**Resolution 852 (1985)**[1]

# Revision of the Rules of Procedure of the Assembly

Parliamentary Assembly

The Assembly,

1. Considering that its Rules of Procedure have not been updated in their entirety since the adoption of Resolution 577 on 26 September 1974 ;

2. Considering that subsequent developments and changes occurring in its composition, the problems it has to face and its methods of work justify a fresh examination of its Rules,

3. Resolves to amend the Rules of Procedure of the Assembly as follows, these changes to come into force on 1 January 1986 :

N.B. Changes and additions are printed in italics ; deletions are indicated by **.

*PART I*

SESSIONS OF THE ASSEMBLY

Rule I

Date and convocation of Ordinary Sessions

1. The Assembly shall hold each year an Ordinary Session, which may be divided into several parts.**

2. (Unchanged)

Rule 2

Date and convocation of Extraordinary Sessions [2]

(Unchanged)

Rule 3

Place of meeting [3]

(Unchanged)

Rule 4

Duration of Sessions[4]

1. Assembly debate on 2 October 1985 (19th Sitting) (See Doc. 5433, report of the Committee on Rules of Procedure). Text adopted by the Assembly on 2 October 1985 (19th Sitting).
2. See Statute of the Council of Europe. Article 34.
3. See Statute of the Council of Europe. Article 33.
4. See Statute of the Council of Europe. Article 32.

(Unchanged)

*PART II*

EXAMINATION OF CREDENTIALS AND ELECTION OF THE BUREAU

Rule 5

Provisional President

1. (Unchanged)

2. No discussion may take place while the provisional President is in the Chair unless it is concerned with the examination of credentials or the election of the President of the Assembly **.

Rule 6

Examination of credentials[5]

1. The credentials of the Representatives and Substitutes shall be sent to the President of the Assembly by the competent authorities of member states, if possible not less than one week before the opening of the Session. Each member state shall notify the Secretary General of the Council of Europe of the competent authority [6] it has appointed for the purpose. When credentials are submitted, it shall be specified whether the Representatives and Substitutes have been appointed for a single Session or a longer period ; if no period is specified, the term shall be deemed to be for one Ordinary Session.

2. As regards Representatives and Substitutes whose term has not expired, the Clerk of the Assembly shall send competent authorities, before the opening of the Ordinary Session, a reminder of the date of expiry of the term of office, stating that, unless notified otherwise, the Assembly would assume that the credentials of the Representatives and Substitutes concerned were still valid for the coming Session.

3. At the beginning of each Ordinary Session, these credentials shall be submitted to the Assembly by the provisional President, for ratification.

4. The credentials presented by member states in the course of a Session shall be submitted by the President to the Assembly or to the Standing Committee acting on behalf of the Assembly for ratification **.

5. a. Credentials which give rise to an objection or are contested shall be referred without debate to the Committee on Rules of Procedure. In every case where there is an objection or credentials are contested, the reasons shall be stated and the grounds therefore shall be drawn from one or more of the relevant provisions of the Statute (in particular Articles 3, 25 and 26) including the democratic principles set out in the Preamble to the Statute.[7]

b. The Committee on Rules of Procedure shall report to the Assembly within twenty-four hours if possible and the Assembly shall make its decision at the following sitting.

6. Any Representative or Substitute or any national delegation whose credentials are contested shall take his/ their seat(s) provisionally with the same rights as other Representatives and Substitutes until the Assembly or the Standing Committee has reached a decision in his/their case. Nevertheless, such a Representative, Substitute or national delegation shall not vote on the examination of his or its own credentials.

Rule 7

Duration of term of office of Representatives and Substitutes[8]

1. (Unchanged)

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5. See Statute of the Council of Europe, Article 25.
6. Such authority may be the Minister for Foreign Affairs or any person delegated by him for that purpose or the President (Speaker) of Parliament or the President (Speaker) of a parliamentary Chamber or any person delegated by them.
7. Preamble of the Statute, 3rd paragraph : “Reaffirming their devotion to the spiritual and moral values which are the common heritage of their peoples and the true source of individual freedom, political liberty and the rule of law, principles which form the basis of all genuine democracy”.
8. See Statute of the Council of Europe, Article 25.

2. (First two lines unchanged)... subject to the provisions of Rule 6, paragraph 1, above and those of paragraphs 3 and 4 below.

3. (Unchanged)

4. (Unchanged)

Rule 8

Bureau of the Assembly

(Unchanged)

Rule 9

Election of the Bureau [9]

1. to 3. (Unchanged)

4. If only one candidature is proposed to the Assembly, the candidate shall be declared elected.

5. and 6. (Unchanged)

7. If the number of candidates does not exceed the number of offices to be filled, the candidates shall be declared elected.

8. The Vice-Presidents shall take precedence in accordance with the order in which they have been elected and, in the event of a tie or if without ballot, by age.

9. (Unchanged)

*PART III*

DUTIES OF THE PRESIDENT, DISCIPLINE AND ORDER

Rule 10

President[10]

1. (Unchanged)

2. (Unchanged)

Rule 11

Vice-Presidents

1. (First two sentences, unchanged). In particular, a Vice-President may not take the Chair during a debate in which he has taken part, nor may he speak in a debate which he has previously chaired.

2. (Unchanged)

Rule 12

Maintenance of order

(Unchanged)

Rule 13

Public order in the Chamber and Galleries

1. (Unchanged)

2. Only persons provided with an admittance card duly issued on the authority of the Secretary General shall be admitted to the Galleries. [11]

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9. See Statute of the Council Europe, Article 28. a.
10. See Statute of the Council of Europe, Article 28. b.
11. See also General Rules governing access of members of the public to the Palais de l'Europe. p. 118.

3. Members of the public admitted to the Galleries shall remain seated and in silence. Any person expressing approval or disapproval shall be ejected by order of the President.

*PART IV*

AGENDA OF SESSIONS

Rule 14

Register of questions submitted to the Assembly

1. The questions placed on the Assembly's Register shall be those introduced by the tabling of any of the following documents:

*a.* Communications from the Committee of Ministers or from the Secretary General of the Council of Europe;

*b.* Communications addressed to the Assembly by national, supranational or international organisations, in particular by virtue of agreements between such bodies and the Assembly;

*c.* Motions for Recommendations and Resolutions accepted for inclusion in the Register in accordance with the provisions of Rule 27, paragraph 3, below.

2. (Unchanged)

3. The Assembly may, at the request of the Committee concerned, remove a question from its Register.

Rule 15

Reference to Committee

1. The Bureau shall reach a decision on all documents mentioned in

Rule 14, paragraph 1, above, if necessary after consulting one or more committees. It may decide that the documents shall be referred to the appropriate committee for examination, forwarded to one or more committees for information, or that no further action be taken.

2. If a document is referred to a committee the Bureau shall submit such reference... (the remainder of the text of Rule 14, paragraph 3, unchanged).

Rule 16

Settlement of the Agenda and of the Order of Business

1. The Bureau shall prepare for each** part-Session a draft Agenda which it shall submit to the Standing Committee.

2. Any question on the Assembly's Register may be placed on this draft Agenda. The Progress Report of the Bureau and of the Standing Committee ** shall automatically be placed on the Agenda.

3. Each part-Session shall normally include a debate on general policy. The Bureau shall classify ... (remainder of the text of Rule 15, paragraph 3, unchanged).

4. After consideration of the draft prepared by the Bureau, the Standing Committee shall adopt the Agenda for the next ** part-Session. The Agenda... (remainder of the text of Rule 15, paragraph 4, unchanged).

5. The Agenda thus adopted may only be altered in accordance with the provisions of Rule 48 below.

6. On the proposal of the Bureau, the Standing Committee shall draw up a draft order of business for each ** part-Session,...(the remainder of the text of Rule 16, paragraph 1, (unchanged).

7. The draft order of business ** may be brought up to date by the Bureau and shall be submitted to the Assembly for approval at the first Sitting of the ** part-Session.

8. The Assembly may alter the order of business in the course of a Session. On a motion to alter the order of business the following only shall be heard : the mover, one speaker “against” and a spokesman of the Committee or of each of the Committees concerned. Any motion to alter the same item of business a second or subsequent time during the course of the same part-Session shall require a two-thirds majority of the votes cast, in order to pass.[12]

*PART V*

USE OF LANGUAGES [13] AND OFFICIAL DOCUMENTS OF THE ASSEMBLY

Rule 17

Official and working languages

1. (Unchanged)

2. (Unchanged)

3. In addition to the two official languages, German and Italian shall be used in the Assembly and may be used in its committees as additional working languages.

Rule 18

Interpretation in the Assembly

1. (Unchanged)

2. (Unchanged)

Rule 19

Interpretation in Committees

1. (Unchanged)

2. (Unchanged)

Rule 20

Publicity of Debates[14]

(Unchanged)

Rule 21

Minutes of Proceedings

1. The Minutes of Proceedings of each Sitting shall be distributed ** before the opening of the following Sitting.

(The remainder of the Rule, unchanged).

Rule 22

Reports of Debates

1. A report of each Sitting shall be compiled, in each of the official languages, and distributed within as short a period as possible. The report in each of the official languages shall reproduce in full all speeches delivered in the language of the report and shall give a summary of the interpretation of speeches made in other languages. The verbatim records of speeches delivered in each of the additional working languages shall also be distributed. The report shall also include texts submitted by Representatives and Substitutes whose names were duly entered on the list of speakers, but who, although present, were not able to speak ** owing to lack of time ; such texts may be submitted from the moment of the conclusion of the general debate.

2. (Unchanged)

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12. Only affirmative and negative votes shall count in calculating the number of votes cast. (Rule 35, paragraph 4, of the Rules of Procedure).
13. See Statute of the Council of Europe, Article 12.
14. See Statute of the Council of Europe, Article 35

3. (Unchanged)

Rule 23

Official documents of the Assembly

1. (Unchanged)

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

*a.* Unchanged)

*b.* (Unchanged)

*c.* Communications from the Secretary General of the Council of Europe ;

(sub-paragraphs c to g to be re-numbered accordingly d to h)

*PART VI*

HOLDING OF SITTINGS AND RULES GOVERNING THE PROCEEDINGS

Rule 24

Orders of the Day

1. (Unchanged)

2. The Orders of the Day of each Sitting shall be established having regard to the order of business drawn up in accordance with Rule 16, paragraphs 7 and 8 above, as well as to such decisions on urgent procedure as may have been taken under Rule 48 below.

Rule 25

Register of attendance

(Unchanged)

Rule 26

Communications to the Assembly

(Unchanged)

Rule 27

Tabling of motions

for recommendations and resolutions

1. (Unchanged)

2. (Unchanged)

3. The inclusion of such motions in the Assembly's Register [15] shall require a two-thirds majority of the votes cast[16], comprising at least... (the remainder unchanged).

Rule 28

Debate and examination of texts

1. 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 15 above.

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15. See Rules 14 and 15 above.
16. Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 35, paragraph 4).

2. This report shall be distributed[17] at least two weeks before the opening or resumption of the Session. If the Committee is unable to complete its examination of a report in time, it may decide, by a two-thirds majority, to distribute a provisional report as an Assembly document[18]. Failing distribution of the report or provisional report within the time-limit of two weeks, and except in the case of urgent procedure in accordance with Rule 48 below, the President shall order the debate to be postponed until a later part-Session, if at least five members of the Assembly so request.

3. The texts shall be examined on the basis of the Committee's draft. Such examination shall not take place sooner than twenty-four hours after the distribution [19] of the draft, save where Rule 48 below on urgent procedure or Rule 30, paragraph 9, on the reference of amendments and sub-amendments is applied.

4. When examination of and voting on a text as a whole have been concluded and the results announced, Representatives and Substitutes who have not spoken in the debate may present explanations of vote lasting not more than three minutes.

Rule 29

Tacit adoption procedure

1. (Unchanged)

2. The said report shall be distributed at least two weeks before the opening or resumption of the Session... (the remainder unchanged).

3. (Unchanged)

4. When no objections to any draft opinion, recommendation, resolution or order contained in such reports have been lodged by midday on the following day, they shall be regarded as adopted. The President shall inform the Assembly of any such tacit adoptions at the commencement of the following Sitting. Abstentions notified within the same period shall be recorded in the Minutes of the Sitting.

5. 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.

6. (Unchanged).

Rule 30

Amendments and sub-amendments

1. Any Representative or Substitute may propose ** amendments and sub-amendments.

2. Amendments shall relate directly to the text which it is sought to alter and may only be made to texts submitted to the Assembly for adoption (draft opinion for the Committee of Ministers, draft recommendations or resolutions, draft orders or motions for an order[20]).

3. (Unchanged)

4. The President shall decide whether amendments and sub-amendments are in order ; they shall be signed by their author and ** shall be tabled so as to leave sufficient time for them to be printed and distributed before they are discussed, and in any case, insofar as amendments are concerned, before the commencement of the debate to which they refer. However, after consultation with the chairman of the committee concerned, the President may exceptionally declare an oral amendment or sub-amendment to be in order if, in his opinion, it is designed to make a correction, to take account of new facts or to lead to conciliation, and if there is no opposition to it being debated.[21]

5. (Unchanged)

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17. (Footnote 2 unchanged).
18. See also Rule 23 above
19. Unlike motions for a recommendation and for a resolution, motions for an order may be put to the vote without first being referred to committee. See Rule 31, paragraph 3, below.
20. See also Resolution 819 (1984), paragraph 6, and Doc. 5114 (Report by the Committee on Rules of Procedure dated 16 September 1983). paragraphs 19-26.
21. See also Rule 34 below (organisation of debates) and the rules governing the time-tabling of debates, p. 120-124 below.

6. When an amendment or sub-amendment is called, its author is called to move it. If he does not do so, any Representative or Substitute may move it in his place. An amendment or sub-amendment which is not moved shall not be examined.

7. (Text of paragraph 6 unchanged)

8. (Text of paragraph 7 unchanged)

9. The reference of an amendment or a sub-amendment to committee, in accordance with Rule 33 below, shall not necessarily interrupt the examination by the Assembly of the remainder of the draft text. In such a case, the Assembly may fix a time-limit within which the committee shall report its conclusions on the amendments and/or sub-amendments which have been referred to it. Voting on the whole of the text shall take place after the Assembly has decided on these conclusions and without further debate.

Rule 31

Motions for orders

1. Any Representative or Substitute may table motions for orders. 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.

2. The President shall decide whether such motions are admissible, after consultation with the Bureau if he deems this necessary.

3. 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. They shall be signed by their author and shall be tabled so as to leave sufficient time for them to be printed and distributed before they are discussed.

Rule 32

Right to speak

1. No Representative may speak unless called upon to do so by the President. Representatives shall speak from their places and shall address the Chair **.

2. (The first two sentences unchanged). As far as possible he shall endeavour to call alternately upon speakers for and against the question under discussion.[22]

3. (Unchanged)

4. (Unchanged)

5. Members of the Committee of Ministers [23] ** shall be allowed to speak whenever they wish.

6. A Representative who wishes to make a personal statement shall be heard at such time as the President may decide. No debate can arise on a personal statement.

7. (Unchanged)

Rule 33

Procedural motions

1. A Representative shall have a prior right to speak if he asks leave :

*a.* to move the previous question [24] or a dilatory motion [25], which ** shall be in order only if notice has been given in writing to the President before the closure of the previous Sitting or, in the case of the first Sitting of a part-Session, two hours before the start of the Sitting ;

*b.* ... (remainder of paragraph 1 unchanged)

2. (Unchanged)

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22. See Statute of the Council of Europe, Article 27, and Rule 50, paragraph 1, below.
23. (Unchanged).
24. (Unchanged). (Footnotes 3 to 5 unchanged)
25. . A point of order must be confined to raising questions of procedure for a ruling from the Chair. See also Doc. 3891 (Report by the Committee on Rules of Procedure dated 22 November 1976).

3. (Unchanged)

4. (Unchanged)

5. In addition, a Representative shall have a prior right to speak if he asks leave to raise a point of order[26]. He may not speak on this for more than one minute. If the right to raise points of order is misused, the President may forbid the offending Representative to speak for the remainder of the debate.

Rule 34

Organisation of debates[27]

1. (Unchanged)

2. The Assembly shall vote on such proposals without debate **.

*PART VII*

VOTING

Rule 35

Methods of voting

1. (Unchanged)

2. (Unchanged)

3. Unless some other method of voting is expressly prescribed, the vote shall be taken by roll-call whenever at least ten Representatives so desire, or if the President so decides.

4. Voting by roll-call shall commence five minutes after warning-bells have been rung. The roll shall be... (the remainder of paragraph 7 unchanged).

5. In the case of appointments, voting shall take place by secret ballot. Only those ballot papers bearing the names of persons who have been duly entered as candidates shall be taken into account for the purpose of calculating the number of votes cast. [28]

Rule 36

Majorities required[29]

The majorities required are the following :

*a.* (Unchanged, including the footnote)

*b.* In respect of appointments, subject to the provisions of Rule 9 above, an absolute majority of the votes cast [30] at the first ballot and a relative majority at the second ballot [31] ;

*c.* In respect of a draft resolution and any other decision, a majority of the votes cast[32], in the case of a draw the motion being negatived.

Rule 37

Quorum

1. (Unchanged)

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26. See the rules governing the time-tabling of debates, p. 120-125 below.
27. See also Regulations relating to the appointment of the Secretary General, Deputy Secretary General and Clerk of the Assembly, p. 194-199 below.
28. See Statute of the Council of Europe, Article 29.
29. Only those ballot papers bearing the names of persons who have been duly entered as candidates shall be taken into account for the purpose of calculating the number of votes cast (Rule 35, paragraph 5).
30. Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 35, paragraph 4).
31. The number of Representatives of the Assembly shall correspond to the number of seats allocated to each of the member stales under Article 26 of the Statute of the Council of Europe, and to which appointments were made in accordance with Article 25 of the Statute and Rules 6 and 7 of the Assembly Rules of Procedure.
32. See Statute of the Council of Europe. Article 25. c

2. The Assembly shall not take any decision other than those provided for in paragraph 1 above unless more than half the Representatives of the Assembly ** are present [33].

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 voting, unless, before the voting has begun, the President has been requested by at least ten Representatives to ascertain the number of those present.

4. (Unchanged)

5. (Unchanged)

6. (Unchanged)

Rule 38

Right to vote

(Unchanged)

Rule 39

Substitutes[34]

1. (Unchanged)

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

3. (Unchanged)

*PART VIII*

NATIONAL DELEGATIONS

Rule 40

National delegations Representatives and Substitutes of each member state shall form national delegations.

*PART IX*

POLITICAL GROUPS

Rule 41

Political Groups

1. Representatives and Substitutes ** may form political groups.

2. (Unchanged)

3. (Unchanged)

4. (Unchanged)

5. The chairmen of political groups or their alternates shall be invited to attend the meetings of the Bureau ** and the Standing Committee in an advisory capacity.

*PART X*

STANDING COMMITTEE OF THE ASSEMBLY

Rule 42

Standing Committee

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33. Committee meetings shall be held in Strasbourg or Paris. For meetings held elsewhere, see the special Ruling, p. 78-81.

34. Only ballot papers bearing the names of persons qualified for election shall be taken into account for the purpose of calculating the number of votes cast (Rule 35. paragraph 5).

1. (Unchanged)

2. (Unchanged)

3. (Unchanged)

4. The Standing Committee shall :

*a.* (Unchanged)

*b.* Fix the date of the opening and resumption of Sessions, subject to the provisions of Rule 1, paragraph 2, above, and the agenda of ** part-Sessions ;

*c.* Draw up the draft order of business of ** part-Sessions ;

*d.* Examine, on behalf of the Assembly, committee reports placed on the Agenda of the Standing Committee in accordance with Rule 47, paragraph 6, below or with Rule 48 on urgent procedure.

5. Subject to any provision to the contrary in this Rule, or in Rule 36 (Majorities required) and 47 (Reports of Committees)... (remainder of text of paragraph 6, unchanged).

*PART XI*

COMMITTEES

Rule 43

Appointment of Committees

1. At the beginning of each Ordinary Session the Assembly shall set up the following general committees :

1. Political Affairs Committee (number of seats : 38),
2. Committee on Economic Affairs and Development (number of seats : 38),
3. Social and Health Affairs Committee(number of seats : 38),
4. Legal Affairs Committee (number of seats : 38),
5. Committee on Culture and Education (number of seats : 38),
6. Committee on Science and Technology (number of seats : 38),
7. Committee on the Environment, Regional Planning and Local Authorities (number of seats : 38), 8. Committee on Migration, Refugees and Demography (number of seats : 33),
8. Committee on Rules of Procedure (number of seats : 29),
9. Committee on Agriculture (number of seats : 29),
10. Committee on Relations with European Non-Member Countries (number of seats : 25),
11. Committee on Parliamentary and Public Relations (number of seats : 25),
12. Committee on the Budget and the Intergovernmental Work Programme (number of seats : 25).

2. France, the Federal Republic of Germany, Italy and the United Kingdom shall have three seats in each of the first seven committees, two seats in the eighth, three seats in the next two committees and two seats in the last three.

Belgium, Greece, the Netherlands, Portugal, Spain, Sweden, Switzerland and Turkey shall have two seats in each of the first eight committees and one seat in each of the others.

Austria shall have two seats in each of the first seven committees and one seat in each of the others.

Cyprus, Denmark, Iceland, Ireland, Liechtenstein, Luxembourg, Malta and Norway shall have one seat on each of the thirteen committees.

3. The Assembly may also set up ad hoc committees for specific purposes. All motions to set up an ad hoc committee shall be included in the Register of the Assembly in accordance with Rule 27 above and referred to the Committee on Rules of Procedure for report.

The term of office of an ad hoc committee shall end after its report has been dealt with by the Assembly.

Subject to the ratification by the Assembly or the Standing Committee, the Bureau of the Assembly may also set up ad hoc committees in which case it shall prescribe their term of office, composition and terms of reference.

4. ** Substitutes, like Representatives, may be appointed members of a committee. Besides the regular members, an equal number of alternates of the same nationality shall be appointed for each committee.

5. Candidatures for membership of the committees shall be addressed to the President of the Assembly, who shall submit... (remainder of the text of paragraph 4, unchanged).

6. Where a seat on a committee is vacant, it may be provisionally occupied by a Representative or Substitute from the national delegation to which the seat is allotted, the Representative or Substitute being appointed by the chairman of that delegation.

Rule 44

Competence of Committees

1. Committees shall examine all documents referred to them in accordance with Rule 15 above... (remainder unchanged).

2. (Unchanged)

3. Should a committee declare itself to be incompetent to consider a question, or should a conflict arise over the competence of two or more committees, the question of competence shall be submitted to the Bureau who might refer it to the Assembly.

4. Any committee requested to give an opinion on a document which has been referred to another committee for report may put forward amendments to the report tabled by the latter committee, in the manner specified in Rule 30 above.

Rule 45

Procedure in Committee

1. A committee shall meet when convened by its chairman or at the request of the President of the Assembly, either during or between Sessions.[35]

2. Any two or more committees ** may hold a joint meeting for the examination of subjects coming within their competence, but may not reach a joint decision, except on procedural matters. The chair shall be taken in turns by the chairmen of each of the participating committees, starting with the longest-serving chairman or, in the case of equal length of service, the chairman senior in age.

3. The Bureau of each committee shall consist of a chairman and two vice-chairmen, elected at the first committee meeting of each Assembly Session, both vice-chairmen being elected simultaneously.

4. Until the chairman of the committee is elected, the meeting shall be chaired by the oldest member present, under whose chairmanship no subject other than the election of the chairman may be discussed.

5. The submission of candidatures for the office of chairman and vice-chairman shall be optional, but candidates for the office of chairman must be regular members of the committee. If a single candidature for the office of chairman and only two candidatures for the office of vice-chairman are put forward, these candidates shall be declared elected.

6. Elections shall be held by secret ballot. Two tellers chosen by lot shall count the votes cast.

7. Those candidates who obtain the absolute majority of the votes cast on the first ballot shall be declared elected.[36] On the second ballot the election shall be by relative majority. In the case of a tie, there shall be a third ballot ; in the case of a renewed tie, the candidate senior in age shall be declared elected. The vice-chairmen shall take precedence in accordance with the order in which they have been elected and, in the event of a tie or election without ballot, by age.

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35. ** Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 35, paragraph 4). **
36. If it is not possible to divide the number of members of a committee by 3. the quorum shall be calculated on the basis of the next lower multiple of 3 ; for example the quorum for a committee of 28 members shall be 9, for 26 members 8. etc.

8. The chairman of a committee shall remain in office until the opening of the next Ordinary Session of the Assembly. He may be re-elected for three further terms, consecutive or not. However, a committee chairman elected in the course of a Session for an incomplete term may be re-elected for four further terms.

9. The Rules adopted for the Assembly concerning ** the Minutes of Proceedings (Rule 21), amendments and sub-amendments (Rule 30), the right to speak (Rule 32), procedural motions (Rule 33) and methods of voting (Rule 35) shall apply to the proceedings of committees, subject to the following provisions :

*a.* A committee shall vote by show of hands. Except on procedural matters, a vote shall be by roll-call if so requested by at least two members. The roll shall be called alphabetically beginning with the letter 'A'. **

*b.* Voting in committee shall be by the majority of the votes cast in all cases [37] **

10. A committee may deliberate and take decisions when one-third [38]of its members are present... (remainder of the text of paragraph 4.d, first sub-paragraph, unchanged).

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 5 of Rule 43 above[39].

11. Unless a committee decides to the contrary by three-fourths of the votes cast[40], no matter on its agenda shall be debated nor decided upon on the same day if the relevant documents have not been despatched to the members at least two weeks before the date of the meeting.

12. (Text of paragraph 5 unchanged)

13. Any member of a committee who is prevented from attending a meeting of that committee shall ** arrange to be replaced by the Representative or Substitute appointed for the purpose in accordance with Rule 43, paragraph 4, above ; if the latter is unable to attend, the regular member may inform the chairman of the committee which other member of his national delegation is authorised to take his place.

14. Subject to the provisions of paragraph 5 above, the alternate nominated in accordance with Rule 43, paragraph 4, shall have the same rights in the committee as the member himself.

15. (Text of paragraph 7 unchanged)

16. (Text of paragraph 8 unchanged)

17. Minutes of Proceedings shall be drawn up for each committee meeting and sent or circulated to the members of the committee before the following meeting.

18. (Text of paragraph 10 unchanged)

Rule 46

Sub-Committees

1. A committee may, in the interest of its work, appoint one or more standing or ad hoc sub-committees, of which it shall determine the exact composition and competence at the time of their appointment.

2. The members of a standing sub-committee shall be appointed by the committee at the commencement of each Ordinary Session of the Assembly.

3. The terms of reference of an ad hoc sub-committee shall expire once the committee has examined its report. Its composition shall be renewed at the commencement of each Ordinary Session.

4. The number of members of a sub-committee may not exceed a third of the regular membership of the full committee. An alternate member may be appointed for each full member. In addition, the chairman of the main committee shall ex officio be a full member of all sub-committees which may be formed.

5. The Bureau of each sub-committee shall include a chairman and a vice-chairman.

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37. When vacant seats are occupied provisionally, in accordance with Rule 43, paragraph 6, above, the total number of committee members must be adjusted in consequence.
38. (Unchanged).
39. (Unchanged).
40. See Rule 31, paragraph 1, ** above

6. A sub-committee shall submit its decisions to the committee from which it emanates.

7. Save where specifically otherwise provided in this Rule, the Procedure in Committee (Rule 45 above) shall apply to sub-committees.

8. Two or more sub-committees originating from different committees may appoint a joint sub-committee with equal representation to which the provisions set out in paragraphs 1 to 7 above shall apply. The total number of members of a joint sub-committee may not exceed a third of the regular membership of the largest of the committees from which it emanates.

Rule 47

Reports of committees

1. (Unchanged)

2. The report of a committee shall normally comprise one or more texts, which take the form of draft recommendations[41], draft opinions addressed to the Committee of Ministers, draft resolutions[41] or draft orders[42]. Only these texts ** shall be the subject of a vote taken in committee, the results of which shall be indicated in the report, and only these texts shall be voted upon by the Assembly.

3. Moreover, the report of a committee shall comprise an explanatory memorandum which shall be presented by the Rapporteur. The committee... (remainder of the text of paragraph 4 unchanged).

4. The adoption of the draft text and taking note of the explanatory memorandum mean that the committee approved the report as a whole and thus decided to table it and to have it published as an official Assembly document.

5. ** Committees may also submit information reports on which the Assembly shall not be called upon to vote.

6. After approval of a report by a committee, the committee shall decide if it is to be :

*a.* either submitted to the Assembly for debate ;

*b.* or submitted to the Assembly for tacit adoption in pursuance of Rule 29 above ;

*c.* or submitted to the Standing Committee as provided in paragraph 8 below.

For the procedures referred to in paragraphs b and c above, a majority of three-quarters of the votes cast[43] shall be required.

7. (Unchanged)

8. (Unchanged)

9. When a committee report is under consideration in the Standing Committee, reference of the report to the plenary Assembly may be required at any time by the chairman of the committee concerned, by the Rapporteur, who shall be fully entitled to take part in the discussion, though not in the voting, by the chairman of any ad hoc committee by which the report has been submitted, by five members of the Standing Committee or by the chairman of a political group on behalf of that group. This provision however shall not apply to reports placed on the agenda of the Standing Committee in accordance with the urgent procedure (Rule 48 below), for which such reference shall be decided by a simple majority.

*PART XII*

URGENT PROCEDURE

Rule 48[44]

Urgent procedure

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41. Only affirmative and negative votes shall be taken into account in calculating the number of votes cast (Rule 35, paragraph 4).
42. (Unchanged).
43. Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 35, paragraph 4).
44. (Unchanged).

1. At the request of the Committee of Ministers, of the committee concerned, or of ten or more Representatives or Substitutes, a debate may be held on a question which has not been placed on the Agenda of the Assembly or the Standing Committee.

2. (Unchanged)

3. The adoption of urgent procedure shall require a two-thirds majority of the votes cast [45], comprising at least one-third of the Representatives of the Assembly or of the members of the Standing Committee. If urgent procedure is adopted, the debate shall be opened on a date fixed by the Assembly or the Standing Committee.

*PART XIII*

WRITTEN DECLARATIONS

Rule 49

Written declarations

1. (English unchanged)

2. (Unchanged)

3. Any Representative or Substitute may add his signature to a written declaration. In such a case the declaration shall be distributed again two weeks after the end of the part-Session, together with the names of all members who signed it.

4. A written declaration which has received no new signature for six months cannot be revived by further signatures.

*PART XIV*

RELATIONS BETWEEN THE COMMITTEE OF MINISTERS AND THE ASSEMBLY

Rule 50

Access to the Assembly and committees[46]

(Text of Rule 49 unchanged)

Rule 51

Joint Committee [47]

1. The Joint Committee shall consist of a representative of each member government and an equal number of representatives of the Assembly **, including, the President... (remainder unchanged). [49]

2. (Unchanged)

Rule 52

Reports of the Committee of Ministers

Progress reports communicated by the Committee of Ministers to the Assembly, in pursuance of Article 19 of the Statute, shall be placed on the Assembly's Register and referred to committee in accordance with Rule 15 above.

Rule 53

Requests by the Committee of Ministers for opinion or farther consideration

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45. See Statutory Resolutions adopted by the Committee of Ministers in May 1951. p. 187 below.
46. The Joint Committee in an enlarged form, at Foreign Minister level, shall meet as a Colloquy once a year for a free discussion of subjects chosen by common accord by the Committee of Ministers and the Bureau of the Assembly. The Assembly's delegation shall then consist of the members of the Standing Committee and of the committee(s) which is/are competent to deal with these subjects.
47. See also Order No. 316 (1971), on addresses by guest speakers at plenary sittings of the Assembly, p. 94 below.

Requests for an opinion or reconsideration from the Committee of Ministers shall be placed on the Assembly's Register and referred to committee in accordance with Rule 15 above... (remainder of the text of Rule 52, unchanged).

Rule 54

Questions

1. Representatives and Substitutes may at any time ** address to the Committee of Ministers or to its Chairman written questions bearing on items which fall within the competence of the Committee of Ministers and which are or have been on the Agenda of the Assembly. The President of the Assembly shall decide whether these questions are in order and shall transmit them to the Committee of Ministers. He shall also arrange for them to be printed and distributed.

2. On the presentation to the Assembly of the Committee of Ministers' report on its activities, in accordance with Article 19 of the Statute, Representatives and Substitutes may address questions for an oral reply to the Chairman of the Committee of Ministers. The President of the Assembly shall decide whether these questions are in order ; they shall be tabled so as to leave sufficient time for them to be printed and distributed before the opening of the debate. No Representative shall table more than one question for oral answer at any one part-Session.

*PART XV*

OBSERVERS[48]

Rule 55

Parliamentary observers [49]

1. The Assembly may, on the proposal of the Bureau, admit as permanent observers official representatives of non-member states of the Council of Europe appointed with the approval of their national Parliaments[50].

2. Such observers shall sit in the Assembly without the right to speak, except with the authorisation of the Bureau. They may take part in the discussions of committees in accordance with the provisions of Rule 45, paragraph 16, third sub-paragraph, above.

3. The Bureau may also, by a three-quarters majority, invite representatives of parliaments or non-member states to attend and take part in a debate in the Assembly.

Rule 56

Representatives of national or International organisations

1. (Unchanged, except for deletion of the footnote at the end of the paragraph)

2. Representatives of these organisations may take part in the discussions of committees in accordance with the provisions of Rule 45, paragraph 16. third sub-paragraph, above.

*PART XVI*

PETITIONS

Rule 57

Petitions to the Assembly

1. (Unchanged)

2. (Unchanged)

3. (Unchanged)

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48. See also special rules governing relations between the parliamentary and inter-parliamentary assemblies of non-member states, p. 112 below.
49. (Text of footnote 1 unchanged).
50. See regulations relating to the appointment of the Secretary General, Deputy Secretary General and Clerk of the Assembly, p. 194-199 below.

4. (Unchanged)

5. (Unchanged)

6. English version :

The President shall submit this information to the Bureau of the Assembly which shall decide, if necessary, on measures to be taken and on the reply to be addressed to the petitioner.

*PART XVII*

OFFICE OF THE CLERK

Rule 58

Office of the Clerk

1. The service of the Assembly shall be undertaken by a Clerk with the rank of Deputy Secretary General, elected by the Assembly. The Clerk shall be assisted by the administrative staff required for the Assembly's work[51].

2. The Clerk shall be under the authority of the Secretary General. He shall be responsible for the organisation of the Assembly's work, and shall be accountable to the President in this respect.

*PART XVIII*

Rule 59

Waiver of the immunity of Representatives and Substitutes

(Unchanged)

Rule 60

Revision of the Rules of Procedure

1. Motions to amend the Rules of Procedure must be supported by ten or more Representatives or Substitutes. They shall be referred without debate to the Committee on Rules of Procedure which shall report on them as provided by Rule 47 above.

2. The examination of the report of the committee shall be included in the Agenda in accordance with the provisions of Rule 16 above.

51. See Statute of the Council of Europe, Article 37. b.