

Rules of Procedure of the Austrian Federal Council

Promulgations:

BGBI. [Federal Law Gazette] No. 361/1988 as amended by BGBI. No. 191/1989, BGBI. No. 837/1993, BGBI. No. 50/1996, BGBI. I No. 65/1997, BGBI. I No. 84/1999, BGBI. I No. 192/1999, BGBI. I No 154/2009, BGBI. I No 27/2010 and BGBI. I No 41/2010

I. General Provisions regarding Members of the Federal Council

§ 1. (1) The Members of the Federal Council (hereinafter referred to as Members) are elected by the Provincial Diets (Landtage) for the duration of their respective legislative periods and shall bear the title of Bundesrat (for male members) and Bundesrätin (for female members), respectively. Members of the Federal Council exercising a function pursuant to the present Rules of Procedure shall be referred to by the gender-specific form of the title designating that function. Each Member of the Federal Council shall have a seat and vote in the Council from the time of his/her election by the respective Provincial Diet.

(2) If the seat of a Member of the Federal Council falls vacant during the legislative period of the Provincial Diet by whom s/he was elected, s/he shall be replaced by a Substitute Member to be elected pursuant to Art. 34, paragraph 2B-VG.

(3) Each Member of the Federal Council shall be issued by the Parliamentary Administration an official pass with his/her photograph, which shall be valid for the duration of his/her term of office on behalf of the Provincial Diet by whom s/he was elected.

§ 2. (1) Each member shall, on the occasion of the first sitting s/he attends after his/her election, be called on by the President to take his/her oath of office by pronouncing the words “Ich gelobe” (“I promise”), swearing to faithfully uphold the Republic, to fully respect its laws and to perform his/her duties conscientiously.

(2) If a Member fails to take his/her oath of office or fails to take it in the prescribed form or wishes to enter any reservations or impose any conditions, such conduct shall constitute grounds for the loss of his/her seat pursuant to Art. 141 B-VG.

§ 3. (1) The term of office of a Member of the Federal Council shall expire

a) at the end of the legislative period of the respective Provincial Diet pursuant to paragraph (2) above;

b) by resignation of the Member;

c) by decision of the Constitutional Court.

(2) After the end of the legislative period of a Provincial Diet the Members of the Federal Council delegated by that Diet shall remain in office until the new Provincial Diet has elected the new Members of the Federal Council.

(3) A Member resigning from his/her office shall communicate said resignation to the respective Provincial Diet in writing. At the same time s/he shall duly inform the President of the Federal Council. Unless a posterior date is indicated in the declaration of resignation, the resignation shall take effect at the date it is received by the Provincial Diet.

(4) If the President is informed of legally valid grounds for a Member losing his/her seat, s/he shall without delay entrust the examination of the matter to the Committee charged with the preliminary deliberation of constitutional matters. In case legal conditions for a loss of seat are determined to exist, the Committee shall prepare the motion in pursuance of Art. 141 B-VG. Procedural rules for the consideration of independent motions by committees shall apply *mutatis mutandis*.

(5) A loss of seat pursuant to a decision of the Constitutional Court shall enter into effect on the day following receipt of said decision by the President of the Federal Council. The President shall without delay notify said decision to the Member in question and to the delegating Provincial Diet and inform the Federal Council accordingly at its next sitting.

§ 4. (1) Every Member of the Federal Council shall be required to attend the plenary sittings of the Federal Council and the sittings of the Committees to which s/he has been elected.

(2) If a Member is prevented from attending the plenary sittings, s/he shall so inform the President as soon as possible, stating the reason and foreseeable duration of his/her absence.

(3) If the President is informed of a Member being prevented from exercising his/her duties for a period likely to be in excess of thirty days and such absence is for a reason other than illness, or if a Member absent for more than thirty days fails to inform the President in accordance with paragraph (2) above, the President shall inform the Plenary accordingly. If the reason for the Member's absence is challenged or no apology in accordance with paragraph (2) above has been received, the Plenary of the Federal Council shall decide without debate whether the Member in question shall be required to resume without further delay his/her attendance at the plenary sittings or otherwise justify his/her absence.

(4) Failure of a Member to respond favourably, within thirty days at the latest, to the request made in a public meeting of the Federal Council to resume without delay his/her attendance of the plenary sittings, or the rejection of his/her justification of his/her

absence from the sittings of the Federal Council, shall constitute grounds for the loss of his/her seat pursuant to Art. B-VG.

§ 5. Throughout the duration of their term of office, Members of the Federal Council shall enjoy the immunity of Members of the Provincial Diet that has delegated them (Art. 58 B-VG).

II. General Provisions concerning the Organs, Groups and Administration of the Federal Council

§ 6. (1) The Presidency of the Federal Council shall be held by the Federal Provinces, rotating at six-month intervals in alphabetical order.

(2) The first-ranking representative of the Province entitled to the Presidency shall be the President of the Federal Council.

(3) Whenever the Presidency in the Federal Council changes in accordance with paragraph (1) above, the Federal Council shall elect, from among its Members, two Vice-Presidents as well as at least two Secretaries and at least two Whips. These elections shall be governed by the principles of proportional election (d'Hondt procedure) and shall be subject to the condition that the first-elected Vice-President and the first-elected Secretary shall not be of the same Parliamentary Group as the President. Each Group shall have at least one Whip. The officers so elected shall remain in office until the next election.

§ 7. (1) It shall be incumbent on the President of the Federal Council to ensure that it duly accomplishes its tasks and that its business is transacted without undue delay. The President shall also safeguard the decorum and rights of the Federal Council.

(2) S/he shall implement the Rules of Procedure and ensure their respect. S/he shall convene the Federal Council, open and close its sittings and chair them and preside over its proceedings. S/he may at any time, and especially in case of any disturbance or interference, suspend the sitting for a definite or indefinite period. S/he shall see to it that persons who disturb the peace, or in extreme cases, all those attending on the galleries, are removed from the galleries.

(3) The President shall have the right to receive all documents addressed to the Federal Council. S/he shall represent the Federal Council and its Committees vis-à-vis third parties and in particular cultivate international parliamentary relations.

(4) The President shall without delay transfer to the National Council in writing any objections by the Federal Council. S/he shall also without delay inform the Federal Chancellor of all decisions of the Federal Council regarding bills (decisions) passed by the National Council or with respect to the Rules of Procedure of the Federal Council.

(5) The President shall have authority over the rooms and facilities placed at the disposal of the Federal Council and its Committees; his/her approval shall be required for the production of sound, film and video recordings of proceedings in the Federal Council and its Committees. In conjunction with the Vice-Presidents s/he may issue general instructions regarding such recordings. Any exceptions deemed to be necessary in individual cases shall be ruled on by the President.

(6) The President shall, in conjunction with the Vice-Presidents, lay down the general principles of seating arrangements in the Federal Council Chamber. If no agreement can be achieved, the President shall take a provisional decision on general seating arrangements. Members belonging to one and the same Parliamentary Group shall make their own seating arrangements within the area assigned to their Group and shall duly inform the President of said arrangements.

(7) The President shall, in conjunction with the Vice-Presidents, establish the Budget of the Federal Council. S/he shall have the right of disposition of the funds earmarked for the Federal Council in the Draft Federal Budget.

(8) The President shall also, after consultation with the President's Conference establish a programme of work for the sittings of the Federal Council, which shall whenever possible cover a period of 12 months in advance.

(9) The President shall order the publication of a list of Members of the Federal Council. This list shall contain, along with the private and/or postal address of each Member, information as to when and by which Provincial Diet the Member in question was elected to the Federal Council as well as to which Parliamentary Group s/he belongs. The list shall also contain information on previous terms of office in the Federal Council. The list shall be revised whenever major changes have occurred. In addition to the above, personal data such as Members' dates of birth may be included. The President shall have the right to decide on other publications.

§ 8. (1) The Vice-Presidents of the Federal Council shall assist the President in the exercise of his/her office.

(2) If the President is unable to discharge his/her duties, the same shall be discharged by the Vice-Presidents in the order in which they have been elected. The President may ask one of the Vice-Presidents to chair sittings of the Federal Council (§ 13) in his/her stead.

§ 9. (1) If the President and the Vice-Presidents of the Federal Council are unable to discharge their duties or if their terms of office have expired, the oldest (Senior) Member (by age) of the Federal Council who is not him/herself incapacitated at that time and who belongs to a Parliamentary Group to which the President or the Vice-Presidents belonged at the time when they became unable to discharge their duties or their terms of office expired shall without delay convene the Federal Council for the purpose of electing a chairperson ad interim. If that Senior Member fails to comply with this duty immediately, the next most senior Member meeting the requirements expounded above shall take

his/her place. The meeting shall be convened in such a way that the Federal Council can meet, at the latest, within five days of the incapacity of the President and Vice-Presidents or the lapse of their offices having become known.

(2) After opening the sitting, said Senior Member shall proceed to the election of three chairpersons to assume, ad interim, the functions of the President and Vice-Presidents, respectively. The chairpersons ad interim shall belong to the same Parliamentary Groups as the President and Vice-Presidents, respectively, whom they replace; they shall remain in office until such time as the President of the Federal Council or one of its Vice-Presidents can resume his/her functions.

(3) If the term of office of one of the Vice-Presidents has expired by the time the Federal Council convened by the Senior Member meets, a new Vice-President shall be elected and the election of chairpersons ad interim shall not take place.

§ 10. (1) The President, the Vice-Presidents and the chairpersons of the Parliamentary Groups shall constitute the President's Conference. The Parliamentary Group chairpersons may delegate other Members to the President's Conference. The President may invite other persons to participate in the meetings of the President's Conference.

(2) The President's Conference shall act as a deliberative organ that assists the President in the exercise of his/her functions. Its duties shall above all include the coordination of the deliberations of the Federal Council and its Committees, the presentation of proposals for the cultivation of international parliamentary relations and the consideration of other important matters affecting the Federal Council.

(3) The President's Conference shall be convened by the President, who shall have to convene it at the request of one of its members. Meetings of the President's Conference shall be chaired by the President of the Federal Council.

§ 11. The Secretaries shall assist the President in the exercise of his/her functions, in particular regarding announcements to be made to the Federal Council, voting (elections) and the preparation of the Official Records (execution of Federal Council decisions)

§ 12. The Whips shall assist the President in chairing the meetings and, in particular, in maintaining order in the chamber.

§ 13. (1) The Federal Council shall establish, by election, Committees for the purpose of preliminary deliberations on agenda items. The Federal Council shall determine the number of members and substitute members of each of the Committees to be established. In so doing, it shall determine, on the basis of the relative strengths of the Parliamentary Groups in the Federal Council, the number of members and substitute members each Parliamentary Group shall have in each Committee.

(2) Proposals for the establishment of a Committee, for modifying its composition or for dissolving it shall be dealt with in pursuance of § 49; the President shall have the power

to postpone voting on such proposals to the end of the sitting or the beginning of the next sitting before entry upon the agenda.

(3) The Parliamentary Groups shall inform the President in writing of the names of the Committee members and substitute members to whom they are entitled; said members and substitute members shall then be deemed elected.

(4) If a Committee member is prevented from attending, s/he shall be represented by a substitute member belonging to the same Parliamentary Group. A Parliamentary Group may, however, inform the chairperson that a Committee member will not be represented by a substitute member but by another Federal Council Member belonging to that Parliamentary Group.

(5) Committee membership shall expire if a Member retires from the Committee, if s/he ceases to belong to the Parliamentary Group by which s/he has been nominated, or if the Parliamentary Group nominates another member to replace him/her.

(6) Expiry of Committee membership shall take effect upon receipt of a communication to that effect by the President of the Federal Council.

(7) The deliberations of Committees shall not be interrupted by a change in membership.

§ 13a. (1) For the purpose of deliberations on projects within the scope of the European Union in pursuance of Arts. 23e and 23f B-VG, the Federal Council shall establish a Committee on Affairs of the European Union (EU Committee) in accordance with the principles laid down in § 13 above. Said EU Committee shall also have the right to repeatedly

1. present opinions pursuant to Art. 23e paragraph 1 B-VG or

2. recommend that the Federal Council adopt a particular position regarding specific EU projects. The EU Committee shall also deliberate on all documents relating to projects within the scope of the European Union directly transmitted by organs of the European Union to the national parliaments of EU Member States.

(2) If the Federal Council so decides, or if more than one half of the respective Members delegated by three provinces so demand prior to the beginning of deliberations in the EU Committee, the taking of position shall be reserved to the Federal Council. The application *mutatis mutandis* of § 16 paragraph(3) notwithstanding, the EU Committee shall in such cases report to the Federal Council prior to the beginning of the Federal Council sitting in which a project pursuant to Arts. 23e and 23f B-VG is to be considered, which report may include a motion in pursuance of § 13a paragraph (1) subparagraph (2).

(3) Except for cases listed in § 28 paragraph 3, a project of the European Union pursuant to Arts. 23e and 23f B-VG shall be placed on the agenda of an EU Committee sitting if

1. the competent Member of the Federal Government so requests or
2. if more than one half of the respective Members delegated by three provinces or one quarter of the Members of the Federal Council so request or
3. if a member of the EU Committee so requests at least 48 hours prior to the beginning of a sitting and if said project is likely to be adopted at the next meeting of the Council of the European Union, it being understood that Federal Council Members belonging to one and the same Parliamentary Group may make only one such request.

§ 13b. (1) The functions of the EU Committee pursuant to Arts. 23e and 23f B-VG shall, unless otherwise stipulated in the following paragraphs, be governed mutatis mutandis by the provisions of Part IV concerning the Committees of the Federal Council.

(2) Deliberations of the EU Committee on projects concerning the European Union shall be confidential if the provisions of the European Union concerning confidentiality of such projects and/or documents relating thereto so require.

(3) The provisions of paragraph 2 above notwithstanding, deliberations of the EU Committee on projects concerning the European Union shall be open to the public to the extent that adequate space is available; in admitting the public, preference shall be given to media representatives. For important reasons, a Member may move that the public be excluded from all or part of the deliberations. Sound, film and video recordings as well as the taking of photographs shall be permitted if the Committee so decides.

(4) Every Member of the Federal Council as well as the Members of the European Parliament elected in Austria shall have the right to attend the deliberations of the EU Committee on European Union matters in an advisory capacity.

(5) Before opening debate on a project concerning the European Union, the chairperson may give the floor to the competent Federal Minister or a member of the competent department delegated by him/her for an introductory report on the project and the position of the competent Federal Minister thereon.

(6) After the debate on the business in hand has been opened, any member of the EU Committee may table motions in writing proposing decisions under § 13a paragraph (1). Motions for a position to be adopted by the EU Committee shall indicate whether the project in question is to be transformed into domestic law by way of a Federal Constitutional Law, which would require the assent of the Federal Council in pursuance of Art. 44 paragraph 2 B-VG.

(7) Unless a motion under paragraph (6) or a motion to adjourn proceedings has been submitted, proceedings shall come to an end once the list of speakers is exhausted.

(8) The President of the Federal Council shall provide for the immediate transmission of positions to the Federal Chancellor, the Federal Minister of Foreign Affairs and the

competent member of the Federal Government. Unless the EU Committee decides otherwise, positions shall also be communicated to all Members of the Federal Council, the President of the National Council, the Provincial Diets, the Provincial Governors and the Members of the European Parliament elected in Austria.

(9) Summary records of the deliberations of the EU Committee on matters concerning the European Union shall be taken down and annexed to the Official Records unless the Committee otherwise decides or a request has been made under § 13 paragraph (2). Summary records of those parts of the deliberations which are open to the public shall be annexed to the Stenographic Records.

§ 14. (1) Members of the Federal Council elected by the Provincial Diets on the basis of proposals made by one and the same political party may form a Parliamentary Group. The minimum number of Members of the Federal Council required for recognition as a Parliamentary Group is five.

(2) Members of the Federal Council who do not meet the requirements of paragraph (1) above may only form a Parliamentary Group with the approval of the Federal Council.

(3) The chairperson of a Parliamentary Group shall inform the President in writing of the establishment of said Parliamentary Group.

§ 15. (1) Assistance in accomplishing parliamentary tasks and administrative matters within the scope of the Federal legislative organs is entrusted to the Parliamentary Administration, which is responsible to the President of the National Council.

(2) Regarding matters of the Federal Council, the internal organisation of the Parliamentary Administration shall be established in conjunction with the President of the Federal Council, who shall have the right to issue instructions concerning activities subserving the exercise of the functions entrusted to the Federal Council.

(3) The chief civil servant in charge of matters of the Federal Council shall have the title of Director of the Federal Council (Bundesratsdirektor) and his deputy the title of Deputy Director of the Federal Council (Bundesratsvizedirektor).

III. General Provisions concerning the Federal Council

§ 16. (1) Items of Business of the Federal Council

a) Legislative decisions (decisions) of the National Council;

b) projects in pursuance of Arts. 23e and 23f B-VG, of which the competent members of the Federal Government shall inform the Federal Council;

c) private members' motions by Members of the Federal Council;

- d) government bills submitted by the Federal Government or its members;
- e) reports of parliamentary delegations;
- f) reports by the Ombudsman's Office
- g) requests for the authority to prosecute persons for insulting the Federal Council;
- h) Committee Motions;
- i) statements by the Federal Government or its members
- i) statements by Provincial Governors
- k) elections (election proposals);
- l) questions (and answers thereto);
- m) petitions.

(2) The items of business listed in paragraph (1) (i to l) shall only be debated in the Federal Council in accordance with the provisions of § 37 paragraph (5), § 38 paragraph (4), § 57 paragraph (2), § 59 paragraph (7), § 60 paragraphs (1) and (2) and § 61 paragraphs (1) and (3).

(3) Prior to entry upon the agenda the Federal Council may decide by a two-thirds majority of the Members present that the items of business listed in paragraph (1) (a to g) above shall be considered immediately without preliminary deliberation by a committee.

(4) Furthermore, the Federal Council may, prior to entry upon the agenda, decide by a two-thirds majority of the Members present that items of business other than those listed in paragraph (1) above shall be considered with or without preliminary deliberation by a committee.

(5) Items of business pursuant to § 16 paragraph (1) (c) shall be considered withdrawn when all movers of said items have ceased to be Members of the Federal Council.

§ 17. The items of business enumerated in § 16, other than petitions, shall pursuant to Arts. 33 and 37 paragraph 3 B-VG be deemed part of the deliberations in public sittings of the Federal Council; this shall also hold for committee and minority reports.

§ 18. (1) As soon as documents relating to items of business enumerated in § 16 (a to h and l) have been received and committee and minority reports transmitted in writing, copies of said documents shall be made and distributed to all Members of the Federal Council.

(2) Copying and distribution of documents may be dispensed with if the content of said documents is communicated to the Members in some other appropriate form. The President may after consultation with the Vice-Presidents order that documents shall not be copied and distributed, in which case the entire document shall be held at the disposal of Members in the Parliamentary Administration.

(3) Bills, documents, reports, items of information and announcements regarding projects of the European Union in pursuance of Arts. 23e und 23f B-VG shall be distributed to the Parliamentary Groups in suitable form after consultation with the members of the President's Conference. They shall be held at the disposal of the Members of the Federal Council in the Parliamentary Administration if the secrecy provisions of the European Union so permit. Upon request in writing, Members of the Federal Council shall be provided in suitable form with lists of documents received from the EU as well as individual, specifically designated bills, documents, reports, items of information and announcements regarding projects of the EU in pursuance of Arts.23e und 23f B-VG.

(4) As soon as bills, documents, reports, items of information and announcements regarding projects of the EU in pursuance of Arts 23e und 23f B-VG have been placed on the agenda of the EU Committee they shall be distributed to the members of the EU Committee. In cases governed by § 13a paragraph (1) subparagraph 2 and paragraph (2), the distribution shall extend to all Members of the Federal Council. Exceptionally, the President may after consultation with the members of the President's Conference order that documents shall not be copied and distributed.

§ 19. (1) Immediately after receipt of items of business enumerated in § 16 paragraph (1) (a and c to g), the President shall refer said items of business to a committee for the purpose of preliminary deliberation.

(2) Following referral the chairperson of the committee shall charge a committee member to present said document to the Committee.

(3) As long as the Committee has not concluded its deliberations on an item of business, the plenary of the Federal Council may, upon the motion of a Member of the Federal Council, entrust another committee with further preliminary deliberations on said item of business. The President shall announce the motion before entry upon the agenda or after the agenda has been exhausted and shall at the same time indicate at what time in the course of the sitting s/he intends to put the motion to the vote.

§ 20. (1) All bills adopted (decisions taken) by the National Council shall be communicated to the Federal Council by the President of the National Council.

(2) The provisions of paragraphs (4) and (5) notwithstanding, the Federal Council may enter a reasoned objection to a bill adopted (decision taken) by the National Council.

(3) Said objection shall be transmitted in writing to the National Council by the President of the Federal Council within eight weeks of receipt of said bill (decision) by the Federal Council.

(4) Subject to the provisions of § 58 paragraph (2) any amendments to Arts. 34 and 35 B-VG shall require the approval of the Federal Council. Subject to the provisions of § 58 paragraph (3), the approval of the Federal Council shall also be required for decisions of the National Council relative to a Federal Constitutional Act or constitutional provisions contained in simple Federal Acts by which the legislative or executive powers of the Federal Provinces are curtailed. Furthermore, such approval shall be required for legislative decisions which envisage a time limit of less than six months or more than one year for the passage of implementing acts relative to matters governed by Art. 12 B-VG.

(5) The Federal Council shall have no right of participation in legislative decisions of the National Council respecting the Rules of Procedure of the National Council, the dissolution of the National Council, a Federal law making more detailed provisions regarding the preparation of the Draft Federal Framework Budget, the Federal Financial Act and other aspects of Federal budget management, a Federal financial act, a provisional budget in pursuance of Art. 51a paragraph 4 [B-VG] or dispositions over Federal assets, the assumption or conversion of Federal guarantees, the incurrence or conversion of Federal financial debts or the adoption of final budget accounts.

§ 21. (1) Every Member of the Federal Council shall have the right to table private Members' motions regarding the exercise by the Federal Council of its right to initiate legislative proposals or the taking of other decisions. Motions may be tabled in the course of a sitting or outside sittings.

(2) The motion shall contain the words "Der Bundesrat wolle beschliessen" ("...that the Federal Council resolve...") and the exact wording of the decision which the Federal Council is requested to take in accordance with the motion. Motions shall be submitted to the President in writing and shall bear the signature of the mover. All motions shall be accompanied by a minimum of four copies. Motions may also contain proposals as to the manner in which the preliminary deliberation shall take place.

(3) Private Members' motions shall be supported by at least three Members of the Federal Council including the mover. Unless the motion has been signed by three Members, support shall be expressed by a show of hands in response to the President's question.

(4) A private Member's motion may be withdrawn by the mover by written notification of the President at any time up to commencement of voting in committee or, if no preliminary deliberation or vote has taken place in committee, up to the time the Federal Council has entered upon its consideration of the motion. Such withdrawal shall be announced to the Federal Council by the President at its next sitting and/or written notice of withdrawal shall be copied and distributed in the same manner as the motion itself.

(5) If a committee fails to commence preliminary deliberations on a private Member's motion within six months of referral, the mover may demand, during a further period of six months, that preliminary deliberation be commenced within ten weeks after his/her lodging said demand. Said demand shall be communicated in writing to the President, who shall inform the Federal Council and have the demand communicated to the committee chairperson.

(6) Private Members' motions that contain legislative proposals and have been signed by at least one third of the Members of the Federal Council shall, in pursuance of Art. 41 paragraph 1 B-VG, be immediately transmitted by the President to the National Council for further treatment in accordance with the Rules of Procedure, if the sponsors so request.

§ 22. The Federal Government or its members may, by communication in writing to the President, modify or withdraw their bills and other items of business prior to commencement of voting in committee or, if no preliminary deliberation or voting has taken place in committee, at any time prior to commencement of deliberations on the submission in the Federal Council. Said modification or withdrawal shall be communicated to the Federal Council by the President at its next sitting and/or written notice of it shall be copied and distributed in the same manner as was used for distribution of the submission itself.

§ 23. (1) Every committee shall have the right to present Committee Motions calling for the Federal Council to exercise its legislative power or to take other decisions, on condition that said motions are germane to the subject matter under deliberation in Committee, and to submit a report to this effect in accordance with § 32 paragraph (3).

(2) A Committee Motion can be modified or withdrawn at any time prior to commencement of deliberations in the Federal Council. Once a committee report has been copied and distributed, the President of the Federal Council shall, when seized of a notification of modification or withdrawal, communicate said modification or withdrawal to the Federal Council at its next sitting or have the notification by the committee copied and distributed in the same manner as was used for distribution of the committee report.

§ 24. (1) The Federal Council shall have the right to scrutinise the activities of the Federal Government, to question its members on all matters of execution and to demand all relevant information from them. This right pertains in particular to acts of government and matters of public administration or administrative acts on the part of the Federal Government in its capacity of holder of private rights.

(2) The Federal Council may give expression to its wishes regarding executive acts of the Federal Government in the form of resolutions.

§ 25. (1) In order for petitions to the Federal Council to become items of business, they shall be presented by a Member of the Federal Council. As a rule they shall be neither

read nor printed but made available for inspection by all Members in the Parliamentary Administration.

(2) Depending on the subject matter in question, petitions presented by Members shall be referred to committees set up for the purpose of deliberating kindred issues preliminarily.

(3) Petitions on which committees have failed to report within six months of referral shall be transmitted by the President to the competent member of the Federal Government for further action.

§ 26. (1) In pursuance of Art. 44 paragraph 3 B-VG a legislative decision (decision) of the National Council relative to a partial amendment of Federal Constitutional Law shall be submitted to a referendum upon conclusion of the procedure pursuant to Art. 42 B-VG but before its authentication by the Federal President. Any request to that effect presented to the President in writing and duly signed by the Members of the Federal Council sponsoring it shall be transmitted to the Federal Chancellor without delay.

(2) In pursuance of Art. 140 (1) B-VG, one third of the Members of the Federal Council may demand that a Federal Law in toto or certain passages thereof be declared null and void by the Constitutional Court as being unconstitutional. The demand shall set forth in detail the objections speaking against the constitutionality of the Federal Law in question and shall be presented, duly signed by the Members of the Federal Council sponsoring it, to the President of the Federal Council for further action in accordance with the Constitution. The movers shall also appoint one or more authorised persons who shall represent them in the proceedings before the Constitutional Court.

§ 27. The only official language of the Federal Council and its committees shall be German.

IV. Committee Sitzings

§ 28. (1) A committee shall be convened by the President of the Federal Council for its constituent meeting. It shall also be convened when the terms of office of its chairperson and deputy chairpersons have expired. Up to the time that a new chairperson has been elected, committee deliberations shall be chaired by the President of the Federal Council.

(2) Each committee shall elect a chairperson and as many deputy chairpersons and secretaries as are deemed necessary. If the secretaries are prevented from exercising their functions a secretary shall be elected for the sitting in question.

(3) It shall be incumbent on the chairperson to ensure that the committee duly accomplishes its tasks and that its business is transacted without undue delay. S/he shall implement the Rules of Procedure and ensure their respect. S/he shall convene the committee, open and close its sittings and chair them and preside over its proceedings. S/he may at any time, and especially in case of any disturbance or interference, suspend the sitting.

(4) If the chairperson and deputy chairpersons are prevented from attending a committee sitting the oldest attending Member of the committee who belongs to a Parliamentary Group to which the chairperson or the deputy chairpersons belong shall chair the sitting.

§ 29. (1) The members of the Federal Government and State Secretaries shall have the right to participate in all committee proceedings.

(2) The members of the Federal Government and State Secretaries may have themselves accompanied or represented by experts from their respective spheres of responsibility unless it is decided in pursuance of § 30 paragraph (5) that persons who are neither members of the Federal Council nor members of the Federal Government or State Secretaries shall be excluded from a committee sitting or parts thereof.

(3) The Committees may decide to require the presence of members of the Federal Government at their deliberations.

(4) Committees may also decide to require the presence at the Committee sittings of the head of an independent organ as defined in Art. 20 paragraph 2 BV-G and to query him/her on all matters of management.

(5) Members of the Federal Government and State Secretaries shall at their request be given the floor at any time during the debate on an item of business, but they must not interrupt speakers holding the floor. The State Secretaries shall have this right in the absence of the Government Members to whom they are attached or whose responsibilities they discharge under Art. 78, paragraph 2 B-VG or, in the presence of said Government Members, with the approval of the latter.

§ 29a. (1) The members of the Ombudsman's Office may participate in committee deliberations on their activity report and to be on these occasions accompanied or represented by staff members of the Office, unless it is decided that persons who are neither members of the Federal Council nor members of the Ombudsman's Office shall be excluded from a committee sitting or parts thereof.

(2) The members of the Ombudsman's Office shall at their request be given the floor at any time in the course of the debate, but they must not interrupt speakers holding the floor.

§ 30. (1) Every Member of the Federal Council shall have the right to attend deliberations of committees of which s/he is not a member.

(2) Every committee shall be free to grant Members of the Federal Council who are not members of said committee the right to participate in the deliberations in an advisory capacity.

(3) Members of the National Council shall have the right to attend committee deliberations in their capacity as observers.

(4) Persons other than the Members of the Federal Council, the members of the Federal Government and State Secretaries may only attend sittings of committees with the approval (on the instruction) of the President of the Federal Council and/or the competent member of the Federal Government.

(5) Every committee may hold sittings or parts thereof from which persons who are neither Members of the Federal Council nor members of the Federal Government or State Secretaries are excluded.

§ 31. (1) Committee deliberations shall not be open to the public. Committees may decide whether and to what extent their deliberations and /or decisions shall be confidential.

(2) A committee may also decide to exclude from its confidential deliberations Members of the Federal Council not members of said committee, other than the Presidents and Parliamentary Group chairpersons; such decision shall require a majority of at least two thirds of the committee members present.

(3) The decision to keep deliberations confidential shall be binding on all persons attending the deliberations.

§ 32. (1) Committees shall be deemed to have a quorum if more than half of its members are present. Unless otherwise stipulated in the Rules of Procedure, committee decisions shall require a majority of the votes cast. In case of a tie the motion (proposal) shall be lost. The chairperson shall suspend the meeting when voting or an election cannot take place for lack of a quorum.

(2) Consideration of business in committee shall be governed, mutatis mutandis, by the following provisions

a) §§ 39 and 41 paragraphs (2) and (3) for convening the committee and establishing or modifying its agenda;

b) §§ 46 and 47 paragraphs (1), (2) and (7) for the debate on an item of business, subject to the provision that speakers shall – irrespective of their position on the question under discussion – be recognised in the order in which they have asked for the floor;

c) § 50 paragraphs (1), (2), (3) and (5) for motions to close the debate, subject to the provision that once a motion has been carried all members who have already asked for the floor shall have the right to speak;

d) § 48 for factual corrections;

e) §§ 43 and 43a for motions on the item of business, subject to the provision that such motions shall require no seconds;

f) § 49 for procedural motions and requests for the floor thereto;

g) § 51 for postponement and entry upon the agenda;

h) § 53 paragraphs (1), (2), (4) and (5) for the exercise of the right to vote;

i) § 54 paragraphs (1) to (3) and (6) as well as § 55 paragraphs (1) to (5) as well as (8) and (9) for voting, subject to the provision that voting shall be by name if at least one quarter of the number of committee members determined by the Federal Council so demand and that the Official Record of the committee shall in such a case reflect who has voted “Yes” and who “No”;

j) §§ 56 and 57 for the holding of elections, subject to the provision that nominations shall require no seconds;

k) §§ 68 to 71 for provisions regarding Order in the House.

(3) Consideration of business shall be opened by the rapporteur; in the absence of the appointed rapporteur, the chairperson shall ask another committee member to present the report.

(4) Upon the chairperson’s proposal or following a motion by a committee member the committee may decide, with a majority of at least two thirds of the members present, that for the purposes of the debate or, if the debate is held in parts, of each part thereof the speaking time allowed to each member shall be limited. Unless otherwise stipulated in the Rules of Procedure, speaking time shall, however, not be limited to less than 15 minutes.

(5) Once consideration of an item of business has been concluded the committee shall elect a rapporteur to the Federal Council, who shall summarise in writing the results of the deliberations in committee and in particular the decisions taken in committee. Said report shall be signed by the chairperson and the rapporteur and presented to the President of the Federal Council.

(6) Likewise, if no decision on a motion to be submitted to the Federal Council has been achieved on account of a tie, a rapporteur shall be elected who shall merely report on the course of deliberations. If a Committee Motion of Members of the Federal Council is rejected by a majority of votes, an analogous report shall be submitted to the Federal Council if at least three committee members so demand. If the committee fails to elect a rapporteur, the report shall be presented by the committee chairperson.

(7) As long as the report has not been presented to the President, the committee may change its decisions at any time. Moreover, a Committee Motion may be modified or withdrawn at any time before the Federal Council has embarked on its deliberation. The number of votes by which a decision is modified shall not be smaller than the number of votes by which the decision now to be modified was first taken. If the number of votes by which the decision was originally taken can no longer be established, a majority of at

least two thirds of the committee members present shall be required for modifying the decision.

(8) A minority of at least three committee members shall have the right to attach to the committee report to the Federal Council a separate report in writing. This minority report shall be presented to the President in time to ensure that it can be considered at the same time as the committee report. The President shall order that the minority report be copied and distributed to the Members of the Federal Council, with the proviso that the minority report shall be attached to the committee report if the 24-hour time limit for the distribution of committee reports in pursuance of § 44 paragraph (2) can be complied with. Oral presentation of a minority report to the Federal Council shall not be permitted.

§ 33. (1) The Committees may, through the President, ask members of the Federal Government to initiate investigations or summon experts or other witnesses to provide information orally or in writing

(2) If an expert or other witness fails to comply with the summons, s/he may be brought before the Committee by the competent authority.

(3) Experts or other witnesses invited to appear before the Committee in order to make an oral statement and who have to travel for this purpose from their place of residence or work to the domicile of the Federal Council shall be entitled to reimbursement of their costs. In such cases the provisions governing travel expenses of federal civil servants shall be applied *mutatis mutandis*.

(4) In connection with preliminary deliberations on an item of business the Committee chairperson may, with the approval of the President, invite the Committee members to visit the relevant locations within the federal territory.

§ 34. (1) Official records shall be kept of all committee sittings and signed by the chairperson and secretary. The records shall be kept by staff of the Parliamentary Administration, or the committees may decide to entrust the keeping of records to a committee secretary.

(2) The records shall contain: the items of business deliberated on, the motions (proposals) made in the course of the sitting, the manner in which they have been disposed of, the results of votes and the decisions taken.

(3) The records shall be accompanied by an attendance list as well as notifications, if any, of committee members being absent and replaced by their substitutes. Originals or copies of any documents that the chairperson has brought to the notice of members in the course of the meeting and written statements of participants regarding the item of business in hand that have been transmitted to the chairperson shall be annexed to the records.

(4) In exceptional cases the Committee chairperson may ask the President to instruct Parliamentary Administration staff to take down summary records of the proceedings. At

the request of a committee member, brief specific declarations shall be reported verbatim in said records. The summary record shall be annexed to the Official Records of the committee sitting and copies distributed to the Parliamentary Groups.

(5) Records and summary records shall be deemed approved if no objection has been raised with the chairperson by the time the next sitting begins. The chairperson shall rule on any objections made and inform the committee members of his/her ruling at the next sitting.

(6) The President shall direct communications concerning the activities of the committees to be published. The committees themselves may, however, of their own accord transmit to the Parliamentary Administration texts (communiqués) signed by the chairperson and one secretary for publication.

V. Sitzings of the Federal Council

§ 35. The Federal Council shall be convened by its President at the venue of the National Council.

§ 36. (1) The deliberations of the Plenary of the Federal Council shall be open to the public.

(2) The public shall be excluded if the Plenary of the Federal Council so decides upon proposal by the President or a motion submitted by at least one fifth of the Members present. The public shall leave the meeting hall before said proposal is debated or voted on.

(3) The Federal Council may decide whether and in how far its deliberations in camera and its decisions shall be treated as confidential. Said decision shall be binding on all persons participating in the deliberations.

§ 37. (1) The members of the Federal Government and the State Secretaries shall have the right to participate in all deliberations of the Federal Council.

(2) The Federal Council may decide to require the presence of members of the Federal Government.

(3) In the course of debate, the members of the Federal Government and State Secretaries shall, at their request, be given the floor on the item of business in hand at any time, subject to the provision that they do not interrupt the speaker holding the floor. State Secretaries shall have this right in the absence of the Government Members to whom they are attached or whose responsibilities they discharge under Article 78 paragraph 2 B-VG or, in their presence, with the approval of the latter. Moreover, members of the Federal Government and State Secretaries may, in accordance with the provisions of §§ 47 paragraph (7) und 50 paragraph (5), ask for the floor even after the end of the debate or

after a motion for closure of debate has been carried. In such cases the debate shall be deemed re-opened.

(4) In the course of the sittings of the Federal Council the members of the Federal Government shall also have the right to make oral statements on subjects not part of the item of business in hand. In such a case, the member of the Federal Government shall, if feasible, inform the President of his/her intention prior to the beginning of the sitting. The President shall then notify the Federal Council and announce at the same time at what point in the course of the sitting s/he intends to give the floor to the member of the Federal Government. If an objection is made to that point in time and the President fails to take said objection into account, the Federal Council shall decide without debate.

(5) Oral statements in pursuance of paragraph (4) above shall be debated if at least five Members of the Federal Council so demand in writing. If objections are raised to the proposed time for the debate, such objections shall be decided upon by the Federal Council. The debate shall not be postponed beyond the end of the next sitting.

§ 37a. (1) The members of the Ombudsman's Office shall have the right to participate in the deliberations of the Federal Council on their Activity Report

(2) In the course of debate, the members of the Ombudsman's Office shall, at their request, be given the floor at any time, but subject to the provision that they do not interrupt the speaker holding the floor. They may also, in accordance with the provisions of §§ 47 paragraph (7) und 50 paragraph (5), ask for the floor even after the end of the debate or after a motion for closure of debate has been carried. In such cases the debate shall be deemed re-opened.

§ 38. (1) The Provincial Governors shall have the right to participate in all deliberations of the Federal Council.

(2) In the course of debate, the Provincial Governors shall, at their request, be given the floor at any time on items of business that may affect the provinces in general or a specific province under discussion, subject to the provision that they do not interrupt the speaker holding the floor. If the item of business in hand affects only one province, the right to speak shall be limited to the Provincial Governor of that province. Moreover, Provincial Governors may, in accordance with the provisions of §§ 47 paragraph (7) und 50 paragraph (5), ask for the floor even after the end of the debate or after a motion for closure of the debate has been carried. In such cases the debate shall be deemed re-opened.

(3) In the course of the sittings of the Federal Council the Provincial Governors shall also have the right to make oral statements on subjects not part of the item of business in hand. In such a case, the Provincial Governors shall, if feasible, inform the President of their intention prior to the beginning of the sitting. The President shall then notify the Federal Council and announce at the same time at what point in the course of the sitting s/he intends to give the floor to the Provincial Governors. If an objection is made to that

point in time and the President fails to take said objection into account, the Federal Council shall decide without debate.

(4) Oral statements in pursuance of paragraph (3) above shall be debated if at least five Members of the Federal Council so demand in writing. If objections are made to the proposed time for the debate, such objections shall be decided upon by the Federal Council. The debate shall not be postponed beyond the end of the next sitting.

§ 39. (1) As a rule, the President shall announce at the end of each sitting the date and hour and, if possible, the agenda of the next sitting. This announcement can take the form of reference to a written communication that is distributed in the meeting hall. If objections made and the President fails to take said objections into account, the Federal Council shall decide. If a debate on said objections is demanded, all objections shall be dealt with jointly, and the President may limit speaking time to five minutes per Member. If none of the objections is adopted by simple majority, the President's original proposal shall stand.

(2) If the Federal Council has not been convened for its next sitting at the end of a sitting, the President shall determine the date, hour and agenda of the next meeting after consultation with the members of the President's Conference. If a sitting has been suspended for an indefinite period, the President shall determine the date and hour of the resumption of the sitting in the same manner.

(3) The President shall also have the right, up to 24 hours prior to the commencement of the sitting, to add to the agenda items of business the preliminary deliberation on which has been concluded or, in case no agenda has as yet been determined, to place such items of business on the agenda.

(4) Objections to the determination of (or addition to) the agenda by the President in pursuance of paragraphs (1) and (2) above can be raised after the opening of the sitting up to the time the agenda is embarked upon. In such cases, the provisions of paragraph (1) above shall apply *mutatis mutandis*.

(5) Every convocation of the Federal Council (resumption of a sitting suspended for an indefinite period) and every determination of (addition to) the agenda shall be communicated to all Members of the Federal Council in writing and by post. In addition, the Parliamentary Groups shall be notified. In exceptional cases, said notification may be deposited in the offices of the Parliamentary Groups or communicated in any other suitable manner (such as via the press, radio or other media).

§ 40. (1) The President shall convene the Federal Council immediately if at least one quarter of its Members or the Federal Government so demand in writing. Unless otherwise stipulated in the Rules of Procedure, the movers may demand that certain items of business be placed on the agenda.

(2) The convocation shall be made in such manner that the Federal Council can meet, at the latest, within five days of receipt of said demand by the President.

(3) Objections to the agenda of a sitting convened in pursuance of paragraph (1) above may be raised after the opening of the sitting up to the time that the agenda is embarked on. In such cases the provisions of § 39 paragraph (1) shall apply *mutatis mutandis*.

(4) The date, hour and agenda of a sitting convened for a later date shall not be affected by a demand for immediate convocation of the Federal Council, unless the Federal Council decides otherwise. Such decision shall require a majority of at least two thirds of the Members present.

§ 41. (1) The President shall open the sitting at the appointed hour irrespective of the number of Members present and shall make the communications s/he deems appropriate. In particular, s/he shall announce apologies for absence on the part of Members and indicate the individuals who deputise for members of the Federal Government who are prevented from attending (Art. 73 B-VG). The President may also make communications at any other time in the course of the sitting.

(2) Before the agenda is embarked upon, the President may change the order of items of business on the agenda. If there are any objections to this ruling, the National Council shall decide the issue without debate.

(3) Upon proposal by the President or upon a motion tabled by a Member, the plenary of the Federal Council may, before the agenda is embarked upon, and the provisions of § 39 paragraph (4) notwithstanding, decide by a two-thirds majority that an item of business be removed from the agenda or that an item of business not on the agenda be deliberated upon.

(4) The President shall announce the entry upon the agenda.

§ 42. (1) Each sitting of the Federal Council shall begin either with Question Time or with a debate on matters of topical interest. The sequence and any exceptions therefrom shall be determined by the President after consultation with the President's Conference.

(2) The debate on matters of topical interest shall serve to discuss such subjects with the competent Member of the Federal Government, the State Secretary attached to him/her or discharging his/her responsibilities under Art. 78, paragraph (2) B-VG. It may also be devoted to a discussion of subjects of general topical interest that lie within the competence of the European Union.

(3) As a rule, Question Time and the debate on matters of topical interest shall not exceed 60 minutes. The President may, after consultation with the Vice-Presidents, extend the duration to a maximum of 120 minutes.

(4) The President shall after consultation in the President's Conference determine the order in which speakers are given the floor and the time allotted to them.

§ 43. (1) Motions to object or not to object, motions to amend and motions for a resolution giving expression to the Federal Council's wishes regarding executive acts of the Federal Government (§ 24 paragraph (2)) may be raised by any Member as soon as deliberations on the item of business in question has been embarked upon. Such motions shall be accompanied by a statement of reasons.

(2) Said motions shall be transmitted to the President in writing and duly signed by the mover. They shall be considered if they are seconded by at least three Members including the mover. Seconds shall take the form of signatures of the seconders on the motion or a show of hands in response to the President's call for seconds.

(3) Motions to amend and motions for a resolution giving expression to the Federal Council's wishes regarding executive acts of the Federal Government can only be made if they are germane to the item of business in hand. Objections as to the germaneness of such motions shall be decided by a ruling on the part of the President.

(4) Motions pursuant to paragraph (1) above shall as a rule be read out by a speaker. In exceptional cases the President may order them to be read by a secretary. In order to expedite matters, the President may order copies of the motion to be made and distributed to the Members of the Federal Council on condition that one of the Members signatories of said motion has elucidated the central points of it. The motions in question shall be annexed to the Official Records.

(5) Motions to amend motions pursuant to paragraph (1) above shall not be permitted.

(6) Motions pursuant to paragraph (1) above may be withdrawn by the mover at any time prior to closure of debate on the item of business in question.

§ 43a. As soon as debate has been opened on a project under Arts. 23e and 23f B-VG, a minimum of three Members of the Federal Council may table motions in writing asking for positions on said project. § 43 paragraphs (2) to (4) and (6) shall apply mutatis mutandis.

§ 44. (1) Deliberations on an item of business shall, unless otherwise stipulated in the Rules of Procedure, consist of reporting, debate and voting.

(2) Deliberations in the Federal Council on items of business referred to a committee for preliminary deliberation shall as a rule not commence earlier than 24 hours after the committee report has been distributed.

(3) Upon the President's proposal the Federal Council may decide by a majority of at least two thirds of its Members present, to waive the copying and distribution of the committee report or compliance with the 24-hour rule pursuant to paragraph (2) above.

§ 45. (1) Unless otherwise stipulated in the Rules of Procedure, deliberations on an item of business shall commence with the presentation of a report.

(2) If the committee has failed to elect a rapporteur to the Federal Council or if the rapporteur elected by the committee is prevented from reporting, the report shall be presented by the committee chairperson. If said chairperson is also prevented, or if no preliminary deliberation has taken place, the President shall appoint a rapporteur.

(3) Upon the President's proposal or upon a motion tabled by a Member, the plenary of the Federal Council may at any time set a deadline within which a committee shall submit its report on an item of business referred to it for preliminary deliberation. Such proposal or motion shall be notified to the Members before entry upon the agenda. The vote on such proposal or motion shall take place once the agenda has been exhausted.

(4) The plenary of the Federal Council may extend the deadline set for a committee to complete preliminary deliberation at any time prior to the expiry of that deadline. Paragraph (3) above shall apply *mutatis mutandis*.

(5) After the expiry of the deadline set for a committee to present its report, deliberations on the item of business in question shall commence during the first sitting following expiry, even if a written committee report is not available.

(6) If a division of debate (§ 46 paragraph 2) is envisaged, the President may rule that the report be presented in separate parts. If an objection is raised and not accepted by the President, the Federal Council shall decide the issue without debate.

(7) A Member elected by the committee as rapporteur to the Federal Council on an item of business shall not take the floor as a speaker to that item of business.

§ 46. (1) Before entry upon the agenda the President may rule that several items of business be debated jointly. If an objection is raised and not accepted by the President, the plenary of the Federal Council shall decide the issue without debate.

(2) Up to the commencement of deliberations on an item of business the President may rule that debate be divided into parts. If an objection is raised and the President fails to accept it, the plenary of the Federal Council shall decide the issue without debate.

§ 47. (1) Requests for the floor shall be communicated to a staff member of the Parliamentary Administration appointed for this purpose by the President. To the extent the item of business in hand permits, the Member requesting the floor shall indicate whether s/he intends to speak "for" or "against" the issue. In the case of Members of the Federal Council who belong to a Parliamentary Group, the request for the floor shall as a rule be made by a Member appointed by that Parliamentary Group. Requests for the floor may be made at any time after the opening of the sitting.

(2) The Members that have claimed the floor shall be recognised in the order in which they have announced their intention, the first intervention being that of a speaker "against", following which speakers "for" and "against" shall speak in alternate succession. If two or more speakers "for" or speakers "against" announce their intention to speak at the same time, the President shall determine the order in which they are given the floor. In so doing s/he shall consider the relative strengths of the individual Parliamentary Groups, respecting the principle of alternation between speakers expected to hold different views. The President shall also recognise speakers in accordance with these principles if a distinction between speakers "for" and "against" cannot be made.

(3) Each Member shall not speak more than twice during each debate (or part thereof).

(4) Members who are not present when they are recognised shall lose their right to speak.

(5) The Federal Council may decide that the speaking time allotted to each speaker in the course of a debate (or part thereof) shall not exceed a certain limit. Unless otherwise stipulated in the Rules of Procedure, speaking time shall however not be limited to less than 20 minutes for each request for the floor. The Federal Council shall decide without debate.

(6) If the President or a Vice-President intends to take the floor on an item of business, s/he should, if feasible, not be in the chair at the time said item of business is deliberated on.

(7) The President shall rule the debate closed. This ruling can only be made once the question whether there are any further requests for the floor is not answered in the affirmative. Members who wish to ask for the floor at this point may do so from their seats. Once the President has ruled the debate closed, no further requests for the floor are permitted in connection with the item of business in hand. If subsequently a member of the Federal Government or, in pursuance of § 37 paragraph (3), a State Secretary, a Provincial Governor or a member of the Ombudsman's Office asks for the floor, the debate on the item of business in hand shall be deemed re-opened.

(8). The President may, after consultation with the President's Conference, change the order in which speakers are given the floor. Such changes in the order of speaking shall be noted in the Official Records.

§ 48. (1) If a Member rises in the course of a debate in order to make a factual correction the President shall, as a rule, give him/her the floor immediately but without interrupting a speaker, or at the latest immediately after the end of the debate on the item of business in question.

(2) A factual correction shall not exceed a duration of five minutes.

(3) A rejoinder in response to a factual correction may be made only if it relates to a matter personally affecting the Member requesting the floor. It shall not exceed a

duration of five minutes. Regarding recognition of the Member rising, paragraph (1) shall apply mutatis mutandis.

(4) Upon request the President may in exceptional cases extend the time allotted for a factual correction or the rejoinder thereto.

§ 49. (1) Unless otherwise stipulated in the Rules of Procedure, procedural motions, oral or in writing, may be tabled by Members at any time without interruption of the Member holding the floor. They shall require no seconds, and the President shall put them to the vote without delay unless a debate is to be held pursuant to paragraph (3) below.

(2) If a Member takes the floor on a procedural matter without him/herself tabling a motion, the President shall have the right to give him/her the floor only at the end of the meeting.

(3) Upon proposal by the President or upon a motion tabled by a Member, the Federal Council may decide to hold a debate. For the purposes of this debate the President may limit the speaking time of Members, the minimum time allowed each Member being five minutes. Regarding the order in which Members are given the floor, § 47 paragraphs (1) to (4) and (7) shall apply mutatis mutandis; however, requests for the floor may also be made by the Member from his/her seat

§ 50. (1) After at least four Members in addition to the rapporteur have spoken on the item of business in hand, a motion to close debate may be made at any time on condition that the Member holding the floor is not interrupted. The President shall put any such motion to the vote immediately.

(2) If the motion to close debate is carried, the speakers inscribed on the list of speakers (§ 47) shall not be given the floor, but each Parliamentary Group shall have the right to nominate one further speaker.

(3) Members of the Federal Council who intend to table procedural motions may transmit their motions to the President immediately after the motion to close debate has been carried, whereupon the President shall communicate said motion(s) and ask for seconds if the number of seconds thereto is not sufficient.

(4) Once a motion to close debate has been carried, the floor may only be requested by the speakers nominated pursuant to paragraph (2) above, the rapporteur and, in the case of a private Member's motion, the mover.

(5) If after the adoption of a motion to close debate a member of the Federal Government or, pursuant to § 37 paragraph (3), a State Secretary or a Provincial Governor or a member of the Ombudsman's Office asks for the floor, the debate on the item of business in hand shall be deemed re-opened.

§ 51. (1) Upon proposal by the President or upon a motion tabled by a Member the plenary of the Federal Council may decide to postpone deliberation on the item of business in hand or to consider the matter lapsed. If deliberation is postponed, the matter may be referred to a committee for preliminary deliberation. If the matter is considered lapsed, the Federal Council may choose to state a reason.

(2) A vote on a proposal or motion pursuant to paragraph (1) above shall be taken immediately unless a report or debate on the item of business in hand is called for. If a motion to adjourn deliberation or to consider the matter lapsed is made in the course of the debate on the item of business, such motion shall only be put to the vote after the end of debate.

§ 52. (1) The rapporteurs, secretaries and speakers who have asked for the floor shall speak from the rostrums provided for them. On procedural matters as well as in special cases in which the President allows them to do so, Members may speak from their seats. In the course of Question Time, supplementary questions may be put by Members from seats designated for this purpose.

(2) The members of the Federal Government, State Secretaries, Provincial Governors and members of the Ombudsman's Office shall, if they ask for the floor in their respective capacities, speak from the Government bench.

§ 53. (1) All Members shall vote in person.

(2) Voting shall be confined to the Member signifying his/her approval or disapproval of the motion (proposal) without any explanatory statement.

(3) As a rule, the President shall not participate in the vote. S/he may, however, before announcing the result of a vote, participate in the same by an oral statement. S/he shall be free to vote or not to vote in a secret ballot and in elections.

(4) Paragraph (3) notwithstanding, Members present shall not have the right to abstain.

(5) A Member not present in his/her seat on the occasion of a vote (election) shall not be permitted to vote thereafter. In cases requiring special consideration, the President may, prior to the voting, permit Members who are present in the hall but not in their seats to participate in the vote.

§ 54. (1) Voting on a motion (proposal) shall, as a rule, be by a show of hands or by the Members rising when requested by the President.

(2) Prior to entry upon the voting procedure, any Member may demand that the President, when announcing the result of the vote, also state the number of votes "for" and "against".

(3) The President may, of his/her own accord or in order to clarify the result of a vote, order that the voting be by name. Voting shall also be by name if demanded by at least five Members prior to entry upon the voting procedure. Seconds shall take the form of the seconds signing their names to the demand or by a show of hands in response to the President's call for seconds. Voting by name upon the President's order or following a demand on the part of Members shall only be permitted in the absence of a decision to vote by secret ballot (paragraph (4) below).

(4) Upon proposal by the President or upon a motion in writing tabled by at least five Members, the Federal Council may, after closure of the debate, decide to proceed to a secret ballot. Said proposal or motion shall be announced by the President at the latest prior to entry upon the voting procedure.

(5) If voting by name is ordered or demanded with regard to a particular matter, voting by secret ballot on the same matter shall not be permitted.

(6) Any Member may demand prior to entry upon the voting procedure that separate votes be taken on certain parts of a motion (proposal).

§ 55. (1) The President shall announce entry upon the voting procedure and, in so doing, indicate clearly the subject matter on which the vote is to be taken.

(2) Motions aiming at postponing decision on an item of business to be put to the vote shall have priority over all other motions. Motions to amend shall as a rule be voted upon before the vote on the main motion, and the more extensive ones before the other amendments. Motions for a resolution giving expression to the Federal Council's wishes regarding executive acts of the Federal Government (§ 24 paragraph 2) related to an item of business shall be voted on after a vote, if intended, on the item of business in hand has been taken.

(3) If several motions have been tabled on one and the same subject, the President shall announce in what order he intends to put them to the vote. S/he shall choose the order in such a way as to reflect the true sense of the majority of the Federal Council. S/he shall be free to precede the ballot by a vote on a matter of principle so as to simplify voting, to clarify the result of a vote or to avoid unnecessary ballots

(4) If a Member raises an objection to the form of voting envisaged by the President and the President fails to accept said objection, the Federal Council shall decide. If requested, the vote shall be preceded by a debate.

(5) If voting is by name, the Members shall, upon order of the President, be called by the secretary in alphabetical order. Voting is viva voce, the Members responding by "yes" or "no". The names of the Members who have taken part in the voting shall be recorded in the Stenographic Record, which shall also show whether they have voted affirmatively or in the negative.

(6) After consultation with the Vice-Presidents, the President may order a roll-call vote, i.e. voting by the casting of ballots. Said ballots shall carry the imprint “Yes” or “No” as well as the name of the member of the Federal Council and shall be printed in two different colours depending on whether their imprint is “Yes” or “No”. Each member of the Federal Council shall place his/her ballot in one and the same ballot box and the number of those voting shall be counted. Members not present when their name is called are not allowed to cast their votes subsequently. Once the casting of ballots has been ended the secretaries shall count the votes in the presence of the President. If the number of ballots cast is different from the number of members that have participated in the vote, the voting shall be repeated if the numerical difference might have an influence on the acceptance or rejection of a motion (proposal). The names of the members of the Federal Council that have participated in the vote as well as their vote (“Yes” or “No”) shall be noted in the Stenographic Records.

(7) If voting is by secret ballot, the Members shall, upon order of the President, be called by the secretary in alphabetical order to cast their votes. This shall be done by means of ballots. Printed ballots bearing the words “Yes” or “No” shall be placed in a ballot box. Once all the Members have voted, the secretaries shall proceed to count the votes in the presence of the President. In the case of a difference between the number of ballots cast and the number of Members who have participated in the vote, the voting shall be repeated if the difference is such that it might have a bearing on a motion (proposal) being adopted or rejected. Invalid ballots shall be counted as negative votes.

(8) Once voting has been completed and the votes have been counted, the President shall announce the result.

(9) If a vote cannot be taken because of the absence of a quorum the President shall suspend the meeting.

§ 56. (1) Unless a decision to the contrary is taken, elections shall take place by means of ballots and shall be decided by an absolute majority of the votes cast. If only one list of candidates is presented and voting by ballot is not demanded, voting shall be by a show of hands or by the Members rising.

(2) Lists of candidates shall be presented to the President in writing and duly signed by the mover prior to entry upon voting at the latest and communicated by the President to the Federal Council. The provisions of paragraph (6) below notwithstanding, they shall be seconded by at least three Members including the mover. Seconds shall take the form of signatures of the seconders on the motion or a show of hands in response to the President’s call for seconds.

(3) If no absolute majority of the valid votes cast is achieved during the first ballot, a second ballot shall be held in the same manner.

(4) If the second ballot also fails to produce an absolute majority of the votes cast, there shall be a third ballot based on a short list, in which voting is by means of ballots.

(5) For the purposes of the second or third (short-list) ballot the mover may withdraw names of candidates and replace them with others.

(6) To the extent that the Rules of Procedure stipulate the principle of proportional representation, the decision shall be by a majority of valid votes cast. Lists of candidates governed by this principle shall require the support of more than half of those Members who have the right to propose candidates. No Member shall sign more than one list of candidates.

§ 57. (1) The President shall announce the entry upon the election procedure and indicate clearly the list of candidates to be put to the vote. (2) A debate on the lists of candidates shall take place if at least five Members so demand in writing. (3) The President may indicate in which form the candidates for whom the Member wishes to vote are to be designated on the ballot. If voting takes place by means of ballots the President shall order the secretary to call the Members in alphabetical order, who shall place their ballots in the ballot box. Once all the Members have voted, the secretaries shall proceed to count the votes in the presence of the President. In the case of a difference between the number of ballots cast and the number of Members who have participated in the vote, the voting shall be repeated if the difference is such that it might have a bearing on a candidate or list of candidates being adopted or rejected. (4) Ballots shall be deemed valid if they clearly reflect the intention of the voter and bear the name(s) of (an) eligible candidate(s), the lists of proposed candidates notwithstanding. However, in the case of elections governed by the principle of proportional representation, votes can only be validly cast for a candidate or candidates pursuant to § 56 paragraph (6). (5) The short-listed ballot shall only contain, as a maximum, twice as many candidates as corresponds to the number of persons to be elected and these shall be those candidates who have received the most votes in the second ballot. If several candidates have received the same number of votes in the second ballot, the candidates for the short-listed ballot shall be determined by the drawing of lots. Candidates thus selected for the short-listed ballot may be withdrawn by the mover and replaced with other candidates. (6) In the short-listed ballot, the election shall be decided by a majority of the valid votes cast. In case of a tie, the decision shall be by the drawing of lots. (7) If an election cannot be taken because of the absence of a quorum the President shall suspend the meeting.

§ 58. (1) Unless otherwise stipulated in the Federal Constitutional Act or the Rules of Procedure, decisions by the Federal Council shall require the presence of at least one third of its Members and an absolute majority of the votes cast. In case of a tie the motion (proposal) is deemed rejected.

(2) A decision approving a decision of the National Council concerning an amendment of Articles 34 and 35 B-VG shall require, in addition to the stipulations in paragraph (1) above, the approval of a majority of representatives of at least four provinces.

(3) A decision approving a decision of the National Council relative to a Federal Constitutional Act or constitutional provisions contained in simple Federal Acts by which the legislative or executive powers of the Federal Provinces are curtailed, State Treaties

pursuant to Art 50 paragraph 1 (2) B-VG. and decisions of the European Council on common defence (Art. 23f paragraph 1 B-VG) shall require the presence of at least one half of the members of the Federal Council and a majority of at least two thirds of the votes cast.

(4) A decision approving a motion by the Federal Government aiming at a dissolution of a Provincial Diet by the Federal President shall require the presence of at least one half of the Members of the Federal Council and a majority of at least two thirds of the votes cast. Members of the Federal Council elected by the Diet to be dissolved shall not participate in the vote, nor shall they be taken into account when determining whether a quorum is present.

(5) A decision of the Federal Council on a proposed amendment of its Rules of Procedure shall require the presence of at least one half of the Members of the Federal Council and a majority of at least two thirds of the votes cast.

§ 59. (1) Any Member may address written questions to the President and the chairpersons of committees. Such questions shall be duly signed and presented to the President, who shall – unless the questions are addressed to him/her – have them transmitted to the committee chairpersons.

(2) Written questions addressed by a Member to the Federal Government or one of its members pursuant to § 24 paragraph (1) shall be duly signed by at least three Members including the author of the question and presented to the President, who shall have them transmitted to the persons addressed without delay.

(3) The submission of written questions shall not be confined to sittings of the Federal Council.

(4) Written questions shall only be read to the Federal Council if the President so orders.

(5) Written questions shall be answered orally or in writing within two months of their being presented to the President. If the person questioned is not in a position to provide the information desired s/he shall state his/her reasons.

(6) If a member of the Federal Government plans to answer a question orally, s/he shall whenever feasible so inform the President before the beginning of the sitting. The President shall so inform the Federal Council and in so doing announce the time at which s/he intends to give the floor to the member of the Federal Government in the course of the sitting. If an objection is made to that point in time, the Federal Council shall decide without debate.

(7) A debate may be held on the answer to a written question if demanded in writing by at least five Members. If objections are raised to the proposed time for the debate, such objections shall be decided upon by the Federal Council. The debate shall not be postponed beyond the end of the next sitting.

(8) Up to the time the President has received an answer to a written question, the questioner may withdraw his/her question by so informing the President in writing. The President shall without delay order that the person questioned be informed of such withdrawal; he shall inform the Federal Council of said withdrawal at its next sitting or have the communication copied and distributed in the same manner as the written question itself.

§ 60. (1) Upon a written motion seconded by at least three Members, the Federal Council may decide without debate that a debate be held, prior to entry upon the agenda or after the agenda has been exhausted, on a written answer to a question addressed to the Federal Government or one of its members during the sitting in which the President has announced receipt of said answer.

(2) The debate shall take place without delay if at least five Members so demand in writing. During one and the same sitting, each Member shall not sign more than two such demands.

(3) If the demand is for the debate to take place before entry upon the agenda, the President may postpone it to the end of the sitting but not later than 4 p.m.

(4) If several debates on answers to written questions have been demanded to be held at the same time, they shall take place in the chronological order in which the respective motions or demands have been made. If the Members who have signed a motion pursuant to paragraph (1) above or a demand pursuant to paragraph (2) above agree, the President may order that several answers to questions related with one another shall be dealt with in one debate.

(5) For the purposes of a debate on answers to written questions, speaking time shall be limited to a total of twenty minutes for each Member. This rule shall also obtain for debates that deal with several answers jointly.

(6) In the course of a debate on answers to written questions the only procedural motion permissible shall be the motion that the Federal Council take note or refuse to take note of the answer. Said motion may be accompanied by a brief statement of reasons.

§ 61. (1) Upon a motion in writing seconded by at least three Members, the Federal Council may decide without debate that a Member who has put a written question to a member of the Federal Government since the last sitting or in the course of the same sitting may, prior to entry upon the agenda or after the agenda has been exhausted, present his/her motivation in an oral statement to be followed by a debate on the issue in hand.

(2) The member of the Federal Government questioned, or pursuant to § 37 paragraph (3) the State Secretary attached to said member, shall, once the motivation for the question has been stated and prior to entry upon the debate, without delay either give an oral answer or present his/her position on the issue in hand.

(3) Urgent consideration shall take place without delay if at least five Members so demand in writing. During one and the same sitting, each Member shall not sign more than two such demands.

(4) If urgent consideration pursuant to paragraph (3) above is demanded to take place before entry upon the agenda, the President may postpone it to the end of the sitting but not later than 4 p.m.

(5) If consideration of several urgent questions has been moved or demanded to take place at the same time, said questions shall be considered in the chronological order in which the respective motions or demands have been made. If several motions pursuant to paragraph (1) above or demands pursuant to paragraph (3) above are made at the same time, the President shall rule on the order in which they are to be considered.

(6) If the Members who have signed a motion pursuant to paragraph (1) above or a demand pursuant to paragraph (3) above agree, the President may order that urgent consideration be given jointly to several urgent questions related with one another.

(7) In the debate on urgent questions, speaking time shall be limited to a total of twenty minutes for each Member. This rule shall also obtain if urgent consideration is given jointly to several questions.

(8) In the debate on an urgent question the only procedural motions permissible shall be motions for a resolution pursuant to § 24 paragraph (2).

§ 62. (1) Any Member of the Federal Council may address brief oral questions to members of the Federal Government in the course of Question Time pursuant to § 24 paragraph (1).

(2) Each question shall be confined to one concrete question and must not be divided into several parts.

(3) In each calendar month, each Member shall put a maximum of four questions.

(4) Questions that do not comply with these stipulations shall be disallowed by the President.

(5) Questions shall be tabled by way of the Parliamentary Administration at the latest 48 hours before the sitting in which they are to be called up. If that day is not a working day, the day immediately preceding it shall be the latest day for introduction. Questions shall without delay be communicated to the person to whom they are addressed. The President may grant exceptions after consultation in the President's Conference.

(6) The questioner may, by written communication to the President, withdraw his/her question at any time before it is called up in the course of Question Time or, in the case

of a call for a written answer, before said answer is received by the President. The person questioned shall be informed of the withdrawal without delay.

§ 63. (1) After consultation of the members of the President's Conference the President shall determine the order in which questions are to be called up during Question Time, taking into consideration the time off introduction, ministerial responsibility and the relative strengths of the Parliamentary Groups to which the questioners belong.

(2) The questions envisaged to be called up shall be copied and distributed to all Members and copies thereof made available in the meeting hall for the benefit of the public. When called up, the questioner shall repeat the question orally.

(3) The President shall call up the questions in the order in which they have been arranged. Questions shall not be called up nor answered if the questioner is absent and has failed, in the case of his/her being prevented pursuant to § 4 paragraph (2), to inform the President of the name of another Member who shall put the question in his/her stead. The Member so named shall state his agreement to put the question in the absent questioner's stead.

(4) The member of the Federal Government or, pursuant to § 37 paragraph (2), the State Secretary shall be under the obligation to answer the question orally as soon as it is called up. The answer shall be as brief and concrete as the nature of the question allows. If the person questioned is not in a position to provide the desired information, his/her reply shall indicate the reason.

(5) After a question has been answered, the questioner shall have the right to ask one supplementary question. Thereafter, other Members may ask supplementary questions, and the floor shall as a rule be given to Members of each of the Parliamentary Groups other than the one to which the questioner belongs; Members who do not belong to a Parliamentary Group shall also be allowed appropriate time during Question Time. If several Members ask for the floor simultaneously to put a supplementary question, the President shall determine the order in which they are given the floor in compliance with the principles set out in § 62 paragraph (2).

(6) Unless a question has been called up for an answer during Question Time within four weeks of its receipt by the President, the questioner may within a further period of fourteen days demand an answer in writing. Said demand shall be presented to the President in writing and communicated to the person questioned by the President without delay.

(7) The written answer shall be given within one month of said demand having been made by the questioner under (6) above. If the person questioned is not in a position to answer the question, his/her written reply shall indicate the reason.

(8) The President shall order the answer to be copied and distributed to Members, seeing to it that the Members are also cognizant of the wording of the oral question concerned.

Moreover, the President shall announce receipt of the written answer at the sitting of the Federal Council following receipt.

§ 64. (1) Official Records of all sittings of the Federal Council shall be kept by staff appointed for this purpose by the Parliamentary Administration. These records shall, on the day following the sitting, be open to inspection by the Members on the premises of the Parliamentary Administration during the latter's opening hours from 8 a.m. to 4 p.m.

(2) In exceptional cases a part of the Official Records shall be deemed adopted as the sitting is closed, if the President has, in response to a written request on the part of five members of the Federal Council, read out the envisaged wording of the Official Records regarding individual items of business after they have been disposed of, and has ruled on any objections - which would have to be raised immediately - to the wording or contents of said part of the Official Records. There shall be no debate.

(3) The Official Records shall list the items under deliberation, all motions (proposals) made in the course of the sitting, the manner in which they have been disposed of, the results of all votes and the decisions taken.

(4) Upon the President's order, other events may also be recorded in the Official Records.

(5) The Official Records shall be signed by the President and one Secretary.

(6) Objections to the Records shall be communicated to the President during the time that the Records are open for inspection, and the President shall have them corrected if s/he considers the objection to be justified.

(7) The Official Records shall be deemed approved after the lapse of the period stipulated in paragraph (1) above unless another time limit results from a later ruling of the President on objections.

(8) Separate Official Records shall be kept of deliberations that take place in camera. The Records shall be read while the sitting is still in camera. They shall be deemed approved if no objection is raised. If there are objections, the President shall rule on them without debate. The Federal Council shall decide even before the public is readmitted whether or not the records of the sitting in camera are to be published. Records not published shall be kept under seal.

§ 65. (1) Stenographic records shall be made of the public sittings of the Federal Council and published in printed form; these records shall reflect the deliberations in extenso. Stenographic records of sittings in camera shall only be kept if the Federal Council so decides. The Federal Council shall decide even before the public is readmitted whether or not the records of the sitting in camera are to be published. Records not published shall be sealed and annexed to the Official Records of the sitting.

(2) Each speaker shall receive, before his/her statements are printed, a copy of the stenographic record so that s/he can make editorial corrections within an appropriate period to be determined with due consideration of the urgency of the matter. Unless objections are raised, or if the copy is not returned within the period allowed for correction, the record shall go to print.

(3) Corrections of style shall not change the substance of an intervention in any way. In case of doubt the President shall rule on the admissibility of such corrections.

(4) The stenographic records shall also contain a complete list of all items of business received since the last sitting or in the course of the sitting in question as well as the dates of receipt and referral.

(5) The stenographic records shall furthermore contain the names of committee officers, the results of elections of committee chairpersons and secretaries and all subsequent changes of same.

(6) Objections to the stenographic records shall be communicated to the President, who shall order corrections if s/he deems said objections to be justified.

(7) Bills (decisions) adopted by the National Council, private Members' motions tabled by Members of the Federal Council, government bills submitted by the Federal Government or its members, reports of parliamentary delegations, requests for the authority to prosecute persons for insulting the Federal Council, committee motions as well as committee reports and minority reports in writing shall be published as annexes to the stenographic records unless copying and distribution is dispensed with pursuant to § 18 paragraph (2).

VI. Parliamentary Hearings

§ 66. (1) On the basis of a private Member's motion tabled by a Member of the Federal Council or a committee motion, the Federal Council may decide to hold a parliamentary hearing (i.e. to solicit written statements and to hear experts and other witnesses) on matters within the jurisdiction of the Federal Council. Said hearing shall have the purpose of providing information to the Members; no decisions shall be taken.

(2) The motion to hold a parliamentary hearing shall at a minimum contain indications of the subject matter, the participants desired to be present, and the proposed day of the hearing.

(3) Hearings shall be open to the media unless the Federal Council decides otherwise when taking the decision to hold the hearing. If the Federal Council so decides and sufficient room is available, the general public shall be given access once the space requirements of the media are met.

§ 67. (1) Unless the Federal Council decides otherwise upon the President's proposal, the hearing shall be chaired by the President of the Federal Council. The hearing shall be open to all persons entitled to be present at the sittings of committees of the Federal Council.

(2) Furthermore, the provisions of § 47 paragraphs (1), (2) and (4), §§ 48 and 68 to 70 shall apply, mutatis mutandis, to the debate, factual corrections as well as the call to speak to the point and the call to order. If necessary the President may limit speaking time to five minutes.

(3) Stenographic records shall be made of the deliberations and published in printed form. The President of the Federal Council shall rule on any other publications regarding the parliamentary hearing.

(4) Experts or other witnesses invited to make an oral statement within the framework of the hearing and who have to travel for this purpose from their place of residence or work to the domicile of the Federal Council shall be entitled to reimbursement of their costs. In such cases the provisions governing travel expenses of federal civil servants shall be applied mutatis mutandis.

VII. Order in the House

§ 68. If the President interrupts a speech made by a person entitled to participate in the deliberations of the Federal Council, said person shall stop immediately, failing which the President may withdraw his/her right to speak.

§ 69. (1) If a Member roams wide of a question before the National Council, the President may require him/her to speak to the point.

(2) After the third admonition, the President may withdraw a Member's right to speak.

§ 70. (1) If a person who is entitled to participate in the deliberations of the National Council violates the decorum or dignity of the National Council, uses abusive language or does not comply with the President's orders, the President shall call him/her to order.

(2) In the case of grave violations the President may withdraw his/her right to speak. In this case the person in question shall not be allowed to ask for the floor again to speak on the item of business in hand.

(3) The President may also make a call to order at the end of the sitting during which the violation has occurred or at the beginning of the next sitting.

§ 71. Request for a Call to Speak to the Point or a Call to Order Any person entitled to participate in the deliberations may request the President to make a call to speak to the point or a call to order. This right shall also extend to subsequent calls to order pursuant to § 70 paragraph (3).

VIII. Concluding Provisions

§ 72. (1) The present Rules of Procedure shall enter into effect on July 1, 1988.

(2) As the present Rules of Procedure enter into effect, the Rules of Procedure of the Federal Council (GO-BR) shall expire on the basis of the Federal Council Decision of December 19, 1984, BGBI (Federal Law Gazette) No. 554.

(3) The provisions of § 13c shall become null and void at the time of entry into force of the constitutional provisions on the implementation of the Lisbon Treaty.