

# **RULES OF PROCEDURE OF THE PARLIAMENT OF MONTENEGRO (Consolidated text)**

## **I. GENERAL PROVISIONS**

### **Article 1**

These Rules of Procedure regulate the following: constituting, organisation and manner of work of the Parliament of Montenegro (hereinafter referred to as the Parliament); rights and responsibilities of the Members of the Parliament (MPs); Parliamentary procedures; relations of the Parliament and other state authorities; cooperation of the Parliament with parliaments of other countries; principles for organisation of the Parliamentary Service and other issues of significance for work of the Parliament and exercise of Parliamentary duties.

### **Article 2**

Issues related to organisation and work of the Parliament, Parliamentary procedures and other issues not regulated by these Rules of Procedure may be regulated by a special decision or a conclusion passed by the Parliament.

### **Article 3**

The seat of the Parliament shall be in Podgorica.

### **Article 4**

The Parliament shall have a seal, as envisaged by law.

## **II. CONSTITUTING OF THE PARLIAMENT**

### **Convening of the First Sitting of the Parliament**

### **Article 5**

The President of the Parliament of the previous Parliamentary term shall convene the first sitting of the Parliament following the elections.

Newly elected Members of the Parliament shall be delivered the writs of summons for the first sitting on the day following the day of submission of the Report on elections by the State

Election Commission, and the sitting shall take place no later than five days after the dispatch of the writs of summons to the Members of the Parliament.

### **Article 6**

The first sitting of the Parliament, pending the election of the President of the Parliament, shall be presided by the oldest Member of the Parliament (the Chair), who shall be assisted in his work by the youngest Member of the Parliament and the Secretary General of the Parliament.

### **Article 7**

At the first sitting of the Parliament, the Chair shall verify that the State Election Commission has submitted the Report on conducted elections and announce that the term of office of newly elected Members of the Parliament has commenced as of the submission of the Report of the State Election Commission, and thereafter the President of the Parliament and Vice-Presidents as well as the Chair and members of the Administrative Committee shall be elected.

The verification of the term of office of an MP at the occasion of filling a vacant MP seat during the Parliamentary term shall be performed in the way that the President of the Parliament shall announce that the State Election Commission has submitted the Report on filling the vacant MP seat.

## **II. ORGANISATION OF THE PARLIAMENT**

### **1. President of the Parliament**

#### **1) Scope of Work**

### **Article 8**

The President of the Parliament shall:

- convene and preside the sittings of the Parliament;
- ensure the application of the Rules of Procedure of the Parliament;
- ensure the organisation of the work of the Parliament;
- ensure timely and coordinated work of the working bodies of the Parliament;
- make decisions with regard to receiving foreign delegations and officials as well as their visits;
- make decisions with regard to travelling of MPs abroad, if the relevant costs are to be borne by the Parliament;
- sign acts of the Parliament;
- perform other tasks envisaged by the Constitution, law and these Rules of Procedure.

## **2) Election of the President**

### **Nominating and Electing of Candidates**

#### **Article 9**

A candidate for the President of the Parliament may be nominated by at least 10 MPs.

An MP may take part in nominating one candidate only.

The nomination shall contain: forename and surname of the candidate, brief CV, party affiliation, explanatory statement and forename and surname of the representative of the proposer.

#### **Article 10**

Nominations of candidates for the President of the Parliament shall be handed to the Chair in writing.

The Chair shall communicate all received nominations for the President of the Parliament to MPs.

If there are several nominations, the Chair shall establish a list of candidates by the alphabetic order of their surnames.

#### **Article 11**

Nominations shall be subject to opening of a debate.

The representative of the proposer shall have the right to reason the nomination in the time not exceeding 10 minutes.

#### **Article 12**

The President of the Parliament shall be elected by secret ballot.

The secret ballot for election of the President of the Parliament shall be administered by the Chair, who shall be assisted in his work by the youngest MP and the Secretary General of the Parliament.

A candidate for the President of the Parliament may not administer or assist in administering of the voting.

Secret ballot shall be conducted in line with the provisions of these Rules of Procedure related to deciding by secret ballot.

## **Repeated Elections**

### **Article 13**

If one candidate is nominated for the President of the Parliament, and he is not elected after the first ballot, the election procedure shall be repeated with a new candidate or candidates.

If two candidates are nominated, and none has obtained the required majority of the votes cast, the election procedure shall be repeated with a new candidate or candidates.

If more than two candidates are nominated, and none has obtained the required majority of the votes cast, the ballot shall be repeated for the two candidates with the highest number of votes, or for several candidates in the event of a tie.

If in the second ballot referred to in paragraph 3 of this Article none of the candidates has obtained the required majority of the votes cast, the election procedure shall be repeated with a new candidate or candidates.

## **Termination of Office**

### **Article 14**

The office of the President of the Parliament shall be subject to an early termination in case his term of office as an MP ceases, on his resignation or dismissal.

In case of resignation, the office of the President of the Parliament shall cease on the day of the resignation sitting, or the first following sitting of the Parliament if the resignation notification is submitted during the period between two sittings.

The resignation referred to in paragraph 2 of this Article and termination of office in such respect shall be verified by the Parliament at its sitting.

## **Dismissal of the President**

### **Article 15**

The Parliament may dismiss the President of the Parliament prior to expiry of his term of office by applying the provisions of these Rules of Procedure related to the election of the President of the Parliament.

### **Article 16**

In case the office of the President of the Parliament ceases prior to expiry of his term of office, the Parliament shall on the same, or no later than the following sitting proceed with the

election procedure of the President of the Parliament, in line with the provisions of these Rules of Procedure.

The voting for election of the President in respect of paragraph 1 of this Article shall be administered by the Vice-President of the Parliament who shall be assisted in his work by the Secretary General of the Parliament.

If the term of office of the President of the Parliament ceases prior to its expiry, the duties of the President of the Parliament shall be performed by the Vice-President of the Parliament from the MP Group with the highest number of MPs, until the new President of the Parliament has been elected.

## **2. Vice-President of the Parliament**

### **1) Scope of Work**

#### **Article 17**

The Vice-President of the Parliament shall assist the President of the Parliament in performing activities from his scope of work.

The Vice-President of the Parliament designated by the President of the Parliament shall substitute the President in case of his temporary absence.

If the President of the Parliament fails to designate a Vice-President to substitute him, the Vice-President of the Parliament from the MP group with the highest number of MPs shall substitute him.

### **2) Number and Election of Vice-Presidents**

#### **Number of Vice-Presidents**

#### **Article 18**

The Parliament shall have several Vice-Presidents.

The Parliament shall establish the number of Vice-Presidents on proposal of the President of the Parliament at the occasion of their election.

One of the Vice-Presidents shall be elected from the opposition on proposal of the opposition.

## **Nomination and Election of Candidates**

### **Article 19**

At least 10 MPs may nominate one or several candidates for a Vice-President of the Parliament, but not exceeding the number of seats to be filled.

The nomination should include: candidate's forename and surname, brief CV, party affiliation, explanatory statement and forename and surname of the representative of the proposer.

The nomination of candidates for a Vice-President of the Parliament shall be handed to the President of the Parliament in writing.

The President of the Parliament shall forward all nominations for the Vice-President of the Parliament to the Members of the Parliament.

Candidate nominations shall be subject to opening of a debate.

### **Article 20**

The Vice-President of the Parliament shall be elected by secret ballot, in the way that an MP shall circle the ordinal number preceding the name of the candidate in whose favour he votes, but the number of candidates voted for may not exceed the number of Vice-Presidents to be elected from Parliamentary majority, or opposition.

### **Article 21**

If the number of nominated candidates for the Vice-President of the Parliament equals the number of seats to be filled and if the opposition nominates a candidate from among its members, the President of the Parliament shall draw up a list of candidates by alphabetical order of their surnames and designate if they are the candidates of the parliamentary majority or opposition next to their names.

If in the case referred to in paragraph 1 of this Article the envisaged number of Vice-Presidents fails to be elected, the election procedure shall be repeated for the number of Vice-Presidents that has not been elected, with a new candidate or candidates.

### **Article 22**

If the number of nominations for the Vice-President of the Parliament is higher than the number of seats to be filled and if opposition nominates a candidate from among its members, the President of the Parliament shall draw up a list of candidates by alphabetical order of candidates' surnames and designate if they are the candidates of the parliamentary majority or

opposition, noting how many Vice-Presidents are to be elected from parliamentary majority and how many from opposition.

If in the case referred to in paragraph 1 of this Article the envisaged number of Vice-Presidents fails to be elected, the election procedure shall be repeated for the number of Vice-Presidents that has not been elected from out of the remaining candidates.

If the envisaged number of Vice-Presidents fails to be elected in the repeated election, the election procedure shall be repeated for the number of Vice-Presidents that has not been elected, with a new candidate or candidates.

### **Termination of Office**

#### **Article 23**

The office of the Vice-President of the Parliament shall be subject to an early termination in case his term of office as an MP ceases, on his resignation or dismissal, according to the procedure and in the way envisaged for termination of office of the President of the Parliament.

In case of an early termination of office of the Vice-President of the Parliament, the election of the Vice-President of the Parliament shall be conducted according to the procedure and in the way envisaged for election of the Vice-President of the Parliament.

### **Oath of the President and Vice-President**

#### **Article 24**

The President and Vice-President of the Parliament shall take oath before the Parliament on the day of election.

The wording of the oath is as follows: "I swear I will perform my duties uprightly, trustworthily and conscientiously".

### **3. Collegium of the President of the Parliament**

#### **Article 25**

The President of the Parliament, Vice-Presidents of the Parliament and chairs of MP Groups shall constitute the Collegium of the President of the Parliament. Secretary General of the Parliament and chairs of specific committees shall take part in the work of the Collegium, if required.

**Article 26**

The Collegium of the President of the Parliament shall:

- 1) consider the issues of organisation and work of the Parliament and committees and agree on undertaking measures for improvement of such work;
- 2) ensure and agree on application of these Rules of Procedure and procedures in the Parliament;
- 3) plan the work of the session and sittings of the Parliament;
- 4) agree on convening the Parliament and proposal agenda of sittings;
- 5) ensure the creation of conditions for the work of MP Groups;
- 6) ensure cooperation of the Parliament with authorities and organizations in Montenegro and parliamentary cooperation with parliaments of other countries and parliamentary assemblies of international organizations;
- 7) agree on visits of the delegation and composition of the delegation of the Parliament to parliaments of other countries and parliamentary assemblies of international organizations;
- 8) establish and submit an application for provision of funds for the work of the Parliament and Parliamentary Service on proposal of the Secretary General of the Parliament;
- 9) in the course of a sitting of the Parliament, if needed or requested by the President of the Parliament or a specific MP Group, consider issues of work and procedures of such sitting and come to relevant agreements;
- 10) ensure the public nature of the work of the Parliament.

The Collegium of the President of the Parliament shall agree and decide with regard to the issues referred to in paragraph 1 of this Article on the meeting convened by the President of the Parliament, at his own initiative or on proposal of a specific MP Group. In case an agreement cannot be achieved with regard to a specific issue, the President of the Parliament shall make a decision in line with these Rules of Procedure.

## **4. Secretary General of the Parliament**

### **Appointment**

#### **Article 27**

Secretary General of the Parliament shall be appointed and dismissed by the Parliament, on proposal by the President of the Parliament.

Secretary General shall be appointed for the period of four years.

The nomination for appointment of Secretary General shall include: candidate's forename and surname, brief CV and explanatory statement.

### **Authorisations**

#### **Article 28**

Secretary General of the Parliament shall:

- assist the President and Vice-President of the Parliament in applying these Rules of Procedure;
- ensure the development of the original laws and other acts of the Parliament and be responsible for their accuracy, safeguarding and recording;
- manage the Parliamentary Service;
- ensure implementation of the conclusions of the Parliament;
- prepare the proposal application for provision of budgetary funds for the work of the Parliament and Parliamentary Service;
- be the order issuer for financial and material business of the Parliament and Parliamentary Service and submit the report on use of the funds to the Collegium of the President of the Parliament and Committee on Economy, Finance and Budget, if required by them;
- perform other tasks as envisaged by law and these Rules of Procedure and those entrusted by the President of the Parliament.

## **Deputy Secretary General and Assistant Secretary General**

### **Article 29**

Secretary General of the Parliament shall have a deputy who shall assist in his work and substitute him in case of absence.

Deputy Secretary General shall be appointed and dismissed by the Parliament on proposal of the President of the Parliament.

Deputy Secretary General of the Parliament shall be appointed for the period of four years.

Secretary General and Deputy Secretary General shall report to the Parliament.

Secretary General of the Parliament shall have one or several assistants who are to be appointed by Administrative Committee on proposal of the Secretary General.

### **Article 30**

The office of the Secretary General and Deputy Secretary General of the Parliament shall be subject to early termination by the way of resignation or dismissal.

## **5. MPs Clubs**

### **Establishing and Composition**

#### **Article 31**

MPs Clubs are established under the Parliament.

An MPs Club comprises no less than three MPs, and an MP may be a member of one MPs Club only.

An MPs Club comprises MPs who belong to the same political party or coalition.

MPs from one political party may establish one MPs Club only.

An MPs Club may also be established by association of minimum three MPs from different political parties who are not able to establish an MP Club in respect of paragraphs 2 and 3 of this Article.

An MPs Club may also be established by association of non-attached MPs, MPs elected from the list of candidates of the Group of Citizens and MPs who do not establish a club in respect of paragraph 5 of this Article (Special MPs Club).

An MPs Club is, by rule, constituted on the first sitting in the way that the President of the Parliament is handed a list of the members of the club, signed by each member of the club, with special designation of the chairman of the club.

### **Conditions for Work of a Club**

#### **Article 32**

Secretary General of the Parliament, in agreement with the President of the Parliament, i.e. the Collegium of the President of the Parliament shall provide the space and other technical facilities required for work of MPs Clubs, proportionally to the number of the members of the club.

An MPs Club may have a secretary of the club, engaged by the club at expense of the funds of the Parliament.

At the expense of the funds of the Parliament, MPs Club may also hire professional consultants, in the cases as follows:

- MPs Club composed of up to five members – one professional consultant;
- MPs Club composed of six to fifteen members - two professional consultants;
- MPs Club composed of more than fifteen members – one additional professional consultant for every tenth member.

## **6. Working Bodies of the Parliament**

### **1) Establishing and Composition**

#### **Establishing of Committees**

#### **Article 33**

In order to consider proposal acts, propose acts, conduct parliamentary control and perform other activities under the responsibility of the Parliament, the Parliament shall establish committees as its working bodies.

Committees shall be established as standing or temporary.

Standing committees shall be established by these Rules of Procedure, and, if needed, they may be established by a special decision of the Parliament.

Standing committees may establish sub-committees for the purpose of performing specific tasks under their responsibility.

Temporary committees shall be established by a special decision of the Parliament. The decision on establishing a temporary committee shall define the task and composition of such committee, as well as the time frame for completion of the task.

Temporary committee shall terminate its work after the completion of the task, or upon the expiry of its term.

## **Committee Composition**

### **Article 34**

A committee shall have a chair and a specific number of members.

The number of committee members shall be determined at the occasion of their election.

The composition of a committee, including the chair and deputy chair, by rule shall correspond to the party composition of MPs in the Parliament.

An MP may be a member in three standing committees at most.

On its first meeting the Committee shall elect from its composition a deputy chair of the committee, provided that the Chair and Deputy Chair may both be neither from the Parliamentary majority nor opposition.

Deputy Chair of the committee shall have rights, duties and responsibilities of the Chair in case of his absence or inability to attend, as established by these Rules of Procedure.

The committee shall have a secretary who shall assist the Chair of the Committee in performing the tasks of the committee.

## **Election of Committee Members**

### **Article 35**

The Chair and members of the Committee shall be elected based on the candidate list.

The candidate list shall include: number of members to be elected, forename and surname of chair candidates and member candidates in the number to be elected, for each committee separately.

The Chair or individual member of the committee shall be elected subsequently based on individual proposals.

**Article 36**

Candidate list for the Chair and members of the Administrative Committee shall be submitted by the President of the Parliament, based on the proposal of MP Groups.

The candidate list for the Chair and members of other committees shall be submitted by Administrative Committee, based on the proposal of MP Groups.

Should a specific MP Group fail to nominate a candidate for committee member of the relevant committee that it is entitled to, the members of the committee shall be elected based on nominations by MP Groups, where such composition shall be considered to be full in terms of quorum for work and deciding, provided that more than a half of committee members have been elected.

**Article 37**

The Parliament shall decide on the candidate list for the Chair and members of a committee as a single unit by open voting.

If the candidate list for the Chair and members of the committee fails to be supported by required majority, the voting shall be repeated.

If the list fails to be supported by required majority votes in the repeated voting, a new proposal list shall be submitted.

**2) Parliament Committees****Standing Committees****Article 38**

Standing Committees of the Parliament are as follows:

- 1) Constitutional Issues and Legislative Committee;
- 2) Committee on Political System, Judiciary and Administration;
- 3) Security and Defence Committee;
- 4) Committee on International Relations and European Integration;
- 5) Committee on Economy, Finance and Budget;

- 6) Committee on Human Rights and Freedoms;
- 7) Gender Equality Committee;
- 8) Committee on Tourism, Agriculture, Ecology and Spatial Planning;
- 9) Committee on Education, Science, Culture and Sports;
- 10) Committee on Health, Labour and Social Welfare;
- 11) Administrative Committee.

### **Constitutional Issues and Legislative Committee**

#### **Article 39**

The Constitutional Issues and Legislative Committee shall consider the proposal for amendments to the Constitution; establish the wording of the draft and proposal amendments to the Constitution and wording of the draft and proposal Constitution; consider proposal for initiating the procedure for establishing if the President of Montenegro has violated the Constitution and consider general issues of application of the Constitution; consider: Bills, other regulations and general acts adopted by the Parliament from the aspect of their compliance with the Constitution and legal system; proposal for authentic interpretation of laws, other regulations and general acts of the Parliament; acts on initiating a procedure for assessment of constitutionality of laws or constitutionality and legality of other regulations and general acts of the Parliament; ensure unique legislative methodology, as well as unique legal-technical processing of acts adopted by the Parliament; establish consolidated text of laws, regulations and general acts if authorised by law, other regulation or general act of the Parliament; monitor and consider issues, which according to the Constitution, should be regulated by the Rules of Procedure of the Parliament, monitor the application of the Rules of Procedure and point out issues related to its application, propose amendments to the Rules of Procedure and consider proposals for amendments to the Rules of Procedure submitted by other authorised proposers.

### **Committee on Political System, Judiciary and Administration**

#### **Article 40**

The Committee on Political System, Judiciary and Administration shall consider Bills, other regulations and general acts and other issues related to: establishing, organising and responsibilities of authorities and procedures before such authorities; local self-government

system; state symbols; use of national symbols; state holidays; Montenegrin citizenship; electoral system; referendum; territorial organisation of Montenegro; organisation and position of the Capital and Historical Capital; media and radio-broadcasting system; criminal and other acts, liability and penalties; amnesty, pardoning and legal aid.

## **Security and Defence Committee**

### **Article 41**

The Security and Defence Committee shall conduct parliamentary control of the work of the police and National Security Agency; consider exercise of the Constitutional freedoms and rights of man and citizen in application of authorisations of the police and National Security Agency; consider Bills, other regulations and general acts, strategy and other issues from the area of security and defence of Montenegro and its citizens; consider nominations for the head of the police and director of the National Security Agency.

The Committee shall act in the way prescribed by the Law on Police and the Law on National Security Agency in conducting the control under its responsibility.

## **Committee on International Relations and European Integration**

### **Article 42**

The Committee on International Relations and European Integration shall monitor and, if required, initiate harmonisation of the legal system of Montenegro with *Acquis Communautaire*; monitor exercise of rights and obligations of Montenegro arising from international treaties and acts of the Council of Europe; consider EU assistance and cooperation programmes; consider other acts and issues under the responsibility of the Parliament in this area; consider Bills on confirmation (ratification) of international treaties; propose platforms for debates with foreign delegations and consider reports on visits paid, participation in international gatherings and study visits under its responsibility; issue opinions on ambassador candidates and heads of other diplomatic representative offices abroad; adopt annual programme and three-month detailed international cooperation programmes; cooperate and exchange experiences with relevant working bodies in other parliaments and international integrations, through establishing of joint bodies, friendship groups, undertaking joint actions, agreeing positions on issues of joint interest.

## **Committee on Economy, Finance and Budget**

### **Article 43**

The Committee on Economy, Finance and Budget shall consider Bills, other regulations and general acts and other issues related to: development and strategy of economic development of Montenegro; conditions for operation of market and market competition; business operation, entrepreneurship and capital investments; natural resources, energy, mining, industry, maritime, transport and trade activities; budget of Montenegro and final account of the budget of Montenegro; financial rights and obligations of Montenegro; taxes and other duties; customs; banks; securities; credits, public loans and borrowings of Montenegro; insurance of property and persons; games of chance; property-legal, ownership and contract relations.

## **Committee on Human Rights and Freedoms**

### **Article 44**

The Committee on Human Rights and Freedoms shall consider Bills, other regulations and general acts and other issues related to: freedoms and rights of man and citizen, with special view on minority rights, application of ratified international acts related to exercise, protection and improvement of such rights; monitor exercise of documents, measures and activities for improvement of national, ethnical and other equality, particularly in the area of education, health care, information, social policy, employment, entrepreneurship, decision-making process and the like; take part in preparing and drafting documents and harmonising legislation in this area with European legislation standards; cooperate with relevant working bodies of other parliaments and non-governmental organisations from this area.

## **Gender Equality Committee**

### **Article 45**

The Gender Equality Committee shall consider Bills, other regulations and general acts related to exercise of gender equality principles; monitor application of these rights through enforcement of laws and improvement of gender equality principles, particularly in the area of rights of children, family relations, employment, entrepreneurship, decision-making process, education, health care, social policy and information; take part in preparing, drafting and harmonising of laws and other acts with European legislation standards and EU programmes related to gender equality; affirm signing of international documents treating this issue and monitor their application; cooperate with relevant working bodies of other parliaments and non-governmental organisations from this area.

## **Committee on Tourism, Agriculture, Ecology and Spatial Planning**

### **Article 46**

The Committee on Tourism, Agriculture, Ecology and Spatial Planning shall consider Bills, other regulations and general acts and other issues related to: development of tourism; tourism activity and hospitality industry and relevant activities; agriculture; forestry; water management; marine and freshwater fishery; rural development; hunting; protection of plants against diseases and pests; health care for animals and other issues from the area of tourism and agriculture; protection and improvement of the environment, nature and natural resources; national parks; protection against hazardous and harmful matters; protection of other sources endangering the environment; spatial planning and urban development; housing relations; construction; development and use of buildable land, and other issues from the area of ecology and spatial planning.

## **Committee on Education, Science, Culture and Sports**

### **Article 47**

The Committee on Education, Science, Culture and Sports shall consider Bills, other regulations and general acts and other issues related to: preschool, primary, special and secondary education, two-year post secondary and university education; science and scientific-research activity; culture; art; technical culture; international scientific, educational-cultural and technical cooperation; protection of scientific, cultural, artistic and historical values; sports and physical culture.

## **Committee on Health, Labour and Social Welfare**

### **Article 48**

The Committee on Health, Labour and Social Welfare shall consider Bills, other regulations and general acts and other issues related to: health care and health insurance; establishing and organising health care facilities; labour relations; employment; safety at work; care for invalids, mothers and children; pension and disability insurance; social care and any other forms of social care; marriage and family.

## **Administrative Committee**

### **Article 49**

The Administrative Committee shall submit to the Parliament proposals for election, appointment and dismissal, save proposals to be submitted by other movers in line with the Constitution and law; adopt more detailed regulations governing specific issues related to

exercise of rights and duties of MPs and officials elected or appointed by the Parliament; adopt specific acts on status issues of MPs and officials elected or appointed by the Parliament; issue consent on the act on organisation and systematisation of working places in the Parliamentary Service; assign persons to working places as envisaged by the act on organisation and systematisation on proposal of the Secretary General of the Parliament; establish pays and allowances for work engagement of professional and scientific workers in the committees of the Parliament; consider issues of applying or denying immunity to MPs and other issues related to credentials and privileges of MPs; perform other tasks as envisaged by law, these Rules of Procedure and other regulations. General acts adopted by the Administrative Committee shall be published in the Official Gazette of Montenegro.

### **III. RIGHTS AND DUTIES OF MEMBERS OF THE PARLIAMENT**

#### **1. General Provisions**

##### **Official Materials, Explanations and Notifications**

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

A Member of the Parliament shall be entitled to access any official materials, documents and data prepared or collected in the committees or Parliamentary Service, Government, ministries and other state administration authorities, related to issues of significance for exercise of MP duties.

A Member of the Parliament shall be entitled to demand notifications and explanations from the President of the Parliament, the chair of the working body, minister or other official with regard to activities under the scope of rights and duties of such officials, or activities under the responsibility of authorities they manage, which are required for exercise of MP duties.

The request for notification or explanation referred to in paragraph 2 of this Article shall be submitted in writing.

##### **Wages, Pays and Allowances**

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

A Member of the Parliament shall be entitled to wage, fringe benefits, pay or allowance for performance of MP duties, and an MP performing additional functions in the Parliament shall also be entitled to additional payments for such functions, in line with the Constitution, law, these Rules of Procedure and a special decision adopted by the Parliament on proposal of the Administrative Committee.

Chairs of committees and MP Groups shall be entitled to additional payments for work (wage) in line with the act referred to in paragraph 1 of this Article.

### **Language Use**

#### **Article 52**

A member of the Parliament whose language is not the official language of Montenegro shall be entitled to use his language at the sittings of the Parliament, provided that he informs the Secretary General of the Parliament of the intention to use this right on timely basis, so that Secretary General would be able to provide translation to the official language.

### **Work Conditions**

#### **Article 53**

In order to perform his duties, an MP shall be entitled to demand the following from the Parliamentary Service, under the scope of its tasks:

- to ensure required conditions for performance of duties;
- to provide professional assistance in drafting proposals to be submitted to the Parliament and committees, and assistance in performing other tasks as entrusted by the committee or the Parliament;
- to ensure use of required documentation for issues on the agenda of the Parliament or a committee;
- to provide professional explanation of specific issues arising in the course of work of a committee or the Parliament.

#### **Article 54**

A member of the Parliament shall be entitled to use the premises that are at his disposal for work and meetings with citizens in line with the regulation on internal order in the Parliament.

### **Participation in Work**

#### **Article 55**

A member of the Parliament shall be obliged to take part in the work of the Parliament and the committee he is a member of, and make decisions.

A member of the Parliament may take part in the work of a committee he is not a member of, but with no right to make decisions.

### **Absence**

#### **Article 56**

A member of the Parliament not able to attend a sitting of the Parliament, or a committee, shall be obliged to inform the President of the Parliament, or the chair of the committee on the reasons of absence no later than one day prior to the beginning of a scheduled or resumed sitting, unless he is in no position to do so for the reasons beyond his influence.

#### **Article 57**

Attendance register shall be kept on the presence of MPs to the sittings of the Parliament and meetings of committees.

Attendance in terms of paragraph 1 of this Article shall be established and verified on daily basis at the beginning of the sitting.

Secretary General of the Parliament or secretary of the committee shall ensure keeping of the attendance register.

Collegium of the President of the Parliament shall be informed of the attendance records in terms of paragraphs 1 and 2 of this Article.

## **2. Immunity**

#### **Article 58**

The President of the Parliament shall address the request for approving the initiation of a criminal proceeding or determination of detention for an MP to the Administrative Committee.

The Committee is obliged to submit its report including the proposal, by rule, on the first following sitting of the Parliament.

#### **Article 59**

The provisions of these Rules of Procedure relevant to deciding on immunity rights of MPs shall be applied on deciding on immunity rights of the President of Montenegro, Prime Minister and members of the Government, President of the Supreme Court, President and Judges of the Constitutional Court and Supreme State Prosecutor.

## **MPs ID Card**

### **Article 60**

A member of the Parliament shall be issued an MP's ID card.

MP's ID card shall include: MP's forename and surname, immunity rights of the MP and other rights the MP might exercise in respect of the ID card.

MP's ID card shall be printed in the language officially used in Montenegro and in English.

The content, shape and records to be kept with regard to MP's ID cards shall be prescribed by the Secretary General of the Parliament.

Secretary General of the Parliament shall ensure issuance and record keeping of issued MP's ID cards.

## **MP's Resignation**

### **Article 61**

A Member of the Parliament shall resign in writing and hand his resignation to the President of the Parliament.

The President of the Parliament shall communicate the resignation to all MPs immediately.

The resignation referred to in paragraph 1 of this Article and termination of the term of office of an MP in such respect shall be verified by the Parliament at the sitting of resignation or at the first following sitting if the resignation notification is submitted in the period between the sittings.

The Parliament shall inform the State Election Commission on the termination of the term of office of the MP.

## **IV. COMMITTEE'S MEETING**

### **1. Committee Convening**

#### **Article 62**

Committee shall work in meetings.

The Chair of the Committee shall convene the meeting of the Committee and propose agenda for the meeting.

The writs of summons, with proposal agenda shall be dispatched to the members of the Committee, by rule, no later than seven days prior to the day of holding of the committee's meeting.

The Chair of the Committee may convene a committee's meeting on a notice shorter than seven days, but he is obliged to inform the members of the committee about the subject to be considered at such meeting, and explain the reasons for convening the committee meeting on the shorter notice.

### **Article 63**

The Chair of the Committee shall be obliged to convene the committee's meeting, if requested by the President of the Parliament or a third of the members of the committee, stating the issues to be placed on the agenda of the committee's meeting.

If in the case referred to in paragraph 1 of this Article the committee fails to be convened by the Chair of the Committee, the Committee shall be convened by the President of the Parliament.

### **Article 64**

The Chair of the Committee shall: coordinate the work of the committee with other committees and the work of the Parliament, cooperate with the President and Vice-President of the Parliament, chairs of other committees and representatives of state authorities with regard to the issues under the scope of the committee.

The Chair of the Committee shall ensure enforcement of conclusions of the committee and perform other tasks envisaged by these Rules of Procedure.

## **2. Work of Committee's Meetings**

### **Article 65**

Committee shall work if majority members of the committee attend the meeting, and make decisions by majority votes of present members.

If Committee has no required majority to work, due to absence or inability of an individual member to attend, the absent committee member may be substituted by the Chair of the Group or member of the Group as designated by the Group who shall have the right to decide.

**Article 66**

Committees shall have mutual cooperation with regard to issues of joint interest or from joint responsibility and may have joint meetings, as agreed by the Chairs of the Committees.

**Participating in Committee's Meetings****Article 67**

Representatives of the proposer of an act and submitters of amendments to the proposal act considered in the sitting shall take part in the work of the Committee. Otherwise, the consideration of the proposal act shall be postponed.

Representatives of the Government, representatives of scientific and professional institutions, other legal entities and non-governmental organisations, as well as individual professional and scientific workers shall take part in the work of the committee, if invited, having no right to decide.

**Article 68**

A Committee may demand data and information of significance for performing its duties under its responsibility from any state authority.

**Committee's Report****Article 69**

Committee shall be obliged to consider each issue under its scope of work, i.e. each proposal act submitted to it and submit a report to the Parliament.

Committee shall submit reports including the opinion and proposal of the Committee to the Parliament.

Committee shall also submit reports to the Parliament in case of divided opinions and proposals, i.e. when they are not supported by required majority.

If requested by a member of the Committee who has dissented his opinion, the report of the Committee shall specify that the same has dissented his opinion.

The Chair of the Committee shall sign the reports of the Committee.

### **Article 70**

Committee shall designate a Rapporteur who shall explain the opinion and proposal of the Committee at his own initiative or at request of the Parliament.

At the sitting of the Parliament the Rapporteur shall present the position on behalf of the Committee with regard to issues related to the opinion or proposal of the Committee and may not amend or abandon the proposal of the Committee, unless otherwise authorised by the Committee.

### **Minutes from Committee's Meetings**

#### **Article 71**

Minutes shall be taken on the work carried out at the meeting of the Committee.

The minutes shall include the basic information on the meeting, issues considered, opinions and positions presented and opinion and proposal adopted by the Committee.

The adopted minutes shall be signed by the Secretary and the Chair of the Committee.

Prior to adoption, the minutes may be used only if approved by the Chair of the Committee.

Individual meetings shall be noted down in shorthand or audio recorded, if decided by the Committee, on proposal of the Chair of the Committee or if requested by one third of the members of the Committee.

### **3. Parliamentary Hearings and Inquiries**

#### **Article 72**

Parliamentary hearings and inquiries may be organised under competent (line) Committees of the Parliament for the purpose of obtaining information, or professional opinions related to a proposal act under the procedure in the Parliament, explanations of specific solutions from proposed or existent acts, clarification of issues significant for preparing of proposal acts, and for more successful exercise of the control function of the Parliament.

#### **1) Consultative Hearing**

#### **Article 73**

For the purpose of performing tasks under its competence (consideration of proposal acts, preparing proposal acts or study of specific issues) and obtaining required information and

professional opinions, particularly on proposal solutions and other issues of special interest for citizens and the public, a Committee may, if needed or for a specific period, engage scientific and professional workers for specific areas (hereinafter referred to as scientific and professional consultants), representatives of state authorities and non-governmental organisations, having no right to decide (consultative hearing).

The decision on engagement of scientific and professional consultants shall be adopted by the Committee.

For the purpose of executing tasks under its scope of work, a Committee may establish special working groups and engage scientific and professional consultants as their members.

For the purpose of preparing Members of the Parliament to decide in respect of motions for election of individual officials, the Committee responsible for the area for which election is carried out may summon the authorised mover as well as nominated candidates to consultative hearing.

#### **Article 74**

In addition to the reimbursement of the expenses incurred in relation to coming to the meeting of the Committee, scientific and professional consultants referred to in Article 67 of these Rules of Procedure shall be entitled to a special fee for work, subject to their engagement.

The reimbursement of expenses and the fee referred to in paragraph 1 of this Article shall be paid in accordance with the act and in the amount as established by the Administrative Committee.

### **2) Control Hearing**

#### **Article 75**

In order to obtain information or professional opinions on specific issues under its competence, and specific issues related to establishing and implementing of the policy and law or other activities of the Government and state administration authorities, which cause obscurity, dilemmas or principle related disputes, the competent Committee may invite the responsible representative of the Government or other state administration authority to the meeting and ask him to express the position with regard to such issues (hereinafter referred to as control hearing) with the view to clarify such issues.

The decision on control hearing shall be made by majority votes of the total number of the members of the Committee.

The Chair of the Committee shall communicate the decision on control hearing to the President and Vice-President of the Parliament and summon the person to the hearing in writing and inform the same about the issues that are the subject of hearing and may require that he provides his opinion and positions in writing.

The summoned authorised representatives of state authorities shall be obliged to respond to the summons to control hearing.

### **Article 76**

In the course of the control hearing, the members of the Committee may pose questions on the person summoned to the hearing if related to the subject of the hearing only.

There may be a debate with the person providing information at the meeting of the Committee, if it is required for discussing and clarifying specific issues and facts.

The Committee shall decide on the need to open the debate referred to in paragraph 2 of this Article, its duration and participation of individual members of the Committee, where one Committee member from each MP Group, if wishing to do so, must be facilitated to take part.

### **Article 77**

Control hearing, by rule, shall be audio recorded, or subject to taking of notes, while technical and other corrections may be made only upon agreement and with the approval by the person whose statement is in question.

The Committee shall draw up and submit a report on control hearing to the Parliament, which shall contain the summary of the presentation, and may propose a relevant conclusion or other act.

## **3) Parliamentary Inquiry**

### **Article 78**

Parliamentary inquiry may be opened with the view of considering the situation in a specific area and considering of issues of public significance, collecting information and facts on specific occurrences and events related to establishing and leading policy and work of competent authorities in such areas, which could be the grounds for decisions to be made by the Parliament on political responsibility of public officials or undertaking other procedures under its competence.

The Parliament may establish an inquiry committee from out of MPs in order to perform the tasks referred to in paragraph 1 of this Article.

**Article 79**

Proposal for opening of a Parliamentary inquiry and establishing of an inquiry committee may be submitted by at least 27 Members of the Parliament.

The proposal referred to in paragraph 1 of this Article shall be submitted in writing, must be reasoned and include but not be limited to: the name of the committee, subject, purpose and goal of the parliamentary inquiry, task and composition of the Inquiry Committee and deadline for completion of the task.

The chair of the Inquiry Committee shall be from out of the opposition MPs.

**Article 80**

The motion for parliamentary inquiry and establishing of the Inquiry Committee shall be proposed for the agenda of the following sitting of the Parliament convened in line with these Rules of Procedure.

After additional explanation by the representative of the mover and representative of the responsible Committee, the Parliament shall decide without debate on the motion referred to in paragraph 1 of this Article as a whole.

The President of the Parliament shall immediately communicate the proposal referred to in paragraph 1 of this Article to the Minister of Justice and ask him to provide information if a court proceeding is pending with regard to the same facts or issues.

If the Minister of Justice confirms that a court proceeding is pending, the President of the Parliament shall not act in the way and within the timeframe referred to in paragraph 1 of this Article, and decision on the proposal shall be postponed until final and binding resolution of the court proceeding.

Should the court proceeding initiate after the establishing of the Inquiry Committee, the Inquiry Committee shall suspend its work until the final and binding completion of the court proceeding.

**Article 81**

Inquiry Committee shall have the right to request data, documents and notifications from state authorities and individual organisations with the aim to conduct a parliamentary inquiry, and also take statements from individuals, if assessed as necessary.

State authorities and other organisations, as well as individuals are obliged to provide authentic documents, data, notifications and statements requested from them by the Inquiry Committee.

## **Article 82**

After the parliamentary inquiry is completed, the Inquiry Committee shall submit the report to the Parliament, which also may include proposal relevant measures or acts under the competence of the Parliament.

The Inquiry Committee shall cease to exist on the day of the decision made by the Parliament on its report, or upon the expiry of the time frame laid down when it was set up.

## **V. SESSION AND SITTINGS OF THE PARLIAMENT**

### **A. ORDINARY SESSION**

#### **1. Duration of Ordinary Session**

##### **Session Timing**

### **Article 83**

The first ordinary session of the Parliament (spring session) shall commence on the first working day in March and last until the end of July.

The second ordinary session (autumn session) of the Parliament shall commence on the first working day in October and last until the end of December.

During its session the Parliament shall work in sittings.

#### **2. Sitting Convening and Participation in Work**

##### **Sitting Convening**

### **Article 84**

The President of the Parliament shall convene the sitting of the Parliament.

A motion for convening of the Parliament may be submitted by 1/3 of MPs or the Government.

### **Article 85**

The writ of summons to the sitting of the Parliament shall include the day of its holding, the commencement time and proposal agenda for the sitting.

The writs of summons shall be sent to MPs no less than 15 days prior to the day determined for holding of the sitting. Materials proposed for the agenda of the sitting shall be delivered along with the writ of summons, unless they are delivered sooner.

If the materials proposed for the agenda of the sitting are delivered to MPs 15 days before the day determined for holding of the session, the writ of summons of the Parliament may be dispatched within seven days prior to the day determined for holding such sitting.

Exceptionally, the President of the Parliament may convene the Parliament within the period shorter than seven days and propose the agenda on the sitting itself, based on the agreement reached in the Collegium of the President of the Parliament.

### **Agenda Proposal**

#### **Article 86**

Proposal agenda of the sitting may include only proposal acts prepared in accordance with the Constitution, law and these Rules of Procedure.

The Parliament may not make decisions with regard to issues if the material relevant to the same has not been delivered to MPs in advance.

The Parliament may not make decisions with regard to issues without the opinion of the competent Committee, unless otherwise determined by these Rules of Procedure.

### **Notice of a Sitting**

#### **Article 87**

The President of the Parliament shall notify the President of Montenegro and the Government of the convening of the Parliament and proposed agenda of the sitting.

President of Montenegro, Prime Minister and members of the Government and other persons invited to the sitting may take part in its work.

#### **Article 88**

The Work Plan of sessions and sittings shall set the time of holding and manner of work of sittings.

### **Article 89**

A high foreign official in the capacity of a guest of the Parliament may address the MPs at the sitting of the Parliament.

The Sitting of the Parliament under the circumstances referred to in the first paragraph of this article shall be convened by the President of the Parliament.

## **3. Session Course**

### **1) Establishing of the Quorum and Agenda**

#### **Quorum Required for Sitting**

### **Article 90**

The President of the Parliament shall open the sitting of the Parliament and establish if majority of the total number of MPs is attending (hereinafter referred to as quorum).

The quorum is required for: the beginning of the sitting; approving of minutes; establishing of agenda and decision making. Quorum is not required during the debate at the sitting.

The quorum shall be established by application of electronic voting system, in the way that each MP shall be obliged to personally identify himself (register) by inserting his ID card in the slot of the device on his MP seat or based on the records of the Secretary General of the Parliament.

If required by 10 MPs, the quorum shall be established by roll call of MPs.

The President of the Parliament shall inform the MPs about the MPs who have announced, i.e. reasoned their absence, and the persons invited to attend the sitting.

#### **Approving of Minutes**

### **Article 91**

Before establishing the agenda of the sitting, the Parliament shall approve the Minutes from the previous sitting.

An MP may raise an objection to the Minutes and demand it to be subject to relevant amendments.

The validity of grounds of objections to the Minutes shall be decided on without debate.

The President of the Parliament shall establish that the Minutes have been approved without objections or with accepted amendments.

### **Establishing of Agenda**

#### **Article 92**

Agenda of the sitting shall be adopted at the sitting.

An MP, working body of the Parliament and Government may propose amendments to the proposed agenda.

Proposals shall be submitted to the President of the Parliament in writing, no later than the beginning of the sitting.

The President of the Parliament shall provide required information with regard to the proposed agenda, then the debate and decision making on individual proposals referred to in paragraph 2 of this Article shall proceed.

Only the proposer of the amendment to the agenda or his representative and proposer or representative of the proposer of the act for which the amendment to the agenda is proposed may take part in the debate on the proposed amendments, and the speaking time in the debate may not exceed three minutes.

The Parliament shall decide on each proposal, first on the proposal for removal of specific items from the agenda, and then proposals for supplementing the agenda.

In terms of proposals referred to in paragraph 2 of this Article, only a proposal act submitted no later than 24 hours prior to the beginning of the sitting can be placed on the agenda.

During the period prior to the decision on the proposal agenda as a whole, the President of the Parliament may propose a specific item to be removed from the agenda, which shall be decided upon by the Parliament without debate.

#### **Article 93**

If the Constitutional Issues and Legislative Committee propose a Bill or other act not to be adopted due to non-existence of the constitutional ground for its adoption, the Parliament shall decide on the constitutional ground after additional explanation by the proposer or proposer's representative and representative of the Constitutional Issues and Legislative Committee, without debate.

The speaking time referred to in paragraph 1 of this Article may not exceed five minutes.

Proposal act which, in respect of paragraph 1 of this Article, is assessed not to have constitutional ground to be adopted shall not be placed on the agenda of the sitting, and if it is included it shall be left out.

### **Article 94**

The Parliament shall decide on the proposal Agenda in whole without debate.

New items to be placed on the Agenda shall be placed on the Agenda according to the order as determined by the President of the Parliament at the occasion of establishing the agenda.

After the President of the Parliament announces the established agenda, debate shall proceed according to the established order from the agenda.

The President of the Parliament may amend the order of debate on specific agenda items in the course of the sitting.

## **2) Sitting Work**

### **Participation in the Debate**

#### **Article 95**

At the sitting of the Parliament nobody can speak unless they request and are granted the floor by the President of the Parliament.

The President of the Parliament shall give the floor to MPs and other participants in the sitting, by rule, according to the order of registering.

#### **Article 96**

After the opening of the debate for each agenda item, the right to speak shall be granted according to the following order:

- proposer or authorised representative of the proposer - right to additional explanation;
- rapporteur of the competent Committee;
- MP who dissented opinion at the meeting of the Committee;
- representative of the Government, if the Government is not the proposer;
- MPs according to the order of registering;

- proposer or authorised representative of the proposer during the debate shall have the right to request and be given the floor to respond to asked questions and clarify positions, and after the completed debate they shall be entitled to closing arguments.

Rapporteur of the Committee and representative of the proposer may speak several times during a debate.

### **Article 97**

After the presentation of an individual MP and representative of the proposer, the chair or authorised representative of the MP Group and Government representative shall be entitled to request and be given the floor in order to clarify positions or correct quotations or statements from the presentation (comment the presentation).

The Member of the Parliament, whose presentation has been commented, shall be entitled to reply to the participant in the debate who made the comments to his presentation.

The right referred to in paragraphs 1 and 2 of this Article may be used once, in the duration to three minutes.

After the completion of the debate, and prior to the closing argument, the representative of the proposer and the MP Group, wishing to do so, shall be entitled to present the positions of the Group in the duration to three minutes.

If an MP Group includes MPs from several political parties, one MP from each political party that make the MP Group shall have the right in respect of paragraph 4 of this Article.

### **Article 98**

An MP or other participant in the debate may speak only about the proposal placed on the agenda in the envisaged speaking time. If the speaker deviates from Agenda and does not observe the envisaged speaking time, the President of the Parliament shall reprimand the same.

If the speaker continues to fail to follow the Agenda or speaking time even after the reprimand, the President of the Parliament shall switch off his microphone (rule him out of order) and call upon the following person registered for debate to speak.

## **Debate Duration and Speaking Time**

### **Article 99**

Debate (general and detailed) on a Bill may last to six hours, by rule three hours for each debate.

Debate on other proposal acts and motions for election, appointment and dismissal may last to three hours in total.

The time referred to in paragraphs 1 and 2 of this Article shall be allocated by the President of the Parliament to MP Groups and the Government, proportionally to the number of MPs and Government representatives, taking account that each MP Group, as well as non-attached MP should be given time to take part in the debate.

MP Group needn't use the total time it has available.

Speaking time of MPs and other participants in the debate shall be as follows:

- general debate on a Bill – to 10 minutes;
- detailed debate on a Bill – to five minutes, where the presentation must be related to specific solutions (provisions) of the Bill and amendments;
- debate on other proposal acts – to 10 minutes;
- additional explanation of the proposal act – to 10 minutes, answers to questions asked in the course of the debate – two minutes per an answer and to five minutes for the closing argument.

Debate related to the following: proposal for amendments to the Constitution; Prime Minister designate, his programme and proposal for composition of the Government; motion for no confidence in the Government and interpellation shall not be limited, and individual participants in this debate may speak to 10 minutes.

### **Shortening or Extending of Speaking Time**

#### **Article 100**

On proposal of the President of the Parliament, the Collegium of the President of the Parliament or MP Group, the Parliament may decide, without debate, that time of an individual debate should be shortened or extended; determine shorter or longer speaking time for an individual participant in the debate; that floor may be granted only once, and that only a specific number of representatives of an MP Group and Government may speak in an individual debate.

The proposal referred to in paragraph 1 of this Article may be submitted no later than the opening of the debate on individual agenda item.

If the Parliament determines shorter or longer duration of the debate, the President of the Parliament shall allocate such time to MP Groups and the Government, in accordance with Article 99 paragraph 3 of these Rules of Procedure.

An MP Group needn't use the time it has on its disposal in total, and it may be used by one or several MPs of such Group as decided by the Group.

The President of Montenegro and Prime Minister shall not be subject to the restriction related to speaking time and number of requests to be given the floor referred to in this Article and Article 99 of these Rules of Procedure, if they take part in the work of the sitting.

## **Reply**

### **Article 101**

If an MP or other participant in the work of the sitting uses negative language about another MP in his presentation, mentioning his name and function, the MP in question has the right to request and be given the floor (right to reply). The President of the Parliament shall give the floor to such MP immediately after the completion of the presentation of the preceding MP.

If negative language is related to an MP Group or a political party, the Chair, or authorised representative of the Group shall have the right to reply.

The proposer or representative of the proposer of the act being subject to debate, as well as other participants in the work of the sitting shall also have the right to reply, in terms of paragraph 1 of this Article.

The right referred to in paragraphs 1, 2 and 3 of this Article may be used once, up to three minutes.

The reply to reply is not allowed, unless the President of the Parliament assesses that the language used in the reply is also insulting and allows the reply to reply.

## **Infringement of the Rules of Procedure**

### **Article 102**

An MP who wishes to speak about the violation of the Rules of Procedure shall be given the floor immediately upon request.

The speaking time of such MP shall not exceed one minute, and he shall be obliged to refer to a provision of the Rules of Procedure that he considers to be violated.

After such presentation, the President of the Parliament shall provide an explanation about the violation of the Rules of Procedure. If the MP is not satisfied with the explanation, the issue shall be resolved in the sitting, without debate.

## **Recess and Adjournment of a Sitting**

### **Article 103**

The President of the Parliament may determine a recess if it is required by circumstances of the work of the sitting.

The President of the Parliament shall adjourn the sitting: when he ascertains that there is no quorum if the quorum is required; for the need of consultations and obtaining of opinions, and in other cases when decided by the Parliament on his proposal or the proposal of an MP Group.

In case of adjournment of the sitting, the President of the Parliament shall set the time for resumption of the sitting.

## **Place of Speaking**

### **Article 104**

An MP, Government member and other participants in the work of the sitting shall speak from their seats using available technical equipment.

The seats of MPs, Government members and other participants in the sitting shall be permanent as designated by the Secretary General of the Parliament, with previously obtained opinion of chairs of MP Groups and authorised Government representative.

Where the President and Vice-President of the Parliament take part in the debate, they shall do so from their MP seats.

## **3) Maintaining Order in the Sitting**

### **Article 105**

The President of the Parliament shall ensure order during the sittings of the Parliament.

### **Article 106**

MPs and other participants in the debate shall respect the dignity of MPs and the Parliament and address each other with respect.

Use of insulting language or presenting and commenting information relevant to private life of MPs or other persons shall not be allowed.

Use of mobile phones in the hall shall not be allowed in the course of the sitting.

The President of the Parliament shall rule an MP or other participant out of order if they fail to comply with the provisions referred to in paragraphs 1 and 2 of this Article.

### **Measures for Violation of Order**

#### **Article 107**

The following measures may be pronounced for violation of order in the sitting of the Parliament: reprimand, ruling out of order and ejecting.

The President of the Parliament shall pronounce the measures of reprimand and ruling out of order.

The Parliament shall pronounce the measure of ejecting on proposal of the President of the Parliament, without debate.

The pronounced measures shall be recorded in the Minutes from the sitting.

### **Reprimand and Ruling out of Order**

#### **Article 108**

An MP shall be pronounced the reprimand measure if his behaviour, speaking without being granted the floor by the President of the Parliament, interrupting other speaker's presentation or speaking about an issue that is not the subject of the debate and other similar actions should disrupt the order of the sitting or violate the provisions of these Rules of Procedure.

An MP shall be ruled out of order if his speaking disrupts the order of the sitting, and has already been reprimanded twice to observe the order and provisions of these Rules of Procedure.

An MP shall be ruled out of order immediately, without previous reprimand if he uses the language insulting the dignity of MPs, other persons and the Parliament or presents information and judgments from private lives of MPs and other persons.

### **Ejecting**

#### **Article 109**

An MP who fails to observe the decision of the President of the Parliament on ruling out of order or otherwise disrupts the order of the sitting shall be pronounced the measure of ejecting.

The measure of ejecting shall refer to the working day when it is pronounced.

The MP who has been pronounced the measure of ejecting shall be obliged to leave the sitting immediately and may not take part in its further work. If the MP refuses to leave the sitting, the President of the Parliament shall instruct the official persons to eject such MP from the sitting.

The MP who has been pronounced the measure of ejecting shall lose the relevant rights of financial nature for the days of being ejected.

#### **Article 110**

If the President of the Parliament may not maintain the order of the sitting using the prescribed measures, he shall determine a short recess.

The provisions on maintaining the order of the sitting shall be applied to all participants in the work of the sitting.

### **4) Decision Making**

#### **Voting**

#### **Article 111**

The Parliament shall make decisions by votes of MPs, in accordance with the Constitution, law and these Rules of Procedure.

An MP shall have the right and duty to cast a vote with regard to each motion to be decided on by the Parliament.

Before voting, the President of the Parliament shall establish if there is quorum and call MPs to proceed with voting.

After the voting is completed, the President of the Parliament shall establish and announce the voting results and adopted motions.

#### **Open Voting**

#### **Article 112**

The Parliament shall make decisions by open voting, unless the law or these Rules of Procedure envisage that specific issues shall be decided on by secret ballot.

**Article 113**

Open voting shall be performed by use of electronic voting system, show of hands or roll call.

Voting by show of hands shall be applied only if the electronic voting system is not operational.

Voting by roll call shall be applied if determined by the President of the Parliament or requested by 10 MPs.

**Voting by Electronic System****Article 114**

In case of voting by electronic voting system, MPs are obliged to use their personal ID cards only.

On proposal of the President of the Parliament an MP who uses other MP's ID card or otherwise abuses the electronic voting system shall be pronounced the measure of ejecting, while the abuse-related voting shall be annulled, and voting shall be repeated, if the abuse causes suspicion with regard to the majority required for decision to be made.

**Article 115**

Voting by electronic voting system shall be performed by pressing a specific key ("for", "against", "abstain"), and the voting time may not exceed 20 seconds.

In case of a vote by show of hands, MPs in favour of the motion shall first show hands, then those against and finally those abstaining from voting.

After the completed open voting, the President of the Parliament shall establish the vote results and announce if the motion subject to voting has been adopted or not.

**Secret Ballot****Article 116**

In case of deciding by secret ballot, ballot papers shall be used for voting.

Ballot papers shall be printed in the number that corresponds to the number of MPs, in the same size, shape and colour and certified by the seal of the Parliament.

For each repeated voting a mark of such voting shall be entered on the ballot paper, or ballot papers in different colour shall be printed.

The Secretary General of the Parliament shall be responsible for printing and certifying of ballot papers.

#### **Article 117**

For election or appointment, ballot papers shall include the names of nominees, and there shall be an ordinal number preceding the name of each nominee.

Voting shall be performed by circling the ordinal number preceding the name of the nominee in whose favour an MP votes.

If in the ballot paper there are nominees in the number exceeding the number of seats to be filled, only the number of nominees to be elected can be voted for.

If in the ballot paper there is only one nominee to be decided on, instead of the ordinal number preceding the name, the ballot paper shall include below the name of the nominee the word "for" on the left and the word "against" on the right side, and voting shall be performed by circling one of these words.

### **Secret Ballot Administration**

#### **Article 118**

Secret ballot shall be administered by the President of the Parliament, whose work shall be assisted by Vice-Presidents and the Secretary General of the Parliament (hereinafter referred to as Voting Commission).

#### **Article 119**

Before the beginning of the secret ballot, the President of the Parliament shall provide required explanations on the manner of voting and determine the recess period for establishing voting results.

Secretary General shall roll call MPs and hand them ballot papers, keeping records of MPs who have received ballot papers.

After voting, an MP shall personally place the folded ballot paper in the ballot box.

#### **Article 120**

After the completed voting, the Voting Commission shall proceed with establishing of voting results, in the same room where the voting has taken place.

The number of unhandled ballot papers shall be established before the opening of the voting box.

### **Secret Ballot Report**

#### **Article 121**

The Voting Commission shall draw up a brief report on secret ballot results, which shall include information on the number of: handed ballot papers; ballot papers found in the ballot box (used ballot papers); valid and invalid ballot papers; votes for or against each individual nominee respectively, as well as the statement if the motion has been adopted, or which nominee has been elected.

#### **Article 122**

The following shall be considered invalid ballot papers: incomplete ballot papers; ballot papers which fail to clearly show how the MP voted; ballot papers where the number of circled nominees exceeds the number of candidates to be elected.

#### **Article 123**

The President of the Parliament shall announce the voting results and if the motion voted for has been adopted or a nominee elected.

### **5) Minutes, Audio and Visual Record**

#### **Minutes**

#### **Article 124**

Minutes shall be taken on the work of the sitting of the Parliament.

The minutes shall include the basic information on the work in the sitting and given proposals and conclusions adopted at the sitting.

Voting results on specific motions shall also be included in the minutes.

The Secretary General of the Parliament shall ensure the drawing up of the minutes.

The minutes shall be sent to MPs with the writ of summons to the following sitting at latest.

The Secretary General and the President of the Parliament shall sign the approved minutes.

### **Audio and Visual Record**

#### **Article 125**

Sittings of the Parliament shall be audio and video recorded.

MPs and other participants in the work of the sitting of the Parliament shall be provided a typed audio record of their presentations for approval as to be published. MPs or other participants in the work of the sitting may, within seven days from delivery of the audio record, make some editing changes to it, not causing any changes in the meaning or substance of the presentation.

Typed audio record from the sitting shall be enclosed to the approved minutes and make its integral part.

#### **Article 126**

Reporters may use the audio record, except in the case of debates on materials designated as state secret or confidential. When reporters use the audio record from a sitting, they must indicate if the presentation is approved for publication when quoting the presentation.

#### **Article 127**

Editing, publishing and safe keeping of audio records from the sittings of the Parliament shall be regulated by a special instruction of the Collegium of the President of the Parliament.

### **B. EXTRAORDINARY SESSION**

#### **Article 128**

Extraordinary session may take place in the period from the first working day in January to the last working day in February and from the first working day in August to the last working day in September.

Submitter of the request for extraordinary session shall set up the date and agenda of the sitting.

Submitter of the request for extraordinary session may not demand convening of the Parliament in the period shorter than 15 days from the submission date of the request, and may

propose only proposal acts which are under their responsibility as a proposer to be placed on the agenda. The President of the Parliament shall convene an extraordinary sitting of the Parliament at the time and with agenda as specified in the request for extraordinary sitting.

Exceptionally, the President of Montenegro may request convening of an extraordinary sitting of the Parliament within the period shorter than envisaged in paragraph 3 of this Article.

The sitting of an extraordinary session shall be subject to application of the provisions of these Rules of Procedure related to the sitting of the ordinary session, unless otherwise envisaged in this Article.

## **VI. ACTS OF THE PARLIAMENT AND PROCEDURE FOR THEIR ADOPTION**

### **1. Acts of the Parliament**

#### **Article 129**

The acts of the Parliament shall be: Constitution, laws, spatial plans, Rules of Procedure of the Parliament, declarations, resolutions, decisions, recommendations and conclusions.

### **2. Procedure for Adoption of Laws**

#### **1) Initiating of the Procedure**

#### **Article 130**

A law adoption procedure shall be initiated by submission of a Bill.

The Bill shall be submitted in the form in which the law is adopted, must be reasoned in writing, and delivered in the required number of copies and in electronic form.

The explanatory statement of the Bill shall contain:

- constitutional grounds referred to in Article 16 of the Constitution for regulating matters being the subject of the Bill;
- reasons for adoption of the law;
- compliance with European legislation and ratified international conventions;
- explanation of basic legal institutes;

- estimated financial resources for enforcement of the law;
- public interest why retroactive effect is proposed, if the Bill contains provisions envisaging retroactive effect;
- wording of the provisions of the law being amended, if a law on amendments is proposed.

### **Article 131**

Proposer of the law, unless the proposer of the law is an MP, shall designate no more than two representatives for consideration of the Bill in the Parliament.

If several MPs are the proposer of the law, they shall designate one representative of the proposer, and if this fails to be done, the first signatory shall be considered the representative of the proposer.

If six thousand voters are the proposer of the law, they shall, along with the Bill, designate an authorised representative to submit the Bill.

### **Article 132**

If the Bill is not prepared in line with these Rules of Procedure, the President of the Parliament shall request the proposer to adjust the Bill to the provisions of these Rules of Procedure.

If the proposer of the law fails to accept the position of the President of the Parliament referred to in paragraph 1 of this Article, the same may submit a written request to the Parliament to state its position with regard to this issue on the first following sitting.

The Parliament shall state its position with regard to the issue referred to in paragraph 2 of this Article without debate.

### **Article 133**

Proposer of the law may, at the occasion of proposing the law that regulates issues of special significance, submit a draft law and request the Parliament to state its position with regard to it.

The Parliament shall state its position with regard to the draft law referred to in paragraph 1 of this Article by means of a conclusion.

**Article 134**

If an initiative for adoption of a law is submitted to the Parliament, the President of the Parliament shall communicate it to MPs and the Government for potential submission of a Bill.

**2) Bill Consideration****Placing under Procedure****Article 135**

The President of the Parliament shall forward a Bill submitted to the Parliament to MPs and competent Committees, and post the same on the website of the Parliament.

The President of the Parliament shall forward the Bill to the Government (unless the Government is its proposer) so it would provide its opinion, within the period which may not exceed 15 days from the day of receipt of the Bill.

**Article 136**

A Bill may not be included in the agenda of the sitting of the Parliament prior to expiry of 15 days from the day of its delivery to MPs, unless otherwise determined by these Rules of Procedure.

**Bill Consideration by Committees (first reading)****Article 137**

Prior to its consideration in the sitting of the Parliament, a Bill shall be considered by competent Committees (Constitutional Issues and Legislative Committee and line Committee).

If the Bill includes specific issues under the responsibility of other Committees, the Bill may also be considered by such Committees from the aspect of such issues.

If the Bill incurs liabilities for the budget of Montenegro, the Bill shall also be considered by the Committee responsible for the budget.

The Committees referred to in paragraphs 2 and 3 of this Article, which in addition to the line Committee consider the Bill, shall submit their opinions to the line Committee, taking into account the time frame so the relevant Committee would be able to consider their opinions.

**Article 138**

The responsible Committee may propose the Parliament to adopt the Bill in whole, adopt it in the wording amended in relation to the wording submitted by the proposer or not adopt the Bill.

The responsible Committee shall consider the opinions submitted by other Committees that considered the Bill and present the position on the opinions of such Committees in the report to be submitted to the Parliament.

**Article 139**

The report of the competent Committee must be delivered to MPs no later than 24 hours before the beginning of the debate at the sitting of the Parliament.

**Bill Consideration at the Sitting of the Parliament  
General Debate Related to Bill (second reading)****Article 140**

Consideration of the Bill at the sitting of the Parliament shall commence by a general debate on the Bill.

General debate shall include the debate on: constitutional grounds referred to in Article 16 of the Constitution, reasons for adoption of the law; its compliance with European legislation and ratified international treaties; substance and effects of proposed solutions and estimated funds required from the budget for enforcement of the law.

After additional explanation, the Rapporteurs of the Constitutional Issues and Legislative Committee, line Committee, and other Committees that have considered the Bill may take part in the general debate, and then the MPs.

**Article 141**

After the completion of the general debate, the Parliament shall decide on the Bill in general and may decide to accept or not to accept the Bill in general.

If the Bill is not accepted in general, such Bill shall not be subject to detailed debate or decision making.

### **Article 142**

If the Parliament adopts the Bill in general, before proceeding to detailed debate on the Bill the President of the Parliament shall invite the competent Committees to additionally consider the Bill and submitted amendments, and submit a relevant report within two days at latest.

If in the general debate there are no disputes regarding the constitutional grounds or the need for adoption of the law, and there are no amendments submitted to the Bill or submitted amendments have been accepted by the proposer of the law, the detailed debate and decision making with regard to the law as a whole may proceed immediately after the adoption of the Bill in general.

### **Detailed Debate on the Bill (third reading)**

#### **Article 143**

After additional debate in Committees and submission of the report thereon, the Parliament shall proceed to detailed debate on the Bill, which shall include the debate on the solutions in the Bill, submitted but not reconciled amendments and positions and proposals by the Committees.

Detailed debate may proceed if MPs have been submitted the report of the Committees referred to in Article 142 paragraph 1 of these Rules of Procedure.

#### **Article 144**

At the beginning of the detailed debate, the Rapporteur of the competent Committee shall inform the Parliament on the result of debates of Committees and explain the position and proposal of the Committee, and then MPs and representative of the proposer shall take part.

If there is a significant number of submitted but not reconciled amendments which substantially change the substance of the Bill or it is necessary to make a significant number of amendments for the purpose of its improvement, the Parliament may, on proposal of the relevant Committee and with agreement of the proposer of the law, decide to consider the Bill as a draft law.

The Parliament shall decide on the proposal referred to in paragraph 2 of this Article prior to proceeding to the detailed debate on the Bill.

Prior to closing of the detailed debate, the representative of the proposer shall be entitled to closing argument, in the duration to five minutes maximum.

**Article 145**

After the completed detailed debate, the vote shall proceed on amendments not making an integral part of the Bill, and then on the Bill as a whole.

If the Bill includes provisions which envisage retroactive effect, the Parliament shall state its position separately if there is public interest in such retroactive effect.

**Article 146**

On proposal of the President of the Parliament, the Parliament may decide that Bills should be voted on in whole on a specified date or at specified time during the sitting.

**Article 147**

Proposer of the law may withdraw the Bill in the period preceding the completion of the detailed debate on the Bill.

**3) Amendments****Article 148**

Proposal for amending a Bill shall be submitted in the form of amendments in writing and must be reasoned.

Amendments shall be submitted no later than the date of completion of the general debate, and proposer of the law and responsible Committee may submit amendments during the period before the detailed debate.

**Article 149**

Amendment to the Bill shall be communicated to MPs, its proposer, the Government (unless it is the proposer of the law), and responsible Committee (unless it is the submitter of the amendments). Responsible Committee shall be obliged to consider amendments submitted with regard to the Bill and propose to the Parliament which amendments to adopt and which to reject.

**Article 150**

The Parliament shall decide on amendments according to the order of Articles of the Bill which they are related to.

If several amendments are submitted to the same Article of the Bill, the amendment proposing deletion of such Article shall be decided on first, and then the amendments submitted by MPs, the responsible Committee and the Government.

Amendments submitted by the proposer of the law and amendment accepted by the proposer of the law shall become an integral part of the Bill and the Parliament shall not make any special decisions with regard to it.

#### **4) Urgent Procedure for Adoption of Laws**

##### **Article 151**

Exceptionally, a law may be adopted under urgent procedure.

Urgent procedure may be applied for adoption of a law that is to regulate issues and relations resulting from circumstances that could have not been foreseen and whose failure to be adopted could cause adverse effects, as well as a law that needs to be harmonised with European legislation or international treaties and conventions.

The proposer of the law shall be obliged to state the reasons why it is necessary to adopt the law under the urgent procedure in the explanatory statement to the Bill.

##### **Article 152**

The Bill that is proposed to be adopted under the urgent procedure may be placed on the agenda of the sitting of the Parliament if it is submitted no later than 24 hours before the beginning of the sitting.

If the Parliament accepts the proposal for a law to be adopted under the urgent procedure, it shall set the time frame for the relevant Committee to consider the Bill and submit the report, as well as the time frame for the Government (unless it is the proposer of the law) to issue its opinion on the Bill.

##### **Article 153**

When responsible Committee considers the Bill proposed to be adopted under the urgent procedure, the Parliament may decide that the debate on the Bill should commence immediately without the written report, in which case the Rapporteur of the Committee would present it orally at the sitting.

If the responsible Committee fails to submit the report within the established timeframe, the debate on the law may be carried out in the Parliament without the report of the Committee.

Amendments to the Bill to be adopted under the urgent procedure may be submitted during the period preceding the completion of the debate.

#### **4. Adoption of Other Acts**

##### **1) Procedure for Adoption of Other Acts**

###### **Article 154**

Other acts shall be adopted in accordance with the provisions of these Rules of Procedure related to the procedure for adoption of laws, where the debate shall be single.

Required documentation shall be submitted along with proposal spatial plans, budget law and law on final account of the budget.

##### **2) Decision-Making Related to Calling Referendum**

###### **Article 155**

The procedure for deciding on calling referendum shall be initiated by submission of the proposal decision on calling referendum. The wording of the proposal decision may not be placed on the Agenda of the Parliament prior to expiry of 15 days from the day of its submission to MPs.

##### **3) Deciding on Raising Loans and Borrowings of Montenegro**

###### **Article 156**

The act on raising loans and borrowings of Montenegro shall be adopted, subject to the type of the submitted proposal act, in accordance with the provisions of these Rules of Procedure.

#### **4. Procedure for an Authentic Interpretation**

###### **Article 157**

Shall be deleted. (»The Official Gazette of Montenegro«, No.80/10, 31.12.2010.)

###### **Article 158**

Shall be deleted. (»The Official Gazette of Montenegro«, No.80/10, 31.12.2010.)

###### **Article 159**

Shall be deleted. (»The Official Gazette of Montenegro«, No.80/10, 31.12.2010.)

## **5. Procedure for Ratification of International Treaties**

### **Article 160**

An international treaty shall be ratified by a law.

The Bill on ratifying an international treaty shall also incorporate the wording of the international treaty whose ratification is proposed.

The Bill on ratification of an international treaty must be supported by an explanatory statement. The explanatory statement shall include the reasons for proposing ratification of the international treaty and an estimate of required financial resources, if the international treaty incurs liabilities for the budget of Montenegro.

### **Article 161**

Laws on ratification of international treaties shall be adopted in accordance with the provisions of these Rules of Procedure related to the procedure for adoption of laws, where the debate on the Bill shall be single.

## **6. Procedure for Report Consideration**

### **Article 162**

In accordance with law, the President of the Parliament shall communicate the reports submitted by individual bodies to the Parliament to MPs and the responsible Committee.

With regard to consideration of reports, the Parliament shall adopt conclusions that may include assessments and positions on specific issues.

## **7. Procedure for Amending the Constitution of Montenegro**

### **Motion for Amending the Constitution**

### **Article 163**

The President of the Parliament shall communicate the motion for amending the Constitution to MPs, the Constitutional Issues and Legislative Committee and the Government, unless it is the mover.

The motion for amending the Constitution may not be placed on the agenda of the sitting of the Parliament prior to expiry of 30 days from the day of its delivery to MPs.

#### **Article 164**

The motion for amending the Constitution shall be subject to a single debate at the sitting of the Parliament.

After the completion of the debate, the Parliament shall decide on the motion for amendments to the Constitution.

#### **Article 165**

The Parliament may adopt the motion for amending the Constitution in whole or in the wording amended in relation to the proposed or not adopt it.

The submitter of the motion for amending the Constitution may withdraw the motion in whole or in part during the period preceding the completion of the debate on the motion.

#### **Article 166**

Having adopted the motion for amending the Constitution, the Parliament shall set the time frame for the Constitutional Issues and Legislative Committee to establish the wording of the draft amendments to the Constitution and submit it to the Parliament.

The wording of the draft amendments to the Constitution must include the explanatory statement of proposed solutions.

### **Draft Amendments to the Constitution**

#### **Article 167**

The President of the Parliament shall submit the wording of the draft amendments to the Constitution to MPs and the Government to provide their opinions.

The wording of the draft amendments to the Constitution may not be placed on the Agenda of the sitting of the Parliament unless the period of 20 days from the day of its delivery to MPs has expired.

#### **Article 168**

The wording of the draft amendments to the Constitution shall be subject to a single debate.

In the course of the debate, the Parliament may decide to amend specific amendments on proposal of at least five MPs.

After the completion of the debate, the Parliament shall decide on the wording of the draft amendments to the Constitution as a whole.

### **Article 169**

The established draft amendments to the Constitution shall be published in a daily paper as determined by the Collegium of the President of the Parliament and on the web site of the Parliament.

Anyone may, within 30 days from the day of publication of the draft amendments to the Constitution, issue an opinion, proposal or suggestion on the draft amendments.

The opinions, proposals and suggestions referred to in paragraph 2 of this Article shall be submitted to the Constitutional Issues and Legislative Committee.

## **Proposal Amendments to the Constitution**

### **Article 170**

The Constitutional Issues and Legislative Committee shall proceed with establishing of the proposal amendments to the Constitution and proposal constitutional law for enforcement of the amendments, after the expiry of 30 days from the publication date of the draft amendments to the Constitution.

The Constitutional Issues and Legislative Committee shall consider any submitted proposals, opinions and suggestions on the draft amendments and define its position with regard to them. The Constitutional Issues and Legislative Committee shall submit the proposal amendments with an explanatory statement and proposal constitutional law for enforcement of amendments to the Parliament no later than 30 days from expiry of the time frame referred to in Article 169 paragraph 2 of these Rules of Procedure.

### **Article 171**

The President of the Parliament shall submit the proposal amendments to the Constitution and proposal constitutional law for enforcement of amendments to the Government for issue of its opinion.

Proposal amendments to the Constitution may not be placed on the Agenda of the sitting of the Parliament prior to expiry of 20 days from the day of their submission to MPs.

**Article 172**

Each individual proposal amendment to the Constitution shall be subject to a detailed debate at the sitting of the Parliament.

The proposal for amending specific solutions in the proposal amendments may be submitted by at least 10 MPs, the President of Montenegro or the Government.

The proposal referred to in paragraph 2 of this Article shall be submitted in written form, no later than five days prior to the beginning of the sitting at which the proposal amendments shall be considered. The President of the Parliament shall communicate this proposal to MPs and the Constitutional Issues and Legislative Committee.

The Constitutional Issues and Legislative Committee shall, prior to the sitting of the Parliament, consider the proposals referred to in paragraph 2 of this Article and propose to the Parliament which proposals to accept and which to reject.

After the completed debate and voting on the proposals referred to in paragraph 2 of this Article, the Parliament shall decide on the proposal amendments in whole.

**Article 173**

Should the motion for amending the Constitution propose the adoption of a new Constitution, the procedure for establishing the wording of the draft Constitution and proposal Constitution shall be subject to application of the provisions of Articles 166 to 172 of these Rules of Procedure.

**VII. ELECTION, APPOINTMENT AND DISMISSAL PROCEDURE****1. Election of the Prime Minister and Members of the Government****Article 174**

The programme of the Prime Minister designate and his nominations for the composition of the Government shall be communicated to MPs no later than the beginning of the sitting at which the election of the Government is decided on.

The Prime Minister designate, his programme and nominated composition of the Government shall be subject to debate at the sitting of the Parliament.

The Prime Minister designate, his programme and nominated composition of the Government shall be decided on by the Parliament at the same time, by open voting.

**Article 175**

If the Government fails to be elected, the President of the Parliament shall immediately inform the President of Montenegro thereof.

**Article 176**

The Prime Minister shall submit to the Parliament the motion for changes in the composition of the Government during the term of office of the Government, in writing.

**2. Election of the President and Judges of the Constitutional Court****Article 177**

The nomination of the president or judge of the Constitutional Court shall be subject to opening of a debate.

The president or judges of the Constitutional Court shall be elected by secret ballot using ballot papers, in the way envisaged by the provisions of these Rules of Procedure on deciding by secret ballot.

Should any of nominees fail to be elected, the President of the Parliament shall inform the President of Montenegro thereof.

**3. Election of the President of the Supreme Court, Appointment of State Prosecutor and Other Officials****Article 178**

The motion for election of the president of Supreme Court, appointment of Supreme State Prosecutor and state prosecutors and other officials shall be subject to opening of a debate.

After the completion of the debate, open voting shall proceed, and each nominated candidate shall be decided on individually.

**4. Dismissal of Officials****Article 179**

The provisions of these Rules of Procedure relevant to the procedure of election or appointment shall be accordingly applied to the dismissal procedure, unless these Rules of Procedure envisage otherwise.

## **5. Resignation of Officials**

### **Article 180**

Officials elected or appointed by the Parliament shall notify the Parliament of their resignation in writing.

Should the Prime Minister resign, the President of the Parliament shall communicate his resignation notification to MPs and the President of Montenegro.

Should a Government member resign, the President of the Parliament shall communicate his resignation notification to MPs and the Prime Minister.

Should any other official resign, the President of the Parliament shall communicate his resignation notification to MPs and the mover who had nominated the relevant official for election or appointment.

### **Article 181**

The Parliament shall, at the first sitting after the notification of resignation, verify that the Prime Minister or the Government, Government member, or other official has resigned.

## **VIII. RELATIONS OF THE PARLIAMENT AND THE PRESIDENT OF MONTENEGRO**

### **1. Promulgation of Laws**

#### **Article 182**

The President of the Parliament shall immediately, and no later than three days after the adoption, submit the law to the President of Montenegro for the purpose of its promulgation.

If the President of Montenegro demands that the Parliament should repeat the deciding on the law, the President of the Parliament shall include such law in the Agenda of the first following sitting of the Parliament.

The President of the Parliament shall immediately communicate the readopted law to the President of Montenegro for the purpose of its promulgation.

## **2. Nomination of Candidates for Specific Functions**

### **Article 183**

The President of Montenegro shall communicate the Prime Minister designate and nominated candidates for the president and judges of the Constitutional Court and Protector of Human Rights and Freedoms, along with relevant explanatory statements to the President of the Parliament in writing.

## **3. Procedure for Dismissal of the President of Montenegro**

### **Article 184**

The motion for the Parliament to initiate the procedure for establishing if the President of Montenegro has violated the Constitution shall be submitted in writing and must be supported by an explanatory statement.

The President of the Parliament shall immediately communicate the motion for initiating the procedure for establishing if the President of Montenegro has violated the Constitution to MPs, the Constitutional Issues and Legislative Committee and the President of Montenegro.

### **Article 185**

The motion for initiating the procedure for establishing if the President of Montenegro has violated the Constitution shall be placed on the Agenda of the sitting of the Parliament no earlier than 10 days from the day of its submission.

The Constitutional Issues and Legislative Committee shall be obliged to consider the motion and submit a report to the Parliament within eight days.

The motion for initiating the procedure for establishing if the President of Montenegro has violated the Constitution shall be subject to opening of a debate at the sitting of the Parliament.

The Parliament may decide to adopt or reject the motion for initiating the procedure for establishing if the President of Montenegro has violated the Constitution.

The President of the Parliament shall communicate the motion for initiating the procedure for establishing if the President of Montenegro has violated the Constitution to the Constitutional Court and designate a person to represent the Parliament in the procedure before the Constitutional Court.

The President of the Parliament shall communicate the decision of the Constitutional Court establishing that the President of Montenegro has not violated the Constitution to MPs.

### **Article 186**

The President of the Parliament shall communicate the decision of the Constitutional Court establishing that the President of Montenegro has violated the Constitution to MPs and the Constitutional Issues and Legislative Committee to provide their opinions, as well as the President of Montenegro.

With regard to the decision of the Constitutional Court referred to in paragraph 1 of this Article, a debate shall be opened at the sitting of the Parliament no later than 15 days from the day of delivery of the decision.

The President of Montenegro shall be entitled to state his position with regard to the reasons stated in the decision of the Constitutional Court and opinions presented in the debate at the sitting of the Parliament before the decision is made with regard to the dismissal.

After the completion of the debate, the Parliament shall decide on the dismissal of the President of Montenegro.

## **IX. RELATIONS OF THE PARLIAMENT AND THE GOVERNMENT**

### **1. Parliamentary Questions and Premier's Hour**

#### **Asking Questions**

### **Article 187**

For the purpose of obtaining necessary information about certain issues concerning the Government's performance, i.e. concerning the planned policy implementation, any Member of the Parliament shall be entitled to put a parliamentary question to the Government, i.e. responsible ministry and be responded to.

A parliamentary question shall be put at a special session of the Parliament held no less than once in a two-month period during an ordinary session.

The first part of this special session referred to in paragraph 2 of this Article, lasting to one hour, shall be intended for putting questions to the Prime Minister and his answers on topical issues from the work of the Government (Premier's Hour).

The questions referred to in paragraph 3 of this Article may be put by the chair or authorised representative of the chair of an MP Group, lasting to five minutes maximum, and the Prime Minister shall be entitled to a reply lasting to five minutes.

The sitting of the Parliament referred to in paragraph 2 of this Article shall be convened by the President of the Parliament in accordance with the provisions of Article 84 of these Rules of Procedure, however the notice may be shorter than that referred to in Article 85 of these Rules of Procedure, and quorum shall not be required for the work of the sitting.

### **Article 188**

An MP may put no more than two parliamentary questions at the same sitting.

An MP wishing to put a parliamentary question at the sitting shall submit such question to the President of the Parliament in writing no later than 48 hours before the sitting and it may be supported by an explanatory statement.

Clearly formulated parliamentary questions shall be put orally at the sitting, and may not have the nature of a debate.

The time for putting one parliamentary question shall not exceed three minutes.

An MP may not speak with regard to the parliamentary question, the answer to the parliamentary question or the comment to the answer of another MP.

### **Article 189**

If the President of the Parliament considers that the put parliamentary question is not in compliance with the provisions of these Rules of Procedure or it is put to a person who is not a Government member, he shall warn the MP putting the question and call on him to adjust the question to relevant provisions.

## **Answer to Parliamentary Question**

### **Article 190**

The Prime Minister, Minister or other authorized representative of the Government shall answer a parliamentary question orally, immediately after an MP finishes putting the question or at the end of the same sitting, taking the time not exceeding five minutes per a question.

### **Article 191**

A written response to a parliamentary question shall be provided only if explicitly required by the MP putting the question or if required by an official providing the answer, if needed due to special circumstances.

The written answer referred to in paragraph 1 of this Article shall be provided through the President of the Parliament, no later than the following sitting at which parliamentary questions shall be put, or if the Parliament is not in ordinary session, no later than 20 days from the question submission date.

### **Comments to Answers and Supplementary Questions**

#### **Article 192**

After the answer to the parliamentary question is provided, the MP who put the question shall be entitled to comment the answer in the time not exceeding three minutes and may ask a supplementary a question in the time not exceeding one minute.

The MP may exercise the right to comment the answer and ask a supplementary question at the end of the sitting rather than immediately upon receiving the answer.

#### **Article 193**

The Prime Minister, Minister or other authorised representative of the Government shall provide the answer to the supplementary question in accordance with the provisions of these Rules of Procedure related to answers to parliamentary questions.

The answer to a supplementary parliamentary question shall be the final stage in the procedure of answering the parliamentary question.

## **2. Motion of No-Confidence or Confidence in the Government**

#### **Article 194**

A motion of no confidence in the Government must include the reasons why the motion of no confidence vote is proposed.

The President of the Parliament shall immediately communicate the motion of no confidence vote to MPs and the Prime Minister.

**Article 195**

The motion of no confidence in the Government shall be subject to opening of a debate at the sitting of the Parliament.

At the outset of the debate the representative of the petitioner shall be entitled to explain the motion, and the Prime Minister to provide an answer.

After the completed debate, the voting on no confidence in the Government shall proceed.

**Article 196**

The Government shall propose a motion of its no confidence to the Parliament in writing.

The motion of no confidence shall be proposed by the Prime Minister on behalf of the Government, and he shall be entitled to explain it.

The motion of no confidence shall be subject to opening of a debate.

After the completion of the debate, voting on no confidence shall proceed.

**Article 197**

Voting on no confidence or confidence in the Government shall be open.

Voting on no confidence shall be conducted in the way that MPs shall state if they are "for no confidence or against any confidence.

Voting on confidence shall be conducted in the way that MPs shall state if they are "for confidence" or "against confidence".

If the Government loses confidence, the President of the Parliament shall immediately inform the President of Montenegro thereof.

**3. Consideration Procedure for Interpellation on the Work of the Government****Article 198**

Interpellation for discussing specific issues related to the work of Government shall be submitted to the President of the Parliament in writing, and the issue that is to be considered must be clearly worded and reasoned.

The President of the Parliament shall communicate the interpellation to MPs and the Government.

#### **Article 199**

The Government may consider the interpellation and submit to the Parliament a written report including its opinion and positions with regard to the interpellation, no later than 30 days after the date of receiving the interpellation.

The President of the Parliament shall communicate the report of the Government related to the interpellation to MPs.

#### **Article 200**

Interpellation shall be placed on the Agenda of the first following sitting of the Parliament to be held after the submission of the report of the Government.

If the Government fails to submit the report, the interpellation shall be placed on the Agenda of the first following sitting of the Parliament upon the expiry of the time frame for submission of the report of the Government.

#### **Article 201**

One of the MPs who submitted the interpellation shall be entitled to explain the interpellation at the sitting of the Parliament.

The Prime Minister or authorised representative of the Government shall be entitled to explain the report of the Government or if the report is not submitted he may provide an oral answer to the interpellation at the sitting of the Parliament.

#### **Article 202**

The debate on interpellation may be finalised by adopting a conclusion on issues initiated by the interpellation, or it may be finalised without making any decisions.

After the completion of the debate on interpellation, a motion of no confidence in the Government may be proposed, in line with these Rules of Procedure.

#### **Article 203**

MPs who have submitted an interpellation may withdraw it prior to the completion of the debate.

If individual MPs abandon the interpellation, and the number of its submitters decreases below the number required for submission of the interpellation, it shall be considered that the interpellation has been withdrawn.

## **XI. RELATIONS OF THE PARLIAMENT AND THE CONSTITUTIONAL COURT OF MONTENEGRO**

### **Article 204**

The President of the Parliament shall communicate to MPs, the Constitutional Issues and Legislative Committee and the Government the act on initiating the procedure for assessment of constitutionality or legality of an act of the Parliament referred to the Parliament by the Constitutional Court.

### **Article 205**

With regard to consideration of the act on initiating a procedure, the Constitutional Issues and Legislative Committee shall submit an opinion to the Parliament, with proposal responses to the Constitutional Court.

### **Article 206**

The President of the Parliament shall inform the Constitutional Court on the position of the Parliament.

Instead of the President of the Parliament, the Parliament may be represented in the procedure before the Constitutional Court by the person authorised by the President of the Parliament.

### **Article 207**

The President of the Parliament shall inform MPs and the Government on the decision of the Constitutional Court establishing that the act of the Parliament is not properly compliant with the Constitution or law.

## **XII. PARLIAMENTARY COOPERATION**

### **1. Cooperation with Parliaments of Other Countries**

#### **Article 208**

The Parliament and standing Committees of the Parliament shall cooperate with parliaments of other countries and their relevant working bodies on bilateral and multilateral level, through visits of the delegation or individual MPs, or reception of parliamentary delegations and foreign members of parliaments, participation in international gatherings, exchange of information and other forms of cooperation.

### **2. Cooperation with Parliamentary Assemblies of International Organisations and Other International Structures**

#### **Article 209**

The Parliament and standing Committees of the Parliament shall cooperate with parliamentary Assemblies, i.e. relevant working bodies of parliamentary Assemblies of international organisations and other international structures for the purpose of exercising the role of the parliament in the process of European and Euro-Atlantic integration.

#### **Article 210**

Parliamentary cooperation referred to in Articles 208 and 209 of these Rules of Procedure shall be exercised based on the rules on carrying out international activities of the Parliament, which are adopted by the Collegium of the President of the Parliament and cooperation programme which is adopted by the Parliament on proposal of the Committee on International Relations and European Integration.

The head and members of the delegation of the Parliament, goals and tasks of visits to foreign countries, parliamentary Assemblies and other international structures and platform for debates shall be established by the Collegium of the President of the Parliament.

The head of the delegation of the Parliament or individual MPs paying a visit shall be obliged to submit a report on the visit i.e. discussions to the Committee on International Relations and European Integration within 10 days from the completion of the visit.

### **XIII. PUBLIC NATURE OF THE WORK OF THE PARLIAMENT**

#### **Article 211**

The work of the Parliament and its Committees shall be public.

The sitting of the Parliament and meeting of the Committee shall be closed for the public in case of considering an act or material designated as a "state secret".

The Parliament may decide, without debate, to close the sitting or a part of the sitting for the public upon a reasoned proposal by the Government or 10 MPs.

#### **Article 212**

For the purpose of ensuring comprehensive information to the public on the work of the Parliament, the Parliament has its web site for posting data and information on the work of the Parliament and its Committees. The presentation of the Parliament and its Committees on the web site shall be regulated by a special act of the Collegium of the President of the Parliament.

#### **Article 213**

The Parliament shall inform the public of its work, topics discussed and decisions made.

Proposal acts discussed may be published in media or in a special publication.

#### **Article 214**

Television and other electronic media shall be entitled to direct broadcasting of the sittings of the Parliament and its Committees.

The Parliament shall provide conditions for the television and other electronic media to broadcast sittings of the Parliament.

#### **Article 215**

Sittings of the Parliament and meetings of Committees of the Parliament shall be covered by reporters accredited by the competent authority.

#### **Article 216**

Materials considered at the sitting of the Parliament or the meeting of the Committee shall be at disposal of reporters, unless otherwise determined in the general act on the manner of handling the material in the Parliament that is considered a state secret or confidential.

The Parliament shall ensure the reporters to be provided with conditions required for covering the sittings of the Parliament and meetings of the Committees.

The Secretary General of the Parliament shall ensure the application of the provisions of paragraphs 1 and 2 of this Article.

#### **Article 217**

Official statements for the media may be made or press conferences held for the purpose of comprehensive and accurate informing of the public on the work of the Parliament and its Committees.

The wording of official statements for the Parliament or Committee shall be drawn up by relevant service of the Parliament, and approved by the President of the Parliament or the Chair of the Committee or authorised person.

Press conference in the Parliament may be held by an MP Group or an individual MP.

### **XIV. PARLIAMENTARY SERVICE**

#### **Article 218**

Parliamentary Service shall perform professional tasks and other tasks for the needs of the Parliament, Committees of the Parliament, MPs in the Parliament and specific tasks for MP Groups.

#### **Article 219**

In performing tasks referred to in Article 218 of these Rules of Procedure, the Parliamentary Service shall particularly:

- take part in preparing and organising sittings of the Parliament, its Committees and Collegium of the President of the Parliament;
- perform professional and other tasks for the needs of the President, Vice-President and Secretary General of the Parliament;
- draft wording of adopted laws and prepare them for submission to the President of Montenegro for promulgation and publication;
- produce the texts of adopted acts and prepare them for publication in the Official Gazette of Montenegro;
- produce reports of Committees;

- perform professional and other tasks related to referring of proposal acts and other materials that the President of the Parliament forwards to relevant Committees of the Parliament and state authorities;
- prepare proposal acts and other materials as required by the President, Vice-President, Committees and MPs;
- provide professional opinions as required by MPs, Committees and MP Groups for the need of carrying out their duties;
- perform professional and other tasks related to carrying out of international parliamentary cooperation;
- collect, process, keep, give for use and exchange information-documentary materials required for work of MPs, Committees and the Parliament;
- organise cooperation with reporters and provide them materials for exercise of their rights and duties in respect of reporting on the work of the Parliament;
- edit and issue relevant informative publications and audio records of the sittings of the Parliament;
- prepare, sort and keep original laws, other regulations and general acts adopted by the Parliament;
- perform tasks related to exercise of employment rights of officials in the Parliament, and civil servants and employees in the Parliamentary Service;
- perform tasks related to office administration, accounting and material-financial tasks, typing and other administrative-technical tasks for the Parliament, Committees, MPs, MP Groups and Parliamentary Service;
- perform other professional, administrative and technical tasks as required by the Parliament, President and Vice-Presidents of the Parliament and Secretary General of the Parliament.

Parliamentary Service may provide professional opinions on individual issues referred to in paragraph 1 of this Article to the Chair of the Committee and the President of the Parliament in written form.

### **Article 220**

The performance of activities and tasks of the Parliamentary Service, its internal organisation, number of civil servants and employees and individual job descriptions shall be regulated by a rulebook on organisation and systematisation of working places, in accordance with law and these Rules of Procedure.

The Rulebook on Organisation and Systematisation of Working Posts in the Parliamentary Service shall be passed by the Secretary General of the Parliament, with previously obtained opinion of the Collegium of the President of the Parliament.

The rulebook referred to in paragraph 2 of this Article shall be subject to approval of the Administrative Committee.

#### **Article 221**

In respect of rights, duties and responsibilities of officials in the Parliamentary Service, the Secretary General of the Parliament shall have the rights and duties equivalent to those of an official managing a ministry.

### **XV. ORGANISATION AND WORK OF THE PARLIAMENT IN THE STATE OF EMERGENCY, DIRECT WAR THREAT OR WAR**

#### **Article 222**

Organisation and work of the Parliament in the case of state of emergency, direct war threat or war shall be regulated by a special decision of the Parliament.

### **XVI. TRANSITIONAL AND FINAL PROVISIONS**

#### **Article 223**

Secretary General of the Parliament shall adopt a rulebook on organisation and systematisation of working places in the Parliamentary Service and submit it to the Administrative Committee for approval within 30 days from the day these Rules of Procedure enter into force.

#### **Article 224**

As of the day these Rules of Procedure enter into force, the following shall be rescinded:

- Rules of Procedure of the Parliament of the Republic of Montenegro (OGRM 37/96);
- Decision on Amendments to the Rules of Procedure of the Parliament of the Republic of Montenegro (OGRM 16/98 and 24/97);
- Decision on establishing the Gender Equality Committee (OGRM 35/01);
- Decision on establishing the Committee on European Integration (OGRM 54/03);
- Decision on establishing the Security and Defence Committee (OGRM 36/05 and 43/05).