

**THE STANDING ORDERS OF THE SEJM  
OF THE REPUBLIC OF POLAND<sup>1</sup>**

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*Monitor Polski* of 2002, No. 23, item 398,  
and as further amended by:

*Monitor Polski* of 2003, No. 23, item 337

*Monitor Polski* of 2004, No. 12, item 182

*Monitor Polski* of 2005, No. 16, item 263

*Monitor Polski* of 2005, No. 42, item 556

*Monitor Polski* of 2005, No. 66, item 912

*Monitor Polski* of 2005, No. 76, item 1062

*Monitor Polski* of 2006, No. 15, item 194

and

*Monitor Polski* of 2007, No. 23, item 253

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<sup>1</sup> This text contains provisions which apply to those bills and drafts resolutions whose first reading was held no sooner than 13 March 2002.

Part I  
**GENERAL PROVISIONS**

Chapter 1  
**THE FIRST SITTING OF THE SEJM OF THE REPUBLIC OF POLAND**

**Article 1**

1. The first sitting of a newly elected Sejm shall be on a date specified by the President of the Republic of Poland.
2. The first sitting of the Sejm shall be opened by the Marshal-Senior appointed from amongst the elder Deputies.

**Article 2**

1. At the first sitting of the Sejm, Deputies shall take an oath in the wording specified in the Constitution.
2. The Marshal-Senior shall conduct the taking of the oath and election of the Marshal of the Sejm with assistance of temporary secretaries appointed by him from amongst the youngest Deputies in such number as may be necessary to discharge such functions.
3. The oath shall be taken in the following manner: after reading out the wording of the oath, all the Deputies shall, one after another, stand and declare - „I so swear”. A Deputy may add the following sentence: „So help me, God”.
4. Deputies absent from the first sitting of the Sejm and those who are promoted to a seat during a term of office shall take the oath at the first sitting which they will attend.

**Article 3**

1. The Marshal of the Sejm, in consultation with the Rules and Deputies' Affairs Committee, shall declare the expiry of a Deputy's mandate because of his refusal to take the oath or avoiding taking the oath.
2. Decisions, taken by the Marshal of the Sejm, declaring the expiry of a mandate or the filling of a vacant mandate, shall be published in the Official Gazette of the Republic of Poland - "Monitor Polski".

**Article 4**

1. After the taking of the oath by the Deputies, the Marshal-Senior shall conduct the election of the Marshal of the Sejm.
2. Candidates for Marshal of the Sejm shall be nominated by at least 15 Deputies. A Deputy may support only one candidate.
3. The Marshal of the Sejm shall be elected by the Sejm by an absolute majority of votes; the election shall be held by a roll call vote, unless the Sejm decides otherwise.
4. When more than one candidate has been nominated and in the first vote none of the candidates has obtained an absolute majority of votes, then, the name of the candidate who has obtained the least number of votes shall be deleted from the list of candidates before each subsequent vote. If two or more candidates have obtained the same and least number of votes, then the names of those candidates shall be deleted before the subsequent vote.
5. If nobody has been elected as a result of application of the procedure specified in paras. 3 and 4, the election of the Marshal of the Sejm shall be repeated.

**Article 5**

1. The Marshal of the Sejm shall take the chair during debates.
2. The Sejm shall, by means of a resolution, determine the number of Vice-Marshals of the Sejm.
3. A draft resolution may be submitted by at least 15 Deputies.
4. The provisions concerning the time limit for submission and delivery of drafts shall not apply to a draft resolution. A draft resolution shall be considered in the course of one reading.

5. The Marshal of the Sejm shall order the election of the Vice-Marshals.
6. The provisions of Article 4 paras. 2-5 shall apply, as appropriate, to the election of the Vice-Marshals of the Sejm.

### **Article 6**

The Sejm shall choose 20 secretaries of the Sejm. They shall be chosen at the same time, unless the Sejm decides otherwise.

## Chapter 2 **DEPUTIES**

### **Article 7**

1. A Deputy shall be obliged to attend and actively participate in the sittings of the Sejm and any of its organs to which he has been elected. During the sittings of the Sejm, Deputies shall sit in the Chamber at fixed places.

2. No Deputy shall belong to more than two standing committees.

3. A Deputy fulfilling the function of a minister or secretary of state may not be member of a committee.

4. A Deputy's fundamental duties shall include in particular:

1) to participate in voting during the sitting of the Sejm and its committees,

2) to comply with commands of the Marshal of the Sejm ensuing from the Standing Orders of the Sejm.

5. The presence of a Deputy at a sitting of the Sejm shall be confirmed by a record of attendance made available on the day of each sitting during the first two hours of commencement of debate, as well as by participation in voting confirmed by printed record. Records of attendance, on expiry of the period of their availability, shall be deposited thereafter with the Marshal of the Sejm.

6. A Deputy shall confirm his attendance at a sitting of a committee or subcommittee by signing a record of attendance.

7. Where participation in a sitting of the Sejm or a standing or special committee is not possible, a Deputy shall, insofar as possible, notify either the Marshal of the Sejm or the chairperson of the committee before the relevant sitting and shall within 7 days justify such absence in writing to the Marshal of the Sejm or to the chairperson of the committee. Procedure for submitting of justification of absence shall be defined by the Presidium of the Sejm.

8. The following reasons shall be deemed to justify the failure by a Deputy to participate in a sitting of the Sejm or a committee, or in voting:

1) illness or necessary care of a sick person;

2) foreign or domestic trips at the request of the Sejm, the Marshal of the Sejm or a committee, approved by the Presidium of the Sejm;

3) conflict in the times of sittings of committees to which a Deputy belongs if he participated in one of those sittings, and in the case of conflict in the times of sitting of the Sejm and a committee or a subcommittee, subject to Article 152 para. 4 - fulfilling the functions of a rapporteur or speaking at a sitting of the Sejm;

4) leave granted to a Deputy by the Marshal of the Sejm, subject to para. 10;

5) other serious, unpredictable or unavoidable occurrences.

9. Information concerning unexplained absences by Deputies at sittings of the Sejm and its committees shall be available to the public.

10. A Deputy may, for reasons of great importance, apply to the Marshal of the Sejm for leave from performance of his duties. The Marshal of the Sejm shall grant the leave in consultation with the presidium of the club or group to which the Deputy belongs. Where a leave lasts longer than 14 days, the Deputy's allowance shall not be paid.

11. Access by a Deputy to information comprised of State and official secrets shall be governed by the provisions concerning State and official secrets. A Deputy shall be obliged to submit a written declaration

that he will keep secret any information comprised of State and official secrets which he may obtain during the discharge of his function as a Deputy. The obligation to keep secrecy shall bind a Deputy both during his term of office and after its expiry.

### **Article 8**

1. In the Sejm, Deputies may found Deputies' clubs and Deputies' groups according to political principles.

2. A club shall be founded by at least 15 Deputies.

3. A group shall be founded by at least 3 Deputies.

4. No Deputy may at the same time belong to more than one Deputies' club or Deputies' group.

5. Deputies' clubs and Deputies' groups may, by means of alliance, form a joint representation within the Council of Seniors.

6. In the Sejm, Deputies may found groupings according to principles other than those specified in para. 1.

7. The authorities of Deputies' clubs, Deputies' groups, groupings and alliances shall inform the Marshal of the Sejm about their composition and internal regulations (statutes).

## **Chapter 3**

### **ORGANS OF THE SEJM**

#### **Article 9**

The organs of the Sejm shall be as follows:

- 1) the Marshal of the Sejm;
- 2) the Presidium of the Sejm;
- 3) the Council of Seniors;
- 4) Sejm committees.

#### **Article 10**

1. The Marshal of the Sejm shall:

- 1) safeguard the rights and dignity of the Sejm;
- 2) represent the Sejm;
- 3) summon the sittings of the Sejm;
- 4) preside over the debates of the Sejm;
- 5) ensure the operation and punctuality of the work of Sejm and its organs;
- 6) supervise the work of the Presidium of the Sejm and preside during its debates;
- 7) summon the Council of Seniors and preside during its debates;
- 8) after seeking the opinion of the Presidium of the Sejm, initiate the consideration of bills, draft resolutions and motions referred to the Sejm by State organs;
- 8a) initiate proceedings with documents submitted in matters related to Poland's membership in the European Union;
- 9) fulfil tasks concerning relations with the Senate;
- 10) fulfil tasks concerning relations between the Sejm and the parliaments of other countries;
- 10a) fulfil tasks concerning relations between the Sejm and the institutions and other bodies of the European Union;
- 11) present periodic appraisals of the discharge by organs of State administration of their duties to the Sejm and its organs and Deputies; deliver relevant suggestions to the Prime Minister, to presidiums of Sejm committees and to the Deputies;
- 12) provide the Deputies with necessary assistance in their work, including ensuring the discharge by organs of government administration, organs of local government and other organizational units, of their duties to Deputies, as specified in the Act on the Exercise of the Mandate of a Deputy or Senator;

- 13) ensure order and decorum within the entire precincts of the Sejm and issue appropriate instructions for the maintenance of order, including those concerning the use of the Parliament Guard, if necessary;
  - 14) promulgate, by means of an order, the Statutes of the Chancellery of the Sejm;
  - 15) adopt, in consultation with the Rules and Deputies' Affairs Committee and the Presidium of the Sejm, the draft budget of the Chancellery of the Sejm and supervise its implementation;
  - 16) after seeking the opinion of the Rules and Deputies' Affairs Committee, appoint and recall the Chief of the Chancellery of the Sejm;
  - 17) after seeking the opinion of the Chief of the Chancellery of the Sejm, appoint and recall the Deputy Chiefs of the Chancellery of the Sejm;
  - 18) undertake other activities resulting from the Standing Orders of the Sejm.
2. The Marshal of the Sejm shall also perform other duties provided for by the Constitution and statutes.
  3. The Marshal of the Sejm may, within limits specified by him, be substituted by Vice-Marshals of the Sejm.

#### **Article 11**

The Presidium of the Sejm shall consist of the Marshal and Vice-Marshals of the Sejm.

#### **Article 12**

1. The Presidium of the Sejm shall:
  - 1) after seeking the opinion of the Council of Seniors, establish a plan of work for the Sejm;
  - 2) determine, at least 3 months in advance, the so called sitting weeks;
  - 3) after seeking the opinion of the Rules and Deputies' Affairs Committee, issue interpretations of the Standing Orders of the Sejm;
  - 4) express its opinion on matters referred to it by the Marshal of the Sejm;
  - 5) organize co-operation between Sejm committees and coordinate their activities;
  - 6) formulate the principles of organizing scholarly consultation for the benefit of the Sejm and its organs, of appointing consultants to the Sejm and utilization of the opinions and reports of experts;
  - 7) undertake other activities resulting from the Standing Orders of the Sejm.

#### **Article 13**

1. The orders of the day and times of sittings of the Presidium of the Sejm shall be set by the Marshal of the Sejm.
2. The Chief of the Chancellery of the Sejm shall participate in the sittings of the Presidium of the Sejm in an advisory capacity. The Marshal of the Sejm may also invite other persons to take part in the sittings of the Presidium of the Sejm.
3. Minutes, to be signed by the Marshal of the Sejm, shall be made of the proceedings of the Presidium of the Sejm. Such minutes shall constitute the sole official record of the proceedings of a sitting of the Presidium of the Sejm.
4. The Presidium of the Sejm shall adopt resolutions by majority vote. In the event of parity of votes, the Marshal of the Sejm shall have a casting vote.

#### **Article 14**

There shall be a Council of Seniors, an organ ensuring co-operation between clubs in relation to matters connected with the activity and operation of the Sejm.

#### **Article 15**

1. The Council of Seniors shall consist of the Marshal and Vice-Marshals of the Sejm, the chairpersons of clubs or their deputies, and the representatives of alliances referred to in Article 8, para. 5, and parliamentary clubs, if they represent at least 15 Deputies, as well as the representatives of parliamentary groups which on the day of the beginning of the term of office of the Sejm represented a separate list of candidates.

2. The Chief of the Chancellery of the Sejm shall participate in sittings of the Council of Seniors in an advisory capacity.

3. The Marshal of the Sejm may, on his own initiative or at the request of members of the Council of Seniors, invite other persons to a sitting of the Council.

#### **Article 16**

1. The Council of Seniors shall, in particular, express its opinion on:

- 1) draft plans for the work of the Sejm;
- 2) drafts of orders of the day for particular sittings of the Sejm and their times;
- 3) motions concerning the procedure for debate on individual items in orders of the day for a sitting of the Sejm;
- 4) motions concerning the election by the Sejm of its organs;
- 5) the tasks and discharge thereof by the Chancellery of the Sejm;
- 6) other matters referred to it by the Marshal or the Presidium of the Sejm.

2. The Marshal of the Sejm shall summon the Council of Seniors on his own initiative, or on the initiative of the Presidium of the Sejm, or at the request of a club having representation in the Council of Seniors or a group of at least 15 Deputies.

3. A record of decisions taken at a sitting of the Council of Seniors shall be drawn up.

#### **Article 17**

1. Sejm committees are organs established for:

- 1) the consideration and preparation of matters under deliberation by the Sejm;
- 2) expression of their opinions on matters referred for their consideration by the Sejm, the Marshal of the Sejm or the Presidium of the Sejm.

2. The committees of the Sejm shall be supervisory organs of the Sejm, within the scope specified by the Constitution and statutes.

#### **Article 18**

1. The following standing committees shall be established:

- 1) Administration and Internal Affairs;
- 2) Special Services;
- 3) State Control
- 3a) European Union Affairs;
- 4) Education, Science and Youth;
- 5) Deputies' Ethics;
- 6) *repealed*;
- 7) Public Finances;
- 8) Economic;
- 9) Infrastructure;
- 10) Physical Education and Sport;
- 11) Culture and Media;
- 12) Liaison with Poles Abroad;
- 13) National and Ethnic Minorities;
- 14) National Defence;
- 15) Environmental Protection, Natural Resources and Forestry;
- 16) Constitutional Accountability;
- 17) Social Policy;
- 17a) Labour
- 18) Rules and Deputies' Affairs;
- 18a) Family and Women's Rights;
- 19) Agriculture and Rural Development;
- 19a) Enterprise Development;
- 20) Local Government and Regional Policy;

- 21) State Treasury;
- 22) Foreign Affairs;
- 23) Justice and Human Rights;
- 24) Legislative
- 25) Health.

2. The subject matter of activity of the committees referred to in para. 1 shall be specified in an appendix to the Standing Orders of the Sejm.

3. The Marshal of the Sejm shall, after seeking the opinion of the Presidium of the Sejm, distribute budgetary funds amongst the Sejm committees, taking into account the subject matter of activity of the committees, as referred to in para. 2.

#### **Article 19**

1. The Sejm may establish and dissolve special committees; upon the creation of any such committee, the Sejm shall define its aims, principles and procedures of operation.

2. *Repealed.*

#### **Article 19a**

The Sejm may appoint an investigative committee referred to in Article 111 of the Constitution.

#### **Article 20**

1. The Sejm, on the motion of the Presidium of the Sejm and in consultation with the Council of Seniors, shall determine, by means of resolution, the membership of committees.

2. The first sitting of a committee shall be summoned and presided over by the Marshal of the Sejm; at such sitting, the committee shall elect from amongst its members a presidium composed of a chairperson and his deputy.

3. A committee shall appoint and dismiss the members of its presidium by a majority vote in open voting.

### Chapter 4

## **PRINCIPLES OF A DEPUTY'S RESPONSIBILITY IN RELATION TO THE RULES**

#### **Article 21**

1. In respect of breach or failure to perform the duties specified in Articles 33-35 of the Act on the Exercise of the Mandate of a Deputy or Senator, the Presidium of the Sejm, by means of a resolution taken after having sought the opinion of the Rules and Deputies' Affairs Committee, may:

- 1) reproach a Deputy;
- 2) admonish a Deputy;
- 3) reprimand a Deputy.

2. Any such resolution of the Presidium of the Sejm may, within 14 days of its delivery, be appealed to the Sejm by the Deputy. The Presidium of the Sejm shall include such appeal in the orders of the day in the nearest sitting of the Sejm which shall consider it by hearing a representative of the Presidium of the Sejm. A right to speak shall also be granted to the Deputy who submitted the appeal. No debate shall be allowed in respect of such appeal.

3. The Sejm, after consideration of the appeal, may, by means of resolution, quash the resolution of the Presidium of the Sejm or uphold it.

4. In case of failure to submit the appeal within the term specified in para. 2, the Presidium of the Sejm shall inform the Sejm of any resolution taken, as referred to in para 1.

## **Article 22**

1. In respect of non-performance of the duties of a Deputy, the Rules and Deputies' Affairs Committee, by means of a resolution, may:

- 1) reproach a Deputy;
- 2) admonish a Deputy;
- 3) reprimand a Deputy.

2. Any such resolution of the Committee may, within 14 days of its delivery, be appealed by a Deputy to the Presidium of the Sejm.

3. The Presidium of the Sejm, by means of resolution, may:

- 1) quash the resolution of the committee; or
- 2) uphold the resolution of the committee.

## **Article 23**

1. In the event that a Deputy has made it impossible for the Sejm or its organs to work and, in particular, the situation referred to in Article 175, para. 4 has occurred, the Presidium of the Sejm may take a resolution on the reduction in the Deputy's salary or parliamentary allowance by no more than ½ of the Deputy's salary or up to whole parliamentary allowance on the monthly basis, for the period no longer than 3 months.

2. Within 7 days of delivery of the resolution on the reduction in the salary or parliamentary allowance, referred to in para. 1, a Deputy may apply for reconsideration of his case by the Presidium of the Sejm. The Presidium of the Sejm shall reconsider the case after having sought the opinion of the Council of Seniors.

3. A reduction shall be made no earlier than after expiry of 7 days from the day of taking the resolution on the reduction in the salary or parliamentary allowance, referred to in para. 1, or after reconsideration of the case, as referred to in para. 2. Information concerning any reduction shall be open to public inspection.

## **Article 24**

1. The Marshal of the Sejm shall order a reduction in salary and parliamentary allowance, or any of them, provided that a Deputy is entitled only to it:

1) by 1/30 for each day of unjustified absence from a sitting of the Sejm or for his failure to participate in more than 1/5 of votes taken on a given day.

2) by 1/30 for each day of unjustified absence from a sitting of the committee when the number of these absences exceeded 1/5 of the committee sittings convened in each calendar month.

2. Except for cases specified in Article 7, para. 8, subpara. 3, in case of conflict in the unjustified absence at:

1) the sitting of the Sejm or the committee, the reduction as referred to in para. 1, subpara. 1, shall be applied;

2) the sittings of the committees, the reduction as referred to in para 1, subpara. 2, shall be applied.

3. The provision of Article 21 shall apply, as appropriate, to a Deputy who does not receive a salary or a parliamentary allowance.

4. The Marshal of the Sejm shall notify a Deputy of any reduction made, providing the number and particularizing the days of unjustified absence.

5. Particulars of unjustified absences by a Deputy at sittings of the Sejm or committee, shall be drawn up within 14 days of the end of each calendar month.

6. Within 14 days of delivery of the notification about any such order of the Marshal of the Sejm, a Deputy may apply for reconsideration of his case by the Marshal of the Sejm in respect of the number of days of unjustified absence.



7. A reduction shall be made no earlier than after expiry of 14 days from the day on which the Marshal of the Sejm ordered the reduction or after reconsideration of the case, as referred to in para. 6. Information concerning any reduction shall be open to public inspection.

#### **Article 25**

1. In the event of expelling a Deputy from a sitting under the procedure specified in Article 175 para. 5, the Marshal of the Sejm shall order a reduction in his/her salary or parliamentary allowance in accordance with the principles referred to in Article 24 para. 1 subpara 1 and paras 3-7.

2. In the event referred to in para. 1, the Presidium of the Sejm may take a resolution on the reduction in the Deputy's salary by no more than ½ of the Deputy's salary or on deprivation of the right to whole parliamentary allowance, for a period up to 6 months.

3. Within 7 days of delivery of the resolution referred to in para. 2, a Deputy may apply for reconsideration of his case by the Presidium of the Sejm. The Presidium of the Sejm shall reconsider the case after having sought the opinion of the Council of Seniors.

4. A reduction shall be made no earlier than after expiry of 7 days from the day of taking the resolution, referred to in para. 2, or after reconsideration of the case, as referred to in para. 3. Information concerning any reduction shall be open to public inspection.

### **Chapter 5**

## **ELECTION, APPOINTMENT AND RECALL OF ORGANS OF THE STATE**

#### **Article 26**

1. The Sejm shall elect Deputy Chairpersons and members of the Tribunal of State, judges of the Constitutional Tribunal, members of the Council of the Institute of National Remembrance - the Commission for Prosecuting Crimes against the Polish Nation, members of the Council for Monetary Policy and members of the National Council of Radio Broadcasting and Television, as well as those Deputies of the Sejm who are to be members of the National Council of the Judiciary.

2. The election of members of the Tribunal of State shall be held at the same time, unless the Sejm decides otherwise. The same procedure shall apply to the election of members of the Council for Monetary Policy and the Deputies of the Sejm who are to be members of the National Council of the Judiciary.

3. In the event of a vacancy in individual posts within the Tribunal of State, the Sejm shall hold supplementary elections applying, as appropriate, the provisions relating to the Tribunal of State. Supplementary elections to fill individual vacancies shall be held separately, unless the Sejm decides otherwise.

4. The provisions of para. 3 above shall apply, as appropriate, to supplementary election of Deputies of the Sejm who are to be members of the National Council of the Judiciary.

#### **Article 27**

1. The Sejm shall, on the recommendation of the President, appoint the President of the National Bank of Poland.

2. The Sejm shall recall the President of the National Bank of Poland in cases specified by statute.

#### **Article 28**

1. The Sejm shall, on request of the Council of the Institute of National Remembrance - the Commission for Prosecuting Crimes against the Polish Nation, appoint the President of the Institute of National Remembrance - the Commission for Prosecuting Crimes against the Polish Nation.

2. In instances specified by statute, the Sejm shall recall the President of the Institute of National Remembrance – the Commission for Prosecuting Crimes against the Polish Nation as well as a member of the Council of the Institute of National Remembrance - the Commission for Prosecuting Crimes

against the Polish Nation, on request of the Council of the Institute of National Remembrance - the Commission for Prosecuting Crimes against the Polish Nation.

3. Resolutions of the Sejm on the appointment or recall of the President of the Institute of National Remembrance - the Commission for Prosecuting Crimes against the Polish Nation shall be immediately submitted by the Marshal of the Sejm to the Marshal of the Senate to obtain the Senate's consent.

### **Article 29**

1. The Sejm shall appoint the President of the Supreme Chamber of Control, the Commissioner for Citizens' Rights, the Commissioner for Children's Rights and Inspector General for the Protection of Personal Data.

2. The Sejm shall recall the President of the Supreme Chamber of Control, the Commissioner for Citizens' Rights, the Commissioner for Children's Rights and Inspector General for the Protection of Personal Data in cases specified by statute.

3. In cases specified by statute, the Marshal of the Sejm shall immediately deliver resolutions of the Sejm on the matters specified in paras. 1 and 2 to the Marshal of the Senate for approval by the Senate.

### **Article 30**

1. Recommendations concerning the election or appointment by the Sejm of individual persons to particular State offices specified in Articles 26 and 29 may be submitted by the Marshal of the Sejm or at least 35 Deputies, except for the office of a judge of the Constitutional Tribunal for which recommendations shall be made by the Presidium of the Sejm or at least 50 Deputies, and for the office of the Commissioner for Children's Rights for which recommendations shall be made by the Marshal of the Sejm, the Marshal of the Senate or a group of at least 35 Deputies or at least 15 Senators. The second sentence of Article 4, para. 2 shall apply as appropriate.

2. A recommendation shall be accompanied by justifications, personal details of the candidate and his consent to stand as a candidate.

3. Recommendations shall be lodged with the Marshal of the Sejm within a time limit:

- 1) of 30 days before the expiry of the term of office;
- 2) of 21 days following the day of recall or declaration of the expiry of the mandate;
- 3) specified by the Marshal of the Sejm on the first day of the first sitting of the Sejm - in respect of candidates for Deputy Chairpersons and members of the Tribunal of State.

4) specified by the Marshal of the Sejm in the event of the election of the organ for the first time, where statute does not specify time limits for nomination of candidates, and also in the event of further elections where the expiry of the term of office does not result from acts promulgated in the Official Gazette of the Republic of Poland - "*Monitor Polski*".

4. The voting shall be held no earlier than the seventh day following the delivery to the Deputies of the paper containing the candidacies.

5. Recommendations concerning the election or appointment by the Sejm of individual persons to particular State offices specified in Articles 26-29 or recall therefrom shall be referred by the Marshal of the Sejm to an appropriate Sejm committee for its opinion. Other committees concerned may send representatives to the sitting of a relevant committee.

6. Opinions in relation to recommendations, referred to in para. 1, shall be given by the committee, in writing, to the Marshal of the Sejm.

7. The Marshal of the Sejm shall order delivery to the Deputies of a printed copy of the committee's opinion.

8. Consideration by the Sejm of the recommendation referred to in para. 1, may occur no sooner than the day following the delivery to the Deputies of a printed copy of the committee's opinion.

9. In certain cases, the Sejm may shorten the proceedings by beginning consideration of the recommendation:

- 1) without referring it to the appropriate committee;
- 2) sooner than provided for in para. 8.

### **Article 31**

1. The election or appointment of individual persons to State offices specified in Articles 26-29 shall be passed by an absolute majority of votes, however, the appointment and recall of the President of the Institute of National Remembrance - the Commission for Prosecuting Crimes against the Polish Nation shall be passed by a 3/5 majority of votes.

2. In the event that more than one candidate has been nominated for a given post, and if, in the case of election of persons referred to in Article 26 para. 2, the number of candidates exceeds the number of posts to be filled by election, the provisions of Article 4 paras. 4 and 5 shall apply as appropriate.

3. A resolution concerning such election, appointment or recall shall be published in the Official Gazette of the Republic of Poland - "Monitor Polski".

## **Part II**

### **PROCEEDINGS IN THE SEJM**

#### **Chapter 1**

### **PROCEEDINGS IN RELATION TO BILLS AND DRAFT RESOLUTIONS**

#### **Article 32**

1. The right to legislative initiative shall belong to Deputies, to the Senate, to the President of the Republic and to the Council of Ministers, as well as to a group of at least 100,000 citizens having the right to vote in elections to the Sejm.

2. Deputies' bills may be introduced by Sejm committees or by at least 15 Deputies who have signed a bill.

#### **Article 33**

Subject to Article 203, a draft resolution of the Sejm may be submitted by the Presidium of the Sejm, a Sejm committee or by at least 15 Deputies signing a draft.

#### **Article 34**

1. Bills and draft resolutions shall be submitted, in writing, to the Marshal of the Sejm. A sponsor, introducing a bill or draft resolution, shall nominate an authorized person to represent him in work relating to it.

2. A bill shall be accompanied by an explanatory statement which shall:

- 1) explain the need for and purpose of passing of the bill;
- 2) present the actual situation within the area to be regulated;
- 3) indicate differences between the presently existing and the proposed legal position;
- 4) present an estimate of the social, economic, financial and legal effects thereof;
- 5) identify sources of finance, in the event that the bill imposes a burden on the State Budget or budgets of local government units;
- 6) outline drafts of principal executive orders;
- 7) contain a statement of conformity of the bill to legislation of the European Union or a statement that the subject-matter of the proposed legislation is not governed by the legislation of the European Union.

3. An explanatory statement shall also refer to the results of prior consultations and shall distinguish various proposals and opinions presented, especially when there exists a statutory obligation to seek such opinion. In case of a Committee bill or a Deputies' bill in respect of which no consultations have been held, the Marshal of the Sejm shall send such bill for consultations before the referral thereof for the first reading, in accordance with procedures and principles specified in separate statutes.

4. An explanatory statement to a bill introduced by the Council of Ministers shall enclose drafts of principal implementing acts.

4a. An explanatory statement to a bill implementing European Union law, referred to in Article 95a, introduced by the Council of Ministers, shall enclose drafts of implementing acts, when the bill imposes an obligation to issue such acts.

4b. The Council of Ministers shall transfer a bill introduced by itself accompanied by declarations of entities which have expressed an interest in working on a bill under the procedure of the Act of 7 July 2005 on Lobbying Activity in the Lawmaking (Dziennik Ustaw No. 169, item 1414) and supplemented with information on the sequence of submission of such declarations.

5. *repealed.*

6. The Marshal of the Sejm may demand that an explanatory statement be enclosed with any draft resolution which imposes obligations on particular persons.

7. The Marshal of the Sejm may return a bill or draft resolution, if an explanatory statement enclosed to it does not satisfy the requirements specified in paras. 2 and 3.

8. The Marshal of the Sejm, after seeking the opinion of the Presidium of the Sejm, may refer any bills or draft resolutions which raise doubts as to their consistency with law, including European Union law, to the Legislative Committee for its opinion. The Committee may, by a 3/5 majority vote, find the bill (draft resolution) inadmissible.

9. The Marshal of the Sejm, having received a bill - other than bills introduced by the President of the Republic or the Council of Ministers - shall, before referring the bill for its first reading, order preparation by experts of the Chancellery of the Sejm of an opinion on the conformity of the introduced bill to the legislation of the European Union.

10. *repealed.*

### **Article 35**

1. The Marshal of the Sejm shall order printing of bills, draft resolutions and the timetable of work of the Sejm, referred to in Article 148b para. 2, as well as the opinions of the European Union Affairs Committee, subject to para. 1a, and delivery thereof to the Deputies.

1a. At the request of the European Union Affairs Committee, the Marshal of the Sejm shall order printing of its opinions adopted during the *in camera* sitting.

2. The Marshal of the Sejm shall submit bills and draft resolutions which have been introduced, to the President, to the Marshal of the Senate and to the Prime Minister.

### **Article 36**

1. Bills shall be considered in three readings, and draft resolutions - in two readings.

2. A sponsor of a bill (draft resolution) may withdraw it at any time prior to the conclusion of the second reading.

3. A Deputies' bill (draft resolution) shall also be deemed withdrawn if, at any time prior to the conclusion of the second reading, fewer than the 15 Deputies who signed it before its submission, still support it.

4. A sponsor of a bill may introduce amendments thereto at any time prior to the conclusion of the second reading.

5. The provisions of Article 34 paras. 2 and 3 shall apply, as appropriate, to amendments introduced by a sponsor of a bill.

6. Consideration of bills (draft resolutions) whose adoption may lead to changes in the functioning of local government shall include seeking opinion of self-governing organizations constituting the self-government side of the Joint Commission for Government and Local Government.

7. Self-governing organizations, referred to in para. 6, shall have the right to submit their opinions within the period of 14 days following the delivery of a bill (draft resolution).

8. Opinions submitted within the time limit specified in para. 7, shall be delivered, as appropriate, to members of Sejm committees or to all Deputies.

9. Representatives of self-governing bodies shall have the right to present their opinions at sittings of Sejm committees.

### **Article 37**

1. A first reading shall be held at a sitting of the Sejm or a committee.

2. A first reading shall be held at a sitting of the Sejm in respect of bills on amendments to the Constitution; draft budgets; tax bills; bills governing the election of the President of the Republic and elections to the Sejm, to the Senate and to local government organs; bills governing the structure and jurisdiction of public authorities, as well as drafts of law codes.

3. The Marshal of the Sejm may also refer bills and draft resolutions of the Sejm, other than those specified in para. 2, for a first reading at a sitting of the Sejm when this is justified by important reasons.

4. A first reading may be held no sooner than the seventh day following the delivery of a copy of the draft to the Deputies, unless the Sejm or a committee decides otherwise.

### **Article 38**

All Deputies shall be notified about the sitting of a committee at which a first reading is to be held. Each Deputy may take part in that sitting or submit his comments or proposed amendments in writing.

### **Article 39**

1. The first reading of a bill (draft resolution) shall consist of justification thereof by its sponsor, a debate on general principles of the bill, as well as Deputies' questions thereon and answers of the sponsor.

2. A first reading at a sitting of the Sejm shall end with the referral of the bill or draft resolution to committees, unless the Sejm, pursuant to a relevant motion, rejects the draft as a whole.

3. The Sejm, referring a bill or draft resolution to committees, may establish a time limit for submission of a report by them.

### **Article 40**

1. Bills (draft resolutions) shall be referred to the relevant committees.

2. Committees, to which a bill (draft resolution) has been referred for consideration, may hold a joint debate thereon. These committees may address other Sejm committees to obtain an opinion on a bill or draft resolution or part thereof.

3. On request of their presidiums, committees shall establish a schedule for work on a bill (draft resolution).

### **Article 41**

1. Committees may create a subcommittee in order to consider a bill or draft resolution in detail.

2. A subcommittee shall submit a report on a bill or draft resolution so considered.

## **Article 42**

1. When considering bills (draft resolutions), committees and a subcommittee shall take into account opinions given by other Sejm committees and by Deputies. Committees and a subcommittee may also hear opinions from invited experts.

2. An authorized representative of a sponsor of a bill or draft resolution shall be obliged to attend committee and subcommittee sittings.

3. Committees may refer the matter of editorial preparation of adopted amendments to presidiums or to a team of Deputies appointed in order to deal with that task and which shall report on the results of its work to the committee for approval.

4. In matters concerning the conformity of provisions of the considered bills to the legislation of the European Union, seeking an opinion of the Committee for European Integration shall be obligatory. The time limit for presenting an opinion by the Committee for European Integration shall be specified by a [Sejm] committee.

5. The Marshal of the Sejm, on the recommendation of a committee, may request the sponsor of a bill or draft resolution to rework it, taking into account modifications proposed by committees and to indicate the consequences, especially those of a financial character, of such modifications. The Marshal of the Sejm shall refer the resubmitted bill or draft resolution directly to committees.

## **Article 43**

1. Committees, to which a bill (draft resolution) has been referred shall submit to the Sejm a joint report thereon; such report shall indicate the attitude of the committees towards it. The report shall be accompanied by the opinion referred to in Article 42 para. 4.

2. Committees, in such report, shall move a motion either to:

- 1) pass the bill or draft resolution without amendments; or
- 2) pass the bill or draft resolution with particular amendments, in the form of a consolidated text thereof;
- 3) reject the bill or draft resolution.

3. On request of a sponsor, motions and proposals for amendment rejected by committees, having been submitted in writing, shall be included in the report as minority motions; a minority motion concerning a particular provision or part thereof shall indicate its consequences for the text of a bill. The procedure for voting on minority motions shall be the same as that for voting on other amendments. Article 42 para. 4 shall apply, as appropriate, to minority motions.

4. If the committees have submitted, in the report, a proposal to reject a bill, the minority motions and motions of the Legislative Committee, referred to in Article 83, para. 2, shall not be included in the report.

5. The Marshal of the Sejm shall order printing of committee reports and delivery of them to the Deputies.

6. A committee report shall be presented during the sitting of the Sejm by a Deputy-Rapporteur (chosen from among their membership) who, in particular, shall provide information about amendments, proposed by the committee and by individual Deputies, to the submitted bill or draft resolution as well as on the opinions of other committees which have not been accepted and the reasons for their non-acceptance. A Rapporteur shall also provide information about minority motions.

7. A Deputy-Rapporteur, in his report, may not present motions other than those contained in a committee report.

## **Article 44**

1. The second reading shall consist of:

1) the presentation to the Sejm of a committee report on a bill or, in the event referred in Article 47, para. 2 subpara. 2, a corrected report;

2) the debate and introduction of amendments and motions, subject to the provisions of Article 46.

2. The amendments, referred to in para. 1 subpara 2, after having been introduced orally, shall be submitted in writing to the Marshal of the Sejm. The amendments shall indicate their consequences for the text of a bill.

3. The second reading may be held no sooner than the seventh day following the delivery of a committee report to Deputies, unless the Sejm decides otherwise.

#### **Article 45**

1. The right to introduce amendments to bills during the second reading shall belong to its sponsor, to a group of at least 15 Deputies, to a chairperson (or his authorized deputy) - on behalf of the club, a representative of an alliance referred to in Article 8 para. 5, if it represents at least 15 Deputies, and to the Council of Ministers.

2. Paragraph 1 shall apply, as appropriate, to the moving, during the second reading, of a motion to reject a bill.

#### **Article 46**

1. In the event referred to in Article 43 para. 2 subpara. 3, a committee report on a bill shall be presented during the sitting of the Sejm and, afterwards, the debate shall be held. During this debate amendments and motions shall not be allowed.

2. In the event that the Sejm has set aside a motion, submitted in the committee report, to reject a bill, the bill shall be referred for reconsideration to the committees which considered it. The provisions of Articles 40-43 shall apply as appropriate.

#### **Article 47**

1. A bill or draft resolution shall be returned to the committees which considered it, in the event of new amendments and motions having been introduced during the second reading, unless the Sejm decides otherwise, or for drawing up a corrected report referred to in para. 2 subpara. 2. Article 42 para. 4 shall apply, as appropriate, to amendments and motions.

2. Committees:

1) after having considered the amendments and motions with participation of their movers, shall present to the Sejm an additional report in which they shall propose adoption or rejection thereof. The provisions of Article 43, para. 6 shall apply as appropriate, or

2) taking into consideration prior debate, the introduced amendments and motions, motions of the Legislative Committee and minority motions, shall present to the Sejm a corrected report in the form of a consolidated text of the bill (draft resolution). The provisions of Article 43, paras 1, 3 and 5-7 shall apply, as appropriate, to a corrected report.

3. A corrected report shall be drawn up as a result of a return of a report, referred to in Article 43 para. 1, by the Presidium of the Sejm to the committees which considered the bill (draft resolution). The corrected report may also be drawn up on request, approved by the Presidium of the Sejm, from those committees to which the bill (draft resolution) was referred in accordance with para. 1.

4. In the event referred in para. 2 subpara. 1, a committee shall be free not to consider an amendment introduced by him in the of absence of a mover, or where an amendment does not fulfil the requirements referred to in Article 44 para. 2.

5. The Marshal of the Sejm shall order printing of an additional committee report.

6. Consideration by the Sejm of the report referred to in para. 2, shall occur after its delivery to the Deputies.

#### **Article 48**

The third reading may be held immediately, if the bill has not been returned to committees upon the second reading.

## **Article 49**

The third reading shall consist of:

- 1) the presentation of an additional committee report or - in the event that the bill has not been returned to committees - the presentation by a Deputy-Rapporteur of amendments and motions introduced during the second reading;
- 2) voting.

## **Article 49a**

An amendment or a minority motion to a bill amending the Constitution shall be adopted by at least two-thirds majority vote in the presence of at least half of the statutory number of Deputies.

## **Article 50**

1. The order of voting shall be as follows:

- 1) vote on a motion that a bill be rejected as a whole, if such a motion has been brought;
- 2) vote on amendments to particular articles, with priority given to those amendments, adoption or rejection of which determines the fate of other amendments;
- 3) vote on a bill as a whole, according to the wording proposed by committees, including any modifications resulting from adopted amendments.

2. The Marshal of the Sejm shall determine the order of voting on draft resolutions and amendments thereto.

3. The Marshal of the Sejm may refuse, on his own initiative, to put to a vote any amendment which has not previously been submitted to a committee in writing.

4. The Marshal of the Sejm may delay a vote on a bill as a whole for such time as may be necessary to establish whether in result of the adopted amendments, there is no contradiction between its individual provisions.

5. The Marshal of the Sejm shall refer a bill referred to in para. 4, to the committees which considered it, or to the Legislative Committee, seeking an opinion on whether, in result of the adopted amendments, there is no contradiction between its individual provisions. Any such opinion shall also include the committee position in relation to the acceptance or rejection of the bill by the Sejm.

6. The Sejm may decide to put a bill as a whole, together with amendments, to a vote, if no objections have been raised to such procedure.

## **Article 51**

The Sejm may, in clearly reasonable cases, shorten the proceedings in relation to bills and draft resolutions as follows:

- 1) by beginning the first reading immediately after the receipt of the bill or draft resolution by the Deputies;
- 2) by beginning the second reading immediately after the conclusion of the first reading without referring the bill or draft resolution to committees;
- 3) by beginning the second reading immediately after the receipt by the Deputies of a copy of a committee report.

## **Article 52**

1. The Marshal of the Sejm shall immediately deliver to the Marshal of the Senate and to the President of the Republic the text of a bill passed by the Sejm, validated by his signature.

2. The text of a bill referred to in para. 1 shall be delivered to the Deputies.

## **Article 53**

1. The Marshal of the Sejm shall notify the President of the Republic, the Marshal of the Senate and the Prime Minister concerning resolutions adopted by the Sejm, and shall deliver to them texts of the resolutions signed by him.



2. The Prime Minister shall order publication of the resolution of the Sejm in the Official Gazette of the Republic of Poland - "*Monitor Polski*", if the Marshal of the Sejm so decides.

#### **Article 54**

1. A resolution of the Senate, containing a proposal of amendment to a bill adopted by the Sejm or to reject a bill as a whole, shall be referred by the Marshal of the Sejm, for consideration, to the committees which considered that bill. Article 42 paras. 1 and 4 shall apply, as appropriate, to the Senate's amendments.

2. The committees shall invite a Senator-Rapporteur, who represents the Senate committees which considered the said bill, to the sitting at which the Senate's resolution is to be considered. The chairperson of the sitting shall give the floor to the Senator-Rapporteur, at his request, regardless of the list of speakers. The absence of the Senator-Rapporteur shall not suspend the consideration of the resolution.

3. The committees shall, after having considered the resolution of the Senate, present a report to the Sejm. In such report the committees shall move that either all the amendments proposed by the Senate, or some of them, be rejected or passed, or that the resolution of the Senate rejecting the bill as a whole shall be rejected or passed.

4. The Marshal of the Sejm shall order printing of the Senate's resolution and committee report, and order their delivery to the Deputies.

5. Consideration of the committee report by the Sejm may occur no sooner than the third day following the delivery of the report to the Deputies, unless the Sejm decides otherwise.

6. The Marshal of the Sejm shall put to a vote any motions for the rejection of particular amendments, unless the report of the committee suggests the advisability of a joint vote on parts or entirety of the amendments contained in the Senate's resolution.

7. The Senate's resolution rejecting a bill, or any amendment proposed by resolution of the Senate, shall be considered accepted, unless the Sejm rejects it by an absolute majority of votes in the presence of at least half of the statutory number of Deputies.

8. The Sejm, on the motion of the Marshal of the Sejm, may consider amendments contained in the Senate's resolution without its prior referral to committees.

#### **Article 55**

The Marshal of the Sejm shall inform the Sejm about resolutions of the Senate which accept without amendment a bill adopted by the Sejm and about bills adopted by the Sejm in respect of which the Senate has not adopted a resolution.

#### **Article 56**

Immediately after establishing the text of a bill, as a result of the consideration of a Senate resolution, or after receiving information about the adoption of the bill by the Senate, or after a failure by the Senate to adopt a resolution within the prescribed time limit, the Marshal of the Sejm shall send the text of the bill, validated by his signature, to the President of the Republic.

#### **Article 57**

1. A request by the President of the Republic seeking an opinion about a bill whose individual provisions have been found by the Constitutional Tribunal not to be in conformity to the Constitution, shall be referred by the Marshal of the Sejm to those committees that considered the bill before its adoption by the Sejm, appended with the judgment of the Constitutional Tribunal concerning that bill, with reasons given.

2. The committees, no later than the 14th day after the sending of the written request of the President of the Republic to the committees, shall present to the Marshal of the Sejm their position on the advisability of returning a bill to the Sejm or the President of the Republic signing it, with the exception of those provisions considered not to be in conformity to the Constitution.

3. The Marshal of the Sejm may specify a shorter time limit for the presentation of a committee's position.

### **Article 58**

1. The removal of any nonconformity, in the case of return of a bill by the President to the Sejm, shall be by adoption of appropriate modifications to the text of those provisions which have been found by the Constitutional Tribunal not to be in conformity to the Constitution, whilst maintaining their previous scope of application.

2. The removal of any nonconformity may also involve necessary editorial changes, aimed at the adjustment of other provisions of the bill to the amended provisions, whilst maintaining the scope of application referred to in para. 1.

### **Article 59**

1. The Marshal of the Sejm shall refer a returned bill to the committees which considered it prior to its adoption by the Sejm; the Marshal of the Sejm may specify a time limit for the presentation of a report by the committees.

2. The first sitting of a committee shall include the presentation of the judgment of the Constitutional Tribunal and the request of the President of the Republic for the return of the bill to the Sejm, as well as the debate on the outlines of necessary changes to the bill; the committees shall also invite a representative of the President of the Republic to participate in such sitting.

3. The committee report shall include proposals of amendments to the text of the returned bill as well as justifying the necessity for their introduction within the meaning of Article 58.

4. The provisions of Articles 38, 40, 41, 42 paras. 1, 3 and 4 and Article 43 shall apply to other matters not dealt with above.

### **Article 60**

1. Submission of proposals for amendments exceeding the scope referred to in Article 58 shall be inadmissible in the debate on the committee report.

2. The provisions of Articles 44-49 shall apply to other matters not dealt with above.

### **Article 61**

1. The order of voting shall be as follows:

1) vote on individual proposals for amendment;

2) vote on the amended text as a whole, taking into account the adopted proposals for amendment.

2. The Marshal of the Sejm shall refuse to order a vote on proposals for amendments that exceed the scope specified in Article 58.

3. The Marshal of the Sejm, before taking a decision referred to in para. 2, may seek the opinion of the Legislative Committee.

4. The provisions of Article 50 paras. 3-6 shall apply to other matters not dealt with above.

### **Article 62**

1. The Marshal of the Sejm shall deliver to the Marshal of the Senate and the President of the Republic any resolution of the Sejm concerning the removal of inconsistency of a bill, as well as the justification of the necessity for introducing modifications within the meaning of Article 58.

2. The provisions of Articles 52, 54 and 55 shall apply to other matters not dealt with above.

### **Article 63**

1. The Marshal of the Sejm shall deliver to the President of the Republic the text of the bill, indicating the modifications - resulting from the removal of inconsistencies - specified in the course of its consideration by the Sejm and the Senate as well as justification of the necessity of introducing modifications within the meaning of Article 58.

2. The provisions of Article 56 shall apply to other matters not dealt with above.

### **Article 64**

1. Any bill, which the President of the Republic has refused to sign and which he has referred to the Sejm for reconsideration, with reasons given, shall be sent by the Marshal of the Sejm to the committees which considered the bill prior to its adoption by the Sejm.

2. The Marshal of the Sejm shall order the printing of any referral by the President, mentioned in para. 1, and its delivery to the Deputies.

3. Having considered the referral by the President, the committees to which it was sent shall submit a report to the Sejm. In the report, the committees shall move that the bill be repassed in its original wording or shall move a motion to the contrary.

4. At a sitting of the Sejm, the representative of the President shall present, on his behalf, justification of a motion for reconsideration of a bill by the Sejm and, thereafter, the Deputy-Rapporteur shall present the committee's position.

5. The Marshal of the Sejm shall immediately notify the President about the repassing by the Sejm, by a 3/5 majority of votes in the presence of at least half of the statutory number of Deputies, of any bill in its original wording.

6. Proceedings in relation to a bill shall be closed unless the Sejm repasses the bill in its original wording.

#### **Article 65**

1. The Sejm shall consider a motion to hold a nationwide referendum submitted by subjects specified by statute.

2. A motion to hold a referendum shall be lodged with the Marshal of the Sejm by a representative person or authorized agent of the applicant.

3. The Sejm may decide to hold a referendum on a particular matter at its own initiative on a motion lodged by the Presidium of the Sejm, by a Sejm committee, or by at least 69 Deputies; Article 34 para. 1 shall apply as appropriate; the motion shall be accompanied by reasons therefor.

4. The Marshal of the Sejm shall refer the motion to the sitting of the Sejm; Article 37 para. 2 shall apply accordingly.

5. The representative person or authorized agent of the applicant shall justify the motion and answer questions posed by Deputies at the sitting of the Sejm, and shall have the right to participate in sittings of the committee referred to in Article 66 para. 3.

#### **Article 66**

1. Consideration of a motion shall include its justification by the applicant, questions posed by Deputies and the answers of the applicant, as well as the debate.

2. Having considered the motion, the Sejm shall pass, by an absolute majority of votes in the presence of at least half of the statutory number of Deputies, a resolution to accept the motion; any failure to pass a resolution on the adoption of the motion shall mean its non-acceptance.

3. In the event of acceptance of a motion, the Sejm shall refer it to the Legislative Committee for the preparation and presentation of a draft resolution concerning the holding of a referendum.

#### **Article 67**

1. A draft resolution prepared by the Committee on the basis of a motion referred to in Article 65 para. 1, in that part relating to the contents of a ballot paper, shall not change the substantial scope of the motion previously considered by the Sejm nor shall it change the substance of questions or alternative solutions.

2. In cases specified in para. 1, the Marshal of the Sejm shall not put to a vote the amendments, including those offered by the applicant, or minority motions, which change the substantial scope of the motion, the substance of questions or alternative solutions.

#### **Article 68**

The Sejm shall pass a resolution on the holding of a referendum by an absolute majority of votes in the presence of at least half of the statutory number of Deputies.

### **Article 69**

1. The Sejm may, according to the procedures for making resolutions, pass:
  - 1) mandatory resolutions - obliging a specified State organ to act once only as indicated by the resolution;
  - 2) declarations - specifying an obligation to act in a particular manner.
2. The Sejm may also pass:
  - 1) appeals - containing a request for particular conduct or to undertake a task or an initiative;
  - 2) statements - expressing an attitude to a particular matter.

### **Article 70**

1. The proceedings relating to bills and draft resolutions shall be attended by a representative of the legal services of the Chancellery of the Sejm, who may make conclusions and remarks within the field of law and legislation, including matters of the conformity of bills to the legislation of the European Union.
2. The Marshal of the Sejm may request the committee to express its attitude to the conclusions and remarks made by the legal services of the Chancellery of the Sejm, concerning major legislative problems and those concerning conformity to the legislation of the European Union, which have not been taken into consideration.

## **Chapter 1a PUBLIC HEARING**

### **Article 70a**

1. A public hearing may be held on a bill.
2. A resolution on holding a public hearing shall be passed by the committee to which the bill has been referred for consideration.
3. A resolution to hold a public hearing shall be passed upon a written request made by a Deputy to the committee.
4. A resolution to hold a public hearing may be passed after the conclusion of the first reading of a bill and before the commencement of the detailed consideration thereof.
5. A resolution to hold a public hearing shall specify, in particular, the date and time of holding the public hearing. The resolution and information about the place of a public hearing shall be made accessible on the Information System of the Sejm at least 14 days prior to the day of the public hearing, subject to paragraph 6.
6. In respect of bills referred to in Article 71 para. 1 and Article 105(1), the resolution and information about the place of a public hearing shall be made accessible on the Information System of the Sejm at least 3 days prior to the day of the public hearing. The provision of Article 70b para. 1 shall not apply.
7. In the event that a motion to reject a bill has been moved, the motion shall be resolved before the decision is made on the request to hold a public hearing. A request to hold a public hearing shall be resolved only in case of rejection by the Sejm of a motion, presented in the committee report, to reject a bill.

### **Article 70b**

1. The right to participate in a public hearing concerning a bill shall belong to entities which, after the publishing of the bill in the form of a paper under the procedure specified in Article 35 para. 1, have declared to the Sejm - at least on the 10<sup>th</sup> day before the day of a public hearing - an interest in working on the bill, subject to paragraph 2.
2. The right to participate in a public hearing concerning a bill shall also belong to entities which have expressed, under the procedure prescribed in the Act of 7 July 2005 on Lobbying Activity in the Lawmaking, an interest in working on the bill.

### **Article 70c**

1. A declaration referred to in Article 70b para. 1 shall be made in writing upon the prescribed form to the Marshal of the Sejm.

2. A declaration referred to in Article 70b para. 1, except for the address of a natural person, shall be made accessible on the Information System of the Sejm.

3. The entity making a declaration referred to in Article 70b para. 1 shall specify in the declaration:

1) the forename(s), surname and address of the persons authorized to represent that entity in the work on a bill;

2) if that entity acts for the benefit of a legal person – the name and seat of that person;

3) if that entity acts for the benefit of an entity other than a legal person, respectively, the forename, surname and address or the name and seat of that entity;

4) an interest which the entity intends to protect in relation to a given piece of legislation and the legal solution which it will attempt to apply.

4. There shall be appended to a declaration referred to in Article 70b para. 1:

1) in the event that an entity making the declaration acts within the performance of professional lobbying activities – a certificate of an entry in the register referred to in Article 11 para. 8 of the Act of 7 July 2005 on Lobbying Activity in the Lawmaking.

2) in the event that an entity making the declaration acts for the benefit of a legal person entered in the National Court Register – an extract copy of the National Court Register concerning that legal person.

5. The entities, referred to in Article 70b para. 1, which have expressed an interest in working on a bill shall be obliged to immediately inform the Marshal of the Sejm of any change of the data referred to in paras 3 and 4. The change shall be effected by filling out and submitting a new declaration form. The provision of para. 2 shall apply as appropriate.

6. A declaration referred to in Article 70b para. 1 which does not meet the requirements specified in paragraphs 3 and 4 shall be deemed ineffective and shall not be made accessible under the procedure specified in para. 2.

7. A specimen of an official form referred to in para. 1 shall be established by the Marshal of the Sejm by means of an order. The specimen shall be made accessible on the Information System of the Sejm.

#### **Article 70d**

1. For technical reasons and for reasons of space availability, the presidium of the committee may reduce the number of entities participating in a public hearing. This reduction should be based on a reasonable criterion applied equally to each entity. Such a criterion may be, in particular, the sequence in which declarations were submitted.

2. In the event referred to in para. 1, information about entities admitted to participate in a public hearing shall be made accessible at least 2 days before the day of a public hearing.

#### **Article 70e**

1. If, because of space availability or due to technical circumstances, in particular because of the number of persons wishing to attend a public hearing, there is no possibility of organizing the public hearing:

1) the presidium of the committee may change the time and place of the public hearing publicizing on the Information System of the Sejm the reasons of that change and an altered time or place of the public hearing;

2) the committee may cancel the public hearing publicizing on the Information System of the Sejm the reasons for that cancellation.

2. Only the entities which have previously declared, in accordance with the principles specified in Article 70b, an interest in working on the bill, shall have the right to participate in the public hearing the time of which has been changed.

#### **Article 70f**

1. A public hearing shall be held before the commencement of the detailed consideration of a bill.

2. A public hearing shall be held only at one sitting of the committee.

3. The order of the day of the sitting of the committee at which a public hearing is to be held, shall not include other items of the order of the day.

#### **Article 70g**

1. The chairperson of the committee shall establish an order and time-limits of speeches of the entities which participate in the public hearing.

2. An entity referred to in para. 1 may speak only once at the sitting at which public hearing is held.

3. The chairperson of the committee may prolong the time-limit of the speech of an entity referred to in para. 1.

#### **Article 70h**

1. In particularly justified circumstances the chairperson of the committee may adjourn the sitting at which the public hearing is held.

2. The chairperson of the committee shall determine the date, time and place of the resumption of the sitting.

3. Information about the date and time of the resumption of the sitting shall be presented by the chairperson of the committee at the sitting of the committee, as referred to in para. 1, or shall be placed on the Information System of the Sejm.

#### **Article 70i**

1. An entity which has expressed an interest in working on a bill and participates in a public hearing, may, at the sitting of the committee at which the public hearing is held, submit to the minutes the text which has not been heard by the committee. Any text which has not been heard shall be marked in the minutes in such a way as to make it easy to distinguish it from texts heard. Texts which have not been heard shall be contained in bulletin from the sitting of the committee, which shall be made accessible on the System of Information of the Sejm.

2. The provision of para. 1 shall apply to entities which have expressed an interest in working on a bill but have not participate in a public hearing, provided that the submission of the text shall occur no later than on the day of the public hearing.

### **Chapter 2**

## **PROCEEDINGS IN RELATION TO URGENT BILLS**

#### **Article 71**

1. The Marshal of the Sejm, implementing activities in relation to a bill introduced by the Council of Ministers in the manner established by Article 123 of the Constitution, hereinafter called "an urgent bill", shall at the same time establish a provisional time-table of work in the Sejm on such bill.

2. In the event that the reasons given for such a bill are insufficient, the Marshal of the Sejm, after seeking an opinion of the Presidium of the Sejm, may return it to the Council of Ministers for correction. Article 34 shall apply as appropriate.

#### **Article 72**

1. The Marshal of the Sejm shall order the printing of urgent bills immediately following their receipt.

2. The delivery of a bill to Deputies may, in well-founded instances, be substituted by publicizing that copies of the bill are available at the Chancellery of the Sejm. Article 35 para 2. shall apply accordingly.

#### **Article 73**

1. The first reading of an urgent bill shall be held at the sitting of the Sejm or of a committee. The Marshal of the Sejm may order the holding of the first reading without observing the time limit specified in Article 37 para. 4.

2. The Marshal of the Sejm, in referring an urgent bill to committees, shall at the same time set a time limit for submission of the report, which may not be longer than 30 days.

2a. 1. A public hearing referred to in Chapter 1a, may be held on an urgent bill.

3. Provisions of Article 38, Article 39 paras. 1 and 2, and Articles 40-43 shall apply as appropriate.

#### **Article 74**

The Marshal of the Sejm shall include an urgent bill in the orders of the day for a sitting of the Sejm, which shall be the first sitting following the conclusion of the work of the committee.

#### **Article 75**

The Council of Ministers may withdraw the designation of a bill as urgent prior to the commencement of its second reading.

#### **Article 76**

1. The second reading of an urgent bill shall consist of:
  - 1) presentation to the Sejm of the committee report on a bill;
  - 2) debate and introduction of amendments;
2. The provisions of Articles 47-49 shall apply, as appropriate, to the third reading of an urgent bill.
3. The Marshal of the Sejm shall refuse to order a vote upon an amendment relating to an urgent bill, which has not been previously referred in writing to the committee.
4. The provisions of Article 44 para. 2 and Article 50 shall apply as appropriate.

#### **Article 77**

The Marshal of the Sejm shall immediately, but no later than within 3 days following its adoption by the Sejm, deliver to the Marshal of the Senate and to the President of the Republic the text, validated by his signature, of any urgent bill. Article 52 para. 2. shall apply accordingly.

#### **Article 78**

1. A resolution of the Senate, containing a proposal to make particular amendments to an urgent bill adopted by the Sejm or to reject it, shall be considered by the Sejm at the first sitting following its delivery.
2. The Marshal of the Sejm may, due to complexity of the Senate proposal, earlier refer the resolution of the Senate for consideration by the committees which had considered the urgent bill. Article 54, paras. 2-4 shall apply accordingly.

#### **Article 79**

The Marshal of the Sejm shall immediately, but no later than within 3 days following its adoption, deliver to the President of the Republic the text of an urgent bill accepted following consideration of the Senate proposals.

#### **Article 80**

In proceedings relating to an urgent bill which the President of the Republic has refused to sign - the Presidium of the Sejm shall establish an order of work on the President's motion to reconsider an urgent bill, such that the period of time between the receipt of the President's motion and the day of final conclusion of the matter by the Sejm shall not exceed 7 days. Article 64 shall apply accordingly.

## Chapter 3

# PROVISIONS CONCERNING THE PARTICIPATION OF THE LEGISLATIVE COMMITTEE IN PROCEEDINGS IN RELATION TO BILLS AND DRAFT RESOLUTIONS

### Article 81

1. In the event that a bill has not been referred to the Legislative Committee, the presidium of the Legislative Committee may designate, from amongst the members of the Legislative Committee, representatives who shall participate in the sittings of the committees to which the bill was referred, hereinafter in this Chapter called the "appropriate committees".

2. The provisions of para. 1 shall not apply to proceeding referred to in Part II, Chapter 4.

3. The representatives of the Legislative Committee, when participating in the sittings of the appropriate committees, shall introduce motions or proposals for amendments on behalf of the Legislative Committee but they shall have no right to vote.

### Article 82

1. After consideration of a bill (draft resolution) by the appropriate committees, suggestions or proposals for amendments which have been introduced by the representatives of the Legislative Committee, as referred to in Article 81 para. 1, and not accepted by the appropriate committees, may be submitted to the presidium of the Legislative Committee by the representatives of the Legislative Committee.

2. If the presidium of the Legislative Committee has accepted parts or entirety of suggestions or proposals for amendment as referred to in para. 1, it shall refer them to the sitting of the Legislative Committee which draws up a position containing conclusions or proposals for amendment to the bill (draft resolution). If the presidium of the Legislative Committee has not accepted the suggestions or proposals for amendment, it shall inform the Marshal of the Sejm about that fact.

3. The Legislative Committee shall notify the chairpersons of appropriate committees about the sitting devoted to consideration of conclusions or proposals for amendment, referred to in para. 1. The representatives of appropriate committees shall participate in the sitting. The absence of representatives of the committees shall not suspend the consideration of the conclusions or proposals for amendment, referred to in para. 1, by the Legislative Committee.

### Article 83

1. The Marshal of the Sejm shall refer the position of the Legislative Committee, referred to in Article 82 para. 2, to appropriate committees for reconsideration of a bill (draft resolution) included in the report in relation to conclusions or proposals for amendment contained in the position of the Legislative Committee.

2. The conclusions or proposals for amendment contained in the position of the Legislative Committee which have been rejected by the appropriate committees, shall be included in the report as conclusions of the Legislative Committee. The provisions of Article 43 para 3 shall apply, as appropriate, to conclusions of the Legislative Committee.

### Article 84

1. The representatives of the Legislative Committee who have participated in the proceedings referred to in Articles 81-83, may also take part in the sitting of a committee to which the bill (draft resolution) was referred under Article 47 para. 1.

2. The representatives of the Legislative Committee may present separate motions to accept or reject the amendments and motions introduced in the second reading, subject to para. 5.

3. The motions referred to in para. 2, introduced by the representatives of the Legislative Committee and not accepted by the appropriate committees, shall be submitted to the presidium of the Legislative Committee by the representatives of the Legislative Committee.

4. If the presidium of the Legislative Committee has accepted parts or entirety of the motions referred to in para. 2, it shall refer them to the sitting of the Legislative Committee, which shall draw up a position containing separate motions to accept or to reject the amendments and motions introduced in the second reading. If the presidium of the Legislative Committee has not accepted the motions, it shall inform the



Marshal of the Sejm about that fact. The provisions of Article 82 para. 3 shall apply accordingly. The separate motions mentioned in the first sentence shall be included in the report referred to in Article 47 para. 2 subpara. 1.

5. In the event referred to in Article 47 para. 3, the provisions of Article 82 and Article 83 shall apply, as appropriate, to the participation of the Legislative Committee in the work of appropriate committees.

#### **Article 85**

The motions referred to in Article 83 para. 2 and Article 84 para. 4 shall be presented at the sitting of the Sejm by a Deputy designated by the presidium of the Legislative Committee from amongst the members of the Legislative Committee, who shall speak after the Rapporteur.

#### **Article 86**

The provisions of Article 84 and Article 85 shall apply, as appropriate, to the proceedings in relation to a Senate resolution containing amendments to the bill adopted by the Sejm or rejecting the bill as a whole.

### **Chapter 4**

## **PROCEEDINGS IN RELATION TO DRAFT LAW CODES**

#### **Article 87**

1. The provisions of Part II, Chapters 1, 1a and 14 shall apply to proceeding in relation to draft law codes, drafts of amendments to law codes and to drafts of introductory provisions to law codes and amendments thereto, unless the provisions of this Chapter provide otherwise.

2. The Marshal of the Sejm, when initiating proceedings in respect of a draft, shall conclusively decide whether it is a draft of a type referred to in para. 1.

#### **Article 88**

Drafts referred to in Article 87 para. 1, introduced jointly and connected by subject matter, shall be considered by the Sejm in the same legislative proceedings.

#### **Article 89**

1. The first reading of a draft law code or introductory provisions to a draft law code may be held no sooner than the thirtieth day following the delivery of a copy of the draft to the Deputies.

2. The first reading of a draft of amendments to a law code or a draft of amendments to introductory provisions to a law code may be held no sooner than the 14th day following the delivery of a copy of the draft to the Deputies.

#### **Article 90**

1. A Special Committee may be appointed to consider the drafts referred to in Article 87 para. 1.
2. The Special Committee may be appointed before the first reading of the drafts referred to in para. 1.
3. The Special Committee may, at any time, submit a motion to the Sejm to hold a debate on selected matters relating to the draft of the law code.

#### **Article 91**

1. The Special Committee may create permanent subcommittees in order to consider a draft in detail, as well as working groups also within the framework of subcommittees.
2. A member of the Special Committee may not be a member of more than two of its subcommittees.
3. Subcommittees may hold joint sittings.

#### **Article 92**

1. The Special Committee shall appoint a team of permanent experts, 1/3 of whom shall be proposed by the sponsor of a draft law code.
2. A subcommittee may appoint a team of permanent experts to assist the subcommittee.
3. A chairperson of the Special Committee may, temporarily, appoint experts to assist in the consideration of a particular matter.

### **Article 93**

1. The Special Committee may present a report to the Sejm in the form of a list of amendments, adopted by it, in relation to a draft submitted by sponsors.

2. Conclusions and proposals of amendments rejected by the Special Committee may be included in the Committee report as minority motions, after introduction thereof in written form, at the request of at least 5 Deputies being members of the Special Committee.

3. Sponsors of a minority motion shall append reasons therefor, specifying the differences between the Committee report and the proposed modifications, their purpose as well as the expected legal and financial consequences thereof.

4. The Special Committee shall make a final analysis of minority motions in respect of their interrelation, consequences indicated by the sponsors and consequences to the text of a draft of a law code, as well as other drafts and statutes and law codes connected therewith. The Special Committee may not include in its report a minority motion which fails to fulfil the requirements specified in para. 3.

### **Article 94**

1. The second reading of a draft specified in Article 87 para. 1 shall consist of:

- 1) presentation to the Sejm of the Special Committee report on a draft;
- 2) debate and introduction of amendments and motions.

2. *repealed.*

3. The amendments, referred to in para. 1 subpara. 2, after having been introduced orally, shall be submitted in writing in an appropriate form to the Marshal of the Sejm.

4. The second reading may be held no sooner than the 14<sup>th</sup> day following the delivery of the Special Committee's report to the Deputies.

### **Article 95**

In the event of a new amendment or a motion having been introduced during the second reading, the draft shall be returned to the Special Committee.

### Chapter 5

#### *Repealed*

### Chapter 5a

## **PROCEEDINGS IN RELATION TO BILLS IMPLEMENTING EUROPEAN UNION LAW**

### **Article 95a**

1. Unless the provisions of this Chapter provide otherwise, the provisions of Part II, Chapters 1-3 and 14 shall apply to proceeding in relations to bills the purpose of which is to implement European Union law, hereafter called "bills implementing European Union law".

2. When introducing a bill, the Council of Ministers shall declare whether or not it is a bill implementing European Union law.

3. In cases of bills other than those referred to in para. 2, the Marshal of the Sejm shall resolve, before referring the bill to the first reading, whether or not it is a bill implementing European Union law.

### **Article 95b**

When initiating the proceedings in relation to a bill implementing European Union law, the Marshal of the Sejm shall establish a schedule of work of the Sejm on that bill, taking into account deadlines for implementing European Union law.

### **Article 95c**

1. Before undertaking a detailed consideration of a bill implementing European Union law, an appropriate committee shall establish a timetable of work on that bill consistent with the schedule of work of the Sejm referred to in Article 95b.

2. The committee shall make such timetable known to the Marshal of the Sejm.

#### **Article 95d**

1. An amendment to a bill implementing European Union law may be proposed, in written form, at the sitting of the committee by a group of at least 3 Deputies.

2. Proposals of amendments, rejected by the committee, after they have been submitted in written form, shall, at the request of at least 3 Deputies, be included in the report as minority motions; a minority motion concerning a particular provision or part thereof, shall specify the consequences of this motion for the text of the bill implementing European Union law.

3. Paragraphs 1 and 2 shall apply, as appropriate, to the submission of the motion to reject the bill implementing European Union law; the motion shall be adopted by the committee by an absolute majority of votes.

#### **Article 95e**

The second reading of a bill implementing European Union law shall be held at the first sitting of the Sejm, occurring after the delivery of the committee's report to the Deputies, unless the Marshal of Sejm fixes, after seeking an opinion of the presidium of the committee, longer time limit for the second reading.

#### **Article 95f**

Consideration of Senate's amendments shall occur at the first sitting of the Sejm, occurring after the delivery of the Committee's report.

*Articles 96-104 are repealed*

### **Chapter 6**

## **PROCEEDINGS IN RELATION TO DRAFT BUDGETS AND OTHER FINANCIAL PLANS OF THE STATE AS WELL AS CONSIDERATION OF REPORTS ON THEIR IMPLEMENTATION**

#### **Article 105**

The Sejm shall consider, taking into account modifications resulting from this Chapter:

- 1) draft budgets and other financial plans of the State submitted to the Sejm – in the manner provided for in Chapters 1 and 1a;
- 2) reports on implementation of the Budget and other financial plans of the State submitted to the Sejm – in the manner provided for in Chapter 1.

#### **Article 106**

1. The Sejm shall refer the drafts and reports, referred to in Article 105, for consideration to the Public Finances Committee.

2. Individual parts of the drafts and reports, referred to in Article 105, shall also be considered by the appropriate Sejm committees, which shall deliver statements of their position, including conclusions, opinions or proposals of amendments - with reasons given - to the Public Finances Committee.

3. Conclusions, opinions or proposals of amendments, rejected by the committees, shall, on request of their movers, be appended with the committee position as a dissenting opinion.

4. The comments of the Supreme Chamber of Control on the reports concerning implementation of the Budget and other financial plans of the State, shall be referred by the Marshal of the Sejm to the appropriate Sejm committees considering particular sections of the reports.

5. The Presidium of the Sejm shall, on a motion of the Public Finances Committee, establish the procedure for Sejm committee work on the drafts and reports referred to in Article 105.

6. Sitzings of the appropriate Sejm committees, at which individual parts of the drafts and reports referred to in Article 105 are considered, shall be attended by the representatives of the Public Finances Committee.

7. The Public Finances Committee and the committees which consider items of budget funds, may request additional opinions from the appropriate Sejm committees and may pose them questions in order to obtain information concerning individual parts of drafts or reports referred to in Article 105.

#### **Article 107**

1. During the sitting of the Public Finances Committee, the submitted positions of the appropriate committees in respect of individual parts of the drafts and reports referred to in Article 105, shall be presented by the representatives of those committees. They may not present any conclusions, opinions and proposals for amendments which have not been included in the positions of the appropriate committees. The representatives of the Public Finances Committee who have participated in the work of the appropriate committees shall present, in writing, opinions in respect of positions submitted by these committees.

2. Amendments to a draft Budget, proposed at the sitting of the Public Finances Committee, shall be in written form.

#### **Article 108**

1. The Public Finances Committee, following consideration with attendance by representatives from individual Sejm committees, of the drafts and reports referred to in Article 105 as well as of the positions submitted by committees, shall, at a sitting of the Sejm, present a report together with motions:

- 1) to pass, with or without amendments, draft Budgets and other financial plans of the State;
- 2) to accept or to reject the reports on the implementation of the Budget and other financial plans of the State, or to grant approval to the accounts submitted by the Council of Ministers.

2. The Public Finances Committee shall, at the same time, submit to the Sejm information concerning suggestions by individual Sejm committees which have not been accepted.

#### **Article 109**

If there is a need to present an additional report to the draft Budget, the Sejm shall consider it at its first sitting following the conclusion of the work of the Public Finances Committee.

#### **Article 110**

Proposals for particular amendments to the draft Budget, submitted to the Sejm by the Senate, shall be delivered by the Marshal of the Sejm to the Public Finances Committee which shall present its report to the Sejm.

#### **Article 111**

The Sejm shall pass a resolution on whether or not to grant approval to the accounts submitted by the Council of Ministers [discharge] after hearing the opinion of the Supreme Chamber of Control, presented by its President.

### **Chapter 7**

## **PASSING OF A VOTE OF CONFIDENCE AND A VOTE OF NO CONFIDENCE; ELECTION OF THE COUNCIL OF MINISTERS**

#### **Article 112**

1. In the debate on the programme of activity and on the motion for a vote of confidence in the Council of Ministers appointed by the President of the Republic in accordance with Article 154 para. 1 of the Constitution, both presented by the Prime Minister, only the Prime Minister may speak after conclusion of speeches in accordance with the list of speakers and after questions.

2. The Marshal of the Sejm shall put to a vote the motion of the Prime Minister. Other motions in respect of that matter shall be inadmissible.

3. The Sejm shall pass a vote of confidence by an absolute majority vote in the presence of at least half of the statutory number of Deputies.

### **Article 113**

1. In the event that a Council of Ministers has not been appointed by the President of the Republic in accordance with the procedure specified in Article 154 para. 1 of the Constitution, or a vote of confidence has not been granted to the appointed Council of Ministers by the Sejm in accordance with the procedure specified in Article 154 para. 2 of the Constitution, a candidate for Prime Minister may be nominated by at least 46 Deputies.

2. The Marshal of the Sejm, after seeking an opinion of the Council of Seniors, shall set a time limit for putting forward candidates for Prime Minister.

3. The Sejm shall elect a Prime Minister in a roll-call vote.

4. The Prime Minister shall present to the Sejm, during its sitting, a programme of activity by a Government and the composition of a Council of Ministers proposed by him.

5. A motion of the Prime Minister on election of the entire Council of Ministers shall be voted on at one time. Article 112 para. 2 shall apply as appropriate.

6. The Sejm shall elect a Prime Minister and members of the Council of Ministers proposed by him, by an absolute majority of votes in the presence of at least half of the statutory number of Deputies.

7. A resolution on the election of a Council of Ministers shall be immediately delivered by the Marshal of the Sejm to the President of the Republic.

### **Article 114**

In the event of appointment of a Council of Ministers by the President of the Republic in accordance with Article 155 of the Constitution, the Sejm shall pass a vote of confidence in the so appointed Council of Ministers by a majority of votes, in the presence of at least half of the statutory number of Deputies.

### **Article 115**

1. A motion requiring a vote of no confidence in the Council of Ministers shall be handed in writing to the Marshal of the Sejm.

2. After submission of the motion, the signatures of Deputies supporting it shall not be withdrawn nor may further signatures be added to it.

3. The Marshal of the Sejm shall immediately notify the President of the Republic and the Prime Minister about the submission of such a motion.

4. Consideration by the Sejm of a motion requiring a vote of no confidence and the putting thereof to a vote shall occur at the first sitting of the Sejm occurring 7 days after the day of its submission and, in any event, no later than during the next occurring sitting.

5. If more than one motion requiring a vote of no confidence has been moved, they shall be considered jointly; however, putting them to a vote shall be done separately in order of submission thereof. In the event that a vote of no confidence has been passed on the basis of one motion, other motions shall not be put to a vote.

6. After the conclusion of speeches in accordance with the list of speakers, only the Prime Minister may speak in the debate on a motion requiring a vote of no confidence.

7. The Sejm shall pass a vote of no confidence in the Council of Ministers by a majority vote of the statutory number of Deputies.

8. The resolution on passing of a vote of no confidence in the Council of Ministers and on the election of a new Prime Minister shall be immediately delivered by the Marshal of the Sejm to the President of the Republic and to the Prime Minister.

### **Article 116**

1. The Sejm may pass a vote of no confidence in an individual minister.

2. The provisions of Article 115 shall apply, as appropriate, to a motion requiring a vote of no confidence in an individual minister. The motion shall be referred to appropriate Sejm committees.

### **Article 117**

1. Consideration of a motion of the Prime Minister for a vote of confidence in the Council of Ministers shall occur at the first sitting of the Sejm and in case of its submission during the sitting of the Sejm - in the course of that sitting.

2. The debate on the motion shall consist only of posing questions to the Prime Minister and his answers to such questions.

3. The Sejm shall pass a vote of confidence in the Council of Ministers by a majority vote in the presence of at least half of the statutory number of Deputies.

4. The Marshal of the Sejm shall immediately inform the President of the Republic and the Prime Minister on the passing or not passing of a vote of confidence in the Council of Ministers.

### Chapter 8

## **PROCEEDINGS IN RELATION TO NOTIFYING BY THE PRIME MINISTER OF ANY INTENTION TO SUBMIT, FOR RATIFICATION BY THE PRESIDENT, ANY INTERNATIONAL AGREEMENTS WHOSE RATIFICATION DOES NOT REQUIRE CONSENT GRANTED BY STATUTE**

### **Article 118**

1. In the event that the Sejm has been notified by the Prime Minister of his intention to submit, for ratification by the President of the Republic, an international agreement whose ratification does not require consent granted by statute, the Marshal of the Sejm shall order the printing of such notification together with the text of that international agreement and delivery thereof to the Deputies.

2. The Marshal of the Sejm shall refer any notification, referred to in para. 1, to the Foreign Affairs Committee in order that it may express its attitude about the correctness of the procedure chosen by the Council of Ministers for ratification of an international agreement, and shall also specify the time limit for the submission of the report by the Committee.

### **Article 119**

1. Each Deputy shall have the right to make with the Foreign Affairs Committee, within a time limit specified by the Marshal of Sejm, a written objection to correctness of the procedure chosen by the Council of Ministers for ratification of an international agreement. Any such objection shall be lodged with a written justification.

2. All Deputies who have made objections shall be notified about the time and place of the sitting of the Committee at which the notification referred to in Article 118 is to be considered.

3. The Foreign Affairs Committee shall, after having considered the notification and objections referred to in para. 1, present a report which shall contain a motion either:

- 1) to accept the notification from the Prime Minister without any objections; or
- 2) to express by the Sejm of a negative opinion about the correctness of the procedure chosen by the Council of Ministers for ratification of an international agreement.

4. In any case, referred to in para. 3 subpara. 2, the Committee shall at the same time present a relevant draft resolution.

5. An objection, referred to in para. 1, which has been put aside by the Committee, shall be included, upon request of the person who has lodged the objection, in the Committee report as a minority motion. In such a case, that objection shall be formulated in the form of a relevant draft resolution of the Sejm.

### **Article 120**

1. In cases referred to in Article 119 para. 3 subpara. 2 or para. 5, the Marshal of the Sejm shall include the matter of the procedure chosen by the Council of Ministers for ratification of an international agreement in the orders of the day for a sitting of the Sejm, which shall be the first sitting following the submission of the Committee report. The provisions of Article 43 paras. 5-7 shall apply as appropriate. The provisions of Article 37 para. 4 and Article 44 para. 3 shall not apply.

2. The Marshal of the Sejm shall immediately deliver to the Prime Minister and the President of the Republic any resolution of the Sejm expressing the negative opinion about the procedure chosen by the Council of Ministers for ratification of an international agreement.

3. In the event that the Sejm has failed to pass a resolution about the correctness of the procedure chosen by the Council of Ministers for ratification of an international agreement, the notification referred to in Article 118 shall be deemed accepted by the Sejm without any objections.

4. In cases referred to in Article 119 para. 3 subpara. 1, where the Committee report does not contain any minority motions, the Marshal of the Sejm shall inform the Sejm at the next sitting that there is no objections to the correctness of the procedure chosen by the Council of Ministers for ratification of an international agreement.

## Chapter 9

### **PROCEEDINGS IN RELATION TO MATTERS CONCERNED WITH: JUDGMENTS, REPORTS, INFORMATION, PROPOSALS AND COMMENTS FROM STATE ORGANS**

#### **Article 121**

1. In proceedings before the Constitutional Tribunal to adjudicate upon the conformity of a statute to constitutional provisions, the Sejm shall be represented by a representative designated by the Marshal of the Sejm from amongst the Deputies.

2. The Legislative Committee shall, before the day of a hearing, give its opinion on the claims contained in a request for consideration of a matter relating to the nonconformity of a statute to constitutional provisions by the Constitutional Tribunal. The Deputy designated as Sejm representative shall participate in the sitting of the Committee.

#### **Article 122**

The President of the Constitutional Tribunal shall deliver to the Presidium of the Sejm those judgments of the Constitutional Tribunal in which it has ascertained lack of conformity by a legislative act with constitutional provisions, and information on important problems resulting from its activity and decisions.

#### **Article 123**

1. The Sejm shall, following its prior delivery to Deputies, consider information from the Constitutional Tribunal on important problems resulting from its activity and decisions, and comments by the Constitutional Tribunal on discovered infringements and lacunae in the law.

2. Consideration by the Sejm of cases referred to in para. 1, may not occur later than 3 months following the day of delivery of such information and comments to the Deputies.

#### **Article 124**

1. The Sejm shall take cognizance of information submitted by the Tribunal of State about the latter's own activity. Such information shall be delivered by the Chairperson of the Tribunal of State to the Presidium of the Sejm.

2. The Sejm shall examine annual reports submitted by the Commissioner for Citizens' Rights relating to his activity and to his comments concerning the respect accorded to citizens' rights and freedoms. Such reports and comments shall be referred by the Commissioner for Citizens' Rights to the Presidium of the Sejm.

3. Information from the Tribunal of State and reports and comments by the Commissioner for Citizens' Rights shall be delivered to the Deputies.

4. Consideration, by the Sejm, of the matters referred to in paras. 1 and 2, may not occur later than within 3 months following the day of delivery of such information, reports and comments to the Deputies.

#### **Article 125**

1. The Sejm shall examine the annual reports presented by the National Council of Radio Broadcasting and Television relating to its activity and information about the basic problems of radio broadcasting and television.

2. The report and information shall be delivered to the Deputies.

3. Consideration of the report and information shall occur no later than within 3 months following the day of their delivery to the Deputies.

4. The report shall be referred to the committee which, after considering it, shall present a draft resolution on its acceptance or rejection to the Sejm.

5. The Sejm shall adopt a resolution on accepting or rejecting the report.

6. The Sejm shall decide on the method of use of the conclusions resulting from the report and information, referred to in para. 1, and shall refer such conclusion to appropriate committees, as necessary.

#### **Article 125a**

1. The Sejm shall consider information from the Council of Ministers about the participation of the Republic of Poland in the activities of the European Union.

2. The information shall be delivered to the Deputies.

3. The information shall be referred to the European Union Affairs Committee which, after considering it, shall present a draft resolution on its acceptance or rejection to the Sejm.

4. The Sejm shall adopt a resolution on accepting or rejecting the information of the Council of Ministers. The resolution of the Sejm may include assessment of the information of the Council of Ministers.

#### **Article 126**

1. The following matters, submitted to the Sejm by the Supreme Chamber of Control:

1) comments on the report of the Council of Ministers on the implementation of the Budget and of other financial plans of the State;

2) reports on the results of investigations entrusted to it by the Sejm and its organs (Marshal of the Sejm, Presidium of the Sejm, Sejm committees) as well as those performed upon the motion of the President of the Republic or the Prime Minister, and also information on the results of other investigations;

3) motions for consideration by the Sejm or its organs of particular social and economic as well as organizational and legal problems related to the activity of organs of State administration - shall be presented by the President of the Supreme Chamber of Control to the Presidium of the Sejm.

2. The Presidium of the Sejm, after seeking opinion of the State Control Committee, shall consider the motions referred to in para. 1, subpara. 3, and shall decide upon further steps to be taken in connection therewith, and shall examine periodic plans for activities by the Supreme Chamber of Control submitted by the President of the Supreme Chamber of Control.

3. The comments, reports and information specified in para. 1, subparas. 1 and 2, shall be referred by the Marshal of the Sejm to the State Control Committee as well as appropriate Sejm committees.

4. The annual report on the activities of the Supreme Chamber of Control submitted by its President, shall be considered by the Presidium of the Sejm. Prior to consideration of such report, the Presidium of the Sejm shall refer it to the State Control Committee to obtain its opinion and may refer it to other appropriate Sejm committees to obtain their viewpoint thereon.

#### Chapter 10

### **PROCEEDINGS IN RELATION TO MATTERS OF CONSTITUTIONAL ACCOUNTABILITY**

#### **Article 127**



1. Originating motions to bring persons holding the highest, statutorily established, State offices to constitutional accountability shall be referred by the Marshal of the Sejm to the Constitutional Accountability Committee. In proceedings before this Committee, the provisions of the Code of Criminal Procedure shall apply as appropriate.

2. If an originating motion has not satisfied the requirements established by statute, the Marshal of the Sejm, after seeking the opinion of the Constitutional Accountability Committee, shall call the originator to correct it within a time limit of 14 days.

3. In the event of failure to correct an originating motion within the time limit referred to in para. 2, the Marshal of the Sejm shall take no further steps in respect of the motion.

#### **Article 128**

1. The Chairperson of the Constitutional Accountability Committee shall deliver to a person against whom such a motion has been moved a copy thereof, with appendices, and shall set a time limit for submission of an explanation in writing and for moving motions for presentation of evidence.

2. After taking preliminary cognizance of the charges brought, as well as of the explanations and suggestions made by a person indicted, the Committee shall establish the scope and procedure for taking of evidence in the case.

3. A person against whom an originating motion has been moved, and his defence counsel, may take part in those Committee sittings held for taking of evidence, and may also participate in proceedings relating to acts to be done by authority of the Committee.

#### **Article 129**

1. The Constitutional Accountability Committee shall submit to the Sejm a report on proceedings conducted together with a motion either to proceed to constitutional accountability or to stop the proceedings in the case. Together with such report, the Committee shall present to the Sejm a motion for selection of prosecutors by the Sejm.

2. A motion to bring a person to constitutional accountability shall contain all such matter as is required by the provisions of the Code of Criminal Procedure in respect of an accusation, and, in the case of a motion to stop proceedings - a factual and legal justification thereof.

3. The report and motions shall be delivered to all Deputies, together with information concerning the provision of the records in the case being the subject of the report, on condition that the records in the case shall be made accessible to Deputies at least 21 days prior to the sitting of the Sejm during which the case is expected to be considered.

4. The Sejm may return the submitted report to the Committee in order to perfect the proceedings; in such case, the Sejm shall determine the manner and scope of further proceedings by the Committee.

#### **Article 130**

Resolutions either on bringing a person to constitutional accountability or on stopping such proceedings shall be passed by an absolute majority vote in the presence of at least half of the total number of Deputies.

## Chapter 11

### **PROCEEDINGS IN RELATION TO THE DISCIPLINING OF DEPUTIES AND TO MATTERS OF DEPUTIES' ACCOUNTABILITY FOR OFFENCES OR MISDEMEANOURS, AS WELL AS THEIR ARREST OR DETENTION**

#### **Article 131**

1. The case of any Deputy who is charged with breach or non-performance of the duties specified in Articles 33-35 of the Act on the Exercise of the Mandate of a Deputy or Senator, shall be referred by the Presidium of the Sejm to the Rules and Deputies' Affairs Committee for consideration.
2. After consideration of a matter, the Committee shall present to the Presidium of the Sejm a report including an opinion on the matter and the draft of a possible resolution, as referred to in Article 21, or an application to discontinue proceedings in respect of the charges.
3. The Deputy subject to the charges shall have the right to participate in the sitting of the Committee which considers the charges; he shall also have the right to speak at any stage of the proceedings.

#### **Article 132**

1. The case of a Deputy who has been charged with failing to perform his duties as a representative, shall be referred by the Presidium of the Sejm to the Rules and Deputies' Affairs Committee for consideration.
2. Appeals from such resolution of the Committee shall be submitted through the chairperson of the Committee who shall present it to the Presidium of the Sejm, enclosing materials from the sitting (sittings) of the Committee in relation to the matter. The Presidium of the Sejm may, additionally, seek the opinion of the club or group to which the Deputy belongs.

#### **Article 133**

1. A motion for grant of permission to bring a Deputy to accountability for commission of offences or misdemeanours or to grant permission to arrest or detain him, shall be filed with the Presidium of the Sejm, which shall refer such motion to the Rules and Deputies' Affairs Committee for consideration.
2. The Committee shall notify a Deputy against whom such a motion has been moved, about the substance of the motion and the time limit for its consideration by the Committee.
3. A Deputy, against whom a motion has been moved, shall present to the Committee, in writing or orally, explanations and his own observations relating to the case.
4. Upon consideration of the case, the Committee shall adopt a report together with a proposal to accept or reject the motion.
5. The report of the Committee shall be immediately delivered to the Deputies.
6. The Sejm shall examine the report of the Committee by hearing only a Rapporteur. The right to speak shall also be granted to the Deputy against whom the motion has been moved. The report shall not be subject to discussion.
7. The Sejm, upon consideration of the report, shall decide, by a two-thirds majority vote in the presence of at least half of the total number of Deputies, whether the Deputy should be held accountable for commission of offences or misdemeanours or arrested or detained.
8. The Sejm may, by the same resolution, indicate that the appropriate court to consider the matter of any crime is the court competent for the City-Centre district of the Warsaw Central commune.
9. Any such resolution shall be published in the Official Gazette of the Republic of Poland - "*Monitor Polski*".

#### **Article 134**

If an authorized organ has submitted a motion for grant of permission to bring a Deputy to criminal accountability for commission of an offence of disclosure of State or official secrets, the Presidium of the Sejm shall assume against him the tasks of the Rules and Deputies' Affairs Committee, as referred to in Article 133.

#### **Article 135**

The provisions of Article 134 shall apply, as appropriate, to any Deputy being a member of the Deputies' Ethics Committee, where there has been a breach of official secrecy.

#### **Article 136**

In cases referred to in Articles 132-135, a Deputy may appoint a counsel for his defence from amongst the Deputies.

### **Chapter 11a**

## **AN INVESTIGATIVE COMMITTEE**

#### **Article 136a**

1. A draft resolution to appoint an investigative committee may be submitted by the Presidium of the Sejm or by at least 46 Deputies.

2. The draft shall be accompanied by reasons therefor, specifying the need and purpose of the appointment of the committee.

#### **Article 136b**

1. The first reading of the draft resolution referred to in Article 136a para. 1 shall be held at the sitting of the Sejm.

2. The draft resolution shall be referred to the Legislative Committee for consideration; the Sejm may also refer the draft resolution to other committees.

#### **Article 136c**

1. Having appointed an investigative committee, the Sejm shall select its membership.

2. Candidates for members of the investigative committee shall be nominated to the Marshal of the Sejm by chairpersons of clubs and groups represented in the Council of Seniors.

3. The number of candidates to be nominated shall be specified by the Presidium of the Sejm and shall result from the application of the provisions of Article 2 para. 2 of the Act on Sejm Investigative Committees; the Presidium of the Sejm shall inform authorized entities about that number.

4. Candidates shall be nominated within the time limit specified by the Presidium of the Sejm.

5. After expiry of the time limit referred to in para. 4, the Presidium of the Sejm shall deliver a list of nominated candidates to the Deputies.

6. Within the time limit specified by the Presidium of the Sejm and made known to the Deputies at the delivery of the list referred to in para. 5, each Deputy may apply, on the basis of Article 4a of the Act on Sejm Investigative Committees, to the Presidium of the Sejm to delete a Deputy from the list of candidates.

7. If, as a consequence of the circumstances referred to in Article 4 of the Act on Sejm Investigative Committees, the Presidium of the Sejm finds the Deputy standing for membership of the committee, in respect of whom the application referred to in para. 6 has been made, incapable to be member of that committee, it shall adopt a resolution to delete him from the list of candidates.

8. Information about any resolution referred to in para. 7, and about a resolution to reject an application referred to in para. 6, shall be made known to the Deputies.

9. In the event that the resolution has been adopted to delete a Deputy from the list of candidates, the Presidium of the Sejm shall set a time limit for nomination of a subsequent candidate by an authorized entity. The provisions of paras 5-8 and 10 and 11 shall apply, as appropriate, to the nomination of that candidate.

10. In case of a failure to nominate a candidate within the time limit referred to in para. 4, or when the number of nominated candidates is lower than that specified by the Presidium of the Sejm, seats falling to a given club or group shall be assigned to other authorized entities. Clubs or groups that have not nominated a candidate or have nominated candidates in numbers other than those falling to them, shall not be taken into account in repeat calculations for proportional membership of the committee.

11. Having established, under para. 10, a new numbers of seats falling to authorized entities, the Presidium of the Sejm shall set a time limit for nomination of additional candidates by these entities. The provisions of paras 2-10 shall apply as appropriate.

12. The Sejm shall conduct a supplementary selection, as referred to in Article 5a of the Act on Sejm Investigative Committees, in accordance with the procedure specified in paras. 2-11.

#### **Article 136d**

Members of the committee and the Presidium of the Sejm shall be notified of dates, times and orders of the day of investigative committee sittings; the provisions of Article 152 para. 5 shall apply, as appropriate, to the principles of and procedure for such notification.

#### **Article 136e**

An investigative committee shall have no right to legislative initiative in relation to bills and draft resolutions, within the meaning of Articles 32 and 33.

#### **Article 136f**

Where an investigative committee has moved an originating motion to hold a particular person constitutionally accountable before the Tribunal of State, a Deputy selected from amongst the membership of the investigative committee shall represent the committee in relation to this matter during the subsequent proceedings before the organs of the Sejm.

#### **Article 136g**

1. The committee shall present a report on its activities to the Marshal of the Sejm.
2. The Marshal of the Sejm shall order printing of the investigative committee report and its delivery to the Deputies.

#### **Article 136h**

Where the report of the investigative committee contains information comprised of statutorily protected secrets, the Marshal of the Sejm shall specify the procedure for making it accessible to the Deputies and the mode of consideration thereof by the Sejm.

#### **Article 136i**

Subject to modifications resulting from the provisions of this Chapter, provisions of the Standing Order of the Sejm shall apply to the investigative committee and Deputies selected to be members thereof.

### **Chapter 12**

## **THE SPECIAL SERVICES COMMITTEE AND PROCEEDINGS IN THE COMMITTEE**

#### **Article 137**

1. The Special Services Committee shall be composed of no more than 9 Deputies.
2. The Sejm, on the motion of the Presidium of the Sejm, shall specify, by means of a resolution, the number of members of the Special Services Committee.
3. Candidates for members of the Committee shall be nominated by the chairpersons of the clubs of Deputies or by groups of at least 35 Deputies. Nominations shall be lodged with the Marshal of the Sejm.
4. The Sejm, on the motion of the Presidium of the Sejm submitted in consultation with the Council of Seniors, shall determine, in joint voting, the membership of the Committee.

#### **Article 138**

1. The first sitting of the Special Services Committee shall be summoned and presided over by the Marshal of the Sejm. At such sitting, the Committee shall elect from amongst its members a presidium composed of a chairperson and no more than two deputies.

2. The Committee resolutions shall be adopted by an absolute majority vote in the presence of at least half of the total number of members of the Committee.

3. The Committee shall specify its manner of operation and procedures for taking decisions.

4. Access by members of the Committee to information comprised of State secrets of the utmost importance to national defence and to the Armed Forces and State security, shall be determined by the provisions concerning State or official secrets. In order to authorize access of the members of the Committee to such information, the Marshal of the Sejm shall apply to the Minister of National Defence or the Minister of Interior and Administration.

#### **Article 139**

1. Sitzings of the Special Services Committee shall be held *in camera*. The provisions of Article 154 para. 1 shall not apply.

2. Joint sittings, held together with other committees, may be open to the public.

3. The chairperson shall invite persons other than those mentioned in Article 153 para. 1 to take part in the sitting of the Committee, via, or after notifying, the Marshal of the Sejm and the Minister of National Defence or the Minister of Interior and Administration. Persons invited shall submit a written declaration to the chairperson that they will keep secret any information obtained comprising State or official secrets.

#### **Article 140**

In matters concerning the Special Services, the Committee shall participate in proceedings in relation to draft Budgets and other financial plans of the State as well as consideration of reports on their implementation, and shall present its opinion to the appropriate committees.

#### **Article 141**

1. The minutes drawn up from the sitting of the Special Services Committee and the reports referred to in Article 164 para. 1 and Article 168 para. 1, shall be regarded as comprised of State secrets, excluding the minutes and reports from joint sittings which are open to the public and held together with other committees. The Committee shall submit the minutes and reports to the Marshal of the Sejm.

2. No bulletin shall be drawn up from the sitting of the Special Services Committee. However, a bulletin referred to in Article 166 paras. 1 and 3 shall be drawn up from joint sittings which are open to the public and held with participation of the Special Services Committee.

3. The Committee may issue a communiqué to the press, radio and television concerning the proceedings of the Committee, upon consultation on its contents, where appropriate, with the Minister of National Defence or the Minister of Interior and Administration.

#### **Article 142**

Subject to the changes resulting from the provisions of this Chapter, the provisions of the Standing Orders of the Sejm shall apply, as appropriate, to the Special Services Committee and to Deputies elected to this Committee. For the purpose of these Standing Orders, the Special Services shall be the Office of State Protection and the Military Information Services.

### **Chapter 13**

## **DEPUTIES' ETHICS COMMITTEE**

#### **Article 143**

1. Subject to para. 12, the Deputies' Ethics Committee shall consist of Deputies representing all clubs of the Deputies, one member from each club.

2. Candidates for membership of the Committee shall be nominated by the chairpersons of the clubs.

3. A candidate for membership of the Committee shall be a person of unblemished reputation and high moral authority.

4. Any candidate for membership, or a member, of the Committee may lodge with the Marshal of the Sejm a substantiated objection to another candidate's membership in the Committee. Such objection shall suspend the procedure for choosing the membership of the Committee by the Sejm.

5. A candidate to whom an objection has been raised, or a club which has nominated that candidate may, within 7 days following the submission of the objection, lodge with the Marshal of the Sejm an explanation in respect of the objection raised.

6. The Presidium of the Sejm, after taking cognizance of the objection and the explanation, may, by means of a resolution, find the objection:

- 1) well founded,
- 2) not well founded.

7. In the event referred to in para. 6 subpara. 1, the Presidium of the Sejm shall request those entitled to do so to immediately nominate new candidates for membership of the Committee.

8. In the event referred to in para. 6 subpara. 2, the Presidium of the Sejm shall present its position to the person who raised the objection and shall call him to withdraw the objection. In the event of sustaining the objection, the person who raised it, shall notify this fact, within 7 days, to the Marshal of the Sejm.

9. If no repeat objection has been lodged within the time limit specified in para. 8, the Presidium of the Sejm shall submit to the Sejm a motion to choose as members of the Committee the candidates referred to in para. 2.

10. Irrespective of the submission of a repeat objection within the time limit, the Presidium of the Sejm may submit to the Sejm a motion to choose the membership of the Committee, taking into account the candidate to whom the objection has been lodged. If the Sejm has not chosen the Committee, those entitled to do so shall nominate new candidates for its members on the basis of para. 2.

11. Subject to para. 10 and para. 12, the Committee shall be chosen when there is no objection to the candidates. The Sejm shall determine, in joint voting, the membership of the Committee.

12. If those entitled to do so, have failed to nominate a new candidate, as referred to in para. 7, the Presidium of the Sejm shall specify the time limit for such nomination. After ineffective expiry of that time limit, the Presidium of the Sejm may propose to the Sejm a new membership of the Committee, excepting the candidate to whom an objection has been raised.

13. In the event that an objection has been withdrawn or a new candidate has been nominated, under para. 2, after the expiry of the time limit referred to in para. 12, in place of the candidate to whom the objection has been raised, the Sejm shall additionally determine the membership of the Committee in accordance with para. 4.

14. In the event of a change in his club affiliation, a member of the Committee shall submit resignation from membership of the Committee.

15. In the event that a resolution, as referred to in Article 21 para. 1, Article 22 para. 1, Article 25 para. 1 or 2, or Article 147 para. 1, has been passed in relation to a member of the Committee, and that no objection has been lodged against it or it has been continued in force by the Sejm or the Presidium of the Sejm, respectively, the Deputy shall cease to be member of the Committee. In such a case, the provisions of paras. 1 to 13 shall apply as appropriate.

#### **Article 144**

1. Provisions of Article 138 para. 2, Article 139 para. 1 and Article 141 paras. 1 and 2, shall apply to sittings of the Committee at which matters of financial declarations of Deputies are considered.

2. Information obtained in the course of work of the Committee, as referred to in para. 1, shall be deemed an official secret within the meaning of the provisions concerning state and official secrets.

#### **Article 145**

1. Decisions in cases of Deputies who conduct themselves in a manner inconsistent with the dignity of a Deputy, shall be taken on the basis of the "Principles of Deputies' Ethics".

2. The "Principles of Deputies' Ethics" shall be subject to approval by the Sejm. The Sejm shall adopt or reject as a whole, by means of a resolution, the draft of "Principles of Deputies' Ethics" submitted by the Committee.

3. The Chairperson of the Committee or, in the event of his absence - the deputy Chairperson, shall direct the Committee's work. The functions of the Chairperson and deputy Chairperson shall be performed, for 3 months consecutively, by Committee members. Detailed procedures for rotation of performance of the functions of the Chairperson and his deputy shall be specified by the Standing Orders of the Deputies' Ethics Committee.

4. The Committee shall, at its own initiative, consider matters falling within its competence.

5. A member of the Committee whose case is to be considered shall not participate in a sitting of the Committee, subject to Article 146.

#### **Article 146**

The Committee may require a Deputy to explain any matters of doubt which have arisen in the course of the proceedings.

#### **Article 147**

1. Having considered a case and having found violation of the "Principles of Deputies' Ethics", the Committee may, by means of a resolution:

- (1) reproach a Deputy;
- (2) admonish a Deputy;
- (3) reprimand a Deputy.

2. Resolutions adopted by the Committee shall be publicized. The Standing Orders of the Committee shall specify the procedure and deadline for such publication.

3. The resolution referred to in para. 1 subparas 2 and 3, shall be passed by the Committee by an absolute majority of votes in the presence of at least half of the number of its members.

4. The resolution referred to in para. 1 may be appealed by Deputies pursuant to Article 132 para. 2 of the Standing Orders of the Sejm. Any appeal lodged by a Deputy shall suspend publication of the text of the resolution.

#### **Article 148**

The provisions of the Standing Orders of the Sejm shall apply, as appropriate, to the Committee and to the Deputies appointed thereto, subject to modifications resulting from the provisions of this Chapter and from the Standing Orders of the Deputies' Ethics Committee.

### Chapter 13a

## **EUROPEAN UNION AFFAIRS COMMITTEE**

#### **Article 148a**

1. The European Union Affairs Committee, hereinafter in this chapter called the "Committee", shall be composed of no more than 46 members.

2. At the time of appointment of the Committee, and subject to para. 7, its composition shall proportionally reflect the representation in the Sejm of clubs and of alliances composed of at least 15 Deputies.

3. The Presidium of the Sejm shall determine the number of members a club belonging to the Committee in the following way:

(a) by working out the coefficient as the quotient of the number of members of a given club [caucus] and 460, within a thousandth of a decimal point of accuracy,

(b) by multiplying the coefficient by 46, within a tenth of a decimal point of accuracy,

(c) by rounding off the product referred to in subpara. (b) to the nearest whole number, according to general rules.

4. Upon the division of seats in the Committee between the clubs, the remaining seats shall be allotted to alliances of no less than 15 Deputies, applying as appropriate the rules laid down in para. 3.

5. The Presidium of the Sejm shall notify clubs or alliances about the division of seats conducted in accordance with the rules referred to in paras 3 and 4.

6. The clubs and alliances shall propose to the Presidium of the Sejm their candidates to the committee in the numbers, and within a time limit, established by the Sejm Presidium.

7. In the event that no candidates to the Committee have been nominated by a club or an alliance, within the time limit referred to in para. 6, or if the number of candidates proposed exceeds the number determined by Presidium of the Sejm under paras. 3 or 4, the seats available to them shall remain vacant.

8. The Sejm shall adopt, on the motion of the Presidium of the Sejm, a resolution on the selection of a composition of the European Union Affairs Committee, by a joint vote.

9. In the event referred to in para. 7, and also in the event that the number of candidates nominated by a club or an alliance is lower than the number determined by the Presidium of the Sejm under paras. 3 or 4, the clubs or alliances may complete the composition of the Committee within a time limit other than that referred to in para. 6. In such event, the Sejm shall hold a selection to complete the composition of the Committee. The provision of para. 8 shall not apply.

10. If the event that the number of members of a club or alliance has changed to a degree causing, on account of the principles referred to in paras. 3 or 4, a change in the division of seats in the Committee, or in the event of establishing a new club or alliance, the Sejm shall conduct a new selection of composition of the Committee. The provisions of paras. 3-9 shall apply as appropriate. The Sejm resolution on the selection of a new composition of the European Union Affairs Committee shall be tantamount to the dismissal of its previous composition.

11. In the event of appointment of a new composition of the Committee, referred to in para. 10, the members of the presidium of the Committee to have been reappointed to the Committee shall hold on to their functions.

12. The Presidium of the Sejm shall, at the request of a club or an alliance, present to the Sejm its proposals of changes in the composition of the Committee, consisting in replacement of a member of the Committee with another person belonging to the same club or alliance. The provision of para. 8 shall not apply to a vote on proposals of changes in the composition of the Committee.

#### **Article 148b**

1. On receipt of the following, the Marshal of the Sejm shall immediately refer them to the Committee:

(1) information from the Council of Ministers about the participation of the Republic of Poland in the work of the European Union,

(2) documents of the European Union, which are subject to consultation with Member States, and their appraisal by appropriate institutions or other European Union bodies,

(3) operational programmes of activities of the Council of European Union, the European Commission's annual legislative plans and appraisals of annual legislative plans made by the European Parliament and the Council of European Union,

(4) European Union's legislative proposals,

(5) information from the Council of Ministers about the progress in proceedings aimed at making European Union legislation, and about the positions taken by representatives of the Council of Ministers in the course of those proceedings,

(6) information from the Council of Ministers about the position the Council of Ministers intends to take during the consideration of the proposal in the Council of European Union, together with the statement of the Council of Ministers' reasons, and also with the evaluation of legal consequences of a given



legislative act for the Polish system of law and of social and economic consequences, and financial implications for the Republic of Poland,

(7) draft international agreements to which the European Union, the European Communities or their Member States are to be the parties,

(8) draft decisions by representatives of the governments of the Member States, gathered in the Council of European Union,

(9) draft acts of the European Union which have no legal effect, particularly proposals for guidelines adopted in the sphere of economic and monetary union and in that of employment,

(10) European Union acts important to the interpretation or application of the European Union law,

(11) proposals for candidatures for seats of a member of the European Commission, a member of the Court of Auditors, judges of the European Court of Justice and the Court of First Instance, members of the Economic and Social Committee, members of the Committee of the Regions, a director in the European Investment Bank, directors general and their deputies in the European Commission, and a representative of the Republic of Poland to the Committee of Permanent Representatives of the European Union,

(12) other documents related to the subject matter of the activity of the European Union Affairs Committee.

2. When referring documents to the Committee, the Marshal of the Sejm shall establish, taking into account the time limits set in separate regulations, the schedule of the Sejm work on:

(1) documents of the European Union, which are subject to consultation with Member States,

(2) legislative proposals of the European Union,

(3) information from the Council of Ministers about the positions the Council of Ministers intends to take during the consideration of the proposal in the Council of European Union,

(4) proposals of candidatures for posts, referred to in para. 1, subpara. 11, in those European Union bodies in which Poland is represented.

3. With regard to matters referred to in para. 2, the failure by the Committee to comply with the time limits established in the schedule of work of the Sejm shall close the proceedings in the case.

#### **Article 148c**

1. The Committee may adopt a resolution concerning an opinion about the proposal of the European Union and an opinion on the information from the Council of Ministers about the position the Council of Ministers intends to take during the consideration of the proposal in the Council of European Union.

2. The opinion shall include the Committee's position on the matter, expressed in the form of either acceptance or non-acceptance of the position of the Council of Ministers. In such an opinion, the Committee may formulate recommendations to the Council of Ministers.

#### **Article 148d**

In instances where, in a vote taken at a sitting of the Committee, the votes cast are equal in number, the casting vote on adoption or rejection of the resolution shall be taken by the chairperson of the Committee, unless he has taken a decision to abstain.

#### **Article 148e**

In the event that proceedings conducted by the Committee have not been concluded before the end of the term office of the Sejm, such proceedings may be conducted by the Committee appointed by the Sejm of the next term of office.

### **Chapter 14**

## **SITTINGS OF SEJM COMMITTEES**

#### **Article 149**

Sejm committees shall deliberate in the course of sittings.

#### **Article 150**

1. The presidium of a committee shall collectively conduct the work of the committee and shall, in particular:

- 1) draw up draft schedules of the committee's activity;
- 2) set times and orders of the day for sittings;
- 3) supervise the preparation of sittings;
- 4) ensure timely supply of orderly prepared materials to members of the committee;
- 5) designate rapporteurs for committee sittings.

2. The presidium of a committee, in drawing up draft schedules of its activity and setting orders of the day for sittings, shall take into consideration suggestions from Deputies' clubs [caucuses] and groups and by individual Deputies.

3. The presidium of a committee shall inform the Presidium of the Sejm about the course of the committee's activity.

4. The presidium of a committee may request, from competent organs, institutions and organizations, their viewpoint in respect of any motion or a comment expressed by a Deputy during the committee sitting.

5. The presidium of a committee shall adopt resolutions by majority vote. In the event of parity of votes, the chairperson of the committee shall have a casting vote.

#### **Article 151**

1. Sejm Committees, during their sittings, shall in particular:

- 1) consider bills and draft resolutions;
- 2) consider resolutions, adopted by the Senate relating either to introduction of amendments to the text of a bill passed by the Sejm or rejection of it, as well as motions by the President that a bill be reconsidered by the Sejm, which have been referred to them;
- 3) consider and give opinion on the framework of bills and draft resolutions;
- 4) consider reports and information from ministers and heads of the supreme organs of the State administration, as well as heads of other State offices and institutions;
- 5) analyse activities of individual sectors of administration and State economy;
- 6) consider matters related to the implementation and exercise of acts and resolutions of the Sejm, as well as to accomplishment of desiderata resolved upon by the mselves;
- 7) give opinion on motions to elect or appoint individual persons to, or recall from, particular State offices, which have been referred to them by the Marshal of the Sejm.

2. The order of voting on bills and draft resolutions during committee sitting shall be in compliance, as appropriate, with Article 50.

3. Committee debates shall be presided over by a Chairperson, and, in the event of his absence, one of the deputy chairpersons.

#### **Article 152**

1. Committee sittings shall be held on dates and at times established by the committee itself, its presidium or Chairperson.

2. On a written motion by one quarter of the total number of members of the committee, the Chairperson of the committee shall convene a sitting of the committee in order to consider a particular matter. Convening the sitting under such procedure, the Chairperson of the committee shall establish the date and time of the sitting, which shall be within 14 days after the submission of the motion referred to in the first sentence on this paragraph.

3. The Presidium of the Sejm may convene a sitting of the committee in order to consider a particular matter, establishing its date and time. The sitting convened under such procedure may be presided over by the Marshal of the Sejm.

4. The Marshal of the Sejm shall be notified about the date, time and orders of the day of committee sittings and he may refuse to give consent for the holding of a committee debate.

5. Committee members, the Presidium of the Sejm, the Supreme Chamber of Control, the Committee for European Integration and any interested State organs shall be notified about the date, time and orders of the day of committee sittings. Members of the committee should be notified at least 3 days before the sitting of the committee, according to principles and under procedure established by the Presidium of the Sejm, unless the sitting was convened in result of decisions taken during the Sejm sitting.

### **Article 153**

1. On request of the presidium of a committee, ministers, heads of supreme organs of the State administration and heads of other State offices and institutions, shall submit reports and render information, and shall participate in sittings of a committee, where the matters relating to the scope of their activity are considered. Representatives of the Committee for European Integration shall participate in sittings of a committee in respect of matters concerning expression of opinions on the conformity of bills to the legislation of the European Union. Such persons may authorize, in writing, their representatives to take part in the sitting.

2. In order to obtain information and explanations related to the subject matter of the committee debate and examination, the presidium of a committee, or its Chairperson, may invite persons other than those mentioned in para. 1 to take part in the sitting.

3. A representative of the Supreme Chamber of Control, taking part in a committee sitting, may make comments on the reports and information submitted to the committee by representatives of the Government or by other persons participating in the sitting, and - on request of the committee - he shall provide an explanation pertaining to the investigation conducted by the Supreme Chamber of Control.

### **Article 154**

1. Any Deputy, who is not a member of a committee, may participate in sittings of a committee including those held *in camera*. They may speak in the debate and move motions but they shall have no right to vote.

1a. Members of the European Parliament elected in the Republic of Poland may participate in the committee sitting. They may speak during the discussion.

2. The provisions of paras. 1 and 1a shall not apply to the Constitutional Accountability Committee and to investigative committees appointed pursuant to Article 111 of the Constitution.

2a. Subject to para. 2b, persons engaged in professional lobbying activities and persons authorized to represent an entity engaged in professional lobbying activities may take part in sittings of the committees at which bills are considered. They may speak in the discussion.

2b. The provisions of Article 155 paras 1-4 shall apply, as appropriate, to persons referred to in para. 2a.

2c. The provisions of Chapter 1a shall apply to participation by persons referred to in para. 2a in a sitting at which a public hearing is held.

2d. Persons referred to in para. 2a shall not have a right to participate in sittings of subcommittees.

3. Representatives of professional and social organizations as well as committee experts may, by invitation of the presidium of a committee or its Chairperson, participate in a committee sitting.

4. The Presidium of the Sejm shall establish the principles and manner of use of opinions and experts' reports by committees.

5. The sitting of a committee may, with consent of its Chairperson, be opened to employees of the offices of Deputies' clubs and to the press, radio and television journalists.

### **Article 155**

1. The Chairperson of a committee may reproach a Deputy who, speaking during a sitting, has gone beyond the subject of the committee debate, by calling him to keep to the point under discussion. After a second request to a Deputy to keep to the point under discussion, the Chairperson of a committee may direct the speaker to discontinue his speech.

2. The Chairperson of a committee after having reproached him, may call to order a Deputy who makes it impossible to carry out the debate.

3. In the event of non-compliance by a Deputy with the command of the Chairperson of a committee, as referred to in para. 2, the Chairperson of the committee shall have the right to repeatedly call to order the Deputy, stating that he makes it impossible to carry out the debate.

4. The Chairperson of a committee shall have the right to expel from a committee sitting any Deputy who indulges in making it impossible to carry out the debate and who, during the same sitting, has been admonished under the procedure specified in para. 3. Any Deputy expelled from the sitting shall immediately leave the room in which a committee sitting is held. If such Deputy fails to leave the room in which a committee sitting is held, the Chairperson of the committee shall order a recess in the debate.

5. A Deputy may appeal from the decision of the Chairperson of a committee to the presidium of the committee, which shall immediately consider the case. The Deputy shall not participate in a sitting until a decision in his case is reached.

6. The presidium of a committee shall immediately, but no later than at the next sitting, notify the committee about the result of the appeal. The decision of the presidium of the committee shall be final.

#### **Article 156**

A committee may decide to hold a sitting *in camera*, specifying those persons whose participation is indispensable. The part of the debate, during which such decision is made shall be held *in camera*.

#### **Article 157**

The representatives of State organs, institutions and organizations, participating in a committee sitting, shall give answers to suggestions and comments expressed at that sitting by Deputies either in the course of the current or next sitting of the committee. An answer may be given in writing, if necessary. The Chairperson of a committee shall inform the committee at its next sitting about the substance of the answers received.

#### **Article 158**

1. A committee shall resolve upon desiderata, opinions, reports as well as drafts of Sejm resolutions, mandatory resolutions, appeals, statements or declarations. A committee may, by means of a resolution, take cognizance of information or viewpoints submitted to it.

2. Committee resolutions shall be passed by a majority vote in the presence of at least 1/3 of the total number of members of the committee, unless otherwise provided by statute.

#### **Article 159**

1. A desideratum shall contain a committee's suggestions relating to particular matters and may be addressed to the Council of Ministers or its individual members, to the President of the Supreme Chamber of Control, to the President of the National Bank of Poland, to the Prosecutor General and to the Chief Inspector of Labour.

2. Desiderata adopted by a committee shall be presented by its Chairperson to the Marshal of the Sejm, who shall refer them to the appropriate organs.

3. The Marshal of the Sejm may return a desideratum adopted by a committee to that committee, with reasons given, to reconsider the matter. A desideratum re-adopted by a committee shall be delivered to the addressee by the Marshal of the Sejm.

4. An organ, being the addressee of a desideratum adopted by a committee, shall be obliged to take an attitude towards it and shall notify the Marshal of the Sejm, in writing, about such attitude within 30 days following the day of receipt of the desideratum, unless the Marshal of the Sejm sets, on the request of that organ and in consultation with the presidium of the committee, another time limit.

5. Responses of State organs to desiderata and information from such organs as to the manner of implementation of desiderata shall be considered during a committee sitting.

6. In the event of failure to respond in due time or finding the response unsatisfactory, a committee may renew the desideratum, or submit to the Marshal of the Sejm a motion to reject the answer as unsatisfactory, or submit a draft of the relevant resolution or mandatory resolution to the Sejm.

#### **Article 160**

1. An opinion shall express an attitude towards a particular matter. A committee may present its opinion to the organs mentioned in Article 159 para. 1 and to other central agencies and State institutions. The provisions of Article 159 paras. 2 and 3 shall apply as appropriate.

2. A committee may request the addressee of an opinion to present his attitude towards matters raised in that opinion as well as to render information on the progress of implementation of the conclusions resulting from that opinion; the addressee of the opinion shall, on request of a committee, present his attitude within the time limit specified by Article 159 para. 4; the provisions of Article 159 paras. 5 and 6 shall apply, accordingly, in such matters.

#### **Article 161**

1. Appropriate committees of the Sejm shall control matters pertaining to the implementation and exercise of acts and resolutions of the Sejm.

2. In cases where the range of a scheduled control is connected with the subject matter of activity of another committee, the investigation shall be performed with the cooperation of that committee in a form of a joint control or with participation of representatives of such a committee.

3. The Presidium of the Sejm shall issue guidelines for methods of such control.

4. A committee conducting an investigation shall determine the extent and procedures thereof.

#### **Article 162**

1. The results of control, referred to in Article 161 para. 1, shall be included in reports which shall be delivered to the Marshal of the Sejm.

2. The Marshal of the Sejm shall order the delivery of the reports referred to in para. 1, to all Deputies; the report may be subject to debate during a sitting of the Sejm.

#### **Article 163**

1. Committees may hold joint sittings; such sittings shall be presided over by one of the chairpersons of the committees.

2. Committees which hold joint debate, shall pass their resolutions by a majority vote in the presence of at least 1/3 of the total number of members of each committee participating in the sitting.

3. In instances where, in a vote taken on procedural matters at a sitting of a committee (or committees sitting jointly) the votes cast are equal in number, the casting vote on adoption or rejection of a resolution shall be taken by the chairperson of the committee (chairperson of joint sitting), unless he has taken a decision to abstain.

4. The provisions of para. 3 shall apply, respectively, to a deputy chairperson of a committee if he is chairing the debate of the committee due to the absence of the chairperson.

5. The provisions of Article 188 para. 2, subpara. 1 and para. 3, shall apply accordingly to voting.

#### **Article 164**

1. A committee shall present a report on matters referred to it by the Sejm, the Marshal of the Sejm or the Presidium of the Sejm, for consideration.

2. Committees shall choose from amongst their members a Rapporteur to the Sejm sitting, who shall impartially present the suggestions contained in a committee report.

#### **Article 165**

Committees may appoint subcommittees from amongst their members, determining their composition and scope of activity. Appointment of a standing subcommittee shall require consent of the Presidium of the Sejm.

#### **Article 166**

1. Minutes and a bulletin shall be drawn up from each sitting of a committee.

2. The minutes shall include a detailed record of the proceedings and - in appendices - the texts of bills, reports and drafts adopted, as well as the specification of amendments - offered in writing - to a bill or draft resolution, the texts of submitted answers, information and other material. A member of a

committee, as well as any other person speaking during the debate, may make comments about the minutes; the committee shall decide whether to accept or reject the comments. Minutes, to which no objections have been raised, shall be considered accepted. The minutes shall be signed by the chairperson of a committee who is presiding over the debates. The minutes shall constitute an official record of the proceedings of committee debates.

3. The bulletin shall be the unofficial digest of committee proceedings designed mainly for the use of the press, radio and television.

#### **Article 167**

According to principles and in a manner established by the Presidium of the Sejm, a committee may inspect and examine - with a membership determined by itself - the activity of individual firms and partnerships with a share held by the State Treasury, as well as the activity of enterprises and other State institutions.

#### **Article 168**

1. A committee, whose term of office expires, shall draw up a report on its activity.
2. A committee report may be included in the orders of the day of a Sejm sitting.

### **Part III**

## **SITTINGS OF THE SEJM**

### **Chapter 1**

## **GENERAL PROVISIONS**

#### **Article 169**

1. The Sejm shall deliberate in the course of sittings.
2. The following matters, in particular, shall be the subject of deliberations during sittings of the Sejm:
  - 1) the election of the Marshal, Vice-Marshals and secretaries of the Sejm and the appointment of Sejm committees;
  - 2) the appointment and recall of the President of the Supreme Chamber of Control, the Commissioner for Citizens' Rights, the President of the National Bank of Poland and Inspector General for the Protection of Personal Data;
  - 3) the election of judges of the Constitutional Tribunal, vice-chairpersons and members of the Tribunal of State, members of the Council for Monetary Policy, members of the National Council of Radio Broadcasting and Television as well as the Deputies of the Sejm to be members of the National Council of the Judiciary;
  - 4) Messages from the President of the Republic;
  - 5) bills and draft resolutions of the Sejm;
  - 6) resolutions of the Senate either on the introduction of amendments to a bill passed by the Sejm or the rejection of it;
  - 7) proposals by the President of the Republic concerning reconsideration of a bill passed;
  - 8) draft Budgets and other financial plans of the State, as well as reports on their implementation, together with a motion to grant approval to the accounts submitted by the Council of Ministers;
  - 9) general policy presentation by the Prime Minister, together with a motion requiring a vote of confidence in the Government;
  - 10) election of the Council of Ministers, in cases specified in constitutional provisions;
  - 11) motions for a vote of no confidence in the Government or in individual ministers;
  - 12) comments of the Supreme Chamber of Control on the reports of the Council of Ministers concerning the achievement of social and economic goals and on the implementation of the Budget, as well as the report of the Supreme Chamber of Control on its own activity;
  - 13) information from the Constitutional Tribunal on important problems resulting from its activity and decisions;

- 14) annual reports of the Commissioner for Citizens' Rights relating to his activity and his comments on the respect accorded to citizens' rights and freedoms;
- 15) annual reports on the activity of the National Council of Radio Broadcasting and Television;
- 15a) regular information about the participation of the Republic of Poland in the activities of the European Union;
- 16) matters related to the implementation and exercise of acts and resolutions of the Sejm;
- 17) current information and questions on current issues;
- 18) other matters submitted or referred by the President of the Republic, the Council of Ministers, the Presidium of the Sejm, Sejm committees and by the Deputies.

#### **Article 170**

1. The President of the Republic may participate in a sitting when he considers it advisable to do so.
2. Members of the Council of Ministers and the President of the Supreme Chamber of Control shall participate in the sittings of the Sejm and shall sign an attendance record to prove their presence. In the event of inability to attend a sitting, they may designate an authorized substitute.
3. The Marshal of the Senate, the First President of the Supreme Court - the Chairperson of the Tribunal of State, the President of the Constitutional Tribunal, the Commissioner for Citizens' Rights, the President of the Supreme Administrative Court, the Chairperson of the National Electoral Commission, the Chairperson of the National Council of the Judiciary, the President of the National Bank of Poland, the President of the National Council of Radio Broadcasting and Television, the Inspector General for the Protection of Personal Data, the Head of the Chancellery of the President of the Republic of Poland and Secretaries of State within the Chancellery of the President may participate in sittings of the Sejm.
4. The right to attend the Chamber shall also belong to persons and delegations invited by the Marshal of the Sejm, as well as employees of the Chancellery of the Sejm authorized by him.

#### **Article 171**

1. The Marshal of the Sejm, no later than the 7th day before a scheduled sitting, shall notify the time and orders of the day to the Deputies, the President of the Republic, the Marshal of the Senate, members of the Council of Ministers, the First President of the Supreme Court, the President of the Constitutional Tribunal, the President of the Supreme Chamber of Control, the President of the National Bank of Poland and the Commissioner for Citizens' Rights.
2. In clearly reasonable cases, the time limit referred to in para. 1 may be shortened.

#### **Article 172**

1. Sittings of the Sejm shall be open to the public. The public nature of sittings of the Sejm shall be particularly ensured by:
  - 1) prior information to the general public about sittings of the Sejm;
  - 2) enabling the press, radio and television to report on sittings of the Sejm ;
  - 3) enabling the public, subject to regulations made by the Marshal of the Sejm, to watch the sittings from the gallery in the Chamber.
2. In cases of great national importance, the Sejm may, on a motion of the Presidium of the Sejm or at least 30 Deputies, resolve to hold a sitting *in camera*.
3. The Sejm shall, after hearing the reasons for the motion and without debate, resolve whether to hold a sitting *in camera* without admittance to the public, the representatives of the press, radio and television. The resolution in favour of a closed debate shall be passed by an absolute majority vote in the presence of at least half of the total number of the Deputies.

#### **Article 173**

1. Sittings of the Sejm shall be held at times set by the Presidium of the Sejm or by resolution of the Sejm.
2. The Marshal of the Sejm shall set the orders of the day for a Sejm sitting after hearing an opinion of the Council of Seniors.

3. Motions to supplement the proposed orders of the day shall be made by clubs, groups or at least 15 Deputies, and shall be presented in written form to the Marshal of the Sejm no later than 12 hours before the commencement of the sitting.

4. If there is no unanimous opinion of the Council of Seniors concerning the orders of the day, a decision on the disputed point shall be taken by the Sejm following presentation of the case by the Marshal of the Sejm. The vote shall not be preceded by any debate or posing of questions.

5. Motions, referred to in para. 3, which have not been accepted by the Marshal of the Sejm, shall be subject to decision of the Sejm taken within 6 months of their submission.

#### **Article 174**

1. Suggestions and comments offered by Deputies in the course of a sitting of the Sejm shall be carefully considered by the appropriate State organs, institutions and organizations.

2. The Marshal of the Sejm may request the appropriate organs, institutions and organizations to present their attitude towards a suggestion or comment made by a Deputy in the course of a sitting.

#### **Article 175**

1. The Marshal of the Sejm shall safeguard the observance of the Standing Orders of the Sejm in the course of its debates and shall maintain order in the Chamber.

2. The Marshal of the Sejm may reproach a Deputy who, speaking during a sitting, has gone beyond the subject of the debate specified in the order of the day, by calling him to keep to the point under discussion. After a second request to a Deputy to keep to the point under discussion, the Marshal may direct the speaker to discontinue his speech.

3. The Marshal of the Sejm after having reproached him, may call to order a Deputy who makes it impossible to carry out the debate.

4. In the event of non-compliance by a Deputy with the command of the Marshal of the Sejm, as referred to in para. 3, the Marshal of the Sejm shall have the right to repeatedly call to order the Deputy, stating that he makes it impossible to carry out the debate.

5. The Marshal of the Sejm shall have the right to decide to expel from a sitting any Deputy who indulges in making it impossible to carry out the debate and who, during the same sitting, has been admonished under the procedure specified in para. 4. Any Deputy expelled from the sitting shall immediately leave the Chamber. If that Deputy fails to leave the Chamber, the Marshal of the Sejm shall order a recess in the debate.

6. A Deputy may appeal from the decision of the Marshal of the Sejm to the Presidium of the Sejm, which shall immediately consider the case in consultation with the Rules and Deputies' Affairs Committee. The Deputy shall not participate in a sitting until a decision in his case is reached.

7. The Presidium of the Sejm shall immediately, but no later than at the next sitting, notify the Sejm about the result of the appeal. The decision of the Presidium of the Sejm shall be final.

#### **Article 176**

1. Minutes and a shorthand report, which shall constitute the sole official record of the proceedings in the debate, shall be drawn up from a sitting of the Sejm.

2. A shorthand report shall contain a complete, stylistically edited record of proceedings in the debate and the appendices, including the texts of interpellations and answers to them, specifications of bills and draft resolutions introduced in the debate, specification of results of votes by roll call. A shorthand report shall also contain texts which have not been heard in the Sejm, if the Marshal of the Sejm, on request of a Deputy, has given his consent to their publication in such form. Any text which has not been heard shall be marked in such a way as to make it easy to distinguish it from texts heard.

3. A Deputy, and any participant in the sitting, who takes part in the debate, may authenticate his speech, making editorial corrections, not later than within 5 hours following the time of delivery of the speech. Corrections lodged after that time limit shall be entered in the next shorthand report.



4. The minutes of a sitting shall contain a short record of proceedings of the debate and, in the appendices - complete texts of bills passed, resolutions adopted, reports and motions submitted, as well as other materials considered by the Sejm.

5. A Deputy, and any participant in the sitting, who takes part in the debate, may raise objections to the minutes drawn up, no later than the moment of commencement of the next sitting of the Sejm. The decision whether to accept or reject an amendment shall be taken by the Sejm by a majority vote, without discussion.

6. Minutes, to which no objections have been raised or amendments offered, shall be considered accepted. The acceptance of the minutes shall be indicated by the signature of the Marshal of the Sejm, or of the Vice-Marshal presiding over the debate, along with the signature of the secretary of the sitting responsible for drawing up the minutes. The minutes, stamped with the seal of the Sejm of the Republic of Poland, shall be kept in Sejm Archives.

7. The Marshal of the Sejm shall order printing of shorthand reports.

#### **Article 177**

Locations of collective work by Deputies shall be no smoking areas.

### Chapter 2

## **DEBATES OF THE SEJM**

#### **Article 178**

The Marshal or Vice-Marshal as his substitute, shall preside over debates of the Sejm with the assistance of two Secretaries of the Sejm.

#### **Article 179**

1. The Marshal of the Sejm shall give the floor to speakers in relation to matters included in the orders of the day for a sitting.

2. Deputies wishing to participate in the discussion on a particular item in the orders of the day shall enter their names on a list of speakers kept by a Secretary of the Sejm.

3. The Marshal of the Sejm shall give the floor to Deputies according to the sequence of their registration. Upon hearing an opinion of the Council of Seniors, the Presidium of the Sejm may determine a different sequence of speakers.

#### **Article 180**

1. No speech of a Deputy may last longer than 10 minutes, excepting speeches on behalf of a club, which may not exceed 20 minutes. The Marshal of the Sejm, with consent of the Council of Seniors, may set another time limit for speeches and present it to the Sejm for approval.

2. No Deputy may speak more than twice in a debate on the same matter. A Deputy speaking for the second time on the same matter may not speak longer than 5 minutes.

3. The Marshal shall decide on an extension of the time limit for a speech and on giving once again the floor to a Deputy.

#### **Article 181**

1. The Presidium of the Sejm, upon hearing an opinion of the Council of Seniors, may present to the Sejm a proposal to keep the debate within the time limits available to Deputies' clubs and groups.

2. In the event that the Sejm has decided to conduct the discussion in the manner specified in para. 1:

1) a Deputy who has not participated in the discussion, shall have the right to deliver, in the course of the discussion, to a Secretary of the Sejm who keeps the list of speakers, the text of a speech, signed by himself, on a given item in the orders of the day. Motions and amendments contained in such speech shall be treated as if heard in the discussion;

2) raising a point of order, as referred to in Article 184, para. 3, subpara. 1 in respect of the closure of a sitting, subpara. 3, subpara. 4 - in respect of the closing of a discussion, subparas 7, 8 and 10 - shall be inadmissible.

3. The debate, referred to in para. 1 may be conducted in the form of statements made on behalf of clubs and groups. In such case, the club or group shall decide whether one Deputy or more Deputies will speak on its behalf within the time limit available to that club or group.

4. The time limit for all speeches of a non-aligned Deputy during one sitting of the Sejm shall be no longer than 6 minutes.

### **Article 182**

The Marshal of the Sejm may allow the posing of questions in the course of consideration of a particular item in the orders of the day. This provision shall not apply to other questions prescribed by the Standing Orders of the Sejm.

### **Article 183**

The Marshal of the Sejm may set a time limit for posing questions by a Deputy, which shall equally bind all Deputies.

### **Article 184**

1. Subject to para. 7, the Marshal of the Sejm shall give the floor regardless of the orders of the day for the sitting or in respect of a debate exclusively for raising a point of order, or for rectification of a statement that has been misunderstood or imprecisely quoted.

2. Points of order may be raised only in respect of matters being the subject of the orders of the day or the proceedings in a sitting.

3. Points of order shall include motions to:

- 1) suspend, postpone or close the sitting;
- 2) resolve upon an *in camera* sitting;
- 3) close the list of speakers;
- 4) close the debate;
- 5) proceed according to the orders of the day;
- 6) refer to a committee;
- 7) vote without debate;
- 8) alter the procedure of the discussing;
- 9) alter the procedure of voting;
- 10) limit the time of speeches;
- 11) confirm a quorum;
- 12) count votes cast.

4. The Sejm shall decide on a point of order, referred to in para. 3, subparas 3, 4 and 10-12, by a majority vote of Deputies present.

5. The Sejm shall decide on a point of order upon hearing of the mover of the motion and, if necessary, of one opponent thereof.

6. A motion, referred to in para. 3, subpara. 1, concerning the closure of a sitting and a motion referred to in para. 3, subpara. 4, concerning the closing of discussion, may not be moved in the course of a debate on a constitutional bill or on bills to amend constitutional provisions, or in relation to the draft Budget and other financial plans of the State.

7. The Marshal of the Sejm shall give the floor, regardless of the orders of the day, for moving a motion to postpone the debate. The Marshal of the Sejm may put to a vote a motion mentioned in the first sentence. The provisions of para. 4 shall apply as appropriate.

8. No speech delivered regardless of the orders of the day may last longer than 2 minutes.

### **Article 185**

1. The Marshal of the Sejm may give the floor, regardless of the orders of the day, for the making of a Deputy's Statement. Any matter, whose substance is an interpellation or Deputy's question, may not be the subject of a Deputy's Statement. A Deputy's Statement may be made only at the end of each day of the debate.

2. No Deputy's Statement may last longer than 5 minutes.

3. A Deputy's Statement shall not be subject to discussion.

#### **Article 186**

1. The Marshal of the Sejm shall give the floor, regardless the order of the day, to the President of the Republic, at his request, for delivery of a Message. The Message shall not be subject to discussion.

2. The Marshal Sejm shall give the floor, regardless of the list of speakers, to members of the Council of Ministers, to the President of the Supreme Chamber of Control, to the Head of the Chancellery of the President of the Republic of Poland and a Secretary of State within the Chancellery of the President substituting the Head of the Chancellery of the President at a given sitting, at any time they wish to speak.

3. The Marshal of the Sejm shall give floor, regardless the list of speakers, to the First President of the Supreme Court - the Chairperson of the Tribunal of State, to the President of the Constitutional Tribunal, to the Commissioner for Citizens' Rights, to the President of the Supreme Administrative Court, to the Chairperson of the National Electoral Commission, to the Chairperson of the National Council of the Judiciary, to the President of the National Council of Radio Broadcasting and Television, to the Inspector General for the Protection of Personal Data and to the President of the National Bank of Poland, in relation to matters falling within the scope of their statutory activity.

#### **Article 187**

Subject to Article 186, upon completion of speeches from the list of speakers only a sponsor, a representative of the Legislative Committee, referred to in Article 85, and a Rapporteur may speak and, afterwards, the Marshal of the Sejm shall close the discussion.

### **Chapter 3**

### **VOTING**

#### **Article 188**

1. The Marshal of the Sejm shall, upon the closure of the discussion, announce that the Sejm shall proceed to vote. After such point in time, a person may speak only in order to raise or justify a point of order relating to the manner or order of the vote, and only prior to the point in time when the Marshal calls upon Deputies to vote.

2. Voting shall be overt and taken:

1) by show of hands, simultaneously with the use of the voting machine;

2) by use of voting cards with the Deputy's first and last name signed thereon (vote by roll call).

3. In the event that taking of a vote by means of voting machine is impossible, the Marshal of the Sejm may order the vote to be taken by show of hands and the counting of votes cast to be done by secretaries.

4. A decision to take a vote by roll call shall be made by the Sejm, by majority vote, on a motion of the Marshal of the Sejm or a written motion supported by at least 30 Deputies. A vote by roll call shall be done by means of a ballot-box, prepared for this purpose; Deputies, named by a Secretary of the Sejm, shall - in alphabetical order - drop their voting cards into the ballot-box. The Marshal of the Sejm shall designate five secretaries of the Sejm to open the ballot-box and to count the votes cast.

5. Results of a vote shall be announced by the Marshal of the Sejm. Results of a vote by roll call shall be announced on the basis of minutes presented by the secretaries of the Sejm designated to count votes. The results of a vote shall be final and may not be subject to discussion, subject to Article 189.

#### **Article 189**

1. In the event that the result of a vote creates reasonable doubts, the Sejm may repeat the vote.

2. A motion to that effect may be moved exclusively at the sitting in which the vote was held.

3. The Sejm shall decide on the repetition of a vote on a written motion moved by at least 30 Deputies.

4. Results of a vote by roll call shall not be subject to repetition.

#### **Article 190**

The Sejm shall pass bills by a majority of votes in the presence of at least half of the statutory number of Deputies, unless the Constitution provides otherwise. The same procedure shall apply to adoption of

resolutions and other decisions, unless provisions of the Constitution, of statutes or the Standing Orders of the Sejm provide otherwise.

#### Chapter 4

### **INTERPELLATIONS, CURRENT INFORMATION, DEPUTIES' QUESTIONS AND QUESTIONS ON CURRENT ISSUES**

#### **Article 191**

1. Interpellations, requests for providing current information, Deputies' questions and questions on current issues may be addressed to members of the Council of Ministers.

2. The Marshal of the Sejm shall include in the orders of the day of each sitting of the Sejm an item for "current information" and an item for "questions on current issues".

#### **Article 192**

1. A Deputy shall be entitled to lodge an interpellation in relation to significant matters and those concerning state policy.

2. An interpellation shall contain a short presentation of the actual situation to which it is addressed and questions arising therefrom, and shall be relevantly related to area of competence of the person addressed.

3. An interpellation shall be submitted in writing to the Marshal of the Sejm.

4. The Presidium of the Sejm shall decide not to proceed with an interpellation which does not meet the requirements specified in paras. 1 and 2.

5. The Presidium of the Sejm may request that phrases inconsistent with the Deputy's ethic standards be deleted from an interpellation, under pain of non-acceptance of the interpellation.

6. The Marshal of the Sejm shall immediately deliver the interpellation to the person addressed.

7. The Marshal of the Sejm shall inform the Sejm, at the sitting, on interpellations accepted. The text of an interpellation shall be published in the appendix to the shorthand report of that sitting of the Sejm. At the sitting, the Marshal shall inform the Sejm about answers received to interpellations and about the lack of answer to interpellations.

#### **Article 193**

1. An answer to an interpellation shall be given in writing no later than 21 days following the day of its receipt.

2. A written answer, accompanied by two copies, shall be given to the Marshal of the Sejm. The Marshal of the Sejm shall deliver to the interpellator a copy of the answer. The text of a written answer to an interpellation shall be published in the appendix to the shorthand report of that sitting of the Sejm.

3. In the event that the interpellator is not satisfied with the response referred to in para. 2, he may apply to the Marshal of the Sejm for requesting additional written explanations from the person addressed, giving the reasons for non-acceptance of the response. Such a request may be submitted only once and not later than 30 days following the day of receipt of an unsatisfactory answer. Additional explanations shall be given by the person addressed not later than 21 days following the day of receipt of the request for additional explanations.

#### **Article 194**

1. The right to submit a request that current information (hereinafter called "information") be presented at the sitting of the Sejm by a member of the Council of Ministers, shall belong to a club or a group of at least 15 Deputies. The provisions of Article 192, paras. 1 to 6 shall apply as appropriate.

2. The request, referred to in para. 1, shall be submitted by 9 o'clock p.m. of the day preceding the day of the sitting of the Sejm, with reasons given and specifying its addressee.

3. The Presidium of the Sejm, after seeking an opinion of the Council of Seniors, shall determine which of the submitted proposals for information is accepted and will be considered at the next sitting of the Sejm. When choosing the subject of information, the Presidium of the Sejm considers, above all, its significance and topicality. It also takes into account the number of members of the club or a group which have proposed subjects for information.

4. If there is lack of uniform opinion of the Council of Seniors on the matter referred to in para. 3, a decision on the choice of information shall be made by the Sejm after the case is presented by the Marshal of the Sejm.

5. The Presidium of the Sejm shall inform the Deputies which of the proposed information will be included in the agenda of a particular sitting of the Sejm.

6. Consideration of information at the sitting of the Sejm shall require presentation of reasons for the request by a Deputy designated by the entity entitled to submit it and the answer of the representative of the Council of Ministers. Presentation of reasons may last no longer than 5 minutes; and the answer to it – no longer than 10 minutes.

7. Information presented shall be subject to discussion.

8. A speech of a Deputy during the discussion may last no longer than 2 minutes; the order of speeches shall be determined by the Marshal of the Sejm taking into consideration that speeches of Deputies belonging to a club, those belonging to a group and speeches of non-aligned Deputies are made alternately.

9. At the end of the discussion, the debaters shall speak in the following order: a representative of the requesters and a representative of the Council of Ministers; a speech of the representative of the requesters may last no longer than 5 minutes and a speech of the representative of the Council of Ministers may last no longer than 10 minutes. The Marshal of the Sejm may give his consent for an extension to the time of a speech of the representative of the Council of Ministers.

10. The time limit set for consideration of an item for “current information” shall be no longer than 90 minutes.

### **Article 195**

1. Deputies’ questions may be lodged in relation to matters of individual nature, concerning internal and external policy pursued by the Council of Ministers and public tasks performed by the government administration.

2. Provisions of Article 192 paras. 2-7 and Article 193 paras. 1 and 2, shall apply, as appropriate, to Deputies’ questions.

### **Article 196**

1. Questions on current issues shall be posed orally during each sitting of the Sejm and a direct answer shall be given to them.

2. A Deputy, by 9 o’clock p.m. on the day preceding the day of the commencement of a sitting of the Sejm, shall inform the Marshal of the Sejm about general subject of a question and its addressee.

3. The Presidium of the Sejm, after seeking an opinion of the Council of Seniors, shall set an order of posing questions for each sitting.

4. The Presidium of the Sejm shall inform the Deputies which of the questions on current issues have been included in the agenda of a particular sitting of the Sejm.

5. In the course of consideration of “questions on current issues” answers shall be given by ministers to whom the questions have been addressed or, in exceptional situations, by persons authorized by them.

6. The item in the order of the day of the sitting of the Sejm for “questions on current issues” shall cover consideration of no more than 11 questions.

7. Consideration of the question by the Sejm shall include presentation of the substance thereof and provision of an oral answer by the person to whom the question was addressed or by the person authorized by that person. The posing of a question may last no longer than 2 minutes, and giving an answer - no longer than 6 minutes.

8. A question and an answer given thereto shall not be subject to discussion. The right to pose additional question shall belong exclusively to the person posing the original question. The additional question may last no longer than one minute, the additional answer - no longer than 3 minutes. The Marshal of the Sejm may give his consent for an extension to the time for answering an additional question.

*Articles 197 and 198 are repealed*

#### Part IV

### **CHANCELLERY OF THE SEJM**

#### **Article 199**

1. The Chancellery of the Sejm shall perform organizational and technical as well as consultative tasks related to the activity of the Sejm and its organs.

2. The Chancellery of the Sejm shall enable the Deputies to perform their representative functions, and shall in particular deliver the Sejm's Papers and other reports and materials related to the work of the Sejm, including consolidated texts of bills; it shall enable the Sejm to take advantage of professional literature, analyses and experts' reports; and shall provide adequate conditions to the Deputies for participating in the work of the Sejm and its organs, and shall provide technical, organizational and financial means for the proper functioning of Deputies' offices or other organizational units rendering services to Deputies in constituencies.

3. The Chancellery of the Sejm shall make accessible public information under the procedure referred to in Part IVa.

#### **Article 200**

1. The Chancellery of the Sejm shall be directed by the Chief of the Chancellery of the Sejm with assistance of no more than two deputies.

2. The Chief of the Chancellery of the Sejm shall be appointed and recalled by the Marshal of the Sejm in consultation with the Rules and Deputies' Affairs Committee.

3. Deputy Chiefs of the Chancellery of the Sejm shall be appointed and recalled by the Marshal of the Sejm in consultation with the Chief of the Chancellery of the Sejm.

#### **Article 201**

1. The Chief of the Chancellery of the Sejm shall be the official superior of all the employees of the Chancellery of the Sejm and shall be responsible for their activity.

2. The Chief of the Chancellery of the Sejm shall be responsible for implementation of the budget of the Chancellery of the Sejm and for the property of the State Treasury administered by the Chancellery of the Sejm.

#### **Article 201a**

There shall be an Information System of the Sejm, using electronic format and designed to collect, process and make accessible data relating to the activities of the Sejm and its organs and the Chancellery of the Sejm.

#### **Article 201b**

1. A person engaged in professional lobbying activities and a person authorized to represent an entity engaged in professional lobbying activities shall have the right of access to buildings administered by the Chancellery of the Sejm to the extent enabling that person to perform such activities.

2. A temporary pass shall be issued to a person referred to in para. 1 upon request of that person. A temporary pass shall be issued for a definite period of time and shall authorize the holder to use a particular entrance and to move about indicated areas administered by the Chancellery of the Sejm.

3. A person referred to in para. 1, while on the premises administered by the Chancellery of the Sejm, shall be required to wear a temporary pass clipped to his clothing, enabling others to identify that person.

4. A request referred to in para. 2 shall be made in writing upon a prescribed form and shall contain the following data concerning the entity engaged in a professional lobbying activities:

- 1) forename(s), surname and the PESEL registration number of the person referred to in para. 1;
- 2) information about the interest which the entity intends to protect in relation to a given piece of legislation.

5. A person referred to in para. 1 shall append to the request referred to in para. 2 his photo and the certificate of an entry of the entity represented by that person in the register of entities engaged in professional lobbying activities as well as a written statement containing an indication of entities to whose benefit such activities are performed.

6. A person referred to in para. 1, shall notify any change in the data contained in the request referred to in para. 2 within 7 days from the day the change has occurred.

7. Data contained in the request referred to in para. 2, and in the appended documents referred to in para. 5, except for the PESEL registration number and the address of a natural person, shall be made accessible on the Information System of the Sejm.

#### **Article 201c**

1. Persons referred to in Article 201b para. 1 may submit documents, in particular, the proposed legal solutions as well as expert's and legal opinions, only to the committee which has considered a given bill or to a committee competent by reason of the scope of its activity.

2. Documents referred to in para. 1 shall be made accessible on the Information System of the Sejm or by indicating a place of public access to those documents or a place of storage thereof in the Chancellery of the Sejm.

#### **Article 202**

The organization of the Chancellery of the Sejm shall be specified in the Statute of the Chancellery promulgated by motion of the Chief of the Chancellery of the Sejm, pursuant to Article 10 para. 1 subpara. 14.

#### **Part IVa**

### **ACCESS TO PUBLIC INFORMATION**

#### **Article 202a**

1. The Chancellery of the Sejm shall make public information accessible by publicizing documents and other information on the Information System of the Sejm.

2. Public information may be made accessible by indicating a place of public access thereto or a place of storage thereof in the Chancellery of the Sejm.

3. Public information which has not been made accessible in a manner referred to in para. 1 or para. 2 shall be made accessible by the Chancellery of the Sejm upon a written request. The request may be sent through the Information System of the Sejm.

#### **Article 202b**

Articles 12-15 of the Act of 6 September 2001 on Access to Public Information (Dziennik Ustaw of 2001 No. 112, item 1198, of 2002 No. 153, item, 1271, of 2004 No. 240, item 2407 and of 2005 No. 64, item 565 and No. 132, item 1110) shall apply, as appropriate, to making accessible public information referred to in Article 202a.

#### **Article 202c**

1. In the case specified in Article 14 para. 2 of the Act of 6 September 2001 on Access to Public Information, the Chief of the Chancellery of the Sejm shall refuse to make public information accessible or to discontinue the proceedings on making such information accessible. The provisions of Articles 16, 21 and 22 of that Act shall apply as appropriate.

2. A party unsatisfied with the decision referred to in para. 1 may apply to the Chief of the Chancellery of the Sejm for reconsideration of the matter.

#### Part V

### **SPECIAL AND FINAL PROVISIONS**

#### **Article 203**

This Resolution may be amended by motion moved by the Presidium of the Sejm, by the Rules and Deputies' Affairs Committee or by at least 15 Deputies.

#### **Article 204**

Draft resolutions concerning the Standing Orders of the Sejm shall be considered in three readings unless the Sejm decides otherwise; Articles 36-50 shall apply as appropriate.

#### **Article 204a**

In the event that a resolution, as referred to in Article 21 para. 1, Article 22 para. 1, Article 25 para. 1 or 2, or Article 147 para. 1, has been passed in relation to a member of the Rules and Deputies' Affairs Committee, and that no appeal has been lodged against it or it has been upheld by the Sejm or the Presidium of the Sejm, respectively, the member of the Committee shall cease to be member of the Committee.

#### **Article 205**

This Resolution shall be published in the Official Gazette of the Republic of Poland - "*Monitor Polski*".

#### **Article 206**

The resolution of the Sejm of the Republic of Poland of 17th July, 1986 - The Provisional Standing Orders of the Sejm of the Republic of Poland (Monitor Polski No. 21, item 151; of 1987 No. 29, item 225 and No. 36, item 303; of 1989 No. 26, item 202; of 1990 No. 16, item 121 and No. 30, item 229; of 1991 No. 43, items 296 and 297; and of 1992 No. 8, item 55) shall cease to have effect.

#### **Article 207**

The Resolution shall enter into force 30 days following the passage thereof.



**SUBJECT MATTER OF ACTIVITY  
OF SEJM COMMITTEES**

The under-mentioned matters come within the competence of the following committees:

1) Administration and Internal Affairs - State administration as well as security, public order and safety, as well as geodesy and cartography;

2) Special Services - providing opinion on bills and draft resolutions pertaining to the Special Services and assessment of normative acts of a general nature in matters concerning the functioning of these services; providing opinions, directions of work of the Special Services on the basis of information presented by chiefs of these services; examination of annual reports submitted by chiefs of these services; providing opinions on the proposed nominations for the positions of chiefs or their deputies; providing opinions on the draft budget in that part concerning the Special Services and the reports on its implementation; providing opinions on co-operation between the Special Services subordinate to the Minister of Interior and Administration and to the Minister of National Defence as well as co-operation of these services with other services and military units supervised by the Minister of Interior and Administration; assessment of co-operation between the Special Services and organs of State administration and organs of prosecution as well as examination of complaints concerning the activity of the Special Services.

3) State Control - activity of the Supreme Chamber of Control and the State Inspectorate of Labour and, in particular, providing opinion on schedules of activities of the Supreme Chamber of Control and annual reports on the activity of the Supreme Chamber of Control and the State Inspectorate of Labour, their budgets and reports on the implementation thereof, providing opinion on the draft statute of the Supreme Chamber of Control and the draft statute of the State Inspectorate of Labour, providing opinion on other decisions of the Sejm organs as well as conclusions and material resulting from the Act on the Supreme Chamber of Control, submitting to the Sejm motions for an immediate delivery of information about the results of audits conducted by the Supreme Chamber of Control, conducting regular appraisal of the activity of the Supreme Chamber of Control and the State Inspectorate of Labour, including an analysis of conducted audits and realization of post-audit statements and their delivery to the Marshal of the Sejm, as well as the activities of regional audit chambers.

3a) European Union Affairs - matters related to Poland's membership in the European Union, particularly the taking of a position and expressing an opinion on draft legislative acts of the European Union, on draft international agreements to which the European Union, the European Communities or their Member States are to be the parties, on operational programmes of activities of the Council of European Union and on annual legislative plans of the European Commission, the formulating of recommendations to the Council of Ministers regarding the position the Council of Ministers is to take during the consideration of the proposal in the Council of European Union, the considering of information and other documents from the Council of Ministers, and also pronouncing an opinion on proposed candidatures for positions in the European Union bodies.

4) Education, Science and Youth - pre-school and primary, secondary, vocational, college and academic education, adult education, schooling, complementary and in-service education of teachers and scholars, rest, physical education and sport of children and youth, care of children and youth, archives, science and technology policy, organization and management of science, scientific research, research and development units, practical application of research results, inventions and rationalization, standardization, metrology and quality control, scholarly associations and corporations, scientific co-operation with foreign countries, school and academic self-government as well as self-government in research and development units and also realization of aspirations of the younger generation, social and professional adjustment of young people; the scope of activity by the Education, Science and Youth Committee, specified above, does not exempt other Sejm committees from taking special care of problems of scientific and technological progress within their competence;

5) Deputies' Ethics - drawing up the "Principles of Deputies' Ethics", supplementing and correcting thereof, as well as their dissemination among Deputies, examination of cases of Deputies conducting themselves in a manner inconsistent with Deputy's dignity, examination of cases involving the Register of Interests and financial declarations of Deputies;

6) *repealed*;

7) Public Finances - monetary, credit and tax systems, wages and incomes, the Budget and State financial plans, grants, agencies and foundations with participation of the State Treasury, property insurance, custom duties and statistics;

8) Economic - economic policy, in particular restructuring of the economy, industry effectiveness, foreign and domestic trade, technology, direct investment and involvement of foreign capital, as well as workers', business and employers' self-government, tourism, protection against operation of monopolies, in particular natural monopolies, ensuring freedom of competition in the market, the acceptability of concessions for performance of professions or economic activities, preventing monopolization practices and protection of consumer rights;

9) Infrastructure - construction, physical planning, housing economy, land, air and water transport, radio and telephone communication, computer networks, telecommunications and posts, as well as maritime economy, including merchant fleet, seaports, sea fishery and provision of information concerning maritime problems;

10) Physical Education and Sport - physical culture and sport;

11) Culture and Media - the cultural and information policy of the State, including promotion of culture, art and creation, dissemination of culture, preservation of cultural heritage, matters pertaining to the press, radio and television, publications, voluntary cultural activity, and cultural cooperation with foreign countries;

12) Liaison with Poles Abroad - ties with the Homeland by Poles and persons of Polish origin living abroad permanently or temporarily;

13) National and Ethnic Minorities - the preservation of the cultural heritage of national, ethnic and language minorities and the protection of their rights;

14) National Defence - the defence of the State, particularly in relation to the activity of the armed forces, the State system of territorial and civil defence and its functioning, fulfilment of duties in the field of strengthening national defence by State organs and enterprises, by cooperative and non-profit organizations and by citizens, as well as the problems of production establishments in the military sector;

15) Environmental Protection, Natural Resources and Forestry - the protection and development of the environment as well as the protection of its exhaustible resources, water economy, inland waterways, meteorology, hydrology, geology and also forestry and forest economy;

16) Constitutional Accountability - the conduct of proceedings to examine the fairness of the originating motions received for the purpose of bringing persons to constitutional accountability, to adopt resolutions on that subject, and to submit to the Sejm reports on works completed;

17) Social Policy - the development of social policy of the State, social problems, social insurance, social benefits, social assistance, municipal housing and problems of the disabled and veterans;

17a) Labour - labour law, including protection of employees, safety and hygiene at work, equal treatment in employment, as well as wage systems and costs of living, combating unemployment, labour market, labour costs, employment and protection of rights of Polish citizens employed in the European Union states, employment of graduates and professional activation of persons in the pre-retirement age.

18) Rules and Deputies' Affairs - the grant by the Sejm of permission to bring a Deputy to account for the commission of an offence or misdemeanour or to arrest or detain him, the provision of means to a Deputy enabling him to discharge his functions, expiry of his term of office, the activity of Deputy offices, the interpretation and application of the Standing Orders of the Sejm and examining complaints and suggestions referred to the Sejm and its organs; consideration of charges brought against Deputies for failure to fulfil their duties as Deputies; exercise of permanent supervision over the work of the Chancellery of the Sejm;

18a) Family and Women's Rights – matters directly resulting from functioning of the family, fulfilment of its roles and tasks, as well as presenting legislative proposals relating to these issues and matters concerning the protection of women's rights and providing them equal opportunities in occupational and social life, as well as matters related to the observance of the constitutional principle of equal rights of men and women;

19) Agriculture and Rural Development - agriculture, horticulture, fruit-farming, purchasing of products, breeding, agricultural co-operatives, crop and forest area management and protection, supplying agriculture and rural areas with means of production, including means for drainage and water supply, food industry, inland fishery and fish processing, socio-professional organizations of farmers and socio-economic situation of the rural population; the scope of activity of the Committee also encompasses determination of methods for preventing monopolistic practices by organs and structures involved in the above-mentioned activities as well as the development and modernization of rural infrastructure and issues connected with agricultural education and consultancy;

19a) Enterprise Development - creation of adequate legal basis for setting up, functioning and development of micro-, small and medium enterprises, adjustment of legal framework to the needs and capabilities of functioning of such enterprises, as well as development of handicraft, co-operatives and as economic activity in small business and services;

20) Local Government and Regional Policy - the organization and functioning of local government structure, administration of communal property, municipal economy, physical planning and development of regions and local communities; the scope of activity of the Committee also encompasses examination of outlines of regional policy of the State;

21) State Treasury - transformation of the form of ownership, in particular within the State sector, as well as supervision over public property in the economy;

22) Foreign Affairs - the foreign policy of the State;

23) Justice and Human Rights - the observance of law and rule of law, the courts, public prosecutors and notary offices, the Bar and legal services, the functioning of attorneys' and legal counsels' self-government, and observance of human rights;

24) Legislative - problems of legislation and legal cohesion, cooperation in the organization of the legislative process and ensuring its propriety, consideration of bills and draft resolution of considerable degree of legislative complexity, matters related to proceedings before the Constitutional Tribunal and resulting from judgments of the Constitutional Tribunal, and also participation in supervision of implementation and application of laws and resolutions of the Sejm and coordination of the above said activities;

25) Health - health protection.

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