

ANNEX 1: LAW ON THE ASSEMBLY OF THE REPUBLIC OF MACEDONIA

1. BASIC PROVISIONS

Article 1

(1) This law shall regulate certain aspects of the functioning of the Assembly of the Republic of Macedonia (hereafter: the Assembly).

(2) Matters regarding the organization and functioning of the Assembly and the working bodies, Assembly procedures, as well as other matters which are not regulated with this Law, shall be regulated with the Constitution of the Republic of Macedonia (hereafter: the Constitution) and the Rules of Procedure of the Assembly of the Republic of Macedonia (hereafter: the Rules of Procedure).

Article 2

(1) The Assembly shall be the representative body and holder of the legislative power in the Republic.

(2) Members of Parliament (hereafter: MPs) shall be elected for the duration of four years at general, direct, and free elections with a secret ballot.

(3) The MP shall represent the citizens and shall decide within the Assembly according to his/her beliefs.

Article 3

(1) The competencies of the Assembly shall be fulfilled through the procedures established in the Constitution, the Rules of Procedure and other laws.

(2) The rights and obligations of the MPs shall be regulated with the Constitution, the Law on MPs, the Rules of Procedure and other laws.

Article 4

- (1) The headquarters of the Assembly shall be in Skopje.
- (2) The Assembly shall have its stamp.
- (3) The stamp of the Assembly shall be round. The heraldic sign of the Republic of Macedonia shall be in the middle of the stamp surrounded by the text: "The Republic of Macedonia - Assembly of the Republic of Macedonia - Skopje".

2. COMMENCEMENT, TERMINATION OF MPs' MANDATE AND CONFLICT OF INTERESTS

Article 5

- (1) The mandate of the MPs shall be verified by the Assembly.
- (2) The mandate of the MPs shall commence with its verification and shall last until the verification of the mandate of the newly elected MPs, but not longer than four years.
- (3) If the mandate of a certain MP has not been verified by the Assembly, it shall be considered that the MP has not been elected.
- (4) With the verification of the mandate the MP shall obtain rights and obligations stipulated with the Constitution, the Law, the Rules of Procedure and other regulations and general acts.
- (5) The Rules of Procedure shall regulate the manner, the procedure for verification, as well as the reasons the Assembly might use not to verify the mandate of the MP.

Article 6

- (1) The mandate of the MP shall terminate before its expiration if:
 - 1) The MP resigns;
 - 2) The MP is convicted of a criminal act for which at least five years of imprisonment is envisaged;

- 3) There is incompatibility with the function of MP;
- 4) The MP is no longer a citizen of the Republic of Macedonia;
- 5) The MP is deprived from official aptitude with an enforced decision;
- 6) In case of death.

(2) If the MP resigns, the Assembly, on its first subsequent session, shall acknowledge the termination of the mandate as of the day of holding the session.

(3) The mandate of the MP shall terminate on the day when an event from paragraph (1) points 2, 3, 4, 5, and 6 occurs, and the Assembly acknowledges this at its first subsequent session.

(4) The mandate of the MP shall terminate when the Assembly takes the mandate away in compliance with the Constitution.

(5) The mandate of the MP shall terminate in the event of paragraph (4) of this Article on the day of holding the session of the Assembly when the decision for taking away the mandate is adopted.

Article 7

(1) The function of MP shall be performed professionally.

(2) The function of MP shall be incompatible with other public functions or professions, as determined by law.

3. ORGANIZATION, WORKING CONDITIONS AND PROPERTY SITUATION OF MPs

1. Working conditions of MPs

Article 8

The MPs, aside from their regular work during sessions in the Assembly and its working bodies, shall perform:

- Contacts with citizens;
- Contacts and consultations with non-governmental organizations;
- Contacts, cooperation and consultations with the Trade Union and with associations of citizens;
- Cooperation with international organizations; and
- Other activities from the Assembly's competence.

Article 9

(1) The Staff of the Assembly shall provide expert, administrative, technical and other services to the MPs for the performance of their parliamentary function.

(2) Each Parliamentary Group in the Assembly, depending on the number of MPs, and a certain number of independent MPs, shall have the right to take up external associates.

(3) The Budgetary Council of Assembly of the Republic of Macedonia shall determine the number of external associates, in accordance with the principle that each five MPs can have one external associate, and the finances for their engagement.

(4) The persons (see paragraph 2 of this Article) shall be engaged for the duration of the mandate of the MPs on the basis of a contract made by the Secretary General.

(5) The finances necessary for the engagement of external associates (see paragraph 3 of this Article) shall be secured from the Assembly's finances within the Budget of the Republic of Macedonia.

Article 10

During the performing of the parliamentary function, the MPs shall have at their disposal information and documentation materials, as well as communication links at the Assembly.

Article 11

- (1) The bodies of local self-government shall supply equal assistance to the MPs for performing their functions.
- (2) The bodies (see paragraph 1 of this Article) shall supply the MPs with office space and conditions for contacting the citizens from their constituency.

2. Organization of MPs in Parliamentary Groups

Article 12

- (1) The MPs in the Assembly shall be organized in Parliamentary Groups.
- (2) A Parliamentary group shall be composed of at least five MPs that belong to one or more political parties.
- (3) An MP shall only be a member of one Parliamentary Group.
- (4) A Parliamentary group shall appoint a Coordinator of the Parliamentary Group and two deputies.
- (5) The Parliamentary Group shall present to the President of the Assembly a list signed by each member of the Group, the Coordinator and his/her deputy.
- (6) The Parliamentary Group shall have the right to use a separate office, depending on the number of MPs.
- (7) The work and the functioning of the Parliamentary Groups shall be supported by the Staff of the Assembly, and by the separate organizational units for support of the MPs.
- (8) The Parliamentary Groups shall receive direct expert assistance depending on the number of MPs for the duration of their mandate, in accordance with the principle from Article 9, paragraph 3 from this Law.
- (9) The President of the Assembly shall be informed about the organization of the Parliamentary Group, as well as about changes to the composition of the Parliamentary Group, the Coordinator and his deputy; the President shall then inform the MPs.

Article 13

The MPs shall use the offices in the Assembly which are at their disposal for work and meetings, in accordance with the Act on the internal order of the Assembly.

Article 14

(1) The MPs can organize themselves in the Parliamentary Club.

(2) The Organization, tasks and the manner of work of the Parliamentary Club shall be regulated with the rules of the Club.

3.Information regarding the property situation of the MPs

Article 15

(1) The MPs, within 30 days of the verification of their mandate, shall declare their assets in the Property Declaration Form that will contain a detailed inventory of real estate, movable objects of greater value, stocks and claims and debts, as well as other property in their ownership, or in the ownership of their family; the MPs shall state the basis for buying the declared property and shall give a statement verified by a notary for cancellation of protection of bank secrecy regarding all accounts in domestic and foreign banks.

(2) The MPs shall fill in a Property Declaration Form within 30 days upon the termination of the mandate.

(3) If within 30 days of the termination of the mandate an MP is elected or appointed to the same or another function, he/she has an obligation to notify the State Anti- Corruption Commission of the new election and the Property Declaration Form (see paragraph 2 from this Article) shall be considered sent within the deadline (see paragraph 1 from this Article).

(4) The MPs shall send the Property Declaration Forms mentioned in paragraphs (1) and (2) of this Article, and the statement mentioned in paragraph (1) of this Article, to the State Anti-Corruption Commission and the Public Revenues Office.

Article 16

The data contained in the Property Declaration Forms of the MPs are information of public character and are published in compliance with law, except the information protected with law.

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4. PRESIDENT AND VICE-PRESIDENTS OF THE ASSEMBLY

Article 17

(1) The Assembly shall elect its President and Vice-Presidents from among its members.

(2) The number of Vice-Presidents shall be established by the Assembly on proposal of the President of the Assembly. Vice-Presidents shall be MPs from different political parties represented in the Assembly.

(3) One Vice-President shall be an MP from the largest political party in opposition in the Assembly.

(4) The procedure for electing the President and Vice-Presidents of the Assembly shall be regulated with the Rules of Procedure.

Article 18

The President of the Assembly represents the Assembly, **ensures** the implementation of the Rules of Procedure, and performs affairs stipulated with the Constitution, the Rules of Procedure, and the law.

Article 19

The Vice-Presidents of the Assembly shall assist the President of the Assembly in his work, shall replace him/her when absent, and shall perform other tasks in his/her area of competence.

5. PARLIAMENTARY OVERSIGHT

Oversight hearings

Article 20

(1) An oversight hearing is held in order to obtain information and experts' opinions from the area of competence of the relevant working bodies in relation to the establishment and the implementation of the policies, the implementation of the laws and the other activities of the Government and the state bodies.

(2) The oversight hearing is conducted by the relevant working body of the Assembly which can invite at its meetings authorized representatives from the Government or from other state bodies, and request from them information and clarifications regarding the subject of the oversight hearing.

(3) At the oversight hearing other persons can be invited that can give information regarding the subject of the oversight hearing.

(4) The invited authorized representatives have an obligation to be present at the meeting on which the oversight hearing is held.

(5) The Chairperson of the working body shall notify the President of the Assembly on the holding the oversight meeting, after which he/she shall send a written notification to the Government. With the notification the President of the Assembly will request that the Government appoints authorized representative(s) for the subject of the oversight hearing.

(6) The Chairperson of the working body shall send a written notification to the authorized representatives of the Government or the state body, to invite them at the meeting of the working body at which the oversight hearing will be held, and notifies them of the subject of the hearing; he/she can also request the information, opinions and views to be sent in a written form at least three days before the holding the meeting of the body.

(7) Finances for holding of the oversight meeting shall be secured from the Assembly's finances within the Budget of the Republic of Macedonia.

(8) The public shall be informed about the oversight meetings through the Assembly's website and the Assembly TV Channel.

Article 21

(1) Initiative for holding an oversight hearing can be instigated by one member of the relevant working body.

(2) On holding an oversight hearing the working body shall decide with majority of the votes from the present members, and with at least one third from the total number of members.

(3) If 15 MPs file a written request for holding an oversight hearing, through the President of the Assembly to the Chairperson of the working body, then the Chairperson of the working body is obliged to convene a hearing.

(4) The President of the Assembly with the Vice-Presidents and the Coordinators of the Parliamentary Groups shall give a recommendation for holding certain oversight hearings, to the Chairperson and the members of the working body.

Article 22

(1) During the oversight hearing, the members of the relevant working body and the MPs that are not members of the relevant working body can ask the authorized representatives of the Government or the state bodies invited at the hearing questions related only to the subject of the hearing.

(2) During the oversight hearing there can be a discussion with the invited persons that have the information only if it is necessary to harmonize or clarify concrete issues and facts.

(3) The relevant working body shall decide on the duration of the hearing, ensuring the participation of every member of the relevant working body in the debate.

Article 23

(1) The oversight hearing shall be recorded phonographically and minutes shall be kept; while technical and other corrections shall be done in agreement with the person that has given a statement.

(2) The working body shall prepare a report from the hearing and shall submit it to the Assembly; the report shall contain the essence of the presentations and it may contain conclusions which shall be distributed to the Government of the Republic of Macedonia.

(3) The conclusions from the oversight hearing shall be posted on the web site of the Assembly.

6. COORDINATION OF THE WORK OF THE ASSEMBLY

Article 24

(1) Every Monday, a regular coordination meeting shall be convened by the President of the Assembly with the Vice Presidents of the Assembly and with the Coordinators of the Parliamentary Groups.

(2) The President of the Assembly, with the Vice Presidents of the Assembly and with the coordinators of the Parliamentary groups, shall hold ad hoc coordination meetings when necessary.

(3) The President of the Assembly, with the Vice Presidents of the Assembly and with the Coordinators of the Parliamentary Groups, shall harmonize the work schedule of the working bodies in the Assembly.

(4) The President of the Assembly, with the Vice Presidents of the Assembly and with the Coordinators of the Parliamentary Groups, shall make annual projection for holding oversight hearings: the number of hearings, the dynamics and other aspects in accordance with the finances and conditions that are available to the Assembly for the current year.

(5) The President of the Assembly, with the Vice Presidents of the Assembly and with the Coordinators of the Parliamentary Groups, shall conduct consultations relating to certain draft laws.

(6) The President of the Assembly, with the Vice Presidents of the Assembly and with the Coordinators of the Parliamentary Groups, shall coordinate the positions and the guidelines for the work of the special organizational unit (parliamentary institute).

(7) The President of the Assembly, with the Vice Presidents of the Assembly and with the Coordinators of the Parliamentary Groups, shall adopt a Rulebook for the work of the coordination meetings.

7. ASSETS MANAGEMENT

Article 25

(1) The Assembly shall dispose of and procure assets that are essential for fulfilling its competencies.

(2) The Budgetary Council shall adopt a Regulation on the procurement, management and record keeping of the assets owned by the Assembly.

(3) The Secretary General of the Assembly shall be vested with the competency to conclude sales contracts, exchange, mortgage and agreements for procuring assets regarding the

(4) The President of the Assembly and the Secretary General shall be responsible for the legal use of the assets mentioned in paragraph 1 of this Article.

(5) The MPs, the appointed and elected persons, as well as the employees in the Assembly's Staff shall be responsible for diligent and purpose-built usage of the assets when performing their functions and job assignments.

8. BUDGET OF THE ASSEMBLY

Article 26

(1) The Assembly shall establish a Budget Council of the Assembly of RM (hereafter Budget Council).

(2) The Budget Council shall be composed of a President, Deputy President and nine MPs, depending on the number of Parliamentary Groups and the number of MPs in the Parliamentary Groups.

(3) The President of the Budget Council shall be one of the Vice Presidents of the Assembly while the Deputy President shall be the President of the Finance and Budget Committee.

(4) The composition of the Budget Council shall be determined by the Assembly with a decision.

Article 27

(1) The Budget Council shall have the following competencies:

- To determine the strategic priorities of the Assembly for the following year and their inclusion in the Budget of the Republic of Macedonia through proposal of special programmes and sub-programmes;
- To provide guidelines and directions for the preparation of the draft budgetary requests and needs for the work of the Assembly;
- To propose to the Government of the Republic of Macedonia, in cooperation with the Ministry of Finance, a maximum amount of finances for the Assembly for the following three fiscal years;
- To monitor the financial expenditures of the Assembly within the national budget and propose reallocations of the finds within the framework of the approved finances with the Budget of the Republic of Macedonia;
- To adopt a rulebook for its work; and
- To perform other tasks determined with the law.

(2) The Budget Council shall, in addition to the competencies listed under paragraph 1 of this Article, determine the strategic priorities of the Assembly for at least the three following years.

Article 28

(1) The Budget Council shall conduct regular consultations and adjustments for the preparation of the Budget of the Republic of Macedonia with the Ministry of Finance and the Government of the Republic of Macedonia, regarding the financial projection of necessary funds for the Assembly, and shall take into consideration the financial needs of the Assembly.

(2) The attendance of the Minister of Finance shall be obligatory at the meetings of the Budget Council that will establish the financial projection for the necessary finances of the Assembly.

Article 29

(1) The Budget Council shall work at meetings that it convenes; the President of the Budget Council shall preside with these sessions.

(2) The Deputy President of the Budget Council shall convene the meetings of the Budget Council if the President is unable to do so.

(3) The Secretary General of the Assembly and the Head of the Finance Department of the Staff of the Assembly, or a person from the Department appointed by him/her, shall attend the meetings of the Budget Council, without the right to decision-making.

Article 30

The Budget Council shall take a position with majority of the votes of the present members, and with at least one third of the total number of members.

Article 31

The Staff of the Assembly shall perform the expert and administrative affairs of the Budget Council.

9. PARLIAMENTARY TV CHANNEL

Article 32

- (1) The Assembly shall have programme responsibility for broadcasting the programme service intended for broadcasting the activities of the Assembly.
- (2) The Parliamentary TV Channel shall inform and educate the citizens about the political life, through parliamentary, educational and civic programmes.
- (3) The Parliamentary TV Channel shall broadcast programmes of interest for social cohesion, interethnic coexistence, the cultural differences and the fight against all forms of discrimination, and shall offer programmes that will reflect the diversity in the Macedonian society.
- (4) The Parliamentary TV Channel shall secure political equality and an appropriate language representation in the broadcasted programmes.
- (5) The Parliamentary TV Channel shall ensure conditions for transfer of a digital TV signal to the viewers.

Article 33

- (1) The Parliamentary TV Channel shall be managed by the Council of the Parliamentary TV Channel composed of 11 MPs, six from the ruling and four from the opposition parties.
- (2) On proposal of the President of the Assembly, the President of the Parliamentary TV channel shall be the Assembly's Vice President coming from the opposition.
- (3) The members of the Council of the Parliamentary TV Channel shall have their deputies, proposed and selected by the same criteria as the members.
- (4) Representatives of the Macedonian Radio Television, and when necessary experts in this area, may participate in the functioning of the Council of the Parliamentary TV Channel, without the right to vote.
- (5) The Council of the Parliamentary TV Channel shall meet at least once every three months.

Article 34

The Assembly shall select the members of the Council of the Parliamentary TV Channel.

Article 35

(1) The Council of the Parliamentary TV Channel shall consider matters of relevance to the functioning of the Parliamentary TV Channel, especially:

- Consider and adopt the realization of the programme, the financial and investment functioning of the current year;
- Adopt a programming, financial and investment plan of the Parliamentary TV Channel for the subsequent year, and
- Ensure broadcast of the activities of the Assembly through the programme service - the Parliamentary TV Channel.

(2) The Assembly shall cover the expenses for the development of the programme service intended for broadcasting the activities of the Assembly.

10. CONTACTS OF THR MPs WITH THE CITIZENS IN THE CONSTITUENCIES

Article 36

(1) The Assembly, in cooperation with the local self-government units, shall provide office space for meetings between the MPs and the citizens in their constituency.

(2) Every Friday shall be devoted to the MPs' contacts with the citizens in the constituencies.

(3) The Assembly shall not convene sessions on Fridays (plenary sessions, meetings of the working bodies, and activities of the Parliamentary Groups for cooperation with parliaments of other states), except in urgent and extraordinary circumstances.

(4) The finances for maintaining contacts between the MPs and the citizens, as mentioned in paragraph 1 of this Article, shall be secured from the Assembly's finances in the Budget of the Republic of Macedonia; this shall be done with an act adopted by the Budget Council of the Assembly.

11. SIGNING AND PROMULGATION OF DOCUMENTS

Article 37

- (1) The text of the law shall not be signed.
- (2) Other documents adopted by the Assembly shall be signed by the President of the Assembly.
- (3) Acts that are adopted independently by the working bodies shall be signed by the Chairperson of the working body which adopted the act.

Article 38

- (1) Newly adopted laws shall be submitted to the President of the Republic on the day of the adoption, in order to sign the Decree for Promulgation of the Law.
- (2) The President of the Republic shall sign the Decree for Promulgation of the Law within 7 days of receiving it, or shall within that deadline inform the President of the Assembly in a written form that the law was not promulgated.
- (3) If the President of the Republic decides not to sign the Decree for Promulgation of the Law, the Assembly shall reconsider the Law in accordance with the Rules of Procedure, within 30 days of its adoption.
- (4) After the reconsideration of the Law, amendments may be submitted only in relation to the remarks made by the President of the Republic.

Article 39

The Laws and the other regulations and general acts shall be published in the "Official Gazette of the Republic of Macedonia" before they enter into force.

12. STAFF OF THE ASSEMBLY

Article 40

- (1) The Staff of the Assembly shall perform expert and other affairs for the needs of the Assembly, the working bodies and the MPs.
- (2) The organization, assignments and functioning of the Staff shall be determined in accordance with the law.

Article 41

- (1) The Staff of the Assembly shall be managed by the Secretary General, who is elected by the Assembly.
- (2) The Assembly may elect one or more Deputy Secretary General(s).
- (3) When employing staff in the Staff of the Assembly, the Secretary General shall ensure equitable and fair representation at all levels, As well as respect of the criteria for professionalism and competence.

Article 42

- (1) As an enhancement of its legislative, oversight and analytical-research capacity, the Assembly shall establish a special organizational unit (Parliamentary Institute).
- (2) The functioning of this special organizational unit (see paragraph 1 from this Article) shall be regulated with a separate Regulation which shall be adopted by the Secretary General and shall be based on the mutually agreed positions of the President of the Assembly, the Vice Presidents and the Coordinators of the Parliamentary Groups, within three months of the entering into force of this Law.
- (3) The special organizational unit (Parliamentary Institute) shall represent a research centre that will provide the MPs with timely, objective and impartial expert research and analysis for the exercise of the parliamentary function.

(4) The persons in the parliamentary institute shall be engaged on the basis of fair and equitable representation on all levels, on the basis of respect of the criteria of professionalism and expertise.

(5) The MPs that speak a language other than Macedonian, which is also spoken by at least 20% of the population in the Republic of Macedonia, shall receive the materials prepared by the Parliamentary Institute in their language and alphabet. On request of an MP, the materials shall be translated in other world languages.

(6) The Parliamentary Institute shall cooperate with the state organs and other institutions in order to receive in due time materials and information that are not of a confidential character.

(7) Management and oversight over the work of the Parliamentary Institute shall be conducted by the Administrative Council composed of the Coordinators of the Parliamentary Groups, the Secretary General of the Assembly, and other representatives appointed by way of coordination of the President of the Assembly with the Vice Presidents and the Coordinators of the Parliamentary Groups.

(8) The special organizational unit (Parliamentary Institute) shall submit an annual report for its work to the Administrative Council and the President of the Assembly.

(9) The Assembly shall secure conditions for the application of E-Parliament in its functioning.

(10) The Assembly shall secure conditions for the functioning of the parliamentary library.

13. MAINTAINING THE ORDER IN THE ASSEMBLY

Article 43

(1) A special unit shall maintain the order within the Assembly premises. The persons from the special unit for maintaining the order in the Assembly premises shall have, in a visible place, an emblem of the Assembly of the Republic of Macedonia.

(2) The authorized official persons from other state bodies shall not be entitled to access the Assembly's premises without prior approval of the President of the Assembly, nor shall they undertake measures towards the MPs, the members of the Staff and the other citizens.

(3) Carrying weapons in the Assembly's premises shall not be permitted, except for the persons authorized to maintain the order within the Assembly premises.

(4) The President of the Assembly, with prior consultations with the Vice Presidents and the Coordinators of the Parliamentary Groups, shall decide and take measures on the responsibility for disruption of the order in the Assembly by the MPs and other external persons that participate in the work of the Assembly.

(5) The Secretary General of the Assembly shall take appropriate measures for the responsibility for disruption of the order in the Assembly by the members of the Staff and external persons invited by the staff.

14. FINAL AND TRANSITIONAL PROVISIONS

Article 44

(1) The acts established with this Law shall be adopted within six months of the entering into force of the Law.

(2) Before the adoption of this act, the existing acts shall be implemented, if they are not contrary to this Law.

Article 45

(1) On the day this Law enters into force, the provisions from Article 18 of the Law on Members of Parliament ("Official Gazette of RM" No. 84/2005 and 161/2008).

(2) On the day this Law enters into force, the Decision for establishing the Budget Council of the Assembly of RM shall no longer be valid ("Official Gazette of RM" No. 77/2008)

(3) On the day this Law enters into force, the Decision for the establishing the Council of the Parliamentary Channel shall no longer be valid ("Official Gazette of RM No. 17/2006, 107/2006 and 80/2008), except the provisions in Article 2, paragraph 1, that will be applied until the next composition of the Assembly.

Article 46

(1) The provisions from Article 9 of this Law shall apply starting from 1 January 2010.

(2) Paragraphs (1) and (2) of Article 33 of this Law shall apply starting from the next composition of the Assembly.

(3) The Budget Council shall determine the assets at its disposal within six months of entering into force of this Law.

Article 47

This Law shall enter into force on the eighth day of its publication in the "Official Gazette of RM".