Resolution 19 (1952)[1]

Revision of Rules 7, 42 and 45 of the Rules of Procedure of the Assembly

Parliamentary Assembly

Rules 7 and 42, detached from the revised draft Rules of Procedure, together with Rule 45, are modified and re-drafted as follows :

RULE 7 - Duration of term of office of Representatives and Substitutes

1. Representatives and Substitutes shall remain in office until the opening of the next Ordinary Session, except that in the event of elections to their Parliaments taking place, Members shall be entitled to make new appointments.

2. Representatives and Substitutes who have been replaced as a result of elections to their Parliaments shall continue to sit in Committees until the first Sitting of the Assembly following the appointment of such new Representatives or Substitutes.

3. In the event of a seat being vacated through death or resignation, the Bureau may, during the periods between Sessions or parts of Sessions, provisionally fill the seats which have fallen vacant in committees with other Representatives or Substitutes.

RULE 42 - Procedure in Committee

4. A Committee shall meet when convened by its Chairman or at the request of the President of the Assembly, either during or between Sessions.

5. A Committee may, in the interest of its work, appoint one or more sub committees, of which it shall at the same time determine the composition and competence.

6. Any two or more Committees or sub-committees may hold a joint meeting for the examination of subjects coming within their competence, but may not reach a joint decision.

7. The Rules adopted for the Assembly concerning the election of the President and Vice-Presidents (Rule 9), the Minutes of Proceedings (Rule 21), amendments (Rule 29), the right to speak (Rule 31), procedural motions (Rule 32), and methods of voting (Rule 34), shall apply to the proceedings of committees, subject to the following provisions :

a. A Committee shall vote by show of hands, unless any Representative shall demand a vote by roll-call. The vote on a report considered as a whole shall, however, always be by roll-call. The roll shall be called alphabetically beginning with the letter `A'. Election shall take place by secret ballot. The formal proposal of candidates is optional.

b. Voting in Committee shall be by absolute majority of the votes cast ; provided that election shall be by relative majority at the second ballot, if necessary.

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1. This Resolution was adopted by the Assembly at its Twenty-third Sitting, 27th September, 1952 (see Doc. 88, Report of the Committee on Rules of Procedure and Privileges).

c. A Committee may deliberate when one-third of its members are present, but the vote on a Report considered as a whole shall not be valid unless the majority of the members of the Committee are present.

8. 5. The Chairman of the Committee may take part in discussions and may vote, but without having a casting vote.

9. 6. Any Representative, being a member of a Committee, who is prevented from attending a meeting of that Committee, may arrange to be replaced by another Representative or Substitute of the same nationality as himself. He must give notice to the Chairman, who will in turn inform the Committee. The Representative or Substitute who replaces him, and has been nominated in due form, shall have the same rights in Committee as the member himself.

10. A member of a Committee who is unable to attend several Committee meetings should be replaced on each occasion by the same Representative or by the same Substitute, provided that in special cases he may, with the consent of the Chairman of the Committee, arrange to be replaced by another Representative or Substitute of the same nationality as himself.

11. 7. Committee meetings shall be held in private. Unless a Committee decides to the contrary, Representatives and Substitutes may attend meetings of the Committees of which they are not members, but they may not take part in their discussions.

12. A Representative or Substitute, who has moved a motion which has been referred to a Committee, may, however, be invited by that Committee to take part in its discussions in an advisory capacity.

13. 8. Minutes of Proceedings shall be drawn up for each Committee meeting. In addition, a summary record of the proceedings shall be compiled to which Representatives may have access but which will not be distributed.

14. 9. Unless the Committee decides otherwise, the only texts which shall be made public shall be the reports that have been adopted or statements issued on the responsibility of the Chairman.

RULE 45 - Access to the Assembly and Committees

Representatives on the Committee of Ministers or any other Minister of the Government of a Member State having a mandate from, or being authorised by, the Committee of Ministers, shall have the right of access to the Assembly and its Committees. They shall be given the right to speak whenever they wish. They may not vote.