

**NATIONAL COUNCIL OF THE SLOVAK REPUBLIC**

**ACT  
OF THE NATIONAL COUNCIL OF THE SLOVAK  
REPUBLIC**

**No. 350/1996**

**ON RULES OF PROCEDURE  
as amended**

**Act of the National Council of the Slovak Republic  
350/1996  
on Rules of Procedure  
of the National Council of the Slovak Republic  
as amended**

(Finding of the Constitutional Court 77/1998, Act 86/2000, Act 138/2002, Act 100/2003, Act 551/2003, Act 215/2004, Act 360/2004, Act 253/2005 and Finding of the Constitutional Court 320/2005)

The National Council of the Slovak Republic has decided to pass the following Act:

**PART ONE**

Section 1

Introductory Provisions

(1) This Act constitutes the Rules of Procedure and activities of the National Council of the Slovak Republic (hereinafter referred to as the "National Council") and its committees<sup>1</sup>. It also regulates in greater detail the position of the bodies of the National Council and its external relations.

(2) The National Council and its committees may, within the limits of this Act, resolve to regulate the internal relations and to set out more detailed rules of proceedings.

**PART TWO**

Section 2

Powers of the National Council

(1) As provided for by the Constitution of the Slovak Republic<sup>2</sup> (hereinafter referred to as the "Constitution"), the National Council shall have legislative and supervisory powers and authority in foreign relations, in establishing of its own bodies, and in other areas of activities as set out by law [Section 91, paragraph (1)]

(2) In particular, the National Council shall have the powers:

- a) to consider and adopt the Constitution, amendments to the Constitution, constitutional statutes and laws (hereinafter referred to as the "law"), and to supervise their observance;
- b) to consider international treaties;
- c) to reconsider laws returned by the President of the Slovak Republic (hereinafter referred to as the "President of the Republic");
- d) to consider the Proclamation of Government Policies of the Government of the Slovak Republic (hereinafter referred to as the "Government"), to supervise the activities of the Government, and to debate a vote of confidence in the Government or an individual member of the Government;
- e) to consider and approve the national budget, and to consider the opinions submitted by the Supreme Audit Office of the Slovak Republic (hereinafter referred to as the "Supreme Audit Office") on the national budget proposals;
- f) to consider the reports of the Government on the implementation of the national budget, the final national revenue balance, and the opinions of the Supreme Audit Office on the final national revenue balance;

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<sup>1</sup> Article 92 (2) of the Constitution of the Slovak Republic

<sup>2</sup> For example Article 86 of the Constitution

- g) to consider the reports submitted by the Supreme Audit Office concerning the results of audits under the schedule set by special statutory regulations or at any time when so requested by the National Council;
- h) to approve the budgets of other corporate bodies and to consider their implementation under special laws<sup>3</sup>;
- ch) to consider the reports on the monetary development submitted by the National Bank of Slovakia, and the reports of the financial situation of the National Bank of Slovakia;
- i) to consider the reports of the Government concerning, in particular, fundamental issues of, domestic, international, economic, social and other policies;
- j) to consider the responses submitted by the Government, individual members of the Government, and Head Officials of other central governmental bodies interpellated by the Members;
- k) to consider the reports on the state of the rule of law submitted by the Attorney General of the Slovak Republic (hereinafter referred to as the "Attorney-General");
- l) to consider the reports submitted by the Government on supervisory activities of the Government, government departments and other central government bodies;
- m) to consider the Report of the President of the Republic on the State of the Slovak Republic and on other important political issues;
- n) to submit to the President of the Republic the nominees for the office of judge of the Constitutional Court of the Slovak Republic (hereinafter referred to as the "Constitutional Court");
- o) to elect the judges of the Slovak Republic (hereinafter referred to as the "judge");\***
- p) to present to the President of the Republic the nominees for the office of Attorney-General and to propose his/her recall;
- r) to present to the President of the Republic nominees for the granting of honour awards;
- s) to consider information regarding the annual financial reports submitted by the political parties and/ or political movements.

(3) The National Council shall also have the powers

- a) to elect and recall the Speaker of the National Council of the Slovak Republic (hereinafter referred to as the "Speaker"), and the Deputy-Speakers of the National Council of the Slovak Republic (hereinafter referred to as the "Deputy-Speaker");
- b) to set up committees, special supervisory committees and commissions of the National Council, to decide on their number, and to elect and recall their chairmen and their members;
- c) to consider proposals, initiatives, reports and proclamations of the committees of the National Council (hereinafter referred to as the "committee"), and of the Government in matters being within the powers of the National Council;
- d) to consider other proposals, initiatives, reports and proclamations where so provided by law or determined by the National Council;
- e) to acknowledge any inability to fulfil the mandate, resignation and expiration of the mandate of a Member;
- f) to consider and decide on criminal and disciplinary matters of the Members and on matters concerning the incompatibility of functions of state functionaries that had been

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<sup>3</sup> Such as e.g. Act 92/1991 governing rules of the transfer of state property to other persons, as amended; Act 581/2004 on health insurance companies, healthcare supervision, amending and supplementing certain other laws and Act 461/2003 on social insurance, as amended.

\* *The provision is obsolete [see Art. 86 (i) of the Constitution of the Slovak Republic and Act 385/2000 on judges and associate judges, amending and supplementing certain laws, as amended by Act. 185/2000].*

submitted to the National Council<sup>4</sup>;

**g) to approve the budgetary rules of the parliamentary caucuses;\***

h) to decide on the internal matters and more detailed rules of procedure [Section 1, paragraph (2)];

ch) to decide on an adjournment of its session<sup>5</sup>

(4) The National Council shall also exercise its powers by elections as authorized thereto by other laws.<sup>6</sup>

### PART THREE CONSTITUENT SESSION OF THE NATIONAL COUNCIL

#### Section 3 Convening the Constituent Session

(1) The Constituent Session of the National Council (hereinafter referred to as the "Constituent Session") shall be convened by the President of the Republic at such time so as to ensure that it takes place no later than thirty days following the announcement of the results of the elections of the National Council.<sup>7</sup>

(2) If the President of the Republic fails to convene the Constituent Session under paragraph (1), the National Council shall meet on the thirtieth day after the announcement of the election results.

(3) The place, date and time of the meeting of the Constituent Session shall be announced by the Speaker of the National Council elected for the preceding electoral term<sup>8</sup> (hereinafter referred to as the "former Speaker of the National Council")

(4) The former Speaker of the National Council shall convene the leaders of political parties and movements represented in the National Council to discuss the preparation of the Constituent Session.

(5) Until the election of a new Speaker of the National Council, the Constituent Session shall be chaired by the former Speaker of the National Council.

#### Section 4 Pledge of the Members

(1) At the Constituent Session, each Member of the National Council (hereinafter referred to as the "Member") shall be sworn in by taking the pledge to the former Speaker of the National Council. A Member who is unable to attend the Constituent Session shall take the pledge at the first session which he/she attends.<sup>9</sup>

(2) After the text of the pledge has been read to the whole assembly, each Member shall take the pledge by placing his/her right hand on the Constitution, saying "To this I pledge" and shaking hands with the former Speaker of the National Council. The Member shall endorse his/her pledge by signing it.

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<sup>4</sup> Articles 77 and 78 (2) and (3) of the Constitution, Constitutional Act 357/2004 on the protection of public interest by the discharge of functions of public officials.

\* *This power has been granted to the Speaker of the National Council of the Slovak Republic by Act 86/2000 (see Section 65 (3) of the Act of the National Council of the Slovak Republic No. 350/1996).*

<sup>5</sup> Article 82 (3) of the Constitution.

<sup>6</sup> For example Section 31 par. 2 and Section 37 paragraph (1) of Act 92/1991 Coll., Section 123 par. 4 of the Act of the National Council of the Slovak Republic 461/2003

<sup>7</sup> Article 82 (3) of the Constitution

<sup>8</sup> Article 89 (3) of the Constitution.

<sup>9</sup> Article 75 (1) of the Constitution.

(3) If the former Speaker of the National Council had been re-elected as a Member, he/she shall take the pledge to the former Deputy-Speaker of the National Council as the first.

#### Section 5

Each Member shall assume his/her office<sup>10</sup> and shall commence to exercise the mandate on taking the pledge.

#### Section 6 Passing of Election Rules

The National Council shall pass the Election Rules laying down the details of voting and election procedures at the Constituent Session. These Election Rules shall apply during the whole electoral term.

#### Section 7

(1) After all Members will have pledged, and the Election Rules have been approved, the National Council shall elect the tellers (Section 62), the chairman and other Members of the Mandate and Immunity Committee of the National Council of the Slovak Republic (hereinafter referred to as the „Mandate and Immunity Committee“), the chairman and other members of the Committee on Incompatibility of Functions of State Officials<sup>11</sup> (hereinafter referred to as the “Committee on Incompatibility of Functions”).

(2) The Members of the Mandate and Immunity Committee and members of the Committee on Incompatibility of Functions shall be elected on the basis of the principle of proportional representation of political parties and movements in the National Council.

#### Section 8 Verification of Credentials

(1) Each Member shall submit to the Mandate and Immunity Committee a certificate of election issued by the Central Election Commission.<sup>12</sup>

(2) The Mandate and Immunity Committee shall examine the certificates of election [paragraph (1)]; the report of such examination together with a motion to confirm the credentials of the elected Members shall be submitted to the National Council.<sup>13</sup>

#### Section 9 Conflict of Interests

Duties of the Members in prevention of a conflict of their personal and public interests during the performance of their office, the activities of the Committee on Incompatibility of Functions, and the proceedings in matters of conflict of personal and public interest are regulated by a special law.<sup>14</sup>

#### Section 10

(1) If a vacancy of mandate occurs before the termination of the Constituent Session, the former Speaker of the National Council, or after his/her election, the new Speaker of the

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<sup>10</sup> Article 7 paragraph (1) of Constitutional Act 357/2004

<sup>11</sup> Article 7 paragraph (5) of Constitutional Act 357/2004

<sup>12</sup> Section 45 of Act 333/2004 on elections to the National Council as amended.

<sup>13</sup> Article 76 of the Constitution

<sup>14</sup> Constitutional Act 357/2004

National Council shall announce a succession to the seat by a substitute Member.<sup>15</sup>

(2) The substitute Member shall assume office, as a result of:

- a) the loss of mandate;<sup>16)</sup>
- b) the fact that the Member's mandate is not fulfilled;<sup>17)</sup>
- c) the Member's resignation;<sup>18)</sup>
- d) the expiration of mandate of a Member who has been lawfully sentenced for a serious wilful crime;<sup>19)</sup>
- e) the death of a Member;
- f) proceedings on matters of a conflict of personal and public interests resulting in the expiration of the Member's mandate under a special law.<sup>20)</sup>

(3) The provisions of paragraphs (1) and (2) shall apply also when a vacancy occurs after the Constituent Session and within the electoral term of the National Council.<sup>21)</sup>

(4) On becoming a Member, the substitute shall take the pledge at the session of the National Council, which he/she first attends.

### Section 11

(1) Where a Member does not exercise his/her mandate,<sup>17)</sup> the office of the Speaker or Deputy-Speaker of the National Council, of the chairman or a Member of a committee, of a chairman or Member of a special supervisory committee, of the chairman or a Member of a commission to which the Member has been elected shall expire on the day of the Member's appointment to the office in the Government or with an appointment under a special law.<sup>17)</sup>

(2) Following the expiration of the office during which the mandate has not been exercised, such office or membership [paragraph (1)] shall be determined in the elections held pursuant to the Election Rules (Section 6).

### Section 12

#### Establishment of Parliamentary Caucuses

Following the verification of credentials of Members, the former Speaker of the National Council shall adjourn the Constituent Session for such a time as may be necessary for the establishment of parliamentary caucuses of Members.

### Section 13

#### Nomination of Candidates and Setting-up of Other Committees

(1) The parliamentary caucuses or the Members<sup>22)</sup> shall submit to the former Speaker of the National Council written proposals as to the candidates for the office of the Speaker and Deputy-Speakers of the National Council, including proposals as to the number of Deputy Speakers and also as to the establishment of other committees not specified by

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<sup>15</sup> Section 47 of Act 333/2004 of the National Council as amended

<sup>16</sup> Article 75 (2) of the Constitution

<sup>17</sup> Article 77 (2) and 78 (5) of the Constitution; Article 5 paragraph (8) of Constitutional Act 357/2004 of the National Council.

<sup>18</sup> Article 81 of the Constitution

<sup>19</sup> Article 81a (f) of the Constitution

<sup>20</sup> Constitutional Act 357/2004

<sup>21</sup> Section 47 of Act 333/2004 as amended

<sup>22</sup> Section 12 (a) of Act 45/1989 of the National Council governing Membership in the National Council as amended later on

law. At the same time, candidates nominated for the office of chairmen and Members of these committees shall also be presented in writing.

(2) The former Speaker of the National Council shall present the candidates nominated under paragraph (1) at the Constituent Session of the National Council.

#### Elections of the Speaker, Deputy-Speakers, Chairmen and members of Committees of the National Council

##### Section 14

(1) The Speaker of the National Council shall be elected by secret ballot by vote of majority of all Members.<sup>23</sup>

(2) Should more candidates be nominated for the office of the Speaker of the National Council, but no candidate shall have a majority of votes of all Members, the election shall be repeated with the who have received the two largest numbers of votes in the first ballot. If the Speaker of the National Council be not elected in the second ballot, a new election shall be held not earlier than on the next day. The candidates who were nominated in the first ballot or in the subsequent ballot may be re-nominated, and/or new candidates may be presented.

(3) On the election of the Speaker of the National Council, the former Speaker of the National Council shall pass the chairmanship of the session of the National Council to the new Speaker of the National Council who shall call the election of the Deputy-Speakers of the National Council, a vote for the approval of the establishment of other committees and the election of the chairmen and Members of these committees.

##### Section 15

The Deputy-Speaker of the National Council shall be elected by secret ballot with the consent of an absolute majority of all Members.<sup>24</sup> The chairmen of committees of the National Council shall be elected by secret ballot with the consent of a majority of present Members. In their elections, the rules set in Section 14 paragraph (2) shall apply.

##### Section 16

The rules set in Sections 14 and 15 shall also apply to the recall of the Speaker, Deputy-Speakers, chairmen and Members of the committees of the National Council during the term of the National Council..

### **PART FOUR SESSIONS OF THE NATIONAL COUNCIL**

#### Article 17

##### Convening the Sessions of the National Council

(1) The sessions of the National Council shall be convened by the Speaker of the National Council<sup>25</sup> who shall also determine the place, the day, the time, and propose the

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<sup>23</sup> Article 89 (1) of the Constitution.

<sup>24</sup> Article 90 (1) of the Constitution

<sup>25</sup> Article 83 (1) of the Constitution

agenda of the session.

(2) The Speaker of the National Council shall also convene a session when so requested by not less than one fifth of the Members<sup>26</sup>. In their request, the Members shall propose the agenda. In such a case, the Speaker of the National Council shall convene the session of the National Council within seven days.<sup>26</sup> A bill cannot be discussed at such a session if the fifteen-day period provided in Section 72 par. (1) has not been satisfied.

(3) The proposed motion to be considered at a session convened under paragraph (2) shall be submitted by the Speaker of the National Council for opinions to the Government and simultaneously shall be referred to the competent committee for consideration, unless it has already been done so. Where the Government fails to present their opinion before the session has been convened, the National Council shall debate the matter without the opinion of the Government.

## Publicity of Sessions

### Section 18

(1) Sessions of the National Council are public<sup>27</sup>. Public attendance at the sessions of the National Council shall be limited by the number of seats reserved for visitors that are available.

(2) Closed sessions or parts of the session of the National Council shall be held during debates involving state, official or commercial secrets,<sup>28</sup> or when it is specifically so provided by law. Closed sessions or parts of the session may be held due to other reasons when three fifths of all Members so resolve.<sup>29</sup>

(3) Closed sessions or parts of the session of the National Council shall be held in debates dealing with reports of special committees controlling the activities of the services performed by special regulations.<sup>30</sup>

(4) The sessions of the National Council where motions and bills dealing with the national budget, tax matters and fees are discussed shall be always open to the public.

### Section 19

No publication of any presentation of a Member made during a public session of the National Council shall be restricted.

### Section 20

#### Attendance at sessions of High Public Servants under the Constitution and of Other Officials

(1) The President of the Republic, the Prime Minister, and Ministers of the Government, the President of the Constitutional Court of the Slovak Republic (hereinafter referred to as the "President of the Constitutional Court"), the Chairman of the Supreme

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<sup>26</sup> Article 83 (2) of the Constitution

<sup>27</sup> Article 83 (3) of the Constitution.

<sup>28</sup> For example Act 215/2004 on the protection of classified information, amending and supplementing other laws (this law replaced the terms "state secret" and "professional secret" with a joint term "classified information").

<sup>29</sup> Article 83 (4) of the Constitution.

<sup>30</sup> Section 5 paragraph (1) of Act 46/1993 of the Slovak National Council on Slovak Intelligence Service; Section 5 paragraph (1) of Act 198/1994 of the Slovak National Council on military intelligence. Section 72 of Act 215/2004.

Audit Office of the Slovak Republic (hereinafter the "Chairman of the Supreme Audit Office") and the Attorney-General shall have the right to attend the sessions of the National Council, and may not be excluded from these sessions.

(2) The provisions of paragraph (1) shall apply also to the Governor of the National Bank of Slovakia.

(3) When so requested by the National Council, a member of the Government or a head of other state administration body is obliged to attend a session<sup>31</sup>. A member of the Government may be substituted only by another member of the Government.

(4) With the consent of the National Council, other persons may be also present at sessions of the National Council of the Slovak Republic.

#### Section 21 Attendance of Other Persons

(1) With the consent of the National Council, any prominent person in the economic and social fields, and any representative of a foreign country or an international organization invited by the National Council or by the Speaker of the National Council may address the assembly.

(2) Media journalists or other persons present at the session of the National Council shall be allowed to occupy only designated areas, and may not disturb the session in progress. In case of misconduct or disturbance, the Chair [Section 23 paragraph (1)] may have the person causing a disturbance expelled or removed from the premises. Should the disturbance continue, the Chair may order the area reserved for the public to be vacated.

#### Section 22 Sitting Days of a Session of the National Council

The usual sitting days of the National Council shall be Tuesdays, Wednesdays, Thursdays and Fridays. The first sitting day of the session shall begin at one o'clock p.m., unless otherwise decided by the Speaker. The subsequent sitting days shall begin at 9 o'clock a.m. and end not later than 7 o'clock p.m., or 4 o'clock p.m. on Fridays, unless resolved otherwise by the National Council.

#### Section 23 Chairing of the Sessions of the National Council

(1) The sessions of the National Council shall be presided over by the Speaker of the National Council or a Deputy-Speaker of the National Council authorized by the Speaker of the National Council<sup>32</sup> (hereinafter referred to as the "Chair").

(2) When the Chair chooses to make a statement in the debate, another person shall preside over the session.

(3) At the beginning of each sitting day of the session, the Chair shall read the names of Members who have requested the Speaker of the National Council in writing to excuse their absence from the session or the sitting day.

(4) The quorum of the National Council shall be a simple majority of all Members.<sup>33</sup>

(5) When within thirty minutes after the set beginning of the session of the National Council (Section 17), less than a simple majority of all Members are present, the Chair may adjourn the beginning of the session to the next day. He shall be obliged to do so when within one hour after the notified beginning of the session, the number of Members present does not constitute a quorum. If even on the next day of the session, one hour

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<sup>31</sup> Article 85 of the Constitution

<sup>32</sup> Article 89 (2) (a) and Article 90 (1) of the Constitution

<sup>33</sup> Article 84 (1) of the Constitution

after the notified beginning of the session, a simple majority of all Members are not present, the Chair shall end the session. The Speaker of the National Council shall propose the undiscussed items on the agenda of the subsequent session. He shall proceed in a similar manner if all items on the agenda are not discussed by the end of the session due to the repeated absence of a simple majority of all Members.

(6) If, during the registration of the Members present before voting at a session of the National Council, the number of voters present does not constitute a quorum, and if there is no quorum fifteen minutes after the registration, the Chair shall suspend the session and determine a new time of the next sitting.

(7) If, after such adjournment of the sitting, the number of Members present does not constitute a quorum, the Chair may decide to begin a discussion of the next item on the agenda. The National Council may, without debate, resolve to proceed with the unfinished matters at a later time during the same session.

#### Section 24 Agenda of Sessions of the National Council

(1) At the beginning of each session, the National Council shall discuss and vote on the agenda proposed by the Speaker of the National Council. In considering the proposed agenda, the National Council may amend the agenda upon a motion made by any Member. Members' names shall not be disclosed in any item on the agenda involving disciplinary proceedings, criminal prosecution or detention orders against any Member.

(2) Member's presentation of a motion to change the agenda of the National Council shall last no more than one minute

(3) The agenda of the session convened under Section 17 paragraph (2) may not be changed.

(4) Upon a motion of a Member, the National Council may vote without a debate to change the order of agenda items of the session or to join two or more agenda items into one debate, whereby such motion and vote may also be carried out during the session of the National Council.

(5) Upon a motion put forward by at least three caucuses, the National Council may vote without debate to include a new item in the agenda of the session or to exclude an item previously approved, whereby such motion and vote may also be carried out during the session of the National Council

(6) Whenever sitting day falls on Thursday, the agenda of the session shall include Question Time beginning at 2 o'clock p.m., except for sessions convened under Section 17 paragraph (2).

(7) Interpellation shall be a regular part of the agenda of the National Council save for the session convened under Section 17 paragraph (2).

(8) The National Council shall, by a resolution, determine the day when to finish the session. Any undiscussed agenda items shall be included in the draft agenda of the next session of the National Council.

#### PROCEEDINGS IN THE NATIONAL COUNCIL Beginning of Debate

#### Section 25

Unless otherwise resolved by the National Council without debate, no discussion on the items on the agenda shall begin unless all written supporting documents for the debate have been distributed to all Members at least 24 hours prior to the beginning of the debate.

## Section 26

(1) In the debate on an issue included in the agenda of the session of the National Council, the person introducing the matter (sponsor) shall speak first and then the Rapporteur, if one has been designated. In the case of an issue introduced by the Government, it may be presented only by a member of the Government duly authorized to speak on its behalf. If the issue has been introduced by a committee, it may be presented on its behalf by a duly authorized Member of the committee. Where the issue has been proposed by another person under a special law, a duly authorized member of the Government or a Member of the appropriate committee, or, with the consent of the National Council, the person introducing the issue shall speak first. In these cases, the National Council shall decide without debate whether such address or presentation be made during the debate.

(2) Any Proposal submitted to the National Council shall be in writing, and shall state reasons justifying the proposal and a draft of the resolution recommended for approval by the National Council.

(3) Any proposal made and submitted to the National Council in compliance with the Constitution, the law, or on the basis of a resolution of the National Council shall be referred to the appropriate committee for consideration and opinion, and the National Council shall decide on such proposals, unless otherwise provided by this Act.

(4) Proposals submitted under paragraph (2) shall be assigned a printing number by the Chancellery of the National Council of the Slovak Republic (hereinafter referred to as the "Chancellery"). The proposal shall be delivered to all Members.

(5) The sponsor may withdraw the proposal at any time before the National Council has proceeded to vote on the motion as a whole.

Debate  
Section 27

(1) Following the presentation made by the sponsor and by a Rapporteur, if such has been designated, the Chair shall open the debate.

(2) Members wishing to participate in the debate on the issue in question shall enter their names on the list of speakers after the agenda of the National Council has been approved and before the beginning of the debate on that motion. After all the speakers on the list have spoken, a Member may ask for the floor. The Chair shall read the names of Members who have asked for the floor and announce that no fresh speakers will be accepted.

(3) Upon the opening of the debate, the Chair shall read the names of speakers who have entered their names on the list [paragraph (2)]. Before giving the floor to the first speaker on the list, the Chair shall announce the next speaker, and thereafter, the name of the speaker to follow the last speaker. A Member not present in the debating premises when called to speak shall lose his/her order on the list. The loss of place on the list of speakers shall mean that the speaker may speak in the debate only as the last one. Should several speakers lose their place on the list, they may make their presentation after all the speakers entered in the list who have not lost their place, and that in the order in which they lost their place on the list. If a speaker repeatedly loses his/her place on the list, he/she loses the chance to make a presentation in the debate.

(4) The Chair shall give the floor to all speakers in the order in which they applied. The Members authorized by the parliamentary caucuses shall speak first, provided that their names have been entered on the list. Each parliamentary caucus shall authorize only one Member to speak for that party. Any Member on the list of speakers may yield his/her place in favour of another speaker.

(5) A Member may speak only when given the floor by the Chair.

(6) During debate, a speech shall be made from the speaker's desk.

(7) A speaker may usually make his/her presentation in a free lecture, with or without notes.

(8) During the debate, a Rapporteur and the sponsor may have the floor whenever they request to speak.

(9) After the debate has been closed, the sponsor, and the Rapporteur may take opinions on the matters raised in the debate [Section 26 paragraph (1)].

### Section 28

(1) The Speaker and the Deputy-Speakers of the National Council, the President of the Republic and a member of the Government may have the floor at any time they request to.

(2) The President of the Constitutional Court, the President of the Supreme Court, the Chairman of the Supreme Audit Office, the Attorney-General and the Governor of the National Bank of Slovakia, may be given/have the floor, upon their request, with the consent of the National Council. The National Council shall vote thereon without debate.

### Section 29

(1) During the debate, any Member may move amendments to the issue under discussion; any such an amendment shall be in writing and properly worded.

(2) After an amendment has been moved, the sponsor or any Member may move to suspend the debate until the committee specified by the National Council has submitted its opinion. A motion to suspend the debate of a matter shall be voted on by the National Council without debate. At the same time, the National Council may determine the time limit within which the specified committee shall submit its opinions on an amendment.

(3) A Member may withdraw his/her amendment at any time before the National Council has proceeded to vote thereon.

### Section 29a

#### Setting of a time limit for the debate

(1) The National Council may, upon the motion of at least two parliamentary caucuses, resolve to set a time limit for the debate on an item included on the agenda of the session of the National Council. Such a proposal shall be submitted by the beginning of the debate on this item on the agenda of the session of the National Council. Proposals submitted at a different time shall not be taken into consideration. The time limit for the debate shall not be less than 12 hours.

(2) A motion pursuant to paragraph (1) cannot be submitted if the National Council is to debate a constitutional bill, the national budget bill, or the Programme Declaration of the Government.

(3) Should the National Council make a resolution pursuant to paragraph (1), the Chair shall divide the time allocated for the debate between the parliamentary caucuses and Members who are not members of parliamentary caucuses proportionately according to the number of Members. Members representing parliamentary caucuses shall make their presentations in the debate alternately with Members who are not members of parliamentary caucuses, in an order determined by drawing lots. The Chair shall be notified in writing of the order of speakers representing a parliamentary caucus by the Chairman of the parliamentary caucus or by a delegated member of the parliamentary caucus by the opening of the debate at latest. A Member who is not a member of a parliamentary caucus shall enter a list of speakers in writing or orally by the opening of the debate at the latest. The order of speakers who are not members of any parliamentary caucus shall be determined by drawing lots.

(4) The time allotted to the parliamentary caucuses and members who are not members of parliamentary caucuses shall be measured by a technical device or by

tellers. If the speakers representing a parliamentary caucus or a Member who is not member of a parliamentary caucus do not make use of the time that was allotted to them pursuant to paragraph (1), the time limit for the debate shall be reduced by the time the parliamentary caucus or the Member who is not a member of a parliamentary caucus did not make use of.

(5) The time limit pursuant to paragraph (1) does not include the time of presentation of the Chair, the sponsor, and the common Rapporteur of the committees. Should the sponsor or the common Rapporteur of committees be a member of a parliamentary caucus, the time of their presentation shall not be included in the time allotted to their parliamentary caucus. The time set for the parliamentary caucus and a Member who is not member of a parliamentary caucus shall also include the time used for brief comments (Section 33) and procedural motions (Section 34).

(6) As soon as the time allotted to a parliamentary caucus or a Member who is not a member of a parliamentary caucus elapses, the Chair shall take the floor from the speaker. Upon the proposal of the speaker the National Council may resolve without debate, to allow him/her to finish his/her presentation. The floor shall not be passed to other members who were to speak on behalf of the parliamentary caucus in compliance with the notification of the Chairman of the parliamentary caucus or a member of the parliamentary caucus delegated by him/her. Members who were ordered to discontinue speaking or Members who were not enabled to make a presentation due to the expiration of the allotted time are entitled to submit their presentation in writing to the Chair, and that before the presentation of the common Rapporteur after the end of the debate. The Member's presentation in writing shall be included in the verbatim minutes of the session of the National Council [Section 41 paragraph (1)] with a note stating that the presentation was not presented orally. Should the presentation in writing include an amendment, it shall be distributed to the Members, the common Rapporteur shall read it in his/her presentation before the voting and a vote will be taken on the amendment.

(7) Should the National Council resolve to determine the time limit for debate pursuant to paragraph (1), the provisions of Section 27 paragraphs. (2) and (4), Section 30, and Section 35 paragraphs. (2), (3) and (6) shall not apply.

### Section 30 Time Limits for Speaking

The National Council may resolve, without debate, to set a time limit for speaking in the debate. Such limits shall not be less than ten minutes, or twenty minutes in the case of speakers authorized by a parliamentary caucus, unless otherwise provided by this Act.

### Section 31 Language of the Debate

The language of the debate at the sessions of the National Council shall be the official language. In the case of a speaker who is a foreigner, the Chancellery shall arrange for an interpreter.

### Section 32 Maintaining Order in the Chamber

(1) Any speaker deviating from the matter under discussion shall be ordered by the Chair to speak to the point. If a speaker fails to keep to the matter after repeated calls, he/she shall lose the floor. If a speaker exceeds the time limit set under Section 30, the Chair shall notify him/her, and if he/she fails to cease speaking immediately, the Chair shall take the floor from that Member.

(2) A Member who fails to stop speaking after he/she has been taken the floor, or a Member whose conduct and manners do not accord with good behaviour, shall be called to order by the Chair. If the conduct of the Member called to order does not improve,

he/she may be ordered by the Chair to leave the Chamber until the day's debate is over. A Member ordered to leave has the right to return to vote on any motion.

(3) No firearms<sup>34</sup>, explosives, stunning devices and substances, or portable telecommunication devices shall be allowed into the Chamber. The Chair shall proceed under paragraph (2) against any person in breach of these restrictions.

(4) An order to leave the Chamber under paragraphs (2) or (3) shall constitute an unexcused absence from the sitting day of the session of the National Council.

(5) A complaint against any measure taken by the Chair under paragraphs (1)-(3) may be made by the Member concerned immediately after the measure has been imposed. Such complaint shall be resolved by the National Council without debate.

### Section 33 Factual Comments

(1) During debate, Members have the right to make one brief comment by which they may immediately react to the presentation of the preceding speaker. A brief comment cannot be a reaction to another brief comment. After the presentation of brief comments by Members who asked to speak, the Chair shall enable the speaker, to the presentation of whom members reacted with brief comments, to react with a brief comment. During such comments, no motions to supplement or amend the agenda of the session of the National Council, or amendments or draft resolutions of the National Council may be made.

(2) Any factual comment and the presentation of the speaker to which Members reacted by brief comments [paragraph (1), third sentence] shall not exceed the limit of two minutes. If such a statement is not a factual comment under paragraph (1), or when a Member exceeds the time limit, he/she shall be ordered to discontinue speaking by the Chair. A decision of the Chair shall be final.

### Section 34 Procedural Motions

The Members have the right to make procedural motions in relation to the method of debate on a matter, and the schedule and subject matter of the debate of the National Council, with the exception of voting on a the merits of the given matter. The presentation of a member in the course of which he submits a procedural motion shall not exceed the limit of one minute.

### Section 35 Closure of Debate

(1) The debate shall be closed by the Chair after all speakers who wished to speak have done so.

(2) The National Council may resolve to close the debate before all speakers on the list have spoken when a motion to end the debate has been made by not less than two parliamentary caucuses. Such motion shall be resolved without debate. A motion to close a debate may be voted on solely on condition that each parliamentary caucus has been represented at least by one speaker.

(3) When the National Council has resolved to close the debate under paragraph (2), the Members whose names have been entered on the list of speakers before the motion to end the debate, and also the Members wishing to put forward amendments to the matter under discussion, shall still have the right to speak before the debate is closed.

(4) When requested by at least two parliamentary caucuses after the debate has been closed and before voting, the Chair shall suspend the deliberation on an item of the agenda of the session of the National Council and announce a break period of not less

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<sup>34</sup> Act 190/2003 of the National Council on firearms and ammunition as amended.

than fifteen minutes for a consultation of the individual caucuses.

(5) After the debate has been closed and following the consultation of the caucuses [paragraph (4)], a Member authorized by each caucus may present the opinion of that caucus in a report not longer than two minutes.

(6) Whenever a member of the Government takes the floor after the debate has been closed and before voting, the debate shall be reopened.

(7) Upon a motion by the Speaker of the National Council, the National Council may decide to close the debate. In such a case, the debate shall end immediately upon the decision of the National Council.

(8) After closure of the debate pursuant to paragraph (7), Members who asked to speak in the debate have the right to submit their presentation in writing to the Chair. The Member's presentation in writing shall be included in the verbatim minutes of the session of the National Council [Section 41 paragraph (1)] with a note stating that the presentation was not presented orally. Should the presentation in writing include an amendment, it shall be distributed to the Members, the common Rapporteur shall read it in his/her presentation before the voting, and he/she shall call a vote on the amendment. In order to be able to take all the actions pursuant to this paragraph, the Chair shall announce a ten-minute technical break after the closure of the debate.

(9) After the debate has been closed and, as the case may be, after having heard the report from a delegated member of a parliamentary caucus [paragraph (5)], the Chair shall start a debate on another item on the agenda, if the National Council has passed a resolution pursuant to Section 36 paragraph (1).

#### Voting at Sessions of the National Council Section 36

(1) Any motion put before the National Council shall be decided by a vote. Voting shall usually take place immediately after the debate ends or is closed, unless the National Council decides otherwise without debate.

(2) Prior to a vote, the Chair shall announce that a vote will be taken, instruct Members on the method of voting and ascertain the number of Members present.

(3) Prior to any vote, the Chair or the Rapporteur shall announce the motion on which the vote will be taken; if the motion has not been presented to Members in writing, he shall reread the precise wording thereof. Thereupon, the Chair shall proceed to conduct the voting.

(4) A vote may not be interrupted; during voting, the Chair may not give the floor to anyone.

(5) The Members shall usually vote from their seats designated to each Member according to the official seating arrangement. The Rapporteur shall vote from the place designated for a Rapporteur.

#### Section 37

(1) Where amendments have been moved, voting on them shall be taken first in the order in which they have been moved. Voting on amendments included in the report of a committee or the joint report of committees shall have priority over other motions presented in the debate. If an approved amendment pre-empts further amendments, they shall not be voted on. If any Member expresses doubts about such pre-emption, the National Council shall decide without debate whether such amendments shall be considered or not.

(2) Where a resolution must be passed by an absolute majority of Members<sup>35</sup> or where a three-fifths majority of all Members is prescribed by the Constitution<sup>36</sup>,

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<sup>35</sup> Article 84 (3), Article 88 (2), Article 89 (1) and Article 90 (1) of the Constitution.

<sup>36</sup> Article 83 (4), Article 84 (4), Article 106 (1) and Article 107 of the Constitution.

amendments may be passed only with the consent of a majority required for the particular case.

(3) When proposed by a Member, voting on individual parts of an amendment may be taken separately. If any part of the amendment is not approved in separate voting, there shall be a vote on the already approved parts as a whole, provided that they constitute a logically consistent unit.

(4) After voting on individual amendments, a vote on the motion as a whole shall be taken.

### Section 38

(1) Voting on procedural motions (Section 34) shall be held without debate.

(2) Any procedural motion that appears to have a general support of the National Council may be decided also without voting. In such cases the Chair shall ask whether any Member demands a vote thereon. Should at least one Member require a vote, the procedure under Section 39 shall apply.

(3) The Chair shall immediately hold a vote on a procedural motion, which does not appear to have the support of the National Council. Should the Chair establish during the voting that the quorum is not present in the National Council, the debate shall proceed in accordance with the agenda. In such a case, the Chair shall hold another vote on a procedural motion, provided that it is still relevant, as soon as the quorum is present in the National Council.

### Section 39

(1) Voting shall be public or secret.

(2) Public voting shall normally be conducted through technical equipment or by show of hands, unless another method of public voting has been decided by the National Council.

(3) The results of a vote shall be announced by the Chair by the means of stating the number of Members that have voted, the number of affirmative and negative votes, and the number of abstaining and non-voting Members.

(4) Immediately after voting, any Member may object to the results of voting due to a failure of the technical system. Such objection shall be resolved by the National Council without debate. Where the objection is upheld by the National Council, public voting shall be repeated by the means of technical equipment, unless otherwise decided by the National Council. The Chair may also ask the tellers of the National Council to count the votes.

(5) By voting by roll call, the Members are called by the Chair. Each Member, when his/her name has been called, shall say: "Voting in favour of the proposal", or "Voting against the proposal", or "Abstaining from voting". Each statement shall be repeated by the Chair. Any other statement shall be considered abstaining from voting. Voting by roll call may be proposed by not less than one fifth of Members present. Such motion shall be resolved by the National Council without debate.

(6) No Member may be substituted in voting by another Member or any other person. A Member who has cast a vote for another Member shall be subject to disciplinary proceedings under Section 136 paragraph (2) (b).

(7) Rules of voting by technical equipment or by roll call shall be regulated by a resolution of the National Council.

(8) Secret voting shall be taken in cases stipulated by the Constitution<sup>37</sup>, or by law, as well as in the case of an election or a recall, or when so resolved by the National Council without debate. In the case of an election or a recall, the National Council may, without debate, resolve to hold a public vote on the issue, unless provided otherwise by a

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<sup>37</sup> Article 89 (1). Article 90 (1) and Article 92 (1) of the Constitution.

special law.

(9) In secret voting ballot shall be used; ballot papers shall be handed by the tellers of the National Council to each Member upon entering the area designated for secret voting. The process of secret voting by ballot shall be under the supervision of the tellers of the National Council who shall count the votes and prepare the minutes of secret voting.

(10) The teller authorized to do so shall report to the National Council the number of distributed ballots, the number of Members that have voted in favour of the proposed candidate, the number of Members who have voted against the proposed candidate, negative votes, the number of Members who have abstained, the number of those who had not returned the ballot papers, and the number of invalid votes. The election result shall be announced by the Chair.

(11) The results of secret voting shall be announced by the Chair informing the National Council of the number of distributed ballots, the number of affirmative votes, the number of negative votes, the number of Members abstaining from voting, the number of those who have not returned the ballot papers, and the number of invalid votes.

(12) The information provided by the technical equipment showing the results of a public vote and the minutes of secret voting or the minutes of election results shall be included in the minutes of the session of the National Council

#### Section 40

#### Signing Resolutions of the National Council

A Resolution of the National Council shall be signed by the Speaker of the National Council and two tellers of the National Council.

#### Section 41

#### The Minutes of the Session

(1) A verbatim record of each session of the National Council shall be made. The Minutes of the Session shall indicate the Member presiding over the session, the number of Members present, the names of the Members who were absent, the names of Members who sought to be excused from the sittings, the names of speakers in the debate, and the results of voting.

(2) Any Member who has spoken in the debate may proofread and revise the record of his/her presentation within 24 hours of its delivery. If the speaker does not correct any errors or verify the correctness of the record within this time limit, it will be printed without his/her verification, subject only to linguistic editing. In revising the record, the speaker shall not be allowed to change the meaning or the content of his/her address. Any objections of the speaker on the shortcomings of the record shall be decided by the Speaker of the National Council.

(3) The verified Minutes of the Session shall be the authentic record of the session of the National Council and shall be archived together with the submitted supporting materials, annexes and resolutions. The Minutes of the Session shall contain the full versions of tables motions, approved resolutions, proclamations and other materials considered during the session of the National Council, the attendance register, and the results of voting.

(4) On the basis of the Minutes of the Session of the National Council, the Official Journal published after each session of the National Council shall be prepared. In the event of closed sessions, or parts thereof, the Speaker of the National Council may decide on another method of publishing for the Journal.

(5) The Journal issued under paragraph (4), shall state particularly the name of the Member presiding over the sittings, the full versions of addresses presented by the speakers, the final voting roll with names, the results of voting, the texts of approved resolutions or proclamations (except for Acts). The Journal may also include other details where so resolved by the National Council.

(6) Each session of the National Council shall be audio-recorded and the tapes shall be kept for not less than six months.

#### Section 42

(1) The results of each daily sitting of the National Council shall be outlined in a brief summary containing the particulars specified in paragraph (2). This summary shall be prepared before the beginning of the next day's sitting.

2) The particulars of such a summary of the results of the sitting of the National Council on that day shall include:

- a) the order of agenda items from the Session with the full title and the printing numbers of the documents;
- b) the names sponsors and Rapporteurs of the items on the agenda, and of speakers participating in the debate;
- c) the result of voting on a proposal as a whole.

3) The Chancellery shall be responsible for the preparation and the completeness of the summary of the results of each sitting day of the National Council.

### **PART FIVE OFFICERS AND COMMITTEES OF THE NATIONAL COUNCIL Officers of the National Council**

#### Section 43

##### Speaker of the National Council

(1) The Speaker of the National Council shall exercise the powers granted by the Constitution<sup>38</sup>.

(2) For these purposes, the Speaker of the National Council shall, in particular,

- (a) represent the National Council;
- (b) sign resolutions of the National Council;
- (c) submit reports to the National Council on measures he has taken;
- (d) announce the elections to municipal bodies<sup>39</sup>;
- (e) arrange for the promulgation of the Acts passed by the National Council and proposals approved in a referendum<sup>36a</sup> and also of the resolutions passed by the National Council if the nature of the matter so requires;
- (f) promulgate the complete wording of the Acts when so empowered by law;
- (g) arrange the matters related to the proceedings before the Constitutional Court;
- (h) notify, without delay, the Mandate and Immunity Committee of a Member arrested while committing a crime;<sup>40</sup>
- (ch) take cognisance of a notification of the establishment of a parliamentary caucus and of its composition;
- (i) approve a termination of employment or related contracts of a Member against his/her will during the term of his/her office or during the twelve months following the expiration of his/her mandate;<sup>41</sup>
- (j) appoint and recall the Head of the Chancellery;

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<sup>38</sup> Article 89 (2), Article 82 (4), Article 83 (1) and (2) and Article 91 of the Constitution.

<sup>39</sup> Section 25 of Act 346/1990 of the National Council on the elections to municipal and self-governing authorities as amended

<sup>36a</sup> Article 98 (2) of the Constitution.

<sup>40</sup> Article 78 (4) of the Constitution.

<sup>41</sup> Section 8 paragraph (3) of Act 120/1993 of the National Council on remuneration certain holders of high offices under the Constitution of the Slovak Republic.

(k) take cognisance of a resignation of a judge;\*

(l) perform other duties as authorized by the National Council or as provided by law.<sup>42)</sup>

(3) The Speaker of the National Council shall convene meetings of chairmen of committees when so required.

#### Section 44 Deputy-Speakers of the National Council

The Deputy-Speakers of the National Council shall

- a) direct and organize the business of the National Council in the areas authorized by the Speaker of the National Council;
- b) substitute for the Speaker of the National Council in the performance of his/her duties in the order as may be determined and authorized by the Speaker of the National Council;
- c) perform other activities set out in this Act.

#### Committees Section 45

(1) The National Council shall establish committees composed of its own Members for purposes of the introduction of legislation and supervision.

(2) The National Council shall appoint the Mandate and Immunity Committee, the Committee on Incompatibility of Functions, the Committee of the National Council of the Slovak Republic on European Affairs (hereinafter referred to as the "Committee on European Affairs") and the Constitutional and Legal Affairs Committee of the National Council of the Slovak Republic (hereinafter referred to as the "Constitutional and Legal Affairs Committee"). The National Council may Other committees shall be appointed and the scope of their responsibilities determined as may be necessary.

(3) The committees shall, in particular,

- a) submit to the National Council bills and other recommendations in matters within their scope;
- b) supervise the observance and implementation of laws and whether the regulations issued for their implementation are in accordance with the laws. Where a committee finds a breach of a law or that an implementing regulation violates the law , or that such implementing regulation has not been issued at all, or has not been issued in a timely manner, it shall notify the appropriate member of the Government, or the head of the appropriate central body of state administration, and shall require immediate remedial action; if no remedial action is taken, the committee shall report it to the National Council;
- c) consider, within the scope of their activities, the principal matters of economic and social development in the Slovak Republic, particularly the fulfilment of the Proclamation of Government Policies, the national budget proposal and its implementation and the final national revenue balance; for this purpose they shall cooperate with the members of the Government and the heads of other state bodies, public corporations and other bodies established by law;
- d) cooperate with the authorities of public administration and use their initiatives and suggestions by the performance of the committees' activity. For the purpose of obtaining information the committees may invite representatives of public administration bodies to committee meetings for consideration of matters under discussion, particularly of bills; they may also carry out parliamentary surveys and hold committee meetings outside the National Council.

(4) The Speaker of the National Council shall not be a member of any committee.

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\* The provision is obsolete [see Article 145 paragraph (1) of the Constitution and Act 385/2000 as amended by Act 185/2002].

<sup>42</sup> For example Constitutional Act 357/2004

## Section 46

(1) The committees shall discuss any matter referred to them by the Speaker of the National Council or by the National Council, and any other matters, which a committee has resolved to consider. A matter referred to a committee shall be discussed within such time limit as may be determined.

(2) For the purpose of consideration of a matter in a committee the chairman of the committee shall appoint a Rapporteur from among the committee's members. The Rapporteur shall prepare a report on the matter under discussion and to propose a motion for a resolution thereon.

(3) The committees shall submit their proposals, initiatives, and opinions to the National Council and also, as the case may be, to the Speaker of the National Council.

(4) The committees shall submit draft opinions concerning the proposals of legally binding acts and other acts of the European Communities and the European Union under Section 58a (3) (a).

## Section 47

(1) The committees may also refer their proposals, initiatives, and opinions to the appropriate members of the Government or to the heads of other central state administration bodies,; if the nature of the matter so requires, they shall also inform the Speaker of the National Council.

(2) The members of the Government and the heads of other central state administration bodies are obliged to notify the committee within thirty days, unless a longer term has been agreed by a committee, of the measures taken upon such recommendations of the committee.

(3) If a committee receives no reply within the term specified in paragraph (2), or if a committee disagrees with such a reply, its recommendation may be submitted to the National Council.

## Section 48

(1) The constituent meeting of a committee shall be convened by its chairman. A committee shall elect one or two vice-chairmen and two tellers.

(2) The vice-chairman or the tellers of a committee may be elected or recalled with the consent of an absolute majority of Members of the committee.

## Section 49

(1) The meetings of a committee shall be convened usually during sitting days of a session (§ 22) and chaired by the chairman of the committee. After the meeting has been opened, the chairman shall announce the names of Members who have asked in writing to be excused for their absence at the committee meeting.

(2) The chairman of a committee shall convene the meeting of a committee upon a resolution of the National Council or upon a request of the Speaker of the National Council or a request of not less than one third of the Members of the committee. If no date has been fixed in the resolution of the National Council or in the request, the chairman of the committee shall convene the meeting within seven days of the adoption of such resolution or of the delivery of such request.

(3) The agenda of the meeting and the mode of proceedings shall be drafted and presented to a committee by its chairman. Changes and supplements to the agenda may be proposed by any Member of the committee.

(4) In his/her absence, the chairman of a committee shall be substituted by a duly authorized vice-chairman who shall substitute the chairman also whenever so authorized

by him/her. In the absence of the chairman and the vice-chairman, the chairman shall be substituted by a Member of the committee duly authorized by the chairman or by the committee.

#### Section 50

(1) Meetings of committees shall be open to public, unless otherwise provided for by this Act [Section 57 paragraph (3) and Section 60 paragraph (3)]. Visitors shall be admitted as long as the seating facilities in the committee room permit. Non-public meeting of a committee shall be governed by Section 18 paragraphs (2) and (3) as appropriate.

(2) Members of committees to which a matter has not been referred for consideration may submit their written opinions to the lead committee. The lead committee shall consider these opinions even when the Member concerned is not present.

(3) Members have the right to attend meetings of committees of which they are not Members. They have the right to speak, but not to vote.

(4) Non-public meetings of a committee may be attended by Members of the National Council, the President of the Republic, members of the Government, and, with the consent of the committee, also other persons.

#### Section 51

Publication of Members' presentation made during a public meeting of a committee shall not be restricted.

#### Section 52

(1) A decision of a committee shall be taken by a resolution. The voting of a committee is public.

(2) The quorum of a committee shall consist of an absolute majority of its Members.

(3) Section 36 paragraphs (2)-(4) and Sections 37 and 38 shall apply to voting in committees as appropriate.

(4) A resolution shall be passed by a majority of the Members of a committee present at the meeting, except for cases stipulated by the Constitution where the consent of an absolute majority of the members or the consent of at least a three-fifths majority of all Members shall be necessary for a valid resolution of the National Council. In such cases, the consent of an absolute majority of the Members of the committee or of at least three-fifths of all Members shall be necessary in order to pass the resolution of the committee.

(5) If at least one third of committee Members present at the meeting disagree with the resolution, their opinion shall be published in the resolution of the committee whenever so requested by any of the committee's Members present at the meeting.

#### Section 53

(1) The President of the Republic, members of the Government, the Attorney General and the Head of the Supreme Audit Office have the right to attend the meetings of a committee and to address the meeting whenever they so request.

(2) Committees have the right to invite to their meetings members of the Government, heads of other state administration bodies and the Attorney General, and to demand their explanations, reports or necessary documents. When invited, they shall attend the committee meeting and submit their clarifications, reports and documents as required. With the consent of the committee they may be substituted by duly commissioned representatives.

(3) The President of the Republic, members of the Government, heads of other

state administration bodies and the Attorney-General or their duly commissioned representatives may attend the committee meetings accompanied by experts of their own choice and request the chairman of a committee to allow such experts to address the committee.

#### Section 54

(1) Committees may also invite to their meetings various specialists and other persons and request their opinions.

(2) Committees may request experts, institutes of science or other authorities to prepare expert analyses and opinions, which may be necessary for debates in committees. Any committee may request the expert(s) in charge of such reports to present an oral explanation at the meeting of the committee.

#### Section 55

The proceedings of a committee shall be recorded in the minutes. The minutes and resolutions shall be verified by the means of the signature of a committee teller. Following the verification they shall be signed by the chairman of the committee or a Member substituting the chairman [Section 48 paragraph (1)].

#### Section 56

(1) Upon mutual agreement, committees may hold joint meetings and submit joint proposals.

(2) The debates at joint meetings of committees shall be governed by the rules of proceedings in committees as appropriate. The chairmen of committees shall take turns in chairing the joint meeting of committees; a vote shall be taken in each of the committees separately.

(3) A joint meeting of committees may also be convened at the request of the Speaker of the National Council who may convene a joint meeting of all committees.

#### Section 57

##### Mandate and Immunity Committee

(1) The Mandate and Immunity Committee shall, in particular,

- a) submit to the National Council motions to verify validity of Members' mandates [Section 8 paragraph (2)];
- b) ascertain whether a Member has taken a pledge or a pledge with reservations. Where the Committee finds that a Member has refused to take a pledge or has taken a pledge with reservations, it shall recommend the National Council a resolution on the loss of the Member's mandate;<sup>43)</sup>
- c) ascertains whether a Member has lost eligibility;
- d) consider whether there are grounds to refuse to commit a Member for criminal prosecution, disciplinary action, or detention in custody;
- e) decide on requests to permit the detention of a Member who has been caught and detained while committing a crime. This decision shall be reported to the Speaker of the National Council and the National Council at the next session;
- f) conduct disciplinary proceedings (Sections 136 - 140);
- g) debate on matters dealing with the loss, resignation or expiration of a Member's mandate<sup>44)</sup>, moving proposals thereon to the National Council;
- h) discuss termination of employment or related contract of a Member, which is to be

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<sup>43</sup> Article 75 (2) of the Constitution.

<sup>44</sup> Article 75 (2) and Article 81a (b), (c) (e) and (f) of the Constitution.

performed against Member's will.<sup>38)</sup>

(2) When the appropriate authority requests the National Council to grant permission for criminal prosecution or disciplinary action against a Member<sup>45</sup>, the Mandate and Immunity Committee shall immediately consider the request, enabling the Member to participate in the debate and to state his/her opinion on the matter. The Mandate and Immunity Committee shall report the results of such consideration together with proposals thereon to the National Council.

(3) The meetings of the Mandate and Immunity Committee shall be closed to the public at all times. Provisions of Section 50 paragraph (3) and Section 143 paragraph (6) do not apply to meetings of this committee. The Speaker of the National Council has the right to attend these meetings; any other person may attend the meetings only with the consent of the Committee.

#### Section 58 Committee on Incompatibility of Functions

The Committee on Incompatibility of Functions shall, in particular,

- a) examine whether a Member performs any other duties or holds a function incompatible with the office of a Member of the National Council or a function due to which his/her mandate cannot be fulfilled<sup>46</sup>;
- b) discharge tasks related to the examination of the conduct of a state official,<sup>47</sup> as to whether it is in contravention of a special law;<sup>14)</sup>
- c) submit to the National Council reports on the results of the examinations conducted under (a) and (b), and propose a motion for a resolution to be adopted by the National Council.

(2) The meeting of the Committee on Incompatibility of Functions in the case of public interest and preclusion of the conflict of interest under a special regulation<sup>48</sup> shall be open to the public at all times.

#### Section 58a Committee on European Affairs

(1) The National Council shall elect the chair and the members of the Committee on European Affairs on the basis of proportional representation of political parties and movements, the members of which hold parliamentary seats in the respective electoral term.

(2) The National Council shall elect a substitute member for each regular member of the Committee for European Affairs (hereinafter referred to as the "substitute member"). A substitute member may participate in a meeting of the Committee on European Affairs instead of the regular member provided that the latter informs the chair or the vice-chair of the committee thereof. In such case the substitute member is counted among the committee members present [Section 52 (2)] and has the right to vote at the meeting of the Committee for European Affairs. If a substitute member participates in a Committee meeting together with the regular member whom he substitutes, or without a notification by the regular member of the participation of the substitute member, the latter shall not be included in the headcount of the Members present and does not have the right to vote. The substitute member for the chair or the vice-chair of the Committee shall participate in the meeting of the Committee for European Affairs as a member.

(3) The Committee for European Affairs shall

- a) discuss the drafts of legally binding acts and other acts of the European Communities

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<sup>45</sup> Article 78 (3) of the Constitution

<sup>46</sup> Article 77 of the Constitution and Constitutional Act 357/2004

<sup>47</sup> Article 2 (a) of Constitutional Act 119/1995.

<sup>47a</sup> Constitutional Act 357/2004

and the European Union, which are to be discussed by the representatives of the governments of member states of the European Union;

b) approve the opinions of the Slovak Republic on the drafts of legally binding acts and other acts of the European Communities and the European Union, which are to be discussed by the representatives of governments of the member states of the European Union;

c) consider reports and information submitted to the National Council by the Government and members of the Government;

d) have the option to request other committees of the National Council to submit their suggested opinions to drafts under a) and b)

e) report to the National Council on the activities under a) to d) hereof

(4) The National Council may reserve the right to decide on matters under paragraph (3) (a) and (b).

(5) The meetings of the Committee on European Affairs shall be convened by the chair or the vice-chair of the Committee, as necessary.

(6) An authorized member of the Government shall attend the meeting of the Committee on European Affairs and inform the Committee of the drafts of legally binding acts and other acts of the European Communities and the European Union and provide forthwith information on the results of discussions of bodies, of which he is a member.

(7) Members of European Parliament elected in the territory of the Slovak Republic under a special law<sup>47b</sup> may participate in a meeting of the Committee on European Affairs and may speak on the discussed matter.

(8) The Government or an authorized member of the Government shall submit to the Committee for European Affairs without delay the drafts of legally binding acts and other acts of the European Communities and the European Union, which are to be discussed by the representatives of governments of member states of the European Union. The Government or an authorized member of the Government shall, no later than three weeks after having received the draft of a legally binding act as mentioned above, submit to the Committee on European Affairs a preliminary opinion on that draft; the preliminary opinion shall contain, in particular, a brief information on the content and objectives of the draft, the type and time schedule of the decision-making procedure in the European Communities and European Union, on the compliance of the draft with the principle of subsidiarity and an evaluation of the impact of the draft on the Slovak Republic with respect to political, legislative, economic, social and environmental aspects.

(9) The Government or an authorized member of the Government shall, sufficiently in advance, submit to the Committee for European Affairs the proposal of the opinion of the Slovak Republic on the drafts of legally binding acts and other acts of the European Communities and the European Union.<sup>47c</sup>

(10) A member of the Government may ask the Committee for European Affairs to change the opinion of the Slovak Republic.<sup>47d</sup>

(11) If a member of the Government applies a different opinion than the one stated in paragraph (3) (b), he shall forthwith provide the Committee for European Affairs an explanation and justification of such action.

(12) The Government shall provide for regular notification of the Committee on European Affairs by members of the Government of all topical issues discussed in the bodies of the European Communities and European Union, of which they are members. Unless resolved otherwise by the National Council, by the end of March of each year the Government shall submit to the National Council a report on matters related to Slovakia's membership in the European Communities and the European Union for the preceding calendar year.

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<sup>47b</sup> Act 331/2003 on Elections to the European Parliament, as amended

<sup>47c</sup> Article 1 (2) of Constitutional Act 397/2004 on the cooperation of the National Council of the Slovak Republic and the Government of the Slovak Republic in European Union affairs

<sup>47d</sup> Article 2 (5) of Constitutional Act 397/2004.

(13) The Committee for European Affairs may at any time request the Government or an authorized member of the Government to submit reports, information, justifications or explanations of any matters related to Slovakia's membership in the European Communities and the European Union.

#### Section 59 Constitutional and Legal Affairs Committee

The Constitutional and Legal Affairs Committee shall, in particular,

- a) present to the National Council initiatives aimed at improving the system of law and order in the Slovak Republic;
- b) debate all bills, mainly with regard to the compatibility of the bills with the Constitution, constitutional statutes, international treaties binding the Slovak Republic, laws of the Slovak Republic and the laws of the European Union;
- c) recommend to the Speaker of the National Council the procedures necessary for the implementation of tasks related to proceedings before the Constitutional Court;
- d) discuss and recommend to the National Council candidates for the election of **judges**,<sup>49</sup> candidates for justices of the Constitutional Court<sup>50</sup> and if authorized so also other high officials elected by the National Council under special laws;
- e) discuss the reports on the state of the rule of law and on the activities of public prosecution, the judiciary and prison administration.

#### Section 60 Special Control Committees

(1) The National Council shall also establish special control committees consisting of Members of the National Council to control the operation of the National Security Authority and of the services provided under special laws.<sup>30)</sup> The rights and obligations of special control committees shall be governed by special laws.<sup>51</sup>

(2) The Members of special control committees shall be elected by the National Council on the basis of proportional representation of Members in the parliamentary caucuses and with respect to the number of Members fixed for the special control committee. Any Member can give up membership in the control committee.

(3) The debates in special control committees shall not be open to the public; only Members of the committee, and other persons with the consent of the committee may attend. The Speaker of the National Council has the right to attend the debates of special control committees. Other provisions of this Act shall apply to the proceedings of these committees as appropriate.

### **PART SIX**

#### Section 61 Commissions

The National Council and its committees may set up standing and ad hoc commissions to be consulted on various issues and to prepare opinions on matters within their powers. The Members of a commission may be chosen from Members of the National Council and other persons. Only a Member of the National Council may chair such a commission. The committees may also create joint commissions.

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<sup>48</sup> Article 145 (1) of the Constitution \* [\* The footnote does not correspond to the current wording in place [see the new wording of Article 145 paragraph (1) of the Constitution and Act 385/2000, as amended by Act 185/2002)].

<sup>49</sup> Article 134 (2) of the Constitution

<sup>50</sup> Act 46/1993 of the National Council as amended. Act 198/1994 of the National Council, as amended. Act 215/2004

**PART SEVEN**

## Section 62

## Tellers of the National Council

(1) The tellers of the National Council shall supervise the correctness of voting and election procedures at sessions of the National Council. Upon a motion of the Chair, the National Council may decide without debate to have the votes counted by tellers if there are any doubts concerning the results of a vote.

(2) The tellers shall be responsible for the correct and complete Minutes of the Sessions of the National Council; they shall sign resolutions and other documents approved by the National Council.

(3) If no tellers are present at the session of the National Council, the duties of tellers under paragraphs (1) and (2) shall be performed by Members designated by the National Council.

(4) The provisions of paragraphs (1)-(3) shall apply to teller in committees as appropriate.

**PART EIGHT**

## Section 63

Attendance of Members at the Sessions  
of the National Council and Its Committees

(1) Each Member shall attend the sessions of the National Council and the meetings of the committees to which he/she has been elected. A Member shall also participate in any other activities within the powers of the National Council or its committees, if so determined or commissioned by the National Council or a committee.

(2) For each sitting day of a session of the National Council an attendance roster shall be prepared, which shall be signed by all Members present at the sitting.

(3) A Member unable to attend a sitting of the National Council or its committees [paragraph (1)] because of illness or any other serious reason, shall, prior to such session, send a written excuse to the Speaker of the National Council for his/her absence from the sitting of the National Council or to the chairman of a committee if he cannot attend a meeting of the committee of which he/she is a Member. In such an excuse he/she will state the reason for which he/she is unable to attend the sitting together with the estimated length of absence. No excuse shall be required for absence in relation to the duties of a Member performed with the consent of the Speaker of the National Council or the chairman of the committee, as the case may be.

(4) In the case of an absence at a session for which no written excuse under paragraph (3) can be delivered, the Member may ask for an excuse by another appropriate means. Such excuse must be confirmed in writing without delay.

(5) The Speaker of the National Council shall consider whether the reason for a Member's absence from sittings of the session of the National Council [paragraph (3)] is a reasonable cause for his/her absence<sup>52</sup>; the reasons of a Member's absence from a committee meeting shall be considered by the chairman of the committee concerned. The Member shall be given an opportunity to express his/her opinion on the matter.

(6) A Member's absence from sittings of a session under paragraph (5) shall be considered immediately after the end of the current month. Having considered the reasons of a Member's absence, the Speaker of the National Council or the chairman of the committee in question shall announce their decisions to the Member and also to the Chancellery, which, in the case of unexcused absence from the sittings of the National

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<sup>51</sup> Section 7 paragraphs 1 and 2 and Section of 9 of Act 120/1993 of the National Council [Section 9 paragraph (1) has been abolished].

Council or a meeting of the committee shall arrange for a loss of the Member's claims or a modification of certain claims as authorized by a special law<sup>52</sup>. The Chancellery shall also deliver the decision to the chairman of the respective parliamentary caucus.

(7) If a Member's absence from a sitting of the National Council was not excused by the Speaker of the National Council, or the Member's absence from a meeting of a committee was not excused by the chairman of the committee, the Member may, within five days of receiving notification of the decision not to excuse his/her absence, lodge an objection in writing against the unexcused absence with the Speaker of the National Council and request him/her to rule on the matter again taking into account the opinion of the Mandate and Immunity Committee and the Deputy-Speakers of the National Council. The decision of the Speaker of the National Council shall be final.

(8) Registration of attendance at each sitting of the National Council or at the meetings of committee shall be administered and kept by the Chancellery.

(9) Where a Member fails to excuse his/her absence from a sitting of the National Council or from a meeting of a committee, or where a Member fails to do so in the manner prescribed by paragraphs (3) and (4), such absence shall be deemed unexcused.<sup>52)</sup>

(10) For consideration of Member's partial absence from a sitting day, the provisions of paragraphs (1)-(9) shall apply as appropriate.

## **PART NINE PARLIAMENTARY CAUCUSES AND GREMIUM OF MEMBERS**

### Parliamentary Caucuses Section 64

(1) Members may associate in parliamentary caucuses according to their affiliation to political parties, political movements or election coalitions for which they had been elected to the National Council.

(2) When, during the election term, the election coalitions split or the political parties or movements merge, their parliamentary caucuses shall split or merge, as the case may be, provided that the requirements of this Act have been satisfied.

(3) If Member wish to form a parliamentary caucus in a manner other than laid down in paragraphs (1) or (2), the formation of that parliamentary caucus must be approved by the National Council.

(4) Each Member of the National Council may belong only to one parliamentary caucus.

(5) At least eight Members are required to form a parliamentary caucus. The formation of a caucus shall be registered in the minutes signed by all constituent Members of the parliamentary caucus.

(6) The chairman of a new parliamentary caucus shall inform the Speaker of the National Council in writing of its name, the first and last names of the chairman and vice-chairman, and the first and last names of all Members belonging to that caucus

(7) The chairman, vice-chairman, or another authorized Member of the parliamentary caucus shall be entitled to act on behalf of the caucus.

### Section 65

(1) Each parliamentary caucus shall be entitled to use a room in the National Council for its activities. The details shall be regulated by the Speaker of the National Council.

(2) The costs of parliamentary caucuses shall be reimbursed from the

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<sup>52</sup> Section 7 paragraph (2) of Act 120/1993

Chancellery's budget in the amount specified by the Speaker of the National Council for each financial year with due regard to the number of Members in each caucus.

(3) The rules of financial management in the parliamentary caucuses shall be approved by the Speaker of the National Council.

(4) The parliamentary caucuses shall record the contributions received under paragraph (2) and ensure that their spending is supported by the appropriate documents. The caucuses shall submit to the Speaker of the National Council all documents relating to the spending of the contributions whenever he/she may demand their submissions. The Parliamentary caucuses shall submit to the Speaker of the National Council a summary report of spending in the previous calendar year within a term to be fixed by the Speaker of the National Council.

#### Section 66 Gremium of Members

(1) The Gremium of Members shall consider issues of political and procedural nature concerning the activities of the National Council and its bodies.

(2) The opinions of the Gremium shall be deemed recommendations for the National Council, its bodies and its Speaker.

(3) The Gremium shall consist of Members delegated by parliamentary caucuses. Their number shall be determined by dividing the number of members of the parliamentary caucus by fifteen with the resulting number rounded according to statistical rules.

(4) The Speaker of the National Council shall convene the Gremium as necessary or upon the request of at least two caucuses; in such a case the Gremium must be called without delay.

(5) The Gremium may be attended also by the Deputy-Speakers of the National Council.

### PART TEN CONSIDERATION OF BILLS

#### Bills Section 67

(1) A bill may be introduced by a committee, any Member or by the Government<sup>53</sup> (hereinafter referred to as the "sponsor").

(2) A bill shall be submitted to the Speaker of the National Council in writing in the required number of copies and in electronic form.

(3) If a bill has been introduced by a committee or by a Member, the required number and the electronic form shall be provided by the Chancellery.

#### Section 68

(1) A bill shall be presented in the exact legislative form and supported by an explanatory report.

(2) The wording of the bill shall be comprehensible and shall clearly state the aim of the proposed act.

(3) The explanatory report of the bill shall contain an evaluation of the current social, economic and legal background and explain the reasons why the new enactment is necessary, including also the method of its implementation, and its economic and

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<sup>53</sup> Article 87 (1) of the Constitution

financial impact, particularly the impact on the state budget<sup>53</sup>, labour force and organizational structures, as well as an analysis of other issues relevant to the general evaluation of the bill. The explanatory report shall also include details of compatibility of the bill with the Constitution, other laws, international treaties, and also with the law of the European Union contained in a clause explicitly confirming the compatibility of the bill with the law of the European Union. In addition to the general part, the explanatory report to the bill shall also state the justification of each provision.

(4) If an implementing regulation is to be issued on the basis of the proposed Act, the Speaker of the National Council may demand that the sponsor present its draft. A draft of the implementing regulation shall be presented by the sponsor of the bill whenever such regulation is to come into effect concurrently with the proposed Act.

(5) If a presentation of the bill has been preceded by a public discussion, the sponsor of the bill shall submit an evaluation thereof.

#### Section 69

(1) The legislative process, details of procedures for drafting, submitting and considering the laws and their form shall be governed by legislative rules to be passed by a resolution of the National Council.

(2) The sponsor of a bill shall be bound by these legislative rules.

#### Section 70

(1) If the bill fails to comply with the requirements of this Act or of the legislative rules (Section 69), the Speaker of the National Council shall recommend that the sponsor of the bill correct its defects. If the sponsor disagrees with such recommendation, the Speaker of the National Council shall present his/her recommendation together with the sponsor's opinion at the next session of the National Council, which shall decide on them without debate.

(2) If a bill is introduced by a committee or by a Member and provided that it complies with the prescribed requirements the Speaker of the National Council shall deliver it to the Government requesting their opinion to be submitted within thirty days. The Government shall submit their opinion to the Speaker of the National Council. If the Government fail to submit their opinion within the term of thirty days, the bill shall be considered without their opinion. If the Government submit their opinion at a later time, it may be taken into consideration.

#### First Reading Section 71

The Speaker of the National Council shall arrange for an immediate delivery of a bill complying with the requirements of this Act to all Members. The Speaker of the National Council shall propose the National Council to refer the bill for consideration to the Constitutional and Legal Affairs Committee and, depending on the nature of the bill, to other committees. At the same time, the Speaker of the National Council shall propose a lead committee responsible for that bill.

#### Section 72

(1) The bill shall be delivered to Members at least fifteen days prior to the session of the National Council during which the bill is to be presented for the First Reading.

(2) The Speaker of the National Council shall put the bill onto the agenda of the

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<sup>54</sup> Section 33 of Act 523/2004 on budgetary rules in public administration

next session of the National Council. The provisions of Section 24 paragraph (1) shall not apply. The bill cannot be put onto agenda of the session if the time limit stipulated in paragraph (1) has not elapsed.

(3) The National Council may change the order consideration of bills on the agenda of that session.

### Section 73

(1) The bill shall be introduced by the sponsor followed by the Rapporteur designated by the lead committee.

(2) The bill, in particular its merits, shall be discussed in a general debate, in which no amendments shall be moved.

(3) The National Council may resolve

- a) to refer the bill back to the sponsor for further elaboration;
- b) to discontinue further debate of the bill, or
- c) to refer the bill to second reading.

(4) If the National Council adopts no resolution under paragraph (3), there will be no further debate on the bill.

### Section 74

(1) If a resolution has been passed by the National Council to refer the bill to second reading, the National Council shall also decide on a motion of the Speaker of the National Council to assign the bill to committees and to determine a lead committee; each bill shall be referred to the Constitutional and Legal Affairs Committee. Any amendments moved by Members concerning the referral to committees shall be resolved by the National Council without debate.

(2) The National Council, upon a motion of the Speaker of the National Council, shall fix the time limit during which the bill shall be considered in committees, to which it has been referred. This time limit shall be not less than thirty days after as of the day of its referral to committees.

(3) Where the National Council shall not have resolved under paragraphs (1) and (2), the motion of the Speaker of the National Council shall be followed.

## Second Reading

### Section 75

(1) The bill shall be considered in the committees to which it has been referred.

(2) Members who are not Members of the committee to which the bill has been committed, may communicate their opinion to the lead committee before the beginning of the debate in that committee under Section 79 paragraph (2).

### Section 76

A bill introduced by the Government shall be justified in a committee by a member of the Government or by the Head of a central state administration body authorized by the Government to do so. Other authorized person may do so only with the consent of the committee. A bill introduced by a committee or by a group of Members shall be justified by a duly authorized Member, and in the case of a Member's bill, it shall be justified by the sponsor.

## Section 77

(1) At the request of the chairman a committee shall designate one of its Members a Rapporteur who shall speak after the sponsor.

(2) The Rapporteur shall inform the committee of the comments, opinions and information requested by, or delivered to, the committee or the Rapporteur and propose a committee resolution.

(3) Where the bill has been introduced by committees or Members, the Rapporteur shall also present the opinion of the Government pursuant to Section 70 paragraph (2).

## Section 78

The Committee shall submit to the National Council the results of the discussion of a bill during the second reading in a written report containing the opinion of the committee with a recommendation to the National Council as to whether to pass the bill or not; when the committee resolves to make amendments, the report shall contain their exact wordings. These amendments shall be exactly formulated and justified. A written report for the National Council including the opinion of the committee shall be passed by the committee as a resolution .

## Section 79

(1) When the bill has been discussed by several committees, a joint written report prepared by the lead committee shall be presented to the National Council.

(2) The lead committee shall be the last one to discuss the bill.

(3) If the opinions of the committees differ, the lead committee shall seek to achieve unanimity. The lead committee may call a joint meeting of the committees.

(4) By a special resolution, the lead committee shall confirm a common report of the committees containing

a) the names of committees to which the bill has been assigned for debate and which committees have debated thereon;

b) information on the opinions of Members who have submitted their opinions to the lead committee;

c) information on the opinions of the committees including its own opinion as to whether they recommend that the bill should be passed by the National Council;

d) the amendments moved in the committees in the order in which the provisions appear in the bill together with the justification thereof;

e) its opinion on proposals mentioned in paragraphs (c) and (d);

f) its final opinion as to whether to recommend to the National Council to approve the bill, or to refer it back to the sponsor for further elaboration, to postpone the debate, or to discontinue further debate of the bill.

(5) By the means of a resolution under paragraph (4) the lead committee may authorize the common Rapporteur of committees [Section 80 paragraph (1)] to present the amendments made under Section 25 Section 83 paragraph (4), Section 84 paragraph (2) and Section 86.

## Section 80

(1) The lead committee shall designate a common Rapporteur of the committees (hereinafter referred to as the "Common Rapporteur") for a debate on the bill in the National Council. If no Common Rapporteur has been designated by the lead committee, he/she shall be designated by the chairman of that committee.

(2) The Common Rapporteur shall inform the National Council of the results of the debate in committees, presenting justification of the proposal and the opinion of the lead committee. If the lead committee has not passed the joint report or opinion, the common Rapporteur shall present only information on the results of discussions of committees and

shall submit a proposal for further proceedings.

#### Section 81

(1) The committees' joint report or information by the common Rapporteur on the results of the debate on the bill during the second reading shall be delivered to all Members and to the sponsor.

(2) The bill may be considered by the National Council in the second reading no sooner than 48 hours following the delivery of the committees' joint report or information by the common Rapporteur. Upon the proposal by the lead committee or by the common Rapporteur, in the case of uncomplicated bills, a shorter time limit may be decided by the National Council without debate.

#### Section 82

(1) If the lead committee or the common Rapporteur has recommended that the National Council return the bill to the sponsor for further elaboration, or to postpone the debate on the bill or to discontinue the debate on the bill, such recommendation shall be the first one to be voted on without debate.

(2) Amendments to the bill [Section 29 paragraph (1)] shall be moved with the consent of at least fifteen Members. The consent of a Member shall be expressed by his signature under a justified amendment in writing. If a Member withdraws his/her agreement prior to the vote on the amendment in question and if consequently there is not a sufficient number of Members' signatures, the parliamentary amendment is considered to be withdrawn.

#### Section 83

(1) Having finished the debate on the bill in the second reading, amendments to the bill shall be voted on. If, during the debate, it has been moved to return the bill for further elaboration, to postpone or discontinue the debate thereon, the vote on such a motion shall be taken first.

(2) The Common Rapporteur shall not comment on any amendment; instead he shall draw attention to the fact how they relate to the bill and the proposals included in the joint report of the committees.

(3) When no additional amendments have been moved during the second reading, the vote shall be taken on the proposals included in the joint report of committees.

(4) When amendments have been moved during the second reading at the session of the National Council, the Chair shall arrange for their delivery to the Members. Voting on proposals included in the joint report of the committees and on the distributed proposals moved at the session of the National Council shall be held no earlier than on the next day after their distribution. Upon a request by the lead committee or by the common Rapporteur the National Council may resolve without debate that the amendments do not have to be distributed or that the time limit be reduced.

#### Third Reading Section 84

(1) When no amendments have been approved during the second reading, the vote on the bill as a whole shall be taken in the third reading.

(2) When amendments have been approved in the second reading, third reading shall take place one day after their approval at the earliest (Section 83); it may be also take place earlier when, upon the motion of the lead committee or the common Rapporteur, it is so resolved by the National Council without debate.

## Section 85

(1) Third reading shall be limited solely to those parts of the bill to which amendments were moved during second reading.

(2) In the third reading, Members may propose merely corrections of legislative-technical mistakes and mistakes in linguistics.

(3) Other amendments aimed at correcting other mistakes concerning provisions under paragraph (1), and a motion to repeat the second reading may be put forward by at least thirty Members.

(4) In the repeated second reading, the bill shall be discussed as amended by the amendments passed so far. These may be further amended; whereby this also relates to provisions to which amendments have not yet been passed. Upon the proposal of the Speaker of the National Council, the National Council shall, without debate, resolve whether:

- a) the bill be again discussed by all the committees to which the bill had been assigned (Section 74 par. 1), or
- b) the bill be again discussed only by the lead committee, or
- c) the bill be again discussed at a session of the National Council

## Section 86

Provided that no corrections or amendments have been approved in the third reading, the vote on the bill as a whole shall be taken. If any amendments have been approved, the lead committee or the common Rapporteur may propose to postpone the vote thereon until these amendments have been distributed to Members in writing. Such a proposal shall be resolved by the National Council without debate.

## Section 87

## Consideration of the National Budget

(1) The time limit for introducing the bill on the national budget is set out by a special law<sup>54</sup>.

(2) The bill on the national budget shall be considered in the second and third reading. The bill shall be referred to all committees except the Constitutional and Legal Affairs Committee and the Committee on Incompatibility of Functions. The time limit under Section 74 paragraph (2) shall be determined by the Speaker of the National Council.

(3) A bill on the national budget shall contain no provisions amending or repealing the existing law.

## Section 88

## Consideration of International Treaties

(1) International treaties requiring consent of the National Council before ratification shall be considered in second and third reading. The particulars prescribed under Section 74 shall be decided by the Speaker of the National Council.

(2) If the treaty submitted by the Government to the National Council for its approval under Section 1 is an international treaty on human rights and fundamental freedoms or a self-executing international treaty or an international treaty directly establishing rights or obligations of natural persons or legal entities, which takes precedence over national law<sup>55a</sup>, such treaty shall be submitted together with a precedence clause. The precedence clause shall contain the consideration of such treaty

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<sup>55</sup> Section 14 paragraph (5) of Act 523/2004

<sup>55a</sup> Article 7 paragraph (5) of the Constitution

with respect to its precedence over specific national laws and its impact on the laws of the Slovak Republic.

(3) In the second reading the common Rapporteur shall recommend or the lead committee shall make a resolution recommending, in particular, as to whether or not the international treaty should be approved by the National Council.

(4) The National Council shall resolve during the third reading whether or not to approve the international treaty. The National Council may also decide to postpone the debate on the approval.

(5) Other provisions governing the second and third reading shall apply as appropriate.

#### Section 89 Fast-Track Legislative Procedure

(1) Under extraordinary circumstances, when fundamental human rights and freedoms, or the national security is in jeopardy or when there is a threat that the state could suffer considerable economic damage, the National Council may, at the request of the Government, resolve to consider a bill under the fast-track legislative procedure.

(2) The National Council may resolve to use the fast-track legislative procedure also when a resolution of the United Nations Security Council on actions safeguarding the international peace and security adopted under Section 41 of the Charter of the United Nations requires a law to be passed immediately.

(3) Restrictions under provisions of Section 25, Section 72 paragraph (1), Section 74 paragraph (2), Section 81 paragraph (2), Section 83 paragraph (4), Section 84 paragraph (2), and Section 86 shall not apply to the fast-track legislative procedure.

#### Section 90 Bills Returned by the President of the Republic

(1) If the President returns a bill with his comments<sup>55</sup> to be reconsidered by the National Council, the bill shall be discussed in the second and third reading during which only the comments of the President of the Republic shall be considered. The comments shall contain the precise wording of proposed modifications, unless the President of the Republic has opposed the whole bill.

(2) The bill opposed by the President of the Republic shall be re-assigned to committees by the Speaker of the National Council; he shall also determine the lead committee and the time limit for a debate thereon.

(3) The provisions relating to sponsors of bills shall apply to the President of the Republic as appropriate. In justified cases, the attendance of the President of the Republic at a session of the National Council may be substituted by that of the Head of the Office of the President of the Slovak Republic.

(4) At committee meetings, the President of the Republic may be substituted by an official of the Office of the President of the Slovak Republic.<sup>56</sup> With the consent of the committee, an authorized official of the Office of the President of the Slovak Republic may speak.

(5) The National Council shall vote on the comments to the returned law separately from voting on the law as a whole.

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<sup>56</sup> Article 87 (2) and Article 102 (o) of the Constitution

<sup>57</sup> Section 2 paragraph (2) of Act 16/1993 on the Office of the President of the Slovak Republic as amended

Joint Provisions of Part Ten  
Section 91

(1) The title of this Act shall not include the words "the Act of the National Council of the Slovak Republic".

(2) The introductory clause to an Act shall read as follows:  
"The National Council of the Slovak Republic has decided to pass the following Act:"

Section 92

(1) *[paragraph (1) lost its effect and later on also its validity on grounds of the Finding of the Constitutional Court file no. PL. ÚS 4/97 of 24 February 1998, published in the Collection of Laws under the No. 77/1998]*

(2) Provision of paragraph (1) second sentence does not apply if the Government act under Section 87 (4) of the Constitution

*[paragraph (2) is obsolete due to the paragraph (1) being null and void and following the coming into effect of Constitutional Act 9/1999).]*

Section 93

(1) Where the regular bill has not been returned by the President of the Republic with comments, the Speaker of the National Council shall submit it for publication in the Collection of Laws of the Slovak Republic within 21 days of its approval.

(2) Should the National Council pass a bill which was returned to the National Council by the President of the Republic with comments, the Speaker of the National Council shall submit the bill returned by the President of the Republic after its repeated consideration for announcement in the Collection of Laws of the Slovak Republic not later than fourteen days after having been passed.

Section 94

(1) Debate on a bill or international treaty shall relate only to the bill or international treaty under consideration.

(2) During the debate on a bill by which another existing law will be amended, motions extending the submitted bill may only be submitted provided that the sponsor gives his/her consent to this prior to the vote at the latest.

(3) When the motion fails to meet the essentials laid down in paragraph (2), the Chair shall not call a vote thereon. An objection by the Member who has moved the motion against such a decision shall be resolved by the National Council without debate.

Section 95

The sponsor may withdraw the bill at any time; in the third reading, however, such withdrawal shall only be possible with the consent of the National Council.

Section 96

(1) Written justification of approved amendments shall be deemed a part of the bill and shall be used by the interpretation and implementation of the law.

(2) When a session of the National Council has been adjourned, the time limits stipulated for the consideration of a bill under this Act shall be suspended.

(3) When a bill has not been passed by the National Council, a new bill on the same matter may not be presented until six months after the rejection of the first bill. This shall not apply to bills referred to the sponsor for further elaboration[Section 73 paragraph

(3) (a)].

(4) Any bill introduced in the preceding electoral term may be discussed in the subsequent electoral term only if introduced as a new bill.

#### Section 97

Unless otherwise provided in this Part, provisions contained in Part Four and provisions contained in Sections 45 to 56 shall apply to debates on bills.

### **PART ELEVEN** **THE NATIONAL COUNCIL AND THE PRESIDENT OF THE REPUBLIC** Election of the President of the Republic

Sections 98-105  
[Repealed by Act 86/2000].

#### Section 106 Impeachment of the President of the Republic

(1) Any motion to impeach the President of the Republic for wilful violation of the Constitution or for treason<sup>63</sup> may be submitted to the National Council by at least one fifth of the Members.

(2) A motion for impeachment put forward under paragraph (1) shall be referred by the Speaker of the National Council for consideration to the Constitutional and Legal Affairs Committee and delivered to the President of the Republic and the Government. The Speaker of the National Council shall convene the session of the National Council not later than thirty days following the submission of the motion to impeach the President of the Republic in order to consider the motion for the impeachment and the opinion submitted by the Constitutional and Legal Affairs Committee, and to decide thereon. The President of the Republic shall be invited to attend this session of the National Council and shall have an opportunity to express his opinion on the motion for impeachment and make a presentation in the debate.

(3) A motion to indict the President of the Republic put forward under paragraph (1) shall be decided by the National Council in a secret vote.

(4) If the motion to impeach the President of the Republic [paragraph (3)] has been passed by the National Council, the Speaker of the National Council shall, without delay, refer the matter to be decided by the Constitutional Court.

### **PART TWELVE** **CONSIDERATION OF THE PROCLAMATION OF GOVERNMENT POLICIES AND OF** **VOTE OF CONFIDENCE IN THE GOVERNMENT OR A MEMBER OF GOVERNMENT**

#### Section 107

(1) After the Government has been appointed, the Speaker of the National Council shall convene a session of the National Council so that the Prime Minister can make a Proclamation of Government Policies and request a vote of confidence on the thirtieth day after the appointment of the Government. When requested by the Government, the

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<sup>63</sup> Article 107 of the Constitution.

Speaker of the National Council may convene the session of the National Council also before the end of the thirty-day term.

(2) The Speaker of the National Council shall refer the Proclamation of Government Policies and the request by Government to have a vote of confidence held for consideration to all committees except the Mandate and Immunity Committee and the Committee on Incompatibility of Functions.

(3) When the Proclamation of Government Policies, or the request of the Government to have a vote of confidence held have not been approved, the Speaker of the National Council shall inform forthwith the President of the Republic thereof.

#### Section 108

(1) The Government may request the National Council to take a vote of confidence at any time.<sup>64</sup> The request including a justification thereof shall be submitted to the Speaker of the National Council.

(2) The Government may require a vote on a bill or a vote on another matter concurrently with a vote of confidence in the Government.<sup>65)</sup>

(3) A request of the Government lodged under paragraphs (1) and (2) shall be referred by the Speaker of the National Council for consideration to all committees except the Mandate and Immunity Committee and the Committee on Incompatibility of Functions.

(4) The Speaker shall convene a session of the National Council for a debate on a request lodged under paragraphs (1) and (2) within thirty days of having received such request..

(5) When a vote of confidence has not been approved by the National Council, the Speaker of the National Council shall, without delay, inform the President of the Republic thereof.

#### Section 109

(1) The National Council shall debate a motion of no-confidence in the Government, or any of its members if requested by at least one fifth of its Members<sup>66</sup>. Such a request shall be submitted to the Speaker of the National Council; it shall be made in writing and supported by reasons.

(2) Unless one fifth of Members request the session to be convened within seven days, the Speaker of the National Council shall convene a session of the National Council to debate the motion under paragraph (1) not later than thirty days after such request.<sup>67</sup>

(3) The Speaker of the National Council shall, without delay, refer the motion made under paragraph (1) to the Government for an opinion to be submitted within the time limit set by the Speaker of the National Council under paragraph (2). He shall refer the motion for debate to all committees except the Mandate and Immunity Committee and the Committee on Incompatibility of Functions. If the Government fail to express its opinion within the designated time limit, the committees and the National Council shall consider the motion without such an opinion.

(4) If the motion of no-confidence in the Government or any of its members under paragraph (1) is put forward during the session of the National Council, the debate thereon may be held as the last item of the agenda.

(5) If the motion of no-confidence in the Government or any of its member, put forward under paragraph (1), has been passed by the National Council, the Speaker of the National Council shall, without delay, inform the President of the Republic thereof.

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<sup>64</sup> Article 114 (2) of the Constitution.

<sup>65</sup> Article 114 (3) of the Constitution.

<sup>66</sup> Article 88 (1) of the Constitution

<sup>67</sup> Article 83 (2) of the Constitution.

**PART THIRTEEN  
THE NATIONAL COUNCIL  
AND THE SUPREME AUDIT OFFICE**

Section 110

(1) The nomination of candidates for the offices of the Chairman and Vice-Chairmen of the Supreme Audit Office may be submitted by the Members <sup>22)</sup> in writing to the Speaker of the National Council not later than ten days before the date set for their election (Section 111). Such a nomination shall be supported by a summary of educational and professional background of the candidates and their written consent to run for the office.

(2) The Chairman and Vice-Chairmen of the Supreme Audit Office shall be elected by the National Council by secret ballot.<sup>68</sup> The candidate who has received the majority of votes of Members present at the session in a secret vote shall be elected.

(3) When the Chairman or a Vice-Chairman of the Supreme Audit Office has not been elected [paragraph (2)], a repeated ballot shall be held.

(4) The two candidates who have received the largest number of votes shall be included in the repeated ballot; if the votes are equally distributed, all candidates who have received the same number of votes shall be included in the repeated ballot.

(5) If the Chairman or a Vice-Chairman of the Supreme Audit Office has not been elected, a new election will be held.

Section 111

The election of the Chairman and Vice-Chairmen of the Supreme Audit Office shall be held thirty days prior to the expiration of their official terms at the latest. The date of the election of the Chairman and Vice-Chairmen shall be determined by the Speaker of the National Council.

Section 112

(1) A motion to recall Chairman or a Vice-Chairman of the Supreme Audit Office<sup>69</sup> may be submitted by the Members <sup>22)</sup>; such motion shall be submitted to the Speaker of the National Council who shall present it to the National Council at its next session. Such motion shall be submitted in writing and supported by reasons. A Chairman or Vice-Chairman shall be given an opportunity to express their opinions on their recall.

(2) The National Council shall recall the Chairman or a Vice-Chairman of the Supreme Audit Office in a secret vote. A motion to recall or suspend the performance of their official Functions shall be passed, if approved by the majority of Members.

Section 113

The details of the election, recall of the Chairman and Vice-Chairmen of the Supreme Audit Office shall be regulated by Election Rules to be passed by the National Council.

Section 114

The Supreme Audit Office shall submit to the National Council an annual report on the results of its supervisory activities in the past calendar year by the end of March each year, or at any time when so requested by the National Council.<sup>70</sup>

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<sup>68</sup> Section 8 paragraph (2) of Act 39/1993 of the National Council on the Supreme Audit Office.

<sup>69</sup> Section 12 of Act 39/1993 of the Slovak National Council

<sup>70</sup> Article 62 of the Constitution, Section 13 of Act 39/1993 as amended

**PART FOURTEEN  
NOMINATION OF JUDGES  
OF THE CONSTITUTIONAL COURT**

Section 115

(1) *The National Council shall present to the President of the Republic twenty citizens as candidates for the office of judges of the Constitutional Court;*<sup>71</sup> the candidates obtaining the largest number of votes cast in a secret ballot, provided that the votes constitute a majority of the Members present, shall be nominated.

(2) *In the event that the number of candidates nominated for the appointment to the office of judges of the Constitutional Court under paragraph (1) is less than twenty, secret votes for additional candidates up to the stipulated number of twenty candidates shall be held.\**

(3) If the remaining vacancies for the candidates for the office of judge of the Constitutional Court have not been filled in a repeated vote, new elections shall be held in which the remaining number of candidates shall be elected.

(4) Details of the elections of candidates to the office of judges of the Constitutional Court shall be regulated by Election Rules to be passed by the National Council.

(5) Details of nominations of candidates for the election of judges of the Constitutional Court shall be regulated by a special law<sup>72</sup>. Nominations shall be made to the Constitutional and Legal Affairs Committee which shall submit the nominations together with its opinions to the Speaker of the National Council. The Speaker of the National Council shall propose to hold the elections of the candidates for the office of judge of the Constitutional Court at the next session of the National Council.

Section 116

(1) In the event of a resignation or a recall of a judge of the Constitutional Court, the President of the Republic shall appoint another judge of the Constitutional Court for a new term of office from two candidates nominated by the National Council<sup>73</sup>.

(2) The provisions of Section 115 shall apply as appropriate for the nomination and election procedures under paragraph (1), .

**PART FIFTEEN  
ELECTION AND RECALL OF JUDGES**

Section 117

(1) *The candidates for the election of judges shall be nominated by the Government.*<sup>74</sup>

(2) *The nominations for the election of judges shall be considered by the*

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<sup>71</sup> Article 134 (2) of the Constitution. Section 11 of Act 38/1993 on the structure of the Constitutional Court, proceedings before it and the status of its judges, as amended by Act. 124/2002

<sup>72</sup> Section 11 of Act 38/1993, as amended by Act 124/2002

<sup>73</sup> Article 139 of the Constitution

\* Part Fifteen is obsolete (see Article 145 of the Constitution and Act 385/2000 as amended by Act 185/2002.

<sup>74</sup> Article 145 (1) of the Constitution and Section 38 paragraph (1) of Act 335/1991 on courts and judges as amended.

*Constitutional and Legal Affairs Committee. The nominations shall include the criteria laid down in a special law.<sup>75</sup>*

#### Section 118

*The nominations of candidates for the office of the President and Vice-President of the Supreme Court of the Slovak Republic (hereinafter referred to as the "Supreme Court") from among the judges of this Court shall be submitted by the Government<sup>76</sup>. The nominations shall be considered by the Constitutional and Legal Affairs Committee. Any nomination shall be accompanied by a summary of educational and professional background and the candidate's written consent to run for the office.*

#### Section 119

*(1) The Constitutional and Legal Affairs Committee shall submit nominations under Sections 117 and 118 together with its opinion to the Speaker of the National Council who shall include them in the proposed agenda for the next session of the National Council.*

*(2) The National Council shall elect the judges, the President and the Vice-Presidents of the Supreme Court by secret ballot. In the case of the election of judges, a different method of voting may be resolved without debate. The nominee obtaining the majority of votes of Members present at the session shall be elected a judge, the President or the Vice-President of the Supreme Court respectively.*

*(3) If the President or a Vice-President of the Supreme Court has not been elected under paragraph (2), a repeated ballot shall be held.*

*(4) The repeated ballot for the President or a Vice-President of the Supreme Court, shall include the two judges of the Supreme Court who have received the largest number of votes of Members present. If the votes are equally distributed, all judges of the Supreme Court who have obtained the same number of votes shall be included in the repeated ballot.*

*(5) Where neither the President nor a Vice-President of the Supreme Court has been elected, a new election will be held.*

#### Section 120

*(1) The National Council shall recall judges from office.<sup>77</sup>*

*(2) Upon request, the Constitutional and Legal Affairs Committee shall examine whether there are constitutional grounds justifying a recall. The Constitutional and Legal Affairs Committee shall submit such motion for recall together with its opinion to the Speaker of the National Council who shall include them in the proposed agenda for the next session of the National Council.*

#### Section 121

*The judges, the President and the Vice-President of the Supreme Court may be recalled from office by the National Court in a secret vote. In the case of the grounds stipulated by the Constitution<sup>78</sup>, the National Council shall recall the judge; in the case of bad health or the attainment of sixty-five years of age<sup>79</sup>, the National Council may recall a judge. A motion to recall a judge on grounds of bad health or upon reaching the age of*

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<sup>75</sup> Section 34 of Act 335/1991 as amended.

<sup>76</sup> Section 39 paragraph (1) of Act 335/1991 as amended.

<sup>77</sup> Article 147 of the Constitution

<sup>78</sup> Article 147 (1) of the Constitution.

<sup>79</sup> Article 147 (2) of the Constitution

*sixty-five years and a motion to recall the President or a Vice-President of the Supreme Court shall be passed if approved by the majority of Members present at the session.*

#### Section 122

*Details concerning the election and recall of judges, of the President or a Vice-President of the Supreme Court shall be regulated by Election Rules to be passed by the National Council.*

### **PART SIXTEEN NOMINATION AND RECALL OF THE ATTORNEY-GENERAL**

#### Section 123

(1) Nominations of candidates for the office of the Attorney-General shall be submitted by Members<sup>22)</sup> to the Speaker of the National Council in writing, supported by reasons and within the time limit set by the Speaker of the National Council; these nominations shall be referred for consideration to the Constitutional and Legal Affairs Committee. Any nomination shall include a curriculum vitae and the candidate's consent to run for the office. The Constitutional and Legal Matters Committee shall submit a nomination with its opinion to the Speaker of the National Council who shall include it, together with the Committee's opinion in the proposed agenda of the next session of the National Council.

(2) The candidate for the appointment of the Attorney General by the President of the Republic shall be nominated by the National Council.

(3) The candidate who has received the vote of the majority of Members present in a secret ballot shall be nominated.

(4) If no candidate has been elected [paragraph (3)], a repeated ballot shall be held.

(5) In the repeated ballot, the two candidates who have received the largest numbers of votes shall be included. If votes are equally distributed, all candidates obtaining the same number of votes shall be included in repeated ballot.

(6) If no candidate for the office of the Attorney General has been elected, a new election will be held.

#### Section 124

(1) A motion to recall the Attorney General may be put forward in writing by at least one fifth of the Members. The motion shall be submitted to the Constitutional and Legal Affairs Committee, which shall submit the motion with its opinions to the Speaker of the National Council. The Speaker of the National Council shall include the motion to recall the Attorney-General together with the opinion of the Constitutional and Legal Affairs Committee on the agenda of the next session of the National Council. The Attorney General shall have an opportunity to express his opinion on his recall.

(2) A motion to recall the Attorney General shall be passed if approved by the majority of Members present at the session in a secret ballot. The proposal to recall the Attorney General shall be referred by the National Council to the President of the Republic.

#### Section 125

Details governing the nomination and recall of the Attorney General shall be regulated by Election Rules to be passed by the National Council.

**PART SEVENTEEN  
ELECTION AND RECALL  
OF OTHER OFFICERS**

Section 126

- (1) The National Council shall elect and recall other officers if so stipulated by law.
- (2) Motions under paragraph (1) shall be submitted by Members <sup>22)</sup> or Committees, unless otherwise provided by a special law. Proposals shall be submitted to the National Council by the appropriate committee.
- (3) Any nomination for the election made under paragraph (1) shall contain a curriculum vitae and the candidate's written consent to run for the office.
- (4) Details of the election and recall of other officers shall be regulated by Election Rules to be passed by the National Council.

**PART EIGHTEEN  
SUPERVISORY ACTIVITIES  
OF THE NATIONAL COUNCIL**

Section 127

The National Council, its committees or Members shall carry out supervisory powers within the scope defined by a special laws <sup>80</sup> and by this Act.

Section 128  
Reports

- (1) The National Council may demand from the Government, heads of central state administration bodies, the Chairman of the Presidium of the National Property Fund of the Slovak Republic and senior government officials, the submission of reports on issues within their powers; such reports shall be submitted within thirty days or within a different time limit as determined by the National Council, which shall be at least fifteen days, .
- (2) Committees may request reports to be submitted by the members of the Government, heads of other central bodies of state administration and senior government officials who shall be obliged to meet the request of those committees within thirty days.

Interpellations  
Section 129

- (1) For the purposes of this Act, interpellation means a qualified question relating to the implementation and enforcement of laws, and the fulfilment of the Proclamation of Government Policies and the resolutions of the National Council by the Government and its members.
- (2) A Member can interpellate the Government, a member of the Government or a head of another central state administration body on matters within their official powers <sup>81</sup>.
- (3) An interpellation shall be submitted in writing to the Speaker of the National Council who shall refer it to the interpellated person, to the Prime Minister, and to the parliamentary caucuses.
- (4) A Member can also make an oral interpellation during the item of the session's

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<sup>80</sup> Such as for example Article 62, Article 80 (1), Article 86 (f) and (g), Article 92 (1) of the Constitution, Section 12 (g), (ch), and (j) of Act 45/1989, Section 5 paragraph (1) of Act 46/1993 as amended, and Section 5 paragraph (1) of Act 198/1994.

<sup>81</sup> Article 80 (1) of the Constitution.

agenda of the National Council reserved for interpellations. A written version of the interpellation shall be delivered by a Member to the Speaker of the Council, and the National Council shall refer it to the interpellated person.

### Section 130

(1) The person being interpellated shall submit a written response to the interpellating Member and to the Speaker of the National Council within thirty days. The response may be presented orally during the respective agenda item of the session of the National Council reserved for interpellation; an oral reply shall not preclude the obligation of the person being interpellated from presenting a written response.

(2) Where the National Council declares the interpellation to be urgent, it shall set a time limit for a response, which shall be not less than fifteen days.

(3) The Speaker of the National Council shall refer the response to the interpellation to the parliamentary caucuses to take cognisance thereof.

(4) Following the delivery of the response to an interpellation, such response shall be included in the agenda for the next session. The person being interpellated shall be present during the debate.

(5) The interpellating Member shall state whether he/she has found the response satisfactory.

(6) The National Council shall express an opinion on the response to the interpellation by the means of a resolution in case the interpellating Member considers the response to be unsatisfactory. When requested by the Government, a vote on a resolution may be taken concurrently with a vote of confidence in the Government or a member of the Government.<sup>82</sup>

(7) At the time of interpellation, all members of the Government shall be present. In justified cases, the Prime Minister may determine which member of the Government shall reply to the interpellation on behalf of the member of the Government who is not present, or announce that he shall reply himself.

### Section 131

#### Question time

(1) A Question Time of one hour shall be included in the agenda of each session of the National Council convened under Section 17 paragraph (1)], during which the members of Government, the Attorney-General, and the Chairman of the Supreme Audit Office shall answer questions on topical issues, particularly within their scope of powers, which have been submitted by the Members before 12 a.m. of the day preceding the Question Time.

(2) The National Council may decide that the Question Time shall be devoted only to a specific issue.

(3) The introductory fifteen minutes shall be reserved for question submitted to the Prime Minister.

(4) Questions shall be brief, enabling a brief reply. The order of questions shall be determined by lot drawn from all questions submitted. A Member, who has raised a written question, has the right to ask one additional oral question. The question not answered immediately during the Question Time shall be answered in writing within thirty days.

(5) Presentation of an oral question shall not exceed two minutes.

(6) The floor shall be given pursuant to Section 27, as appropriate.

(7) All members of the Government shall be present at the Question Time. Where the Question Time shall be devoted solely to a specific issue [paragraph (2)], the presence of the appropriate member of the Government shall suffice. In justified cases, the Prime

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<sup>82</sup> Article 80 (2). Article 88 (1) and Article 114 (3) of the Constitution

Minister may determine which member of Government shall answer the questions on behalf of an absent member of the Government, or announce that he shall answer the question himself.

(8) During the Question Time, no proposal shall be received, or procedural motions put forward.

#### Section 132 Initiatives and Observations of Members

(1) At committee meetings, the Members may submit initiatives or observations to member of the Government in matters within their powers.

(2) When the initiatives or observations have not been explained during the debate in a committee, the chairman of the committee shall refer the matters to the appropriate members of the Government requiring them to provide notification within thirty days of the measures taken on their basis. The Members shall be informed about these measures at the next committee meeting.

### **PART NINETEEN PETITIONS**

#### Section 133

(1) Petitions delivered to the National Council, its committees, the Speaker and Deputy-Speakers of the National Council shall be submitted to the Chancellery, which shall keep records thereof. The Speaker of the National Council shall refer the petition to a lead committee for consideration and opinions. Where a petition falls within the powers of more than one committee, the appropriate committee shall be responsible for coordination of all activities and settlement thereof.

(2) Where the petition relates to matters outside the powers of the National Council, the Chancellery shall refer it to the appropriate Ministry or another central state administration body.

(3) A petition signed by at least 100,000 citizens shall be considered by the National Council.

#### Section 134

(1) The committees shall submit to the National Council a report on petitions submitted under Section 133 paragraph (1) at least once in a calendar year.

(2) Any Member may see any petition or their records at any time.

### **PART TWENTY DISCIPLINARY PROCEEDINGS**

#### Section 135

Each Member is subject to disciplinary powers of the National Council in the case of:

a) any statement made during the performance of a Member's functions in the National Council or any of its bodies,<sup>83</sup>

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<sup>83</sup> Article 78 Article (1) of the Constitution.

- b) any breach of the ban on voting for another Member [Section 39 paragraph (6)],
- c) any major breach of the Member's pledge.

#### Section 136

(1) Disciplinary proceedings shall be initiated in the Mandate and Immunity Committee.

(2) A motion to initiate disciplinary proceedings may be put forward by

- a) a body of the National Council or a Member who feels offended by the statement made by a Member during the performance of his/her official function in the National Council or its body<sup>83)</sup>,
- b) a Member in the case of breach of the ban on voting for another Member,
- c) a body of the National Council or a Member in the case of a major breach of the Member's pledge.

(3) The Mandate and Immunity Committee may also initiate disciplinary proceedings upon its own resolution.

#### Section 137

(1) In the disciplinary proceedings, the Mandate and Immunity Committee shall find out all the facts, on the basis of which the proceedings against a Member have been initiated.

(2) The Member against whom the disciplinary proceedings are conducted has the right to be informed of all documents serving as the basis for a decision by the Mandate and Immunity Committee, and to express his/her opinion.

(3) All persons other than the Members of the Mandate and Immunity Committee, the complainant, the Member concerned, and the Committee Secretary shall be excluded from the disciplinary proceedings before the Mandate and Immunity Committee.

(4) A Member of the Mandate and Immunity Committee against whom disciplinary proceedings are conducted shall be excluded from the consideration of the matter in this Committee.

#### Section 138

(1) Following the proceedings under Section 137, the Mandate and Immunity Committee shall decide to impose a disciplinary measure or to suspend the proceedings.

(2) Disciplinary proceedings may be initiated and a disciplinary measure may be imposed within one year of the occurrence of the disciplinary offence.

#### Section 139

(1) Should the Mandate and Immunity Committee establish that a Member's statement made during the performance of his/her function in the National Council or its body offended another Member, or a body of the National Council, or another person holding high office under the Constitution, and where the mere debate on the matter is not sufficient, the Committee shall recommend that the Member apologize at the next session of the National Council. If the Member fails to do so, the Mandate and Immunity Committee shall immediately refer the matter to the National Council with a motion for a resolution. The National Council may impose a fine up to SKK 5,000.

(2) Should the Mandate and Immunity Committee establish that the Member voted for another Member, the Committee shall recommend the National Council to reprimand the Member and impose a fine of up to SKK 5,000.

(3) When the Mandate and Immunity Committee establishes that the Member has materially breached the pledge or breached the ban on voting for another Member, the Committee shall recommend the National Council to propose a resignation of the Member.

(4) When the Mandate and Immunity Committee makes none of the findings

mentioned in paragraphs (1), (2), and (3), the Committee shall inform the National Council thereof.

**PART TWENTY-ONE**  
**APPROVAL PROCEEDINGS CONCERNING**  
**ARREST, CRIMINAL PROSECUTION, DISCIPLINARY ACTION AGAINST MEMBERS**  
**AND DETENTION OF MEMBERS**

Section 140

When the appropriate body informs the Speaker of the National Council that a Member has been caught and arrested while committing a crime, the Speaker of the National Council shall request a meeting of the Mandate and Immunity Committee to be convened without delay to decide whether to approve the detention of a Member.<sup>84)</sup>

Section 141

(1) When the appropriate body informs the Speaker of the National Council that it requests the National Council to approve criminal prosecution or disciplinary action against a Member or his detention in custody,<sup>84</sup> the Speaker of the National Council shall request a meeting of the Mandate and Immunity Committee to be convened.

(2) The Mandate and Immunity Committee shall consider the request of the appropriate body submitted under paragraph (1). The Member concerned shall be allowed to participate in the consideration of the matter before the Committee and to express his views.

(3) The Mandate and Immunity Committee shall submit a report of its findings and propose a resolution to be passed by the National Council.

Section 142

Having been informed of the request [Section 141 paragraph (1)] and on the basis of the submitted report of the Mandate and Immunity Committee on the results of its findings [Section 141 paragraph (3)], the National Council shall decide whether to, or disciplinary action against a Member or the detention in custody of a Member,<sup>84)</sup> The National Council shall decide on such request at the next session of the National Council after the receipt by the Speaker of the National Council of such request, provided that the Mandate and Immunity Committee will have submitted the report on its findings by then.

**PART TWENTY-TWO**

Section 143

Chancellery of the National Council

(1) The Chancellery is a state budgetary organization. It shall provide expert, organizational and technical services related to the operation of the National Council, its committees and special control committees, including parliamentary documentation, and printing services. In order to perform the activities of the National Council in matters relating to the European Union, the Chancellery may set up branches abroad.

(2) The Chancellery shall also carry out the duties set out by other regulations, particularly in the area of employment relations, protection and administration of public property, and spending of public funds as the administrator of an individual Budget

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<sup>84</sup> Article 78 (3) of the Constitution

## Chapter.

(3) The Chancellery shall be directed and represented by the Head of the Chancellery. The Head shall be responsible for the activities of the Chancellery to the Speaker of the National Council.

(4) The Head of the Chancellery shall be substituted by a deputy to perform his/her duties.

(5) The Head of the Chancellery shall be appointed and recalled by the Speaker of the National Council.

(6) The Head of the Chancellery has the right to attend both the public and closed sittings of the National Council and the public and closed meetings of committees.

(7) Tasks of the Chancellery shall be carried out by civil servants<sup>84a</sup> and employees<sup>84b</sup>. The number of employees of the Chancellery shall be endorsed by the Speaker.

(8) The Speaker of the National Council shall determine the amount of the salary for the Head of the Chancellery and a lump sum for reimbursement of expenses in connection of his/her official duties and other particulars. The Speaker of the National Council shall submit a proposal of systematization<sup>84c</sup> on approval to the National Council or its special body established for this purpose. The remuneration of civil servants of the Chancellery and employees of the Chancellery is laid down in a special law<sup>84d</sup> and wage order attached in the Annex. The wage order of the Chancellery shall include the characteristics of wage categories of civil servants working in the Chancellery, wage tariffs of civil servants of the Chancellery, catalogues of activities of employees of the Chancellery and the scales of wage tariffs of Chancellery employees. The remuneration of civil servants in the Chancellery and employees of the Chancellery shall be governed by a special law<sup>84e</sup>, unless provided otherwise hereby.

(9) Remuneration of civil servants in the Chancellery under a higher wage tariff and remuneration employees of the Chancellery under a higher scale of wage tariffs shall be regulated in accordance with the amount stipulated by a special law<sup>84f</sup>. Remuneration of civil servants in the Chancellery under a higher wage tariff and employees of the Chancellery under a higher scale of wage tariffs and their effective date shall be laid down in an internal regulation.

(10) The Head of the Chancellery shall issue organizational rules, rules for printing and disposal of documents, and other internal rules of the Chancellery.

(11) The Chancellery may demand from the state bodies, other bodies and legal entities any documents, information and explanations which may be necessary for the operation and activities of the National Council and its committees. These authorities are obliged to meet such requirements.

(12) The authorized staff of the Chancellery may attend the sessions of the National Council. At committee meetings they may submit observations regarding bills and other matters under consideration.

(13) The Chancellery shall be responsible for the filing of all materials and prints delivered to the National Council, its committees, special control committees and

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<sup>84a</sup> Act 312/2001 on Civil Service, amending and supplementing certain laws, as amended

<sup>84b</sup> Act 552/2003 on performance of work in the public interest, as amended. The Labour Code.

<sup>84c</sup> Section 12 (1) Act 312/2001

<sup>84d</sup> Act 312/2001 as amended

Act 553/2003 on the remuneration of some employees performing work in the public interest, amending and supplementing certain laws

<sup>84e</sup> Act 312/2001 as amended

Act 553/2003

The Labour Code.

<sup>84f</sup> Section 105 Act 312/2001 as amended by Act 551/2003

Section 28 of Act 553/2003

commissions, and to the Speaker and Deputy-Speakers of the National Council, as well as all the materials delivered to the Chancellery and dealt with within its scope<sup>85</sup>.

#### Section 144 Parliamentary Institute

(1) The Parliamentary Institute, as a part of the Chancellery, shall perform information and training tasks related to the activities of the National Council and its Members.

(2) Further details of the Parliamentary Institute shall be regulated by the Organizational Rules of the Chancellery.

### **PART TWENTY-THREE JOINT, TRANSITIONAL AND FINAL PROVISIONS**

#### Section 145

(1) All papers, in particular, the documents necessary for the debates at the sessions of the National Council, shall be delivered to Members at a designated place in the building of the National Council. In cases of emergency, a notice of summons to a session of the National Council may also be delivered in another manner.

(2) The term of delivery shall be the day of delivery at the designated place inside the building of the National Council.

#### Section 146

Should doubts arise during a session of the National Council as to whether the procedure is in accordance with this Act, the Chair shall decide in such respective cases. Upon the motion of a Member the National Council may resolve without debate that the Chair should decide on any doubts regarding the procedure under this Act after an opinion has been submitted by the Constitutional and Legal Affairs Committee..

#### Section 147

(1) No motions delivered to the National Council or its bodies during the previous election term may be discussed in a new term; this rule does not apply to petitions and requests dealt with under special laws<sup>86</sup> and which may be dealt with by the Speaker of the National Council or the Chancellery within the respective scope of their competence.

(2) If the Member's mandate was lost or cannot be fulfilled or if a Member has resigned,<sup>87</sup> or if his/her mandate has expired, the motions tabled by that Member may not be discussed.

#### Section 148

(1) Fines imposed under Section 139 paragraphs (1) and (2) shall be revenues of the state budget.

(2) If a Member fails to pay a fine within fifteen days of its imposition, the Chancellery shall deduct the amount from the Member's salary.

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<sup>85</sup> Act 395/2002 on archives and registers and supplementing certain laws, as amended by Act 515/2003

<sup>86</sup> E.g. Act 85/1990 on petition rights. Act 152/1998 on complaints.

<sup>87</sup> Article 75 (2), Article 77 (2) and Article 81 of the Constitution

## Section 149

(1) The expenses incurred in relation to the activities of the National Council, its committees, special control committees, commissions and Members shall be covered by the Chancellery's budget. Expenses paid by the Members from the fixed lump-sum reimbursement determined by the National Council under a special law<sup>88</sup> shall not be covered.

(2) Persons summoned to meetings of committees, special control committees or commissions can apply to have their itemized expenses and income loss reimbursed by an application submitted to the Speaker of the National Council within three days; thereafter their entitlement shall expire. Chairmen of committees or supervisory committees shall inform these persons of their entitlement and the time limit thereof.

## Section 150

Bills and drafts of principles submitted to the National Council before the effective date of this Act shall be considered under the laws in place heretofore.<sup>89</sup>

## Section 151

Act 44/1989 on Rules of Procedure in the National Council, as amended by Act 133/1990 of the National Council, and Regulation 246/1990 adopted by the Presidium of the National Council, Act 268/1991, Act 28/1992 of the National Council and the Ruling of the Constitutional Court 2/1996 shall be repealed.

## Section 152

This Act shall come into force on 1 January 1997

The Ruling of the Constitutional Court of the Slovak Republic of 24 February 1998 No. 77/1998 was published in the Collection of Laws of the Slovak Republic on 25 March 1998.

Act 86/2000 became effective as of 21 March 2000.

Act 138/2002 became effective as of 26 March 2002 and 1 April 2002.

Act 100/2003 became effective as of 21 March 2003.

Act 551/2003 became effective as of 1 January 2004 and 1 January 2005.

Act 215/2004 became effective as of 1 May 2004

Act 360/2004 became effective as of 1 July 2004.

Finding of the Constitutional Court of 23 June 2005 No. 320/2005 was published in the Collection of Laws of the Slovak Republic on 20 July 2005.

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<sup>88</sup>) Section 4 of Act 120/1993

<sup>89</sup> Section 57 et seq. of Act 44/1989 on rules of procedure in the National Council as amended later

**signed by:**

**President of the Slovak Republic s.m.**  
**Speaker of the Slovak National Council s.m.**  
**Prime Minister s.m.**

**RULES OF PROCEDURE  
ENACTED BY THE SLOVAK NATIONAL COUNCIL  
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