.

**Article 159.** - (1) Simple motions shall be reasoned and shall be submitted to the Chairman during public sittings.

(2) After receiving a simple motion, the President of the Chamber shall immediately place it before the Government and notify the Chamber of it, then have it displayed at the Chamber of Deputies' headquarters.

**Article 160.** - (1) The President of the Chamber shall set the date of the debate on a simple motion, which may not exceed six days of its registration, and shall notify the Government to that effect.

(2) Simple motions on matters of foreign policy shall be subject to debate only if accompanied by the opinion of the Foreign Policy Committee and after consultations with the Ministry of Foreign Affairs.

**Article 161.** - Debate on a simple motion shall be held in compliance with the provisions stipulated under articles 139-153 and shall be approved based on the vote of a majority of the Deputies present.

**Article 162.** - After commencement of discussions on a simple motion, Deputies may no longer withdraw their endorsement of that motion, and the debate shall be concluded with the motion being put to the vote by the President of the Chamber.

**Article 163.** - Amendments may not be proposed to the simple motions under consideration.

**Article 164.** - If a simple motion is approved, the decision made by the Chamber shall be forwarded to the Government, which shall take into consideration the position stated in the content of that motion.

## **1. Questions**

### *a) Common provisions*

**Article 165.** - (1) Each Deputy may formulate written questions or put oral questions to the Government, Ministers or other heads of public administration bodies. He/She may require an oral or a written answer or both.

(2) A question shall consist of a simple request to answer whether or not a fact is true, whether or not an information is accurate, whether or not the Government or other public administration bodies will release to the Chamber the information and documents required by the Chamber of Deputies or by the Parliamentary Committees, or if the Government intends to rule on a particular matter.

**Article 166.** - (1) The President of the Chamber shall be entitled to dismiss questions that:

- a) refer to matters of personal or private interest;
- b) are meant solely to obtain a legal consultation;
- c) refer to pending law suits on cause-lists in courts of law, or may affect the solution of cases under judgement;
- d) refer to the work of persons who do not hold public offices.

(2) If the Deputy who put a question to which he/she requested an oral answer is not in the meeting hall, the Member of the Government shall submit a written answer to the Secretary of the Chamber, who is in the Presidium.

(3) In well justified instances, if the Deputy who requested an oral answer is not able to be present in the meeting hall on the day on which, as he/she has been advised by the Secretary of the Chamber, he/she was scheduled for receiving an answer, but wishes to be given the opportunity to formulate possible objections to the answer given, he/she may

request a deferral of reply only once. The Deputy's request for a deferral of answer shall be submitted to the designated Secretary of the Chamber and notified to the Minister for the Relation with Parliament.

(4) The questions to which no answer has been given shall be published in the Official Gazette of Romania, Part II, at the end of each ordinary session.

*b) Oral questions*

**Article 167.** - (1) Between 6.30 pm and 7.30 pm on every other Monday, Deputies may put oral questions to Members of the Government. The oral questions shall be addressed by a Deputy to the Member of the Government who is competent in that field.

(2) The subject of oral questions shall be notified in writing and filed with the designated Secretary of the Chamber of Deputies no later than 2.00 pm on the Wednesday of the week preceding the one when the question is to be raised. The Secretary of the Chamber of Deputies shall inform the Minister for the Relation with Parliament on the oral questions to which Members of the Government are to answer during the meeting dedicated to such matters.

(3) The answers to oral questions shall be given within 15 days of the date of them being transmitted by the Secretary of the Chamber of Deputies.

**Article 168.** - (1) An oral question shall be presented briefly, in a time interval not to exceed two minutes. The competent Minister shall answer the question raised to him/her in no more than three minutes. After hearing the answer, the author of the question may intervene with precisions and comments, without exceeding two minutes. The Minister in question may exercise his/her right to reply for the same time interval. No other intervention regarding that question may be made.

(2) A Member of the Government may only defer the answer to an oral question for the following week in well justified instances.

(3) If the Government Member to whom the question was addressed is not present, the answer shall be given in the following week's meeting dedicated to oral questions. The President of the Chamber of Deputies shall inform the Prime Minister of the deferred answers.

*c) Written questions*

**Article 169.** - (1) Any Deputy shall be entitled to put to the Government, its Members, or to other heads of the public administration bodies, written questions that shall be deposited with the designated Secretary of the Chamber of Deputies.

(2) Deputies who put written questions shall state whether they wish to receive a written or an oral answer or both.

(3) The written questions shall be forwarded to the Member of the Government and the other public authorities by the designated Secretary of the Chamber of Deputies.

**Article 170.** - (1) Answers to written questions shall be sent to the Deputies within 15 days. Both the written questions and their answers shall be posted on the web site of the Chamber.

(2) The questions requiring an oral answer given at the rostrum of the Chamber of Deputies shall be entered in the agenda in the order of receipt of the answers to them, but no later than 15 days of the date of them being filed.

(3) The answers to the questions stipulated under paragraph (2) shall be given during the 30 minutes following the time period allocated to oral questions. An answer may not exceed three minutes. If the answer to a question generates a reply by the person having raised the question, the time for reply shall not exceed three minutes.

(4) The written answers to written questions shall be handed over, by the representative of the authority having raised them, to the Secretary of the Chamber of Deputies in charge of questions and interpellations.

**Article 171.** - Should the time allocated to answers to questions be insufficient, the answers that have not been presented shall be entered in the agenda of the following Monday's sitting.

**Article 172.** - No Deputy may put more than two questions during the same sitting.

### **3. Interpellations**

**Article 173.** - (1) Interpellations shall be made in writing, and state their subject matter, without any further developments.

(2) An interpellation shall consist of a request made to the Government by a Parliamentary Group, or by one or several Deputies, for explanations on the Government's policy on important matters of its domestic or foreign activities. The Government and each of its Members shall answer the interpellations within two weeks at the most. For justifiable reasons, the Chamber may grant a new deadline.

(3) Interpellations shall be read in Monday's public sitting, dedicated to questions, between 7.30 pm and 8.00 pm, after which they shall be submitted to the President of the Chamber in order for them to be forwarded to the Prime Minister.

**Article 174.** - (1) Interpellations shall be recorded, in the order of their presentation, in a special book and displayed at the Chamber's headquarters.

(2) Interpellations shall be developed on Monday's sitting, which alternate with the sittings dedicated to questions. On the Mondays dedicated to answers to interpellations,

the sittings shall take place between 6.30 pm and 7.30. The length of an interpellation may not exceed five minutes.

(3) In the sitting dedicated to debates on interpellations, a Parliamentary Group may not present more than one interpellation. If the time dedicated to interpellations allows it, a Parliamentary Group may also make a second interpellation.

**Article 175.** - (1) In the meeting dedicated to interpellations, the person making the interpellation, and then the Prime Minister or his Representative, who may be a Minister or a Secretary of State, shall be given the floor. The answer to an interpellation shall not exceed five minutes. The author of the interpellation may intervene with additional questions and comments, without exceeding two minutes. The Prime Minister or his Representative who answers the interpellation shall be allocated two minutes to exercise his/her right to a reply. After that, no other interventions may be accepted in relation to that interpellation.

(2) The Ministers being called upon or the Secretaries of State designated by them shall attend the sitting dedicated to answers to interpellations.

**Article 176.** - The Chamber of Deputies may adopt a simple motion to express its position on the issue having made the subject of an interpellation.

**Article 177.** - Every two weeks, on the Monday that is dedicated to answers to interpellations, between 6.00 pm and 6.30 pm, the Deputies may call upon the Prime Minister. Their interpellations shall have to deal with the Government's policy on important matters of its domestic or foreign activities.

(2) The interpellations which are to be addressed to the Prime Minister shall be submitted to the designated Secretary of the Chamber of Deputies by 2.00 pm on the Wednesday of the week preceding the Prime Minister's answers.

**Article 178.** - Interpellations shall be addressed in the order of their submission to the designated Secretary of the Chamber of Deputies. An interpellation shall not exceed three minutes. The Prime Minister shall answer an interpellation in no more than five minutes. After hearing the answer, the author of the interpellation may intervene with additional questions and comments, without exceeding two minutes. The Prime Minister shall be allocated two minutes to exercise his/her right to a reply. After that, no other intervention may be made in relation to that interpellation.

**Article 179.** - Under well justified circumstances, the Prime Minister's interpellation may be postponed for no longer than one week.

**Article 180.** - (1) At the request of one or several Parliamentary Groups or of the Prime Minister, political debates may be held, once a month, in the plenum of the Chamber of Deputies, with the Prime Minister's attendance, on matters of major interest to the political, economic and social life.

(2) The request shall be submitted to the Standing Bureau in writing, stating the proposed matter for debate.

(3) The Standing Bureau shall inform the Prime Minister, or the Prime Minister shall inform the Standing Bureau, respectively, and set the date for the debate, which may not exceed six days of the request submission.

(4) The Prime Minister's attendance at the requested debate is mandatory.

(5) A Parliamentary Group may only request one political debate per session. The Prime Minister may request no more than two political debates per session.

#### **4. Information of the Chamber of Deputies and of Deputies**

**Article 181.** - The Chamber of Deputies and the Deputies shall be entitled to obtain from the public administration bodies the information necessary for carrying out their activities.

**Article 182.** - (1) A Deputy may ask the elected bodies of the central and local public administration, by means of a request submitted to the President of the Chamber of Deputies or the President of the Standing Committee to which he/she belongs, for any information or documents, in the form of certified copies, that are useful for carrying out his/her activities. Should such request refer to state secrets of special importance, it may be rejected. Such rejection shall be notified to the Chamber of Deputies, which will rule on it in a secret sitting.

(2) Should the information or documents requested concern state secrets, the Government shall notify the Chamber of Deputies about it, and the Chamber shall rule on in a secret sitting, under the law.

(3) The documents shall be returned after consultation.

#### **5. Petitions**

**Article 183.** - (1) Anyone shall be entitled to address the Chamber of Deputies with petitions.

(2) The petition shall be submitted in writing and signed, stating the petitioner's or one of the petitioners' address.

**Article 184.** - The petitions shall be recorded in a register, in the order of their receipt, stating the registration number, the full name and address of the petitioner, and the subject of the request. The electronic form of the register shall be posted on the web site of the Chamber of Deputies.

**Article 185.** - (1) The registered petitions shall be referred to the Committee for the Investigation of Abuses, Corruption and for Petitions, and to other Standing Committees, for debate and solving.

(2) Any Member of the Chamber may become acquainted with the content of a petition, by addressing the President of the notified Committee to that effect.

**Article 186.** - (1) The notified Committee shall decide, within ten days, on whether to send the petition to a competent public authority or classify it.

(2) The solution adopted shall be brought to the petitioner's knowledge.

**Article 187.** - (1) The Committee for the Investigation of Abuse, Corruption and for Petitions shall present to the Standing Bureau, every six months, and to the Chamber, at the beginning of each session, a report on the petitions received and on their solutions.

(2) The report shall mention the solutions found by the public authorities to the petitions referred to them for solving.

(3) The public authorities that have received petitions to solve shall be under obligation to send the solutions adopted to the Committee, within one month of the receipt of the petition.

## **6. Political statements**

**Article 188.** - (1) On Tuesday every week, the first 90 minutes of the sitting shall be set aside for the Deputies' political statements.

(2) The 90 minutes shall be distributed per Parliamentary Groups belonging to the Majority, Parliamentary Groups belonging to the Opposition and per Deputies who do not belong to such Groups. If the allocated time should not be exhausted, the Chairman may continue to give the floor, in compliance with the same rule.

(3) Every week, the speaking order shall alternate between Parliamentary Groups.

(4) The duration of a speech may not exceed three minutes.

**Article 189.** - (1) Deputies shall deposit their request of leave to speak on current matters until Monday, 8.00 pm, with the designated Secretary of the Chamber of Deputies, except for unexpected circumstances.

(2) Requests to deliver various speeches dedicated to anniversaries, commemorations, etc., shall be deposited one week in advance, until Monday, 8.00 pm, with the designated Secretary.

**Article 190.** - If the topics and content of a speech are related to the Government's activities and policies, the relevant excerpt from the verbatim report shall be forwarded to the Minister for the Relation with Parliament.

## **Chapter IV**

### **Deputy's status**

#### *Section 1*

#### ***Parliamentary immunity***

**Article 191.** - Deputies shall enjoy parliamentary immunity from the date when the certificates attesting to their election are issued, provided they are validated.

**Article 192.** - Under article 72 of the Constitution of Romania, republished, the Deputies may not be held legally liable for the votes they cast or the political opinions they expressed in the exercise of their mandate.

**Article 193.** - (1) Under article 72 of the Constitution of Romania, republished, Deputies may be subject to investigation, and may be criminally prosecuted for actions that are not related to the vote they cast or the political opinions they expressed in the exercise of their mandate, but may not be searched, detained or arrested without the consent of the Chamber of Deputies, after having been heard. The investigation and criminal prosecution may be made only by the Public Prosecutor's Office next to the High Court of Cassation and Justice. The High Court of Cassation of Justice shall entertain jurisdiction.

(2) A detaining, arrest, or search petition shall be submitted to the President of the Chamber of Deputies by the Minister of Justice. Subsequent perpetration or discovery of new criminal actions shall lead to the filing of a new petition for detention, arrest or search.

(3) The President of the Chamber shall inform the Deputies of such petition, in a public sitting. Then, he/she shall immediately refer it to the Legal, Discipline and Immunities Committee for examination. In its report, the Committee shall establish whether there are good grounds to approve the petition or not. The Committee's decision shall be adopted no later than five days of its notification, with the vote of a majority of its Members. The vote shall be secret.

(4) The Minister of Justice shall refer to the Legal, Discipline and Immunities Committee all the documents required by the latter; if he/she should refuse to do so, the Committee shall appeal to the Standing Bureau of the Chamber of Deputies, requiring it to rule on such refusal.

(5) The petition stipulated under paragraph (2), along with the Committee's report, shall be forwarded to the Parliamentary Group to which the Deputy in question belongs. The Group shall express their viewpoint on the petition in a written report, within five days of its notification.

(6) Deputies who do not belong to any Parliamentary Group may submit their viewpoint on the petition to the Standing Bureau.

(7) The Committee's report, along with the Parliamentary Group's report shall be referred to the Standing Bureau and submitted to the Chamber of Deputies for debate and approval.

(8) The Chamber of Deputies shall pronounce on the measure to be taken no later than 20 days of its notification, based on the vote by a majority of the Members present.

**Article 194.** - (1) In the event of a flagrant crime, Deputies may be detained and subject to a search. The Minister of Justice shall be notified of the matter immediately. The Minister of Justice shall inform the President of the Chamber of Deputies without delay of such detention or search. If the Chamber should find there are no grounds for detention, it shall order immediate cancellation of such measure.

(2) The order for cancellation of detention shall be executed at once by the Minister of Justice.

**Article 195.** - All petitions for waiver of parliamentary immunity shall have precedence on the agenda.

## *Section 2* ***Incompatibilities***

**Article 196.** - (1) A Deputy's capacity shall be incompatible with the exercise of any public office of authority, except for that of Member of the Government. It shall be incompatible with the exercise of other positions laid down by the law as well.

(2) The Deputies who are Members of the Government may not hold offices in the Standing Bureau, in the Committee Bureaus, nor be Members in Parliamentary Representations or Parliamentary Group Leaders.

**Article 197.** - A Deputy's capacity shall be incompatible with the office of President of Romania and with that of a Senator.

**Article 198.** - A Deputy's mandate shall be incompatible with the status of the persons who, under the law, may not belong to political parties.

**Article 199.** - It shall be prohibited to use a person's name with a mention of that person's capacity as Deputy in any action advertising a lucrative activity.

**Article 200.** - (1) A Deputy who finds himself/herself in one of the incompatibility instances stipulated under articles 196-198 shall resign from the positions which are incompatible with the Deputy's mandate, within 30 days of the date when such incompatibility occurred.

(2) After expiry of the time limit stipulated under paragraph (1), the Deputy who continues to find himself/herself in an incompatibility instance shall be deemed resigned from his/her position as Deputy. The resignation shall be notified to the Chamber of Deputies and published in the Official Gazette of Romania, Part I.

**Article 201\*.** - Such vacancy shall be filled by the immediately next candidate on the list of the political party, political alliance or electoral alliance concerned if the political party, political alliance or electoral alliance for which the candidate stood in the elections acknowledges in writing, by the date of mandate validation, that he/she belongs to it. The Validation Committee shall present to the Chamber of Deputies a report on the lawfulness of that candidate's election.

*\* The denominations have been changed in compliance with the provisions of the Law of political parties no. 14/2003, published in the Official Gazette of Romania, Part I, no. 25 of 17 January 2003, and Law no. 373/2004 for the election of the Chamber of Deputies and the Senate, published in the Official Gazette of Romania, Part I, no. 887 of 28 September 2004.*

**Article 202.** - During the time limit stipulated under article 200, a Deputy shall be under obligation to declare, in writing, to the Standing Bureau any activity he/she will continue to carry out in the future, which falls within the scope of the incompatibilities stipulated under the law.

**Article 203.** - Any changes occurring in a Deputy's work throughout his/her term of office shall be notified to the Standing Bureau in writing, no later than 30 days of the date of their occurrence.

**Article 204.** - (1) The incompatibility instances shall be referred to the Legal, Discipline and Immunities Committee of the Chamber of Deputies, for examination. The Committee shall draw up a report. Proposals by the Committee shall be approved by the Chamber based on the vote by a majority of its Members.

(2) If a Deputy has put an end to the incompatibility he/she was subject to, after notification of the Committee, the fact shall be acknowledged in the minutes of the meeting; such cases shall not be mentioned in the Committee report.

### *Section 3* ***Exercise of a Deputy's mandate***

**Article 205.** - The Deputies, as representatives of the people, shall exercise their rights and carry out their duties throughout the term of office for which they were elected.

**Article 206.** - According to the certificates attesting to their election, Deputies shall start exercising their mandates on the date when the Chamber of Deputies lawfully convenes, provided their mandates are validated.

**Article 207.** - (1) After validation of their mandates, the Deputies shall be issued their passes as Members of the Chamber of Deputies. The passes shall be signed by the President of the Chamber.

(2) Each Deputy shall receive a distinctive badge attesting to his/her capacity as representative of the people, and shall be entitled to wear it throughout his/her term of office.

(3) After expiry of their term of office, Deputies may keep their passes and badges, but shall not be entitled to wear the badges.

(4) The design of the badge shall be established by the Standing Bureau, and the expenditures for its manufacturing shall be covered from the budget of the Chamber of Deputies.

**Article 208.** - A person's capacity as Deputy shall cease on the date when the newly elected Chamber lawfully convenes, or in the event of his/her resignation, loss of election rights, incompatibility, or death.

**Article 209.** - (1) Deputies may resign by means of a written request, filed with the President of the Chamber. The President of the Chamber shall subsequently ask that Deputy, in a public sitting, if he/she persists in requesting the resignation. Should the Deputy give an affirmative answer or if he/she should not come before the Chamber to answer, in spite of him/her being notified, the President shall pronounce the seat vacant.

(2) If the resignation request was submitted on the last working day of a session or during parliamentary holidays, the Deputy shall be deemed to have resigned on the date when the request was submitted. The request shall contain a certification of the signature given before a notary, or a certification of the parties' identities by an attorney at law.

**Article 210.** - Deputies who are Members of the Government shall receive their emoluments and travel allowances from the authorities with which they work.

**Article 211.** - The deductions from a Deputy's monthly emolument in accordance with article 51, article 141 and article 218 shall be approved by the Standing Bureau based on a monthly review of Deputies' attendance at the Chamber's sittings.

*Section 4*  
***Absences and leaves***

**Article 212.** - (1) No Deputy may be absent from the sittings of the Chamber or the meetings of the Committee to which he/she belongs unless he/she has obtained approval for a leave.

(2) Based on approval by the Chamber or the Standing Bureau, the Deputies may participate in other parliamentary activities, in which case they shall not be deemed absent.

(3) The provisions of paragraph (2) shall also apply to the Deputies who are Members of the Government, if their absence was caused by the exercise of the powers pertaining to the position they hold.

(4) A Deputy may be granted a paid leave for personal reasons for a period not to exceed eight days during an entire session, with the consent of the Standing Bureau. Beyond that duration, unpaid leaves may be requested from the Standing Bureau.

(5) The presence of Deputies who are Members of the Government in the plenary sittings of the Chamber of Deputies shall be mandatory at the opening and closure of the session, in the debates on and adoption of draft laws and legislative proposals in their respective fields of competence, during the minister's hour, dedicated to questions and answers to questions, in the debates on interpellations regarding the policy of the ministry they represent, and for the presentation of reports and political statements by the Prime Minister.

#### *Section 5* **Sanctions**

**Article 213.** - (1) Breach of the Standing Orders shall entail the following sanctions:

- a) warning;
- b) call to order;
- c) withdrawal of leave to speak;
- d) exclusion from the sitting hall;
- e) prohibition of attendance at the Chamber sittings for a maximum of 15 days;
- f) temporary expulsion.

(2) The sanctions stipulated under paragraph (1) a), b), c) and d) shall be enforced by the Chairman, and those stipulated under paragraph (1) e) and f) - by the Chamber, following a proposal by the Standing Bureau. (3) With a view to enforcing the sanctions stipulated under paragraph (1) e) and f), the case shall be referred to the Legal, Discipline and Immunities Committee, which shall present a report on the enquiry conducted.

**Article 214.** - On the first breach of the Standing Orders, the Chairman of the Chamber shall warn the Deputy at fault and invite him/her to abide by the Standing Orders.

**Article 215.** - (1) The Deputies who will disregard the Chairman's warning and invitation and continue to breach the Standing Orders, as well as those who, although for the first time, seriously breach the provisions of the Standing Orders, shall be called to order.

(2) The call to order shall be mentioned in the verbatim report.

**Article 216.** - (1) Before calling a Deputy to order, the Chairman of the Chamber shall invite him/her to either withdraw or explain the phrase that has caused disturbance and might justify the enforcement of the sanction.

(2) If the Deputy withdraws the phrase or expresses his/her regret for having used it, or if the explanations he/she offers are deemed satisfactory by the Chairman, the sanction shall not be enforced.

**Article 217.** - If, even after having been called to order, a Deputy should continue to breach the Standing Orders, the Chairman shall withdraw his/her floor, and if he/she should persist in his/her breach, the Chairman shall have him/her excluded from the hall.

**Article 218.** - (1) In the event of serious breaches, repeatedly committed by a Deputy, or of extremely serious breaches, the Chamber may enforce the sanction of prohibiting the Deputy from attending its sittings for a period not to exceed 15 days, or, following a proposal by the Standing Bureau, may decide temporary expulsion of the Deputy at fault.

(2) The seriousness of the breaches shall be assessed by the Legal, Discipline and Immunities Committee within 7 days.

**Article 219.** - (1) A temporary expulsion may cover from one sitting to a maximum of 30 sittings in a session.

(2) Enforcement of a temporary expulsion shall have the following consequences:

- a) suspension of the monthly emolument for the time of expulsion;
- b) suspension of the rights pertaining to the capacity as Deputy, except for immunity;
- c) prohibition to attend the sittings of the Chamber and the Committee meetings.

**Article 220.** - Expulsion shall be enforced by the Quaestor and, if opposition should be met, by means of the public security force made available to the President of the Chamber.

**Article 221.** - (1) In order to maintain order in the Committee meetings, the Chairmen thereof may enforce the sanctions stipulated under article 213 (1) a), b) and c).

(2) If a Deputy should commit extremely serious breaches, the Chairman shall suspend the meeting and notify the case to the Vice-President of the Chamber who is in charge of

the Committee in question, who shall submit it to the Chamber of Deputies with a view to enforcing the sanctions stipulated under the Standing Orders.

**Article 222.** - The sanctions enforced by the Chamber of Deputies shall be published in the Official Gazette of Romania, Part II, and posted on the web site of the Chamber of Deputies.

## **Chapter V** **Service Divisions of the Chamber of Deputies**

**Article 223.** - (1) The staff of the Service Divisions of the Chamber of Deputies shall be run by the Secretary General of the Chamber of Deputies.

(2) The Secretary General and the deputy Secretary General shall be appointed and dismissed by the Chamber of Deputies, following a proposal by the Standing Bureau of the Chamber, after consultations with the Parliamentary Group Leaders Committee.\*

(3) The Secretary General shall be a main credit-ordering authority.

(4) In performing his/her duties, the Secretary General shall issue orders.

*\* Article 223(2) was amended by the Chamber of Deputies Decision no. 4/2006, published in the Official Gazette of Romania, Part I, no. 145 of 15 February 2006.*

**Article 224.** - (1) The Chamber of Deputies shall approve, in a decision, its own budget before the debates on the state budget, and shall refer it to the Government with a view to having it included in the state budget.

(2) Capital expenditures shall be included in the Chamber of Deputies' own budget following consultations with the Government.

## **Chapter VI** **Final provisions**

**Article 225.** - If the term of office of the Chamber of Deputies and of the Senate has expired, the draft laws and legislative proposals placed on their agenda shall continue procedure in the newly elected Chamber of Deputies.

**Article 226.** - The articles regarding mediation, namely articles 80-83 and articles 136-138, shall apply only to constitutional laws.

**Article 227.** - The Chamber of Deputies shall adopt decisions according to the procedure stipulated under articles 86-153.

**Article 228.** - (1) If different interpretations of a text in the Standing Orders should occur, the Standing Orders Committee shall be notified by the Standing Bureau or by the President of the Chamber of Deputies.

(2) The Standing Orders Committee shall provide the Standing Bureau or the President of the Chamber, as the case may be, with a viewpoint regarding the Committee's position on the interpretation of the Standing Orders.

(3) The Standing Orders Committee's viewpoint may constitute a proposal for a subsequent amendment or addition to the Standing Orders, to be submitted to the Standing Bureau.

**Article 229.** - After the Law on the Statute of Deputies and Senators has been adopted, the provisions of the present Standing Orders shall be amended accordingly.

**Article 230.** - The provisions of the present Standing Orders may be amended in compliance with the procedure for drawing up and adopting laws, stipulated under articles 86153, based on the vote by a majority of the Deputies.

#### **NOTE**

The draft laws and legislative proposals registered by the date when the Law for the revision of the Constitution of Romania comes into force shall be debated and adopted under the provisions of the Standing Orders of the Chamber of Deputies prior to the coming into force of the Chamber of Deputies Decision no. 23 of 11 November 2003, published in the Official Gazette of Romania, Part I, no. 798 of 12 November 2003.