Resolution 271 (1964)[1]

General revision of the Rules of Procedure of the Assembly

Parliamentary Assembly

The Assembly,

Considering that it is necessary to co-ordinate a number of provisions of its Rules of Procedure which, as a result of successive changes made since 1951, occasionally give rise to anomalies ;

Considering that some provisions of the Rules of Procedure which have remained academic must be brought into line with the practice adopted both in committee and in plenary Session ;

Having regard to the procedural implications of proposals adopted by the Assembly in its Resolution 246 on the re-activation of the Council of Europe, in connection with the working methods of the Assembly and its various institutions ;

Having examined the report (Doc. 1691) of the Committee on Rules of Procedure, recommending a general revision of the Rules of Procedure of the Assembly,

Resolves to amend its Rules of Procedure as follows :

1. Rule 1 :

a. Replace the words "once a year" in paragraph 1 of the English text by the words "each year".

b. Add to paragraph 2 the words "by the Assembly or, failing that" so that it will read as follows :

"2. The date of the opening or resumption of a Session shall be fixed by the Assembly or, failing that, by the Standing Committee in such a way that . . ."

(c) Insert after the word "Session" in paragraph 2, reference to a footnote worded as follows :

"On 21st September 1960, the Assembly, taking note of the progress report of the Bureau (Doc. 1188), adopted the principle of fixed dates for the Sessions :

1. opening of the Session - first Tuesday of May ;
2. second part-Session - second or third Tuesday of September ;
3. third part-Session - in January."

2. Rule 5 : Substitute for the words "jusqu'à la proclamation du President élu"in paragraph 1 of the French text, the words "jusqu'à la proclamation de l'election du President",

3. Rule 7 :

(a) Replace paragraph 1 by the following two paragraphs :

1. "The term of office of Representatives and Substitutes appointed in accordance with Article 25 of the Statute shall take effect from the opening of the first Sitting of the Assembly following the submission of their credentials.

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1. Assembly debate on 17th January 1964 (24th Sitting) (see Doc. 1691, report of the Committee on Rules of Procedure). Text adopted by the Assembly as amended on 17th January 1964 (24th Sitting).

2. The term of office of Representatives and Substitutes shall expire at the opening of the next Ordinary Session, subject to the provisions of paragraphs 3 and 4 below."

(b) Replace paragraph 2 by a new paragraph 3, worded as follows :

"3. When a Member makes new appointments to the Assembly as a result of parliamentary elections, the term of office of Representatives and Substitutes who have not been re-elected shall expire when the credentials of the newly-appointed Representatives and Substitutes are submitted. Between the submission of the credentials and the opening of the first Sitting of the Assembly following that submission, committee seats that have fallen vacant may be provisionally occupied by Representatives or Substitutes who have been re-elected."

(c) Replace paragraph 3 by a new paragraph 4, worded as follows :

"4. If a seat becomes vacant through death or resignation, it may be provisionally filled in the Assembly by a Substitute, and in a committee by another Representative or a Substitute of the same nationality."

4. Rule 9 :

(a) Insert between paragraphs 3 and 4 a new paragraph, worded as follows :

"4. If only one candidature is proposed to the Assembly and there is no opposition to it, the President may be elected by acclamation."

(b) Insert between the former paragraphs 5 and 6 a new paragraph, worded as follows :

"7. If the number of candidates does not exceed the number of offices to be filled, the Assembly may elect its Vice-Presidents by acclamation."

5. Rule 10 : Amend and amplify paragraph 2 as follows :

"When in the Chair, the President shall neither speak in debate nor vote. His Substitute may sit, speak and vote in the Assembly.

If he speaks in a debate on a particular subject, the President may not resume the Chair until that debate is over."

6. Rule 11 : Amplify the two paragraphs of this Rule as follows :

1. "If the President is absent or unable to discharge his duties, he shall be replaced by one of the Vice-Presidents. While acting in this capacity, the Vice-President shall exercise the powers defined in Rule 10 above and shall be subject to the obligations provided for therein.
2. The Substitute of the Vice-President who is acting as President may sit, speak and vote in the Assembly."

7. Rule 14 : Amend the second sentence of paragraph 3 as follows :

"3. . . . A document shall usually be referred to only one committee for report, though it may be referred to any other committee for an opinion. The Bureau may, however, refer one or more parts of a document to different committees for report."

8. Rule 15 :

(a) Amend the second sentence of paragraph 2 as follows :

"2. : . . The Progress Report of the Bureau, the Standing Committee and the Permanent Working Party on Parliamentary and Public Relations shall automatically be placed. . ."

b) Insert between paragraphs 2 and 3 a new paragraph 3, including a footnote and worded as follows :

"3. Each part-session shall normally include a debate on a political and on an economic subject. The Bureau shall classify questions on other subjects and ensure that they are dealt with in a general discussion at a part-session determined in advance.[2]"

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2. See Resolution 185 adopted by the Assembly on 26th September 1960.

(c) Delete from the first sentence of paragraph 3 the words : "at the same time as it fixes the date of the opening or resumption of the Session".

9. Rule 18 : Replace the words "consecutive interpretation" in paragraph 2 by the words "interpretation, simultaneous if possible".

10. Rule 19 : Amend paragraph 1 as follows :

"1. If interpretation is required in committee, provision shall be made, if possible, for simultaneous interpretation, if not, for consecutive interpretation, from one official language into another."

11. Rule 22 : Insert "or simultaneous" after "consecutive" in the last sentence of paragraph 1.

12. Rule 23 :

(a) Amend paragraph 1 to read as follows :

"The official documents of the Assembly shall be published in distinctive form ; they shall be numbered and marked with the words "Official Assembly Document"."

(b) Amend and amplify paragraph 2 as follows :

"2. The official documents of the Assembly are the following :

a. The Orders of the Day, the Minutes of the Proceedings and the Official Reports of Sittings ;

b. Reports, communications, requests for an opinion or further consideration transmitted by the Committee of Ministers ; questions addressed to the Committee of Ministers by Representatives and Substitutes, and the answers of the Committee of Ministers ;

c. Motions, tabled by Representatives or Substitutes, reports of Committee and amendments thereto ;

d. Reports of International Organisations ;

e. Recommendations and Opinions addressed to the Committee of Ministers ;

f. Resolutions and Orders."

13. Rule 24 : Delete the last sentence of paragraph 1, which reads : "Sittings shall begin not later than five minutes after the appointed time."

14. Rule 27 : Replace the six paragraphs which make up this Rule by the following three paragraphs :

"Rule 27. - Debate and examination of texts

Unless the Assembly decides otherwise, a debate shall be held on every item in the Orders of the Day on the basis of the report submitted by the relevant committee, to which the matter has been referred under the provisions of Rule 14 (3).

The texts shall be examined on the basis of the committee's draft. Such examination shall not begin sooner than one clear day after the distribution of the report, unless the Assembly applies the provisions for urgent procedure contained in Rule 44 below.

When examination of the texts has been concluded, only explanations of vote may be made before the vote is taken on the text as a whole."

15. After Rule 21 insert a new Rule 28 entitled "Tacit adoption procedure", to read as follows :

1. When there are urgent reasons for placing a committee report on the agenda for a part-Session and no discussion has been planned in the field concerned, the Standing Committee may, as an exceptional measure, propose recourse to tacit adoption procedure, consisting of approving a text without its oral presentation or general debate.

2. The said report shall be distributed at least a fortnight before the opening or resumption of the Session, in accordance with the provisions of Rule 43 (4). It shall bear an indication that it is to be dealt with according to the procedure described in paragraph I above.

3. At the first Sitting of the part-Session concerned, the President shall announce the report or reports to be dealt with as provided in the foregoing paragraphs. They shall also be listed in the Notice of Proceedings.

4. When no objections to any draft Recommendation, Resolution or Order contained in such reports have been lodged by midday on the following day, they shall be regarded as adopted. Texts giving rise to objections shall be included in the Orders of the Day for a later Sitting of the current part-Session and shall be the subject of a debate.

5. At the last Sitting of the part-Session, the President shall give notice of any texts which have been approved by the procedure referred to in paragraph 4 above. Abstentions notified within the period prescribed in paragraph 4 above for the lodging of objections shall be recorded in the Minutes of the Sitting.

6. Texts adopted by tacit procedure, according to the provisions of this Article, shall be published in the same manner as those adopted in the normal way."

16. Rule 28 :

(a) Replace the words "tabled by Representatives" at the beginning of paragraph 1 by the words "tabled in the Assembly . . ."

(b) Insert, after the word "Recommendation" in paragraph 1, reference to the following footnote :

"(2) By Recommendation is meant a proposal by the Assembly addressed to the Committee of Ministers, the implementation of which is beyond the province of the Assembly, but within that of Governments."

(c) Insert, after the word "Resolution" in paragraph 1, reference to the following footnote :

"(3) A Resolution embodies a decision by the Assembly on a question of substance which it is empowered to put into effect, or an expression of view for which it alone is responsible."

(d) Reverse the order of the amended Rules 27 and 28 so that :

1. the amended Rule 27 becomes the new Rule 28 ;

2. the present Rule 28 becomes the new Rule 27.

17. Rule 29 : Insert, after the words "substantive text" in paragraph 2, reference to a footnote worded as follows :

"(1) In accordance with the provisions of Rule 43 (3) below, the substantive text is the draft Recommendation, Opinion, Resolution or Order (including preamble) submitted to the Assembly for approval."

18. Rule 30 :

(a) Amend the two paragraphs of this Rule to read as follows :

"Rule 30. - Orders

1. Any Representative or Substitute may table Motions for Orders in the Assembly. The President shall decide whether such Motions are admissible.

2. Motions for Orders shall be taken in conjunction with the debate on the questions to which they refer. They may be put to the vote without first being referred to committee."

(b) Insert, after the word "Orders" in the new paragraph 1 above, reference to a footnote worded as follows :

"(2) An Order is concerned with a question of form, transmission, execution or procedure. It must relate to a question already placed on the Assembly's Register and may not deal with the substance of that question."

19. Rule 31 : Delete the last sentence of paragraph 2, which reads as follows : "once begun, a speech may not be interrupted and resumed at the following Sitting."

20. Rule 34 :

(a) Amend paragraph 4 to read as follows :

"4. The vote on a draft Recommendation, Opinion or Resolution, considered as a whole, shall be taken by roll-call, unless the President notes that the draft in question meets with no opposition, in which case the Assembly's decision is unanimous ; abstentions may be recorded in the Minutes of the Sitting."

(b) Insert between paragraphs 4 and 5 a new paragraph worded as follows :

"5. On a Motion from the Chair, the Assembly may decide that voting on various texts shall take place at a time fixed in advance."

21. Rule 36 :

(a) Add a new paragraph 1, worded as follows :

"1. The Assembly may deliberate, decide its Agenda and approve its Minutes of Proceedings, whatever the number of Representatives present."

b) Incorporate into the former paragraph 1 the footnote defining the Assembly quorum, so that the new paragraph reads as follows :

"2. The Assembly shall not adopt any Recommendation or Resolution unless the majority of the number of Representatives to the Assembly provided for in the Statute are present."

(c) Insert the words "Without prejudice to the provisions of paragraph 1 above . . ." at the beginning of the former paragraph 2 and delete, in the same paragraph, the phrase : "or on matters requiring the majority laid down in paragraph (a) of Rule 35 above", so that it now reads as follows :

"3. Without prejudice to the provisions of paragraph 1 above, all votes other than votes by roll-call shall be valid whatever the number of Representatives present, unless, before the voting has begun, the President has been requested to ascertain the number of those present."

22. Rule 38 : Re-word paragraph 2 as follows :

"2. Substitutes thus designated shall have the same rights and the same obligations in the Assembly as Representatives."

23. Rule 39 : Replace the words "at least four times a year" in paragraph 3 by the words "at least three times a year".

24. Rule 40 : Amplify paragraph 3 as follows :

"3. The Assembly shall fix the total number of seats to be allotted to each of the Members. Substitutes, like Representatives, may be appointed members of a committee.

Besides the regular members, alternates of the same nationality shall be appointed for each committee."

25. Rule 42 :

a. Delete from paragraph 4 (a) the following sentence : "The vote on a report considered as a whole shall, however, always be by roll-call."

b. Add the following sentence to the end of paragraph 4 (a) : ". . . When only one candidate is proposed, election may take place by acclamation."

c. Add to paragraph 4 (c) a second sub-paragraph worded as follows : "The number of members who constitute a committee shall be the number of Representatives or Substitutes whose appointment to the committee has been confirmed by the Assembly in pursuance of paragraph 4 of Rule 40".

d. Replace paragraph 6 by a paragraph worded as follows :

"6. Any member of a committee who is prevented from attending a meeting of that committee shall as a rule arrange to be replaced by the Representative or Substitute appointed for the purpose. In special cases, he may, with the consent of the Chairman of the committee, arrange to be replaced by another alternate of the same nationality as himself.

The alternate nominated in due form shall have the same rights in the committee as the member himself."

(e) Insert between paragraphs 6 and 7 a new paragraph worded as follows : "7. If a seat remains empty for three consecutive meetings the Chairman of

"7. If a seat remains empty for three consecutive meetings the Chairman of the Committee shall so inform the Bureau of the Assembly."

f) Replace the word "deliberations"in the first and third sub-paragraphs of paragraph 7 of the French text by the word "discussions".

(g) Re-word paragraph 8 as follows :

"8. Minutes of Proceedings shall be drawn up for each committee meeting. In addition, a summary report of the proceedings may be compiled, which will not be distributed but may be consulted at the Secretariat by any Representative or Substitute."

26. Rule 46 : Incorporate into paragraph 2, in the form of a sub-paragraph, the following footnote :

"The Standing Committee shall also appoint alternates upon whom the President may call to replace Representatives who are unable to attend a meeting. The alternates need not necessarily have the same nationality as the Representatives."

27. Rule 49 :

a. Delete the word "written" in the title and the first sentence.

b. Delete the second sentence worded as follows : "Questions and answers shall be published by the Secretariat General."

28. Rule 49 (a) :

a. Entitle this Rule : "Official representatives of non-member States."

b. Replace the word "deliberations"in paragraph 2 of the French text by the word "discussions".

c. Change the numbering of the Parts and Rules so that :

1. Part XI A becomes Part XII, Part XII becomes Part XIII, etc. ;
2. Rule 49 (a) becomes Rule 50, Rule 50 becomes Rule 51, etc.

29. New Part XII : Add a new Rule 51 worded as follows :

"Rule 51. - Representatives of national or international organisations

1. The Assembly may, on the proposal of the Bureau, invite representatives of national or international organisations to submit to it progress reports or the communications referred to in Rule 14, paragraph 1 (b) above.

2. Representatives of these organisations may take part in the discussions of committees in accordance with the provisions of Rule 42, paragraph 8, sub-paragraph 3 above."

30. Rule 52 : Delete the words ". . . and Privileges" at the end of paragraph 1.

31. Insert between the former Parts VII and VIII a new Part and a new Rule worded as follows (the numbering of the subsequent Parts and Rules will be altered accordingly) :

"Part VIII. - National Delegations

Rule 39

Representatives and Substitutes of each Member may form national delegations."

32. Insert between the former Part VIII and the new Part VIII a new Part and a new Rule worded as follows (the numbering of the subsequent Parts and Rules will be altered accordingly) :

"Part IX. - Political Groups

Rule 40

Representatives and Substitutes with similar political views may form political groups.Each political group shall submit to the Bureau of the Assembly a statement which shall include the title of the group, the list of its members and the composition of its bureau.

Statements by political groups shall be published in the Assembly list.

A political group shall consist of not less than twenty Representatives or Substitutes of different nationality.

The Chairmen of political groups may be invited to attend the meetings of the Bureau and the Standing Committee in an advisory capacity."