

## **C O D E**

### **on the organization and functioning of the Parliament**

Pursuant to Article 64 paragraph (1) and Article 72 paragraph (3) letter c) of the Constitution of the Republic of Moldova,

The Parliament adopts this organic law.

## **TITLE I ORGANIZATION AND FUNCTIONING OF THE PARLIAMENT**

### **Chapter I GENERAL PROVISIONS**

#### **Section 1 General provisions**

#### **Article 1.** Regulatory scope

The Code on the Organization and Functioning of the Parliament envisages the manner of establishing, organization and functioning of the Parliament of the Republic of Moldova, the legal relations between the Parliament and other authorities, stipulates the status of the Member of Parliament and the status of the Secretariat of the Parliament.

#### **Article 2.** Legislative authority

(1) The Parliament of the Republic of Moldova (hereinafter referred to as *Parliament*) is the supreme representative body of the people and the sole legislative authority of the State.

(2) The legislative power in the Republic of Moldova shall be exercised on the basis of the principle of separation of powers in the State and in cooperation with the executive and judicial powers, in accordance with their prerogatives under the Constitution of the Republic of Moldova.

**Article 3. Legal framework**

(1) The activity of the Parliament shall be regulated by the Constitution of the Republic of Moldova, international treaties and this Code.

(2) Any matter relating to the activity of the Parliament that is not regulated by this Code or other normative acts shall be dealt with by the Parliament.

**Article 4. Functions of Parliament**

In its work, Parliament exercises the following basic functions:

- a) legislative;
- b) representative;
- c) supervisory;
- d) internal organization.

## **Section 2**

### **Principles of Parliamentary activity**

**Article 5. Legality**

(1) Respect for the Constitution, its supremacy and the laws is mandatory.

(2) The normative acts adopted by the Parliament shall ensure the security of legal relations for individuals.

**Article 6. Democracy and political pluralism**

(1) Democracy is based on pluralism of opinions when decisions are adopted in Parliament.

(2) Every Member of Parliament shall be guaranteed the right to express an opinion on any matter debated in Parliament.

(3) During the exercise of their mandate, Members of Parliament may not be persecuted or held legally responsible for their votes or opinions expressed.

**Article 7. Parliamentary autonomy**

(1) Parliamentary autonomy covers regulatory and financial autonomy.

(2) Regulatory autonomy implies the Parliament's legal right to lay down the rules governing its organization and functioning.

(3) Financial autonomy envisages the approval of the necessary financial resources within a separate budget.

#### **Article 8. Protection of human rights and freedoms**

(1) The protection of human rights and freedoms is a fundamental principle and a priority of the Parliament.

(2) The Parliament shall ensure respect for the principle of stability of legal relations, which is a recognized possibility for any person to evolve in a secure legal environment, avoiding permanent changes in legal norms, thus ensuring the stability of social relations regulated by law.

#### **Article 9. Public nature of the Parliament's work**

(1) The activity of the Parliament shall be public.

(2) Transparency in decision-making is a basic principle in the legislative process.

(3) Laws and decisions adopted by the Parliament shall be published in the Official Monitor of the Republic of Moldova.

(4) The Parliament ensures access to information of public interest under the Law No.148/2023 on access to information of public law.

(5) Media representatives and interested persons shall have access to the sittings of Parliament's working bodies and of the Plenary, in compliance with the rules and regulations approved by the Standing Bureau, subject to the security measures.

#### **Article 10. Proportional representation**

(1) Members of Parliament elected to Parliament represent the people and express the political will of the citizens.

(2) The organization and functioning of the Parliament shall be based on proportional representation on the basis of the votes cast by the electorate.

#### **Article 11. Deliberation**

(1) Debates in the working bodies and in the plenary of the Parliament shall be public, with the exceptions established by the Parliament in accordance with the law.

(2) Debates in the Parliament's working bodies and in plenary shall be conducted in accordance with the requirements of this Code.

(3) The Parliament shall adopt its acts, in the presence of a simple majority of its members, by a majority vote of its members, in accordance with the requirements of the Constitution and this Code.

### **Section 3**

#### **Premises and ceremonial procedures**

##### **Article 12.** Parliament's premises

(1) The premises of the Parliament shall be located in the capital of the Republic of Moldova, the municipality of Chisinau.

(2) Temporary relocation of the Parliament shall be permitted only in the event of war, disaster or other exceptional circumstances, as decided by the Parliament.

(3) Plenary sittings of Parliament or of its working bodies shall be held on the premises of Parliament or in other buildings as decided by Parliament.

(4) In the event of the inauguration of the President of the Republic of Moldova, the special session shall be held in the venue as determined by the newly-elected President of the Republic of Moldova.

##### **Article 13.** Day of the Parliament of the Republic of Moldova

Parliament Day is celebrated on May 23.

##### **Article 14.** Use of state symbols

(1) The State Flag shall be flown at all times on the premises of the Parliament and in the plenary session hall of the Parliament, except on days of mourning declared in the established manner and on funeral solemnities - at half-mast.

(2) The State Coat of Arms shall be displayed on the Parliament's premises and in the Plenary Hall.

(3) The State Anthem of the Republic of Moldova shall be sung at the opening and closing of the sessions of the Parliament.

(4) The State Flag and Coat of Arms shall be honoured at the opening of each plenary session.

(5) Flags of other states and international organizations may be flown together with the State Flag, in compliance with the provisions of Law No. 217/2010 on the State Flag of the Republic of Moldova.

#### **Article 15. Working language in Parliament**

(1) The working language of the Parliament shall be Romanian.

(2) Acts of Parliament shall be drawn up and adopted in Romanian.

### **Section 4 Setting up of the Parliament**

#### **Article 16. Election of the Parliament**

(1) The Parliament is composed of 101 Members of Parliament, elected by universal, equal, direct, secret and freely expressed universal suffrage, for a term of four years, which may be extended by an organic law in the event of war or disaster.

(2) The term of office of the Parliament shall be extended until the legal meeting of its new composition. During this period the Constitution of the Republic of Moldova may not be amended and no organic laws may be adopted, amended or repealed.

(3) The election of the Parliament shall be held in a single national constituency within a maximum of 3 months after the expiry of the term of office of the previous Parliament or the dissolution of the previous Parliament.

(4) The date of parliamentary elections shall be set in accordance with the Electoral Code.

#### **Article 17. Special sitting for setting up of the Parliament**

(1) After the confirmation of the elections and the validation of the mandates of the Members of Parliament, the President of the Republic of Moldova shall

convene the Parliament in a special constitutive session within 30 days after the elections.

(2) The special session shall begin with a formal sitting of the Parliament.

(3) The inaugural sitting of the newly-elected Parliament shall be chaired by the Speaker of the Parliament of the previous parliamentary term, if he/she is a Member of Parliament, otherwise the sitting shall be chaired by the oldest Member of Parliament.

(4) If the eldest Member of Parliament is unable to carry out his duties, he shall be replaced by the next oldest Member present.

(5) No debates may be initiated during the constitutive session of Parliament.

(6) The President of the constituent sitting shall give the floor to the President of the Constitutional Court to present the report on the results of the parliamentary elections and the validation of the mandates of the elected Members of Parliament.

(7) After the presentation of the Constitutional Court's report, the Members of Parliament shall take the oath.

(8) The Parliament shall be considered legally constituted after the presentation of the report on the results of the parliamentary elections and the swearing-in ceremony.

(9) The special session shall last until all the working bodies of the Parliament are formed.

### **Article 18. Taking the oath**

(1) After the presentation of the report of the Constitutional Court, the President of the session shall invite the Members of Parliament to the central rostrum to take the following oath:

*"I swear to justify the trust placed in me by the people, to participate in good faith in the exercise of state power, to respect the Constitution and the laws of the country, to fulfil my duties as a Member of Parliament, and to carry out my actions solely for the benefit and well-being of the people."*

(2) The written oath shall be solemnly pronounced, signed by each Member of Parliament and forwarded to the Secretary-General of Parliament for insertion in the personal file.

(3) Refusal to take the oath shall be recorded by the President of the sitting, entered in the personal file and, where appropriate, in other official acts of Parliament in accordance with the list drawn up by the Standing Bureau. Information on the refusal to take the oath shall be placed on Parliament's official website.

(4) Refusal to take the oath leads to the termination of the mandate.

(5) The Member of Parliament who was not present at the constitutive sitting and the Member of Parliament whose mandate is subsequently validated shall take the oath at the first plenary sitting which he or she attends after the validation of the mandate, according to the same procedure.

### **Article 19.** Setting up of the Parliament's working bodies

Once the Parliament has been legally constituted, the parliamentary factions shall be formed, the Speaker of the Parliament, the Vice-Speakers of Parliament, the Standing Bureau and the Standing Committees are elected.

## **Section 5** **Parliamentary factions**

### **Article 20.** Formation of parliamentary factions

(1) In order to organize and ensure the functioning of Parliament, as well as to carry out coordinated activity and issue a joint opinion on matters falling within Parliament's competence, Members of Parliament may form parliamentary factions.

(2) A parliamentary faction is a voluntary association of Members of Parliament elected on the electoral lists of a political party, a socio-political organization or an electoral bloc consisting of at least 5 Members of Parliament.

(3) The Members of Parliament elected on the basis of lists of electoral contestants who have not reached the number necessary to form a parliamentary faction of independent Members and/or unaffiliated Members, may resort to form parliamentary factions of at least 5 Members of Parliament.

(4) Members of Parliament who have stood as candidates on the lists of an electoral bloc and belong to different political parties and/or socio-political organizations may form their own parliamentary factions of the political parties and/or socio-political organizations to which they belong.

(5) The members of a political party or a social-political organization have the right to form only one parliamentary faction bearing the name of this party or organisation.

(6) A Member of Parliament may belong to only one parliamentary faction.

(7) Parliamentary factions shall, as a rule, be formed within 10 days from the date of the legal establishment of the newly-elected Parliament. Within the same period, the faction shall register its rules of procedure with the Secretary-General of the Parliament, which shall be published on Parliament's website.

(8) The declaration of the formation of factions shall be submitted to the President of the sitting and shall be presented from the central rostrum. The declaration shall contain the names and symbols, the numerical and nominal composition, its leadership and the signatures of its members.

(9) The names and symbols of parliamentary factions shall not coincide with the names and symbols of parties or socio-political organizations that are banned or declared unconstitutional.

(10) The President of the sitting shall determine the sequence of speeches according to the numerical composition of the parliamentary factions.

(11) If Members of Parliament intend to form a parliamentary faction after the expiry of the period referred to in paragraph (6), they may form such a faction only at the opening of the next ordinary session of Parliament.

(12) In the case of requests to change the proportional representation of factions in Parliament, the Standing Bureau, the Standing committees and the Standing parliamentary delegations, changes may be made only at the opening of the next ordinary session of Parliament.

(13) Parliamentary factions must ensure a balanced representation of women and men in governing bodies, working bodies and other structures.

## **Article 21.** Amendments in the structure of parliamentary factions

(1) The Member of Parliament shall lose his/her membership of the faction in the case of:

- a) submitting a request to leave the faction or making a declaration to that effect in plenary;
- b) cessation of the capacity of Member of Parliament;
- c) exclusion from the membership on the basis of the decision of the faction;



- d) termination of a parliamentary faction;
- e) the declaration of unconstitutionality or prohibition of the political party.

(2) An unaffiliated Member of Parliament who has left the faction or has been excluded from the ranks of the faction may only join another parliamentary faction after a period of 6 months.

(3) Any change in the structure of the parliamentary faction shall be notified at the plenary session of the Parliament and a statement to that effect shall be submitted to the President of the sitting.

## **Article 22. Termination of a parliamentary faction**

(1) A faction shall cease to exist if the number of its members is less than 5 or if the faction submits a decision to that effect.

(2) The faction may not cease to exist if the number of its members is less than 5 if the Member of Parliament whose mandate was validated within the period after the reduction of the faction's composition, has declared his or her accession to the faction within 10 days of the validation of the mandate.

(3) The termination of a parliamentary faction shall be determined by the Speaker of the Parliament and announced in plenary sitting.

(4) If a parliamentary faction has ceased to exist, the representation seats of the factions in Parliament in working bodies and delegations shall be redistributed proportionally.

## **Article 23. Internal organization of parliamentary factions**

(1) The internal organization of the faction shall be determined by its own rules of procedure approved at the meeting of the faction, adopted in accordance with the Model Regulation approved by decision of the Standing Bureau, which shall be published on the official website of the Parliament.

(2) The rules of procedure of the parliamentary faction shall contain:

- a) the full name and abbreviated name of the faction;
- b) organisational charter of the faction;
- c) the membership of the faction;
- d) rights and duties of the members of the faction;
- e) the leadership of the faction (method of appointment, its rights and duties);
- f) the conditions and procedure for the nomination and dismissal of faction representatives to Parliament's working bodies or other structures;

- g) the meetings of the faction (quorum, voting procedure, drawing up the minutes, number of votes needed to take a decision, etc.);
- h) faction secretariat;
- i) the manner of reorganization, termination of the faction's activity, etc.

#### **Article 24. Rights of parliamentary factions**

(1) Parliamentary factions have the right:

- a) to make proposals for the appointment or dismissal of its representatives to Parliament's working bodies and standing parliamentary delegations, taking into account their proportional representation in Parliament;
- b) to submit candidates for election/appointment to public office, in accordance with the law;
- c) to propose subjects for the agenda of the sittings of the Parliament and the Parliament's Standing Bureau;
- d) to propose the formation of special and inquiry committees of Parliament;
- e) to recommend the referral of a draft normative act to the author or to the committee, under the conditions of this Code;
- f) to initiate exclusively political draft acts of Parliament;
- g) propose the formation of working groups and expert groups on various fields of activity;
- h) to initiate parliamentary hearings;
- i) to initiate motions under the conditions of this Code;
- j) other rights provided for by the Constitution of the Republic of Moldova, this Code and other normative acts.

(2) The parliamentary factions have the right to express their political positions on the issues examined by the Parliament.

(3) Parliamentary factions have the right to join with other parliamentary factions in alliances/coalitions.

(4) The parliamentary factions have the right to delegate the representative of the faction to make speeches, statements, announcements and proposals on behalf of the faction.

(5) Parliamentary factions have the right to be consulted by experts and specialists, to invite to the meetings of the faction persons interested in the subject under discussion.

(6) Parliamentary factions shall have the right to submit proposals on Parliament's program of activities.

### **Article 25. Duties of the parliamentary faction chairperson**

- (1) The chairperson of the parliamentary faction has the following duties:
- a) represents the parliamentary faction and negotiates on its behalf;
  - b) if necessary, requests the plenary of Parliament to recess for consultations, quorum checks, the holding of closed sittings of the plenary, the closure of debates in Parliament;
  - c) informs the members of the faction about parliamentary activities;
  - d) presents the opinion of the faction on draft normative acts submitted for plenary debate;
  - e) presents the views of the faction on various issues of parliamentary activity;
  - f) manages the work of the faction's cabinet;
  - g) performs other duties as provided for by this Code and the rules of the parliamentary faction.

(2) The chairperson of a parliamentary faction may delegate some of his or her tasks to one of the members of the faction.

### **Article 26. Ensuring the work of the parliamentary factions**

(1) Parliament's Secretariat shall ensure the work of the parliamentary factions by providing them with office space, stationery, supplies, transportation and other services necessary for the efficient conduct of their work.

(2) The parliamentary faction shall be assisted in its work by its own cabinet, according to its numerical representation in Parliament.

(3) The conclusion and termination of individual contracts of employment with the staff of the parliamentary faction's private office shall be decided by the Speaker of the Parliament on a proposal from the Chairperson of the parliamentary faction.

(4) In order to ensure parliamentary activity, the factions shall have an annual budget, approved by the Parliament on the basis of their numerical representation in the Parliament.

(5) The use of the financial means of the factions shall be decided autonomously by each faction.

## **Section 6**

### **Parliamentary majority and opposition**

### **Article 27. Principle of political solidarity**

(1) The parliamentary majority and the parliamentary opposition are jointly and severally responsible for the public interest of society.

(2) The parliamentary majority must ensure fair and adequate treatment of the opposition without abusing its dominant position.

### **Article 28. Parliamentary majority**

(1) A parliamentary majority shall be deemed to be the faction, alliance/coalition of factions, independent and/or unaffiliated Members of Parliament, announced by a declaration, which comprises more than half of the elected Members of Parliament.

(2) If the parliamentary majority is made up of several parliamentary factions and independent Members of Parliament, they shall be entitled to form a majority alliance which shall conclude an agreement on its formation and functioning.

(3) The agreement on the formation and functioning of the alliance/coalition shall contain:

- a) principles of activity;
- b) nominal composition and leadership;
- c) the decision-making procedure;
- d) conditions for the termination of the alliance/coalition.

(4) The alliance shall cease to exist from the moment when the parliamentary faction or factions, or the independent Members of Parliament, announce their withdrawal from its membership, in the event that the alliance loses its parliamentary majority status or in the event of its dissolution.

(5) The agreement on the formation and functioning of the alliance/coalition shall be placed on the official website of the Parliament.

### **Article 29. Parliamentary opposition**

(1) The parliamentary opposition shall mean the parliamentary factions or independent Members of Parliament who are not part of the parliamentary majority and who have declared themselves in opposition to it.

(2) The declaration on switching to parliamentary opposition shall contain the reasons for the decision to switch to opposition, the nominal composition and the signatures of the members.

**Article 30. Rights of the parliamentary opposition**

(1) The opposition is entitled to be represented in the working bodies of the Parliament and in the structures in which members of the parliamentary majority are present.

(2) The parliamentary opposition has the right to raise issues and inform the public about the shortcomings of the work of the parliamentary majority, to actively, constructively and thoughtfully address all the problems faced by citizens and, at the same time, to offer alternative solutions acceptable from the point of view of the economic and financial possibilities of the state.

(3) The parliamentary opposition shall have the right to express from the rostrum of the Parliament its official criticism of the government program, of the draft normative acts examined by the Parliament and to present its own point of view on the issues related to the internal and foreign policy of the state.

(4) It is mandatory that the amendments proposed by opposition members are examined in the standing committees.

(5) The Opposition Day shall be organized twice during a session with a prior request at least 10 days in advance.

(6) The agenda of the plenary session shall be proposed by the parliamentary opposition.

**Section 7****Speaker and Vice-Speakers of the Parliament****Article 31. Election of the Speaker of the Parliament**

(1) The Speaker of the Parliament shall be elected from among the Members of Parliament after the Parliament has been legally constituted and parliamentary factions have been formed.

(2) The Speaker of the Parliament shall be elected for the duration of Parliament's term of office, by secret ballot, by a majority of the elected Members of Parliament.

(3) If, during a parliamentary term, the office of Speaker of the Parliament becomes vacant, the procedure for electing the Speaker of the Parliament shall be

similar to the procedure following the establishment of Parliament, the sitting being chaired by one of the Vice-Speakers of Parliament.

**Article 32. Special Committee for conducting the election of the Speaker of the Parliament**

(1) In order to organize and conduct the election of the Speaker of the Parliament, a Special committee for the election of the Speaker of the Parliament shall be set up by a decision of the Parliament, on the proposal of the parliamentary factions.

(2) The Committee shall operate on the basis of this Code and its own rules of procedure, which shall be approved in accordance with the model rules approved by the Standing Bureau.

(3) The Special Committee shall be chaired by its chairperson, assisted by a secretary, both elected by a majority of its members.

(4) The meetings of the Committee shall be deliberative with the presence of a majority of its members.

(5) The decisions of the Committee shall be adopted by open vote of the majority of its members.

(6) The decisions and minutes of the meetings of the committee shall be signed by the chairperson and the secretary of the committee.

(7) The Committee for conducting the election of the Speaker of the Parliament shall have the following duties:

a) approve the voting rules and procedure and brings them to the attention of Members of Parliament in plenary session;

(b) receive proposals for nominations for the office of Speaker of the Parliament;

c) determine the model, number and text of the ballot paper;

d) ensure the preparation and conduct of the voting procedure;

e) resolve conflicts arising during voting;

(f) shall tabulate the results of the vote and submit them to Parliament for approval.

(8) The Committee for conducting the election of the Speaker of the Parliament shall declare the ballots invalid as follows:

a) ballots which are left over and not used in the voting process;

b) which are not signed and stamped by the committee;

c) which were annulled by the committee during the vote;

- d) which contain other added names;
- e) that do not reflect the voter's intention.

**Article 33.** Procedure for the election of the Speaker of the Parliament

(1) Nominations for the office of Speaker of the Parliament may be submitted by parliamentary factions or by at least 1/3 of the elected Members of Parliament.

(2) The Committee for the conduct of the election of the Speaker of the Parliament shall receive the nominations and shall write the names and surnames of all candidates on the ballot papers.

(3) Each parliamentary faction is entitled to nominate only one candidate. A Member of Parliament may sign the nomination of only one Member of Parliament.

(4) The decision of the faction or the proposal of 1/3 of the elected Members of Parliament to nominate a candidate for the office of Speaker of the Parliament, together with the candidate's consent, shall be submitted to the Committee for the election of the Speaker of the Parliament.

(5) A candidate for the office of Speaker of the Parliament may withdraw his or her candidacy at any time before the start of the secret ballot.

(6) The candidate for the office of Speaker of the Parliament shall have 10 minutes in which to address the Members of Parliament.

(7) The candidate who obtains the votes of the majority of the elected Members of Parliament shall be declared elected Speaker of the Parliament.

(8) If more than two candidates have participated in the ballot and no candidate has obtained the required number of votes, a second ballot shall be organized between the first two candidates who obtained the highest number of votes in the first ballot.

(9) If fewer than three candidates have participated in the first ballot and none of them has obtained the required number of votes, and if in the second ballot no candidate has obtained the votes of the majority of the elected Members of Parliament, new elections shall be organized.

(10) The same or other nominations may be put forward in new elections.

(11) After the election, the President of the sitting shall invite the Speaker of the Parliament to take his place in Presidium of the Parliament and solemnly present him with the Banner of the Speaker of the Parliament.

(12) Before presiding the plenary sitting of Parliament, the Speaker-elect may make an inaugural address to Parliament.

**Article 34.** Removal from office of the Speaker of the Parliament

(1) If, in accordance with Article 91 of the Constitution, the Speaker of the Parliament acts as interim President of the Republic of Moldova, he shall be relieved of the office of Speaker of the Parliament.

(2) During the interim of the office of President of the Republic of Moldova, the functions of the Speaker of the Parliament shall be performed by one of the Vice-Speakers of the Parliament appointed by the Parliament.

**Article 35.** Vacancy of the office of Speaker of the Parliament

(1) The office of Speaker of the Parliament shall become vacant in the event of:

- a) resignation;
- (b) revocation;
- c) definitive impossibility to exercise the duties for 4 months;
- d) withdrawal of the Member of the Parliament mandate;
- (e) death.

(2) The vacancy of the office of Speaker of the Parliament shall be established by a decision of Parliament.

(3) New elections shall be organized in the event of vacancy of the office of Speaker of Parliament.

(4) In the event of vacancy of the office of Speaker of the Parliament, the duties of the President shall be performed by a Vice-President appointed by Parliament.

**Article 36.** Dismissal of the Speaker of the Parliament

(1) The Speaker of the Parliament may be dismissed prematurely at any time, by secret ballot, by Parliament by a majority of at least 2/3 of the votes of the elected Members of Parliament.



(2) The dismissal of the Speaker of the Parliament may be initiated by the faction that submitted the motion or by at least 1/3 of the Members of Parliament.

(3) The proposal for dismissal shall be made in writing, signed by the initiators, and shall be submitted to the Bureau, which shall consider it at its first meeting and decide on its inclusion on the draft agenda of the next plenary session.

(4) The Speaker of the Parliament whose removal from office has been requested may not chair the sitting of the Standing Bureau or the plenary sitting at which his or her removal from office is discussed.

(5) In the debate on the proposal to recall a Member of Parliament, the President of the faction which requested the recall or a representative of 1/3 of the Members of Parliament who requested the recall shall take the floor.

(6) The Speaker of the Parliament shall have 10 minutes to address the Members of Parliament before the start of the secret ballot.

### **Article 37. Basic tasks of the Speaker of the Parliament**

(1) The Speaker of the Parliament shall have the following powers:

- a) convenes the Parliament in ordinary, extraordinary and special sessions;
- b) convenes and chairs Parliament's plenary sittings and meetings of the Bureau;
- c) gives the floor, moderates the discussion, summarizes the issues under debate, explains the significance of the vote and announces the result of the vote;
- d) ensures that order is maintained during debates and that this Code is observed;
- e) coordinates the activities of Parliament and its working bodies under the conditions laid down in this Code;
- f) represents the Parliament in relations with the President of the Republic of Moldova, the Government of the Republic of Moldova, the Constitutional Court, other public authorities, legal entities in the country or abroad;
- g) decides on the introduction into the legislative procedure of draft normative acts that meet the requirements of the normative acts, designates the committees on the merits of the case;
- h) signs the acts adopted by Parliament and the Standing Bureau;
- i) designates, after consulting the parliamentary factions, the composition of the parliamentary delegations, with the exception of the standing parliamentary delegations;
- j) proposes to the Parliament candidates for public office, under the conditions established by the Constitution of the Republic of Moldova and other laws.

(2) The Speaker of the Parliament shall have his/her own fund in Parliament's budget to ensure parliamentary activity. The fund shall be managed autonomously.

(3) During the exercise of his or her duties, the Speaker of the Parliament shall have his or her own cabinet of advisers and assistants.

(4) The Speaker of the Parliament shall coordinate the work of Parliament's Secretariat, approve the establishment plan of Parliament's Secretariat, employ and dismiss from the staff of the cabinets the publicly-appointed office-holders in Parliament.

(5) The Speaker of the Parliament shall perform other duties provided for in this Code or in accordance with the decisions of the Parliament.

(6) In the exercise of his or her powers, the Speaker of the Parliament shall issue legal provisions and orders.

### **Article 38. Vice-Speakers of Parliament**

(1) The Vice-Speakers of Parliament shall be elected based on the proposal issued by the Speaker of the Parliament, after consulting the parliamentary factions, by a majority of the Members of Parliament present.

(2) The number of Vice-Speakers of Parliament shall be determined by Parliament.

(3) A Vice-president shall represent the opposition. If the nomination is not put forward, the office shall remain vacant.

(4) The Speaker of the Parliament may at any time propose to Parliament the premature dismissal of the Vice-Speaker of the Parliament at the request of the parliamentary majority, the parliamentary opposition or the faction which proposed him/her.

(5) Revocation shall be decided by a majority of the Members of Parliament present.

### **Article 39. Duties of the Vice-Speakers of Parliament**

(1) The Vice-Speakers of the Parliament shall coordinate the work of standing committees, ensure cooperation with other public authorities on matters falling within the powers of the Parliament, perform the duties delegated by the President, including signing the laws and resolutions adopted by the Parliament.

(2) The powers of the Vice-Speakers of the Parliament shall be determined by a decision of the Standing Bureau of the Parliament, on a proposal from the Speaker of the Parliament.

(3) In the event of the temporary absence of the Speaker of the Parliament, one of the Vice-Speakers shall perform the duties of the President on a decision of the Speaker of the Parliament.

## **Section 8**

### **Standing Bureau of the Parliament**

#### **Article 40. Standing Bureau of the Parliament**

(1) The Standing Bureau of Parliament shall be the working body of Parliament which contributes to the performance of Parliament's functions and to ensuring the organization of its work, within the limits of the powers laid down by this Code and other normative acts.

(2) The Standing Bureau is a collegial, deliberative body, without legal personality, which is permanently active in the exercise of its functions.

(3) The Standing Bureau shall operate on the basis of this Code, its own rules of procedure, and shall be guided in its activity by the provisions of the Constitution and the legislation in force.

(4) The Standing Bureau shall be formed taking into account the proportional representation of factions in Parliament. The Speaker of the Parliament, the Vice-Speakers of Parliament and the chairpersons of the parliamentary factions shall be ex officio members of the Standing Bureau.

(5) The numerical and nominal composition of the Standing Bureau shall be determined by a decision of Parliament, on a proposal from the parliamentary factions.

(6) The members of the Standing Bureau shall be proposed by decisions of the parliamentary factions, within the limits of the number of seats allocated to them.

(7) Meetings of the Standing Bureau shall be convened by the Speaker of the Parliament and at the request of at least 1/3 of its members.

(8) Membership of the Standing Bureau shall cease in the event of dismissal, resignation or termination of the mandate of a Member of Parliament.

(9) A member of the Standing Bureau may be dismissed by a decision of the faction that appointed him, adopted by a majority of its members.

(10) In the event of termination of membership of the Bureau, the parliamentary factions shall appoint another member.

(11) Meetings of the Standing Bureau shall be deliberative if more than half of its members attend.

(12) Meetings of the Standing Bureau shall be chaired by the Speaker of the Parliament or one of its Vice-Speakers and shall be recorded in minutes signed by the President of the sitting and posted on Parliament's official website.

(13) The minutes shall contain a list of the persons present at the meeting of the Standing Bureau, the questions examined, the persons who took the floor, the results of the voting and the decisions taken.

(14) The acts of the Standing Bureau shall be adopted in the form of resolutions by a majority vote of the members present.

(15) The decisions of the Standing Bureau shall be published on the official website of Parliament.

#### **Article 41. Tasks of the Standing Bureau**

The Standing Bureau has the following basic tasks:

a) decide on the mode of activity of the Parliament and its working bodies, and propose to the Parliament the duration of its sessions;

b) submit for Parliament's approval the numerical and nominal composition of the Parliament's standing committees and permanent parliamentary delegations to international organizations;

c) prepare and ensure the conduct of Parliament's activity;

d) supervise and coordinate the work of parliamentary committees and Parliament's Secretariat;

e) draw up the draft agenda of Parliament's sittings and submit it to Parliament for approval;

(f) draw up, at the beginning of the spring session, in agreement with the

chairpersons of the parliamentary factions and standing committees, Parliament's annual legislative program and submit it to Parliament for approval;

g) propose the holding of hearings in the plenary of the Parliament and determine the procedure for public debate of draft normative acts;

h) propose the establishment of committees of inquiry or special committees;

i) approves the methodology for ex-post evaluation of laws, as well as the annual plans on parliamentary control;

j) in order to ensure the organization and functioning of the Parliament and the Secretariat of the Parliament, adopt regulations, instructions, other binding administrative acts;

k) establish the functions and responsibilities of its members;

l) approve the structure and staffing limits of Parliament's Secretariat, as well as the specific conditions of remuneration and compensation of expenses incurred in the performance of the duties of civil servants and other employees of the Secretariat;

m) approve the draft budget of the Parliament and submit it to the Government to be included in the draft state budget to be submitted to the Parliament for adoption;

n) regulate any other matters relating to the proper functioning of Parliament, Parliament's Secretariat and Members of Parliament;

o) perform other duties provided for by this Code, other acts or assignments of Parliament.

## **Section 9**

### **Parliament's Standing committees**

#### **Article 42. Constitution and composition of Standing committees of the Parliament**

(1) Standing Committees are working bodies of the Parliament, which contribute to and ensure the performance of the Parliament's functions.

(2) The numerical and nominal composition of the standing committees, the allocation and appointment to the posts of Chairperson, Vice-chairperson, secretary, member and alternate member shall be determined by a decision of Parliament, on a proposal by the Standing Bureau, taking into account the proposals of the parliamentary factions, in accordance with their proportional representation in Parliament and the requests of the Members of Parliament.

(3) The Chairpersons, Vice-Chairpersons and Secretaries of standing committees may be dismissed prematurely on a proposal from the Standing Bureau or from the parliamentary faction that submitted the nomination.

(4) The Deputy may be a full member of only one standing committee and an alternate member of at least one other standing committee.

(5) The standing committees shall draw up and adopt their own rules of organization and operation on the basis of the standard rules approved by the Bureau, which shall be published on the Parliament's website.

(6) Standing Committees shall, as a rule, be elected for the duration of the legislature.

(7) Standing Committees shall have the right to set up subcommittees, designating their attributions, composition and leadership. The Chairperson of the standing committee shall inform Parliament of the formation of the subcommittee.

(8) Each standing committee shall be assisted by a secretariat.

(9) The areas of activity of the standing committees shall be determined by a decision of Parliament, on a proposal from the Bureau.

(10) Where the draft normative act falls within the remit of more than one committee, in accordance with the resolution of the Speaker of the Parliament, the committees concerned shall submit to Parliament the relevant co-reports.

### **Article 43. Tasks of Standing committees**

(1) Standing committees shall be set up to examine draft normative acts, carry out public consultations, exercise parliamentary control over the work of the public administration, as well as over the organization of the execution of laws. Standing committees shall also perform other activities provided for by this Code and other normative acts.

(2) Standing committees shall report to and be subordinate to Parliament.

(3) The standing committees shall examine draft normative acts with a view to drawing up reports or co-reports, opinions, exercise parliamentary control in accordance with the provisions of this Code.

(4) The Standing committees shall approve, at the beginning of the spring session, the annual work plans of the committees, taking into account the Parliament's annual legislative program, which shall be published on the Parliament's official website.

(5) The Standing committees may, if necessary, propose that hearings be held in the plenary of the Parliament, including on the reports of the public authorities submitted to the Parliament.

(6) At the request of the Speaker of the Parliament, the Standing Bureau, the plenary of the Parliament or following the decision of the committee, the Standing committees are obliged to hold supervisory hearings.

(7) The Standing committees may set up working groups of experts and specialists in the field, representatives of interested parties, whom the committees shall consult in their work.

(8) In order to facilitate the process of public consultation on draft normative acts, the Standing committees shall draw up a list of associations established in accordance with the law, of other parties interested in their field of activity, which shall be updated at the request of the interested party.

(9) At the request of 1/3 of the members of the committee, any Standing committee, according to its fields of activity, may, with the consent of the Standing Bureau, initiate an inquiry into the work of the Government or the public administration.

(10) In order to obtain the consent of the Standing Bureau, the standing committee shall submit a reasoned request, adopted by a majority vote of the elected members, stating the subject, the purpose, the necessary means of inquiry and the deadline for the submission of the committee's report.

#### **Article 44.** Duties of the Chairperson of the Standing committee

Chairperson of the standing committee:

a) represents the committee in relations with the working bodies of the Parliament, with legal entities in the country or abroad.

(b) conducts and moderates the work of the Committee and ensures the maintenance of order at its meetings, in accordance with the rules laid down in this Code and the Rules of Procedure of the Committee;

c) receives and distributes committee correspondence, designates the deputy and the consultant responsible for organizing and preparing draft normative acts for debate in the committee, organizing and preparing public hearings, preparing committee reports and materials, other activities falling within the competence of the committee;

d) if necessary, on its own initiative or at the request of the members of the Committee, invites to participate in the work of the Committee members of the

Government, representatives of public administration, specialists, experts, representatives of civil society organizations and other persons;

(e) may designate another representative of the committee to attend meetings of other committees dealing with matters of importance to the committee he/she chairs;

f) signs the decisions, reports, co-reports, opinions and other acts of the Committee;

g) ensures the preparation of the agenda of the committee meetings;

(h) performs such other duties as are prescribed by this Code, the rules of procedure of the Committee, or as determined by a majority vote of its members.

**Article 45.** Duties of the Vice-President and of  
secretary of the Standing committee

(1) The Vice-Chairperson of the Committee shall perform the duties of the Chairperson in the absence or at the request of the Chairperson. Where the Board has more than one Vice-Chairperson, the powers of the Vice-Chairpersons shall be defined in the Rules of Procedure or, where necessary, by a majority vote of the Board.

(2) The secretary of the committee shall supervise the preparation of committee documents (reports, co-reports, opinions, minutes and other documents), count the votes at meetings and ensure the secretarial work of the committee.

## **Chapter II** **FUNCTIONING OF THE PARLIAMENT**

### **Section 1** **Parliament's legislative program, sessions and sittings**

**Article 46.** Annual legislative program

(1) In order to ensure the regulation of all areas of social relations, the organization of parliamentary hearings, parliamentary control and other activities, the Parliament, on the proposal of the Standing Bureau, shall adopt the annual legislative program.

(2) The legislative program shall be drawn up taking into account the Government's action plan, as well as the proposals of entities with the right of legislative initiative.

(3) The legislative program may be amended by Parliament on a proposal from the Standing Bureau.



(4) The legislative program shall be divided into separate chapters, which shall necessarily reflect, but shall not be limited to, the following aspects:

- a) the list of draft normative acts to be prepared and examined (title, responsible authority and deadline for submission to the Parliament, etc.);
- b) the list of draft normative acts elaborated in order to harmonize the national legislation with the European Union legislation;
- c) the reports of public authorities subject to hearings in the plenary of the Parliament, as well as other subjects of public interest.

(5) The legislative program shall be placed on the official website of the Parliament.

(6) In order to ensure an efficient interaction between the Parliament and the Government, working meetings of the Secretariat of the Parliament shall be organized jointly with the State Chancellery in order to coordinate joint activities aimed at the elaboration and implementation of the legislative program.

#### **Article 47. Sitzings of Parliament**

(1) The Parliament shall meet in ordinary, extraordinary and special sessions.

(2) Extraordinary or special sessions of the Parliament shall be convened at the request of the President of the Republic of Moldova, the Speaker of the Parliament or at least 1/3 of the number of elected Members of Parliament.

(3) The President of the Republic of Moldova, the Prime Minister, the Speaker of the Parliament and the chairpersons of factions may address the opening or closing sittings of the Parliament.

#### **Article 48. Ordinary sessions of Parliament**

(1) Parliament shall meet in two ordinary sessions a year.

(2) The spring session starts in February and may not go beyond the end of July.

(3) The fall session begins in September and may not go beyond the end of December.

#### **Article 49. Extraordinary sessions of Parliament**

(1) Extraordinary sessions may be convened only outside ordinary sessions and may be convened to examine extraordinary situations.

(2) The request to convene an extraordinary session shall be addressed to the Parliament in accordance with Article 67 of the Constitution of the Republic of Moldova and shall be submitted to the Speaker of the Parliament, who shall inform the Members of Parliament about the request to convene the parliamentary session.

(3) The request to convene an extraordinary session shall be made in writing and shall include the reason, the proposed agenda and the duration of the session.

(4) If the request to convene an extraordinary session does not meet the requirements set out in paragraph (2) and (3), the Speaker of the Parliament shall ask the initiators to remedy the shortcomings and, only after they have done so, shall inform the Members of Parliament of the request to convene an extraordinary session and shall convene a meeting of the Bureau.

(5) The Parliament shall be convened in extraordinary session in 3 working days from the date of registration of the request, at the proposal of the Standing Bureau, except in the case provided for in Article 87 paragraph (3) of the Constitution.

(6) The convening of an extraordinary session shall be announced through the media, with each Member of Parliament being informed individually as soon as possible.

(7) The absence of a quorum or the rejection by Parliament of the proposed agenda shall prevent the extraordinary session from proceeding unless Parliament has amended the agenda or approved another one..

## **Article 50. Special Sessions of Parliament**

(1) Special sessions may be convened throughout the year, both during ordinary sessions and between sessions.

(2) Special sessions shall be convened for:

- a) inauguration of the President of the Republic of Moldova;
- b) appointment of the Government;
- c) the constitution of the Parliament and the formation of its working bodies;
- d) holding the Government accountable to the Parliament;
- e) impeachment of the President of the Republic of Moldova;

f) solemn events or other cases, as decided by the Standing Bureau.

(3) The request to convene a special session shall be addressed to the Parliament in accordance with Article 67 of the Constitution of the Republic of Moldova and shall be submitted to the Speaker of the Parliament, who shall inform the Members of Parliament about the request to convene a special session.

(4) The request for convening a special session shall indicate the event to be held within the special session, the legal basis on which it is to be held, other documents required by law.

(5) If the request to convene a special sitting does not meet the requirements set out in paragraphs (3) and (4), the Speaker of the Parliament shall request that the shortcomings be remedied and, only after compliance, shall inform the Members of Parliament of the request to convene a special session.

(6) The Parliament shall be convened in special session in 3 working days from the date of registration of the request, on the proposal of the Standing Bureau, unless otherwise provided by law.

(7) The absence of a quorum or the rejection by Parliament of the proposed agenda shall prevent the special session from being held.

#### **Article 51. Sittings of Parliament**

(1) The work of Parliament shall take the form of plenary sittings and sittings of its working bodies.

(2) The activity of the Plenary shall be conducted in the presence of the President of the sitting.

(3) At the opening of sittings, debates on motions and voting on Parliament's decisions, a quorum shall be required in accordance with constitutional requirements.

#### **Article 52. Public nature of sittings of Parliament**

(1) The sittings of Parliament shall be open to the public and shall be broadcast live by national public radio and television broadcasters and/or via the Internet.

(2) Parliament's Secretariat shall ensure that plenary sittings are published on Parliament's website.

(3) Official announcements of sittings of Parliament shall be made public through Parliament's Secretariat.

**Article 53. Sittings of Parliament in camera**

(1) In order to protect information constituting a state secret, in the event of the discussion of issues relating to the protection of persons and national security, the Parliament may, at the reasoned request of the Speaker of the Parliament or a parliamentary faction, decide that certain sittings or the debate on certain subjects be closed.

(2) Parliament's decision to hold an in camera sitting shall, as a general rule, be taken at least one hour before the scheduled time of the sitting.

(3) At the beginning of the closed sitting, the Chairperson of the sitting shall inform the Members of Parliament and invited persons about the rules of the sitting, about the degree of secrecy of the information discussed at the sitting and shall warn about the liability for disclosure of information that constitutes a state secret.

(4) The bringing and use of photographic, film and video equipment, means of telephone and radio communication, as well as sound recording equipment, during the closed session of Parliament shall be prohibited.

(5) Representatives of the media shall not be allowed to attend closed sittings of Parliament.

(6) Voting in closed session shall be by show of hands.

(7) The transcript of the closed sitting, the documents related to the issues debated during the sitting shall be transmitted to the subdivision responsible for the protection of state secret within the Secretariat of the Parliament for the application of the secrecy procedure and the keeping of records in accordance with the legislation in force.

(8) Access to the minutes of closed sittings shall be regulated by the Standing Bureau.

**Article 54. Verbatim reports of parliamentary debates**

(1) Debates in Parliament's sittings shall be recorded by electronic means and shall be recorded in the verbatim report of proceedings.

(2) The verbatim reports of public plenary sittings shall be placed on Parliament's official website within 5 working days, except for those relating to closed sittings or items on the agenda.

**Article 55.** Persons entitled to attend sittings of Parliament

(1) Representatives of diplomatic missions, advocates of the people, representatives of central and local public administration authorities, as well as other persons, may attend public sittings of the Plenum of the Parliament, within the limits of available seats, under the conditions set by the Standing Bureau.

(2) Members of the Government or their representatives shall have access to sittings of Parliament. If their participation is requested, attendance shall be compulsory.

(3) In the case of debates on draft normative acts initiated by the Government, the Minister or the State Secretary of the responsible ministry is obliged to be present at the meeting, otherwise the draft normative act will be withdrawn from the agenda.

(4) The persons attending the meeting must keep quiet and respect the rules of conduct, otherwise the chairperson of the meeting may decide to remove them from the meeting.

**Article 56.** Registration of Members of Parliament's attendance at the proceedings of the Parliament plenary

(1) Members of Parliament shall be required to be present at the proceedings of the plenary sitting of Parliament and to register in person by means of the electronic vote-counting system.

(2) The President of the sitting shall record the attendance of Members of Parliament and the result of the recording shall be displayed on the screen and announced additionally by the President of the sitting.

(3) Members of Parliament who join during the sitting are required to register with Parliament's Secretariat.

**Section 2**  
**Parliament's agenda****Article 57.** Setting the agenda

(1) Sittings of Parliament shall be held in accordance with the agenda, which shall consist of draft normative acts, draft acts of an exclusively political nature, reports and other items proposed by the Bureau.

(2) The draft agenda shall, as a general rule, be adopted for a period of two weeks and shall be drawn up taking into account Parliament's calendar of work.

(3) The Standing Bureau shall draw up the draft agenda in the first half of the week preceding the period for which it is approved.

(4) The list of items proposed for inclusion on the draft agenda shall be sent to the members of the Standing Bureau at least two days before the meeting at which the Standing Bureau is to draw up the draft agenda, unless otherwise provided for by law.

(5) Draft normative acts that entail an increase or reduction of budgetary revenues or loans, as well as an increase or reduction of budgetary expenditures that did not receive an advisory note of approval from the Government, may not be included in the draft agenda of the Parliament's sittings.

(6) Draft normative acts that have reports of the Standing committees on the merits of the case, or, where appropriate, co-reports, shall be submitted to the Standing Bureau for the drawing up of the waiting list of draft normative acts.

(7) The Standing Bureau shall decide on the inclusion of draft normative acts from the waiting list on the agenda of Parliament's sittings.

(8) Draft normative acts which do not have reports, where appropriate, or co-reports of the committees on the merits of the case may not be included on the draft agenda of Parliament's sittings.

(9) Draft normative acts for which the time limit for consideration has expired and the report of the standing committee on these normative acts or, where appropriate, the co-report has not been presented, may, if necessary, be placed on the agenda on a proposal from the Speaker of the Parliament.

(10) The draft agenda of sittings of Parliament approved by the Bureau shall be circulated to Members of Parliament and posted on Parliament's official website.

### **Article 58.** Priorities for drawing up the draft agenda

(1) When drawing up the draft agenda of Parliament, the following shall have priority:

- a) draft normative acts examined under urgent procedure;
- b) draft normative acts examined as a matter of priority;

c) requests from the President of the Republic of Moldova and the Prime Minister to present speeches, reports, other matters.

(2) The Standing Bureau may propose that Parliament agree to the inclusion on Parliament's agenda, as a matter of priority, of speeches from the central roster of the Parliament.

#### **Article 59. Approval of the draft agenda**

(1) The draft agenda shall be submitted for Parliament's approval on the last day of the working week preceding the period for which it was drawn up.

(2) Parliament may, on a proposal of a Member of Parliament, amend the agenda where draft normative acts are on the waiting list.

(3) The agenda of the sittings of Parliament approved by the legislature shall be placed on the official website of Parliament and shall be handed to Members of Parliament at the beginning of the working week.

#### **Article 60. Amendments to the agenda**

(1) The agenda may be amended at the first plenary sitting of the working week at the request of the Bureau, a parliamentary faction, a standing committee, at least five Members of Parliament or the author of the item on the agenda.

(2) Reasoned requests for amendments to the agenda shall be made by a single discourse not exceeding one minute. If there is a different opinion, only one representative of each parliamentary faction shall be given the floor, after which the proposals shall be put to the vote.

(3) Requests for amendments to the agenda shall be submitted in writing by parliamentary factions, committees, the Member of Parliament who is the author of the item on the agenda or at least 5 Members of Parliament.

(4) At any sitting of Parliament, the President of the sitting may propose, at the request of the Bureau, a parliamentary faction or a parliamentary committee, that the agenda be amended on his or her own initiative.

### **Chapter III LEGISLATIVE PROCEDURE**

#### **Section 1 Acts of the Parliament**

**Article 61.** Categories of acts adopted by the Parliament

- (1) The Parliament adopts constitutional laws, organic laws, ordinary laws, resolutions, exclusively political acts and motions.
- (2) Constitutional laws are those revising the Constitution of the Republic of Moldova.
- (3) The areas reserved for organic laws are determined by the Constitution of the Republic of Moldova and the Law No. 100/2017 on normative acts.
- (4) Ordinary laws shall regulate any field of social relations, except that reserved to constitutional and organic laws.
- (5) Parliament may adopt simple motions or motions of no confidence.
- (6) Resolutions shall intervene in cases provided for by law or in other areas not requiring the adoption of laws.

**Article 62.** Exclusively political acts of Parliament

- (1) The Parliament may decide on matters of a political nature through acts of an exclusively political nature.
- (2) The exclusively political acts of Parliament shall constitute expressions of will which produce political effects and do not have the force of normative acts.
- (3) Declarations, appeals and messages shall be classified as exclusively political acts of Parliament.
- (4) Draft acts of exclusively political acts of Parliament may be initiated by parliamentary factions or by at least 5 Members of Parliament.
- (5) Exclusively political acts shall take the form of resolutions.

**Article 63.** Numbering of normative acts

- (1) Legislative acts adopted by the Parliament shall be entered in the State Register of Acts of the Parliament of the Republic of Moldova. The manner of keeping this Register shall be approved by the Standing Bureau.



(2) The number of the normative act must be from the year in which the normative act was definitively adopted.

(3) The date of the normative act shall be the date of final adoption.

(4) Where the legislative act has been referred to Parliament for reconsideration, the final date shall be the date of its adoption after reconsideration.

(5) The new legislature of the Parliament which starts its activity during the calendar year may not change or interrupt the numbering of the normative acts of that year.

#### **Article 64.** Submission of documents to the archives of Parliament

The legislative acts adopted by Parliament and their files, as well as the documents and materials of the Bureau, parliamentary committees, factions and Parliament's Secretariat, shall be deposited annually in Parliament's archives in the manner laid down by the Bureau.

### **Section 2** **Legislative initiative**

#### **Article 65.** Conditions for the exercise of the right of legislative initiative and the entities entitled to exercise this right

(1) The right of legislative initiative belongs to the Members of Parliament, the President of the Republic of Moldova, the Government and the People's Assembly of the Autonomous Territorial Unit of Gagauzia, who are also considered as authors of draft normative acts.

(2) The Member of Parliament shall exercise the right of legislative initiative personally or jointly with other Members of Parliament.

(3) If the Constitution of the Republic of Moldova, international treaties or the legislation in force conditions the right of legislative initiative or reserves a certain field for certain subjects, such right cannot be used without fulfilling the legal conditions.

(4) The Government shall have priority in the elaboration and promotion of draft legislation related to the EU, having the control mechanism for ensuring compliance with EU legislation.

(5) The draft normative acts submitted by the President of the Republic of Moldova or the Government shall be presented to the Plenum of the Parliament by one of the members of the Government, or by the State Secretaries or by the authorized representative of the President of the Republic of Moldova or of the Government, and those submitted by the People's Assembly of the autonomous territorial unit of Gagauzia - by the President of the People's Assembly.

(6) The draft normative act shall be submitted to the Parliament drafted in accordance with the established requirements and legislative technical rules, together with the address for submission of the legislative initiative and the accompanying file provided for by Law No. 100/2017.

#### **Article 66.** Statement of reasons for draft normative acts

(1) The explanatory memorandum of the draft regulatory act is the author's instrument for presenting and substantiating the proposed regulations.

(2) The explanatory memorandum shall be written in an explicit, clear style, using the terminology of the draft normative act that it presents, in compliance with the requirements of Law No.100/2017.

(3) For draft normative acts to be examined by the Parliament as a matter of priority or as a matter of urgency, the explanatory memorandum shall distinctly present the objective elements of the extraordinary situation requiring immediate legal regulation, as well as the possible consequences that would occur in the absence of such regulations.

#### **Article 67.** Submission of the draft normative acts

The draft normative act, the explanatory memorandum and other related documents in the accompanying file shall be submitted in the original, in Romanian, in paper and in electronic version.

#### **Article 68.** Admissibility of the draft regulatory acts

(1) Draft normative acts submitted to Parliament shall be received and registered by Parliament's Secretariat.

(2) After registration of the draft normative act, it shall be submitted to the Directorate-General for Legal Affairs for verification of the accuracy of its drafting and the presence of all the necessary documents in the accompanying file according to the requirements of this Code and Law No. 100/2017.

(3) The Directorate-General for Legal Affairs shall, within two working days, issue a note of admissibility, in accordance with the requirements laid down by the Bureau, which it shall submit to the Speaker of the Parliament together with the draft normative act and the accompanying file.

(4) Draft normative acts that are proposed as legislative initiatives without taking into account the legal requirements shall be referred, by resolution of the Speaker of the Parliament, to the author for the removal of shortcomings.

(5) The requirements for the draft normative acts to be registered in the Parliament, the manner of their referral to their authors for the removal of shortcomings, as well as their circuit in the legislative procedure shall be determined by the Standing Bureau.

(6) Draft normative acts that have not been registered in Parliament in the established manner shall not be accepted for consideration in the standing committees and subdivisions of the Secretariat of Parliament.

#### **Article 69.** Initiation of the legislative procedure

(1) The draft normative act, submitted as a legislative initiative, which complies with the requirements of this Code, as well as with the requirements of Law No. 100/2017, pursuant to the resolution of the Speaker of the Parliament, shall be introduced into the legislative procedure.

(2) By resolution of the Speaker of the Parliament:

- a) the standing committee appointed to examine the merits of the case shall be appointed, which will be responsible for examining the draft and presenting the report to the plenary of the Parliament;
- b) where appropriate, the co-rapporteur committee shall be appointed;
- c) the standing committees and the Directorate-General for Legal Affairs of Parliament's Secretariat shall examine and endorse the draft normative act;
- d) where appropriate, the opinion of the Government and other authorities shall be sought;
- e) if necessary, the resolution shall indicate the procedure for consideration of the draft normative act.

(3) In the case of submission of a draft normative act with the EU logo, the co-report of the committee responsible for European integration shall be mandatory.

(4) When a draft normative act is registered, it shall be given a registration number, which will identify it during its circulation in Parliament and with which it will be cited until the signing stage.

(5) Parliament's Secretariat shall ensure that the draft normative act and the explanatory memorandum are forwarded to Members of Parliament, parliamentary factions and, where appropriate, to the Government or other competent authorities, in accordance with the resolution of the Speaker of the Parliament.

(6) The draft normative act and the accompanying file shall be distributed for examination to the standing committee on the merits of the case, to the co-rapporteur committee, as appropriate, and to the Directorate-General for Legal Affairs of Parliament's Secretariat.

(7) No later than two working days from the date of its inclusion in the legislative procedure, the draft normative act and the accompanying file shall be placed on the official website of Parliament.

(8) In the case of a draft normative act considered under urgent procedure or as a matter of priority, the draft normative act and the accompanying file shall be placed on the official website of Parliament within 24 hours.

#### **Article 70. Calculation of time limits**

(1) The time limits in this Code are calculated in working days, unless otherwise provided by law.

(2) The time limits referred to in paragraph (1) shall be suspended from the end of the ordinary session until the beginning of the next ordinary session, except for time limits relating to the Government or other public institutions or authorities.

(3) During an extraordinary session of Parliament, the suspension of time limits shall be suspended for the items on the agenda.

### **Section 3**

#### **Emergency procedure, priority mode and simplified procedure**

#### **Article 71. Proposal for the examination of drafts as a matter of urgency or as a matter of priority**

(1) In accordance with Article 74 of the Constitution of the Republic of Moldova, at the request of the Government, the Parliament shall examine draft normative acts as a matter of priority or in urgent procedure.

(2) Draft normative acts which, at the request of the Government, are examined under the urgent procedure shall be submitted to the plenary session of the Parliament by the Prime Minister, and in his absence - by the First Deputy Prime Minister or the Deputy Prime Minister.

(3) In cases expressly provided by law, the priority or urgent procedure may also be requested by the President of the Republic of Moldova.

(4) The priority or urgent procedure for the examination of draft normative acts shall be ordered by the Speaker of the Parliament by resolution.

(5) The admissibility of the urgency procedure for the examination of draft normative acts shall be a measure determined by the conditions provided for in Article 140 of this Code.

## **Article 72. Emergency procedure**

(1) As part of the urgent procedure, the Speaker of the Parliament shall set a deadline for the submission of the report on the draft normative act by the standing committee on the merits of the case, which may not exceed 10 working days from its introduction into the legislative process.

(2) Members of Parliament may propose amendments to the draft normative act introduced under the urgency procedure within a period not exceeding 5 working days.

(3) After receiving the report of the standing committee on the merits of the case, the Standing Bureau shall as a matter of priority include the draft normative act on the draft agenda for the next plenary session.

(4) In the case of urgent procedure, Parliament may limit the time set aside for debate on a draft normative act.

(5) Draft normative acts examined under urgent procedure may be examined at first and second reading in the same sitting.

(6) In the debates on each Article to which amendments are proposed, the procedure for debates stipulated in this Code shall apply.

**Article 73.** Examination of draft normative acts as a matter of priority

When draft normative acts are considered as a matter of priority, the procedural deadline is halved.

**Article 74.** Simplified examination procedure

(1) Draft resolutions of an individual nature may be examined under a simplified procedure without being subject to all the prior procedures in the working bodies of Parliament.

(2) When the simplified procedure is applied, the report of the committee on the merits of the case or, where appropriate, the co-report shall be submitted.

(3) Where necessary, certain draft resolutions resulting from parliamentary debates or initiated during plenary sittings of Parliament shall be adopted by simplified procedure without a committee report.

(4) In the cases provided for in this Code or in cases decided by Parliament, some resolutions shall be adopted by protocol, with a record of the sitting being entered in the verbatim report of proceedings.

#### **Section 4** **Continuity of draft legislation** **in the new Parliament**

**Article 75.** Continuity of the legislative procedure in the new Parliament

(1) Draft normative acts included on the agenda of the previous Parliament shall continue their procedure in the new Parliament unless Parliament decides to change the agenda.

(2) Draft normative acts registered during the previous parliamentary term shall continue their procedure in the new Parliament from the stage at which they were left off, unless the new standing committees of Parliament decide to resume the procedure from the beginning.

**Article 76.** Rejection by Parliament of  
draft legislation

(1) Draft normative acts that have lost their topicality, as well as those that remain without authors, may be rejected by Parliament on the basis of a joint list, on the basis of a report by the committee on the merits of the case.

(2) Draft normative acts which are proposed by committees for rejection on the grounds that they have lost their topicality, if the authors of the drafts holding a mandate in the current legislature do not agree with this decision, shall be examined according to the general procedure provided for in this Code.

#### **Article 77. Invalidity of draft normative acts**

Draft legislation that has not been put to a vote in plenary becomes null and void if more than two years have passed since it was registered.

#### **Article 78. Withdrawal of draft normative acts**

(1) The author of a draft normative act may, by written request, withdraw it from the legislative procedure at any time until its final adoption by the plenary of Parliament.

(2) If a draft normative act has several authors, it may be withdrawn with the agreement of all authors.

(3) If one of the authors of a draft normative act loses the right of legislative initiative, the draft may be withdrawn by the authors who have that right.

### **Section 5 Proceedings in Standing committees**

#### **Article 79. Standing Committee meetings**

(1) Meetings of the Standing Committee shall be convened by its Chairperson, and in his/her absence - by one of the Vice-Chairpersons or by 1/3 of the members of the Committee.

(2) Notice of the meeting shall include information on the items on the agenda.

(3) Attendance by members at committee meetings shall be compulsory. In the absence of a member of the Standing committee, the substitute member who belongs to the same parliamentary faction shall take part in the meeting with the right to vote.

(4) Any member of a Standing committee shall have the right to participate/attend the proceedings of other committees without the right to vote.

(5) The meetings of the open committees shall be broadcast live on national public broadcasters and/or via the Internet.

(6) In order to protect information that constitutes a state secret, in the case of discussion of matters relating to the protection of persons and national security, the standing committee may decide, at the proposal of one of its members, that the meeting of the committee shall be held in closed session. When closed meetings of the standing committee are held, the provisions of Article 53 paragraph (3)-(8) of this Code shall apply.

#### **Article 80.** Voting procedure in Standing committees

(1) The meetings of the Standing Committee shall be deliberative with the participation of the majority of its members.

(2) Decisions of the Standing Committee shall be adopted as follows:

a) decisions on the approval of the report, the co-report on the draft normative act, for which the committee has been selected as the Committee on the merits of the case, on the organization of parliamentary control, appointments and dismissals, lifting the immunity of Members of Parliament, organizing competitions and forming subcommittees shall be adopted by a majority vote of its members;

b) decisions on the organization of public consultations/hearings, approval of opinions on draft normative acts and advisory opinions, including on the initiation or conclusion of international treaties, shall be adopted by a majority vote of the members present.

(3) Decisions of the Standing Committee shall, as a rule, be adopted by open vote.

#### **Article 81.** Minutes and verbatim reports of deliberation meetings of Standing committees

(1) Minutes shall be drawn up of the meetings of the Standing committees, listing the persons present at the committee meeting, the subjects discussed, the persons who spoke, the results of the voting and the decisions taken.

(2) The minutes of the meetings of the standing committees shall be placed on the official website of Parliament within a maximum of 7 working days, except for closed sittings.



(3) The Chairperson of the Standing committee may decide to have the debates shorthanded.

**Article 82.** Participation of members in meetings of Standing committees  
Government and other heads of public administration bodies

(1) Members of the Government, the representative of the Government in Parliament and other heads of public administration bodies shall have access to the meetings of the Standing Committee. They shall be informed of the date and time of the Standing Committee meeting.

(2) If the Committee decides to invite to its meeting members of the Government and/or heads of other public administration bodies, they shall be obliged to be present.

(3) Members of the Government and heads of other public administration bodies participating in the work of the committee may take the floor and answer questions.

**Article 83.** Participation of other persons in meetings of Standing committees

(1) The Committee may invite to its meetings representatives of civil society, interested persons and experts from public administration authorities, as well as officials from the Directorate-General for Legal Affairs of Parliament's Secretariat and from the secretariats of Standing committees.

(2) The Committee shall organize consultation meetings with representatives of civil society, such as representatives of public associations, trade unions, representatives of central and/or local public administration, following the proposal received from the members of the standing committee or interested parties.

(3) Persons invited to attend meetings of the Standing Committee may, with the permission of the Chairperson of the Committee, speak and answer questions during the meeting.

**Article 84.** Settlement of conflicts of jurisdiction  
between Standing committees

(1) If the Standing committee considers that the draft normative act referred to it for debate falls within the competence of another committee, it may request the Speaker of the Parliament to refer the draft normative act to that committee.

(2) If the request submitted under paragraph (1) is rejected by the Speaker of the Parliament, the matter shall be settled by Parliament. The same shall apply in cases of disagreement between committees.

**Article 85.** Joint meetings of Standing committees

(1) At the request of the co-rapporteur committee, the Standing committee on the merits of the case may allow the rapporteur of the co-rapporteur committee to take part in its proceedings in an advisory capacity.

(2) Where committees organize joint meetings on a draft normative act or other subject, they may decide to prepare a joint report.

(3) Where the rapporteur committee and the co-rapporteur committee have drawn up conflicting reports, the decision on the draft normative act shall be taken by Parliament.

**Article 86.** Time limit for the debate on the draft normative act  
by the Standing committee on the merits of the case

The Standing committee on the merits of the case shall debate the draft normative act within no more than 60 working days following its introduction into the legislative procedure, unless this Code or the Speaker of the Parliament sets a different deadline.

**Article 87.** Submitting amendments to draft normative acts

(1) Members of Parliament shall have the right to submit reasoned amendments in writing to the draft normative act, which shall be forwarded to the Standing committee responsible for the substance of the draft within 30 days at the latest from the introduction of the draft into the legislative procedure. The date of submission of the amendment shall be the date of its registration with the standing committee on the merits of the case, which shall keep a special register of amendments received.

(2) Amendments may be presented in the form of changes to the wording of points, paragraphs, articles, the addition of new articles to the draft, or proposals to exclude words, points, paragraphs or articles from the draft.

(3) Amendments to the draft normative act with the EU logo will be examined by the Standing committee on the merits of the case and by the European integration committee.

(4) Amendments shall be withdrawn in compliance with Article 78 of the Code.

**Article 88.** Approval of draft normative acts  
by the Standing committees

(1) The Standing committees which have received draft normative acts or legislative proposals for their opinion shall, if they consider themselves interested, submit them for debate and present their opinions on them to the committee on the merits of the case within 30 working days at the latest.

(2) If no opinion is delivered within 30 working days, the Standing committee on the merits of the case shall draw up its report without the opinion or opinions of the other committees.

(3) In the opinion submitted, the Standing committees shall state their opinion on the concept, topicality, timeliness, appropriateness, comprehensibility of the regulations, with a proposal to accept, partially accept or reject the draft normative act.

(4) If the draft normative act is partially or conditionally supported by a Standing committee, the representatives of the Standing committee referred to may organize joint meetings to identify sustainable legislative solutions in order to obtain broader support for the draft normative act.

**Article 89.** Approval of draft normative acts by  
Directorate-General for Legal Affairs of Parliament's Secretariat

(1) The draft normative act shall be forwarded for a comprehensive opinion to the Directorate-General for Legal Affairs of Parliament's Secretariat, which, within 30 working days, shall submit its opinion to the standing committee on the merits of the case and to the Parliamentary Documentation Directorate of Parliament's Secretariat on:

- a) consistency of the legislative solutions contained in the draft normative act with the provisions and principles of the Constitution of the Republic of Moldova;
- b) compliance with the case law of the Constitutional Court;
- c) compliance with the European Union legislation and international treaties to which the Republic of Moldova is a party;
- d) the nature of the law and the level of the legislative act in relation to the competences established by the Constitution of the Republic of Moldova or other laws;
- e) compliance with the procedural and technical legislative requirements provided by this Code, Law No. 100/2017 and other normative acts;

- f) correlation with the provisions of normative acts of higher level or of the same level with which it is connected;
- g) the completeness of the regulation contained in the draft, in relation to the subject matter of the regulation;
- h) the implications of the new regulation on the existing legislation and how they are resolved in the draft text through repeals, amendments;
- i) the assessment of the draft normative act in terms of respect for rights human rights and gender equality;
- j) comparative analysis of international legislation;
- k) verification of the compliance of the rules of law with the quality criteria of the law - accessibility, predictability and clarity.

(2) In the case of draft normative acts with the EU logo, the opinion shall also be submitted to the standing committee on European integration.

(3) In the case of draft normative acts examined under urgent procedure or as a matter of priority, the opinion shall be submitted within the requested time limit.

**Article 90.** Approval by the Government and other authorities of draft legislation

(1) The draft normative acts submitted by the President of the Republic of Moldova, Members of the Parliament or the People's Assembly of the Autonomous Territorial Unit of Gagauzia, which have entered the legislative procedure in the Parliament, shall be submitted for approval to the Government and other authorities in accordance with the requirements of the legislation in force.

(2) Failure to submit the opinion within 30 days at the latest, or within a shorter period set by the Speaker of the Parliament, shall not prevent the Parliament from examining the draft, unless otherwise provided by law.

(3) After the expiry of the deadlines for the tabling of amendments, the standing committee referred to shall forward to the Government for its approval the amendments which, at the committee's decision, entail an increase or reduction in budget revenue or loans, as well as an increase or reduction in budget expenditure.

(4) The Government shall submit to Parliament its opinion on the amendments referred to in paragraph (3) within 15 working days at the latest from the date of receipt of the address to the Standing committee on merits of the case.

(5) In the case of urgent or priority examination of draft normative acts, the deadline within which the Government's opinion shall be requested shall be indicated in the address to the standing committee on the merits of the case.

(6) Examination at the meetings of the standing committee on the merits of the case of draft normative acts on which amendments have been tabled entailing an increase or reduction of budgetary revenues or loans, as well as an increase or reduction of budgetary expenditure, may not precede the deadlines indicated in paragraphs (4) and (5).

(7) The positive opinion of the Government is mandatory for draft normative acts or amendments which, according to Article 131 of the Constitution of the Republic of Moldova, entail an increase or reduction of budget revenues or loans, as well as an increase or reduction of budget expenditures.

(8) Draft normative acts entailing an increase or reduction in budgetary revenue or borrowing, as well as an increase or reduction in budgetary expenditure, on which the Government has delivered a negative opinion, shall be deemed to be rejected by right.

#### **Article 91.** Summary of amendments, proposals and objections to draft normative acts

(1) In the process of drafting the report, the deputy rapporteur and the responsible adviser of the standing committee on the merits of the case shall prepare a summary of the amendments, proposals and objections submitted and examined on the draft normative act.

(2) The summary shall separately indicate the committee's acceptance, partial acceptance or reasoned rejection of the amendments accepted and/or rejected on behalf of Members of Parliament, parliamentary factions, proposals and objections from the Directorate-General for Legal Affairs, the Government and other competent authorities, as well as those obtained during public consultations.

(3) After the report has been considered and adopted by the committee, it shall be drawn up on the basis of the minutes of the meetings of the standing committee and the verbatim records of the debates held during those meetings, and shall be signed by the chairperson of the committee.

(4) If, after the approval of the report, new circumstances arise in connection with the examination of the draft normative act, the committee may revoke the report in order to submit a new one.

#### **Article 92.** Report of the standing committee

(1) For the preparation of the report following the debates on the draft normative act, the chairperson of the committee shall appoint a responsible Member of Parliament and an adviser to the standing committee, who shall prepare the committee's report.

(2) The report of the standing committee for the first reading shall comprise:

a) the topicality of the legislative regulation of the issue addressed in the draft law, indicating the requirements for normative intervention, with special reference to the shortcomings and non-conformities of the regulations in force; the basic principles and purpose of the proposed regulations, specifying the new elements;

b) the completeness of the draft regulation of the respective sphere of social relations;

c) the results of the regulatory impact analysis, according to the subject regulated in the draft; the socio-economic impact and the effects on the macro-economic situation, the business environment, the social field and the environment, including the assessment of costs and benefits; the financial impact on the general consolidated budget, including information on revenue and expenditure; the impact on the legal system and the implications of the new regulation on the legislation in force; compatibility with Community regulations in the field in question, precise determination of the subjects concerned and, if necessary, future measures for harmonization of legislation; implications for domestic legislation, in some cases for international treaties or ratified or approved agreements, and the necessary adjustment measures;

d) the essence of the recommendations received during public consultations to ensure transparency in the decision-making process;

e) implementation measures - institutional and functional changes at local and central public administration level.

(3) The committee proposes in its report:

a) adoption of the draft law (in the case of the debate on an ordinary law or a resolution) if the draft law meets the requirements for the final reading;

b) approving the draft law at the first reading and preparing it for second reading;

c) sending the draft law to the author to be finalized;

d) approval of the draft law edited in the first and second readings, which shall be considered the final reading;

e) to reject the draft law.

(4) The Standing Committee's report for the second reading shall contain the result of the consideration of the amendments and proposals included in the summary annexed to the report.

(5) The report of the committee for the second reading shall propose to the Parliament the adoption of the draft normative act in the second and final reading if the draft normative act meets the requirements for the final reading.

(6) If the draft legislative act does not meet the requirements for the final reading, the committee shall propose for it to be redrafted and prepared for the third, or final, reading.

(7) Where the draft legislative act meets the requirements for the final reading, the committee may propose to Parliament that it be adopted at first and second reading simultaneously.

(8) If, during the debates at the second reading, the committee concludes that the draft normative act should be referred back to the author or rejected, it shall propose to Parliament that the draft normative act be referred back or rejected.

(9) If the standing committee on the merits of the case is unable to take a decision on the draft normative act, the chairperson of the committee shall prepare a report informing Parliament of the situation. The Parliament shall decide by a vote to refer the draft law to another standing committee or to consider the draft law in plenary sittings without a report from that committee.

### **Article 93. Main draft laws and alternative draft laws**

(1) If there is more than one draft normative act on the same subject, based on the same concept, the committee shall examine each draft separately and propose to Parliament that they be combined for the second reading.

(2) Where several draft normative acts dealing with the same subject but based on different conceptions are submitted to Parliament for debate, the standing committee on the merits of the case may propose that the Parliament decide which draft shall be debated as the main draft law. As a result, the Parliament decides on the main draft law and the other draft laws are considered as alternatives and are not put to the vote. Once the main draft law has been adopted, the alternative draft laws shall be deemed to be finalised and shall be consigned with the main draft law to the archives of the Parliament.

(3) If several draft normative acts amending several articles of the same normative act are registered, they may, at the proposal of the committee on the merits of the case, be merged for consideration at the second reading into a joint draft law.

**Article 94.** Forwarding of the report of the committee on the merits of the case and opinions to the Members of Parliament and the authors

(1) The report of the Standing committee on the merits of the case, accompanied by the opinions of the parliamentary factions and standing committees on the results of the public consultation, as well as the opinion of the Directorate-General for Legal Affairs of Parliament's Secretariat, shall be forwarded by Parliament's Secretariat to the Members of Parliament and authors of the draft normative act.

(2) Draft normative acts which are accompanied by the documents set out in paragraph (1) shall be submitted to the Standing Bureau for inclusion on the Parliament's agenda.

## **Section 6**

### **The Parliament's sitting**

**Article 95.** Opening of the plenary sitting

(1) Plenary sittings of Parliament shall be opened by the Speaker or, where appropriate, one of the Vice-Speakers.

(2) During plenary sittings, the Speaker of the Parliament shall be assisted by the Vice-Speakers of Parliament.

(3) The Chairperson of the sitting shall indicate whether the sitting is deliberative, shall ask the plenary to honour the State Flag and Coat of Arms, and shall announce the agenda.

**Article 96.** Duties of the Chairperson of the plenary sitting

(1) The Chairperson of the plenary sitting shall have the necessary powers to preside over the proceedings of Parliament and to ensure that they are conducted in accordance with established procedures.

(2) The Chairperson of the plenary sitting shall conduct the parliamentary debates in a fair and impartial manner, shall ensure that the provisions of this Code are observed and shall ensure that order is maintained in the sitting.

(3) The Chairperson of the Plenary sitting shall prohibit Members of Parliament from intervening in a way that impedes the work of Parliament or the exercise of other Members' rights.



(4) The Chairperson is not entitled to comment on Members of Parliament's speeches.

(5) The Chairperson of the plenary sitting shall determine, in accordance with the provisions of this Code, the order in which persons are called to speak, taking into account the need to ensure the efficiency of the debates, while respecting the views of the parliamentary factions.

(6) The Chairperson of the sitting shall order the Member of Parliament's speech to be cut off by disconnecting the microphone if the Member of Parliament exceeds the allotted speaking time or does not refer exclusively to the matter for which he/she has registered to speak.

### **Article 97. Speaking in plenary sittings**

(1) Members of Parliament who intend to speak on items on the agenda shall register with the Chairperson of the Plenary Session. The same list shall indicate the item on the agenda and the time requested by the speaker, which may not exceed five minutes.

(2) Members of Parliament shall take the floor in the order in which their names have been entered in the list of speakers with the Chairperson of the Plenary Sitting. No one may speak unless the Chairperson of the sitting has given him the floor.

(3) Members of Parliament may take the floor from the central rostrum or from the microphone assigned to them in the plenary sitting room.

(4) The President of the Republic of Moldova and the Prime Minister shall be given the floor on request, unless the Parliament decides otherwise. If necessary, the Chairperson of the sitting shall grant additional time to these persons.

(5) Members of Parliament who have been given the floor shall be obliged to speak exclusively on the matter for which they have registered to speak, except for political statements, which shall be made during the time allotted to them in accordance with the timetable. If they fail to do so, the Chairperson of the plenary sitting shall warn them in advance and, if they do not comply, shall interrupt them by disconnecting the microphone.

### **Article 98. Statements by Members of Parliament**

(1) Members of Parliament shall be entitled to make statements on matters not included on the agenda of the plenary sitting. During plenary sittings, Members of

Parliament shall register their names on the list for statements with the Chairperson of the plenary sitting.

(2) Members of Parliament who have put their names down for a statement shall be given the floor at the end of the plenary sitting.

(3) Parliamentary factions shall be allowed up to 7 minutes per statement and Members of Parliament up to 5 minutes.

(4) If the statement concerns a parliamentary faction or a Member of Parliament, they shall have the right to reply during the same sitting. The reply shall not exceed 3 minutes.

**Article 99.** Exceptions to the rules for giving of the floor to Members of Parliament - procedure and privileges

(1) In addition to the legislative or political debates held in the Parliament's plenary sitting room, in accordance with the agenda, a Member of Parliament may request permission to speak on issues regarding the procedure, to make a reply or to give explanations.

(2) If a Member of Parliament requests the floor to speak on issues regarding the procedure or as a privilege in order to make a reply or give an explanation, the Chairperson of the Plenary sitting shall be obliged to give him the floor without delay.

(3) A Member of Parliament may request the floor to speak on issues regarding the procedure if he or she considers that, at the time of the debate, certain provisions of the Code have been infringed, indicating expressly the provision to which he or she refers.

(4) A Member of Parliament may request the right to reply or to offer explanations if, at the time of the debate, accusations are made against him. In debates, the Member of Parliament shall have the right to make only one reply. No counterreply to this reply shall be allowed.

(5) Speeches made in accordance with the provisions of paragraph (3) and (4) shall not exceed two minutes.

(6) A Member of Parliament who has requested the floor to speak on issues of procedure but has spoken on another subject shall forfeit the right to request the floor on issues regarding the procedure throughout the sitting.

## **Section 7**

### **Procedure for examining draft normative acts by readings**

#### **Article 100.** Examination of draft normative act by readings

(1) Draft normative acts placed on the agenda of the plenary sitting of Parliament shall, as a rule, be examined in two readings.

(2) Draft organic laws shall be adopted only after two readings.

(3) Draft ordinary laws may be adopted in a single reading by a majority vote of the Members of Parliament present when Parliament so decides.

(4) Draft constitutional laws, draft comprehensive or complex organic laws, draft laws on budgetary, financial or economic matters requiring considerable financial expenditure, as well as draft laws on other important matters, may, at the decision of the Parliament, be submitted for consideration at a third reading.

(5) Draft normative acts shall be considered to be definitively approved if they have been voted in final reading.

(6) The standing committee on the merits of the case shall propose to Parliament to decide on the examination of the draft normative act at the final reading, indicating this fact in its report on the draft.

(7) The final reading may coincide with the first reading, the second reading or the third reading if the text of the draft normative act is presented and drafted in its final version.

(8) The draft normative act shall be annexed to the report of the standing committee on the merits of the case and submitted to the plenary of the Parliament for adoption.

#### **Article 101.** Examination of the draft normative act at the first reading

- (1) The examination of the draft normative act at the first reading consists in:
- a) presentation by the author of the draft normative act;
  - b) debating the project through questions and answers;
  - c) hearing of the report of the standing committee examining the merits of the case and, where appropriate, of the co-report;
  - d) speeches by Members of Parliament, with due observance of the speaking order, and by representatives of parliamentary factions.

(2) The report of the standing committee referred to shall be presented by its chairperson, where appropriate, by its vice-chairperson or by a member of the committee.

(3) A Member of Parliament may put a maximum of two questions to the rapporteurs during the debate. Questions may not exceed two minutes. Each answer shall not exceed two minutes. No clarifications or comments shall be allowed on the answers given. The provisions of this paragraph shall apply to the examination of draft normative acts at any reading.

(4) Ordinary draft laws shall be adopted in a single reading only if the standing committee on the merits of the case of the draft law so proposes, at the same time as the results of the examination of the amendments and the final text of the draft law are presented in its report.

**Article 102.** Right of the author of a draft law to deliver a speech

The author of the draft law has the right to speak before the closure of the debate. His speech shall not exceed 5 minutes. If there are several authors, only one of them may speak with the agreement of the others.

**Article 103.** Decisions adopted following the debate of the  
draft normative act at first reading

(1) Following the debate of the draft normative act at first reading, the Parliament will adopt one of the following decisions:

- a) the adoption of the law (in the case of an ordinary law) or a decision;
- b) to refer the draft law, at the proposal of the chairperson of the sitting, for finalization to the standing committee on the merits of the case on the draft law for consideration of amendments, objections and proposals;
- c) referral of the draft law or decision, on the proposal of the chairperson of the sitting or of the standing committee on the merits of the case, to the author for finalization;
- d) approving the draft law in the first reading and preparing it for the second reading;
- e) to reject the draft law.

(2) Parliament's decisions on debates on draft laws at the first reading shall be recorded in the minutes of proceedings, unless Parliament decides otherwise.

**Article 104.** Preparing the draft law for the second reading

(1) Once the draft law has been approved at the first reading, it shall be referred to the standing committee on the merits of the case for examination of the amendments, proposals and objections received.

(2) Within 10 working days from the date of approval of the draft law for the second reading, Members of Parliament, parliamentary factions and standing committees may submit additional amendments to the standing committee on the merits of the case within 10 working days from the date of approval of the draft law at the first reading.

(3) Amendments tabled after the deadline set out in paragraph (2) shall not be considered unless the standing committee on the merits of the case decides otherwise.

(4) After the expiry of the deadlines for the tabling of amendments provided for in this Code, the standing committee shall select the amendments which, in its opinion, lead to an increase or decrease in the budgetary revenues and expenditures, as well as in the loans, and shall submit them to the Government for its approval.

(5) The Government shall submit to the Parliament its opinion on the amendments referred to in paragraph (4) within a maximum of 15 working days from the date of receipt of the address to the standing committee on the merits of the case.

(6) In the case of urgent or priority consideration of draft normative acts, the deadline within which the Government's opinion on the amendments shall be requested shall be indicated in the address to the standing committee on the merits of the case.

(7) The examination at the meetings of the standing committee examining the merits of the draft normative acts on which amendments have been tabled entailing an increase or reduction of budgetary revenues or loans, as well as an increase or reduction of budgetary expenditure, may not precede the deadlines indicated in paragraphs (5) and (6).

(8) Amendments with a budgetary impact, on which the Government has delivered a negative opinion, shall be deemed to be rejected as of right and may not be debated in the plenary sitting of Parliament.

(9) The debate on the draft law in the second reading shall take place no later than 60 days from the date of approval at the first reading.

(10) The authors of amendments may attend the meeting of the standing committee for the finalization of the draft law. The committee shall notify the author in advance of the meeting.

(11) Where proposals require a legal assessment, the standing committee on the merits of the case shall request the Directorate-General for Legal Affairs of the Parliament's Secretariat to give its opinion on the proposal or amendment concerned.

(12) The summary of the amendments and the decision of the standing committee on them, in the case of draft normative acts with the EU logo, shall be referred to the standing committee on European integration for examination and preparation of a co-report.

#### **Article 105.** Examination of the draft law in the second reading

(1) The second reading of the draft law consists of:

- a) hearing of the report of the standing committee on the merits of the case, where appropriate, of the co-report;
- b) debating the draft law by articles;
- c) voting on the draft law.

(2) The vote on the draft law shall be taken on individual articles or, as the case may be, as a whole, unless Parliament decides otherwise.

#### **Article 106.** Debate on the draft law by articles

(1) The debate on the draft law by articles shall begin with the amendments not accepted by the standing committee on the merits of the case, if the author of the amendment insists on them. The amendment shall be mentioned only once and shall relate to the substance of a separate article.

(2) During the debates on the draft law on the articles, the authors of amendments may argue their proposals rejected by the committee within two minutes.

(3) The Chairperson of the sitting may not propose to debate or vote on an amendment that has not been discussed by the standing committee on the merits of the case.

(4) If an amendment has not been supported and is related to other amendments in the text of the draft normative act, they shall be considered as automatically rejected.

**Article 107.** Examination of the draft law at the third reading

(1) The examination of the draft law in the third reading shall be carried out if decided by the Parliament.

(2) The third reading consists of:

- a) presentation of the report of the standing committee on the merits of the case;
- b) debating the draft law on the articles submitted for debate in the third reading;
- c) voting on the draft.

(3) During the third reading, only one representative of each parliamentary faction may take the floor once in the debates, and shall not speak for more than 3 minutes.

**Article 108.** Time allowed for amendments

(1) The Parliament shall proceed to the debate on the draft law by articles only if the standing committee referred to the committee on the merits of the case presents its report with the respective decisions on the proposals and amendments tabled.

(2) When the articles to which amendments have been tabled are discussed, Members of Parliament, the representative of the Government, the author and the rapporteur on behalf of the committee on the merits of the case may speak to express their views.

(3) As a general rule, the time allotted for speaking on the text to be put to the vote in Parliament shall be two minutes. Another speaking time may be set at the beginning of the debate on the draft.

**Article 109.** Procedure for voting on amendments

(1) The texts of articles to which no amendments have been tabled and the texts of articles to which amendments have been tabled and accepted by the committee shall be deemed adopted unless Parliament decides otherwise.

(2) Parliament shall, at the request of the author of an amendment, vote on the articles to which amendments not accepted by the committee have been tabled.

(3) If all the amendments tabled to an article are rejected, the text tabled by the author shall be put to the vote.

(4) The result of the vote - the number of votes "For" or "Against" - shall be announced by the Chairperson of the sitting and recorded in the minutes.

(5) The Article resulting from the approval of the text shall be put to the vote as a whole and shall be approved by a majority of the Members of Parliament present.

(6) The author of an amendment may withdraw it at any time before it is voted on.

#### **Article 110.** Closure of debates

(1) At the proposal of the Chairperson of the sitting or of a parliamentary faction, the debates on the matter before Parliament may be closed.

(2) The proposal to close the debate shall be adopted by a majority of the Members of Parliament present.

#### **Article 111.** Draft normative acts rejected by Parliament

(1) Draft normative acts shall be considered rejected if the vote as a whole does not obtain the required majority of votes as required by this Code.

(2) Draft normative acts rejected by Parliament may not be submitted and debated repeatedly during the same parliamentary session.

#### **Article 112.** Signing of normative acts adopted by Parliament

Draft normative acts adopted by the Parliament are signed by the Speaker of the Parliament or by one of the Vice-Speakers of the Parliament within 20 days of their adoption.

#### **Article 113.** Sending laws for promulgation to President of the Republic of Moldova

(1) Laws shall be sent by the Speaker of the Parliament or by one of its Vice-speakers for promulgation to the President of the Republic of Moldova no later than on the working day following the day of signing the law.

(2) If the President of the Republic of Moldova has objections to a law, he or she has the right to send it to the Parliament for reconsideration within two weeks of receiving it.



(3) The President of the Republic of Moldova may ask the Parliament, only once, to re-examine the law for any reasons that make the law as a whole or a part of it unacceptable.

#### **Article 114. Re-examination of the law**

(1) The re-examination of the law by the Parliament, following the request submitted by the President of the Republic of Moldova, shall take place within 3 months. If the law is not reviewed within this period of time, it shall be deemed to have been rejected.

(2) The objections of the President of the Republic of Moldova shall be examined in accordance with the procedure laid down in this Code for the examination of amendments, on the basis of the report of the standing committee responsible for the law under review and, where appropriate, with the opinion of the General Legal Directorate of the Secretariat of the Parliament.

(3) In the framework of the re-examination of the law, the objections of the President of the Republic of Moldova may be admitted in whole or in part or may be rejected. New amendments shall not be allowed.

(4) If, after re-examination of the law, the Parliament maintains the decision adopted earlier, the President of the Republic of Moldova is obliged to promulgate the law within two weeks from the date of sending the law for promulgation.

### **Section 8 Voting procedure**

#### **Article 115. Voting of normative acts by category**

(1) Laws, resolutions and other acts shall be adopted by Parliament by a majority vote, as follows:

a) constitutional laws - with the vote of 2/3 of the number of elected Members of Parliament;

b) organic laws - in the final vote, after at least two readings, with the vote of the majority of the elected Members of Parliament, which constitutes the vote of at least 51 Members of Parliament, unless the Constitution of the Republic of Moldova establishes another majority;

c) ordinary laws, resolutions and other acts - by the vote of the majority of the Members of Parliament present at the sitting, unless the Constitution of the Republic of Moldova provides for another majority.

(2) In the case of normative acts submitted to the Parliament for reconsideration by the President of the Republic of Moldova, under the provisions of Article 93 paragraph (2) of the Constitution of the Republic of Moldova, the provisions of paragraph (1) of this Article shall apply accordingly.

#### **Article 116. Voting arrangements**

(1) The Member of Parliament shall vote in person by open or secret ballot.

(2) The open vote shall be expressed by electronic means, roll-call or show of hands. Other voting procedures shall be approved by Parliament on the proposal of parliamentary factions.

(3) The Speaker of the Parliament shall appoint a vote counter before the vote for each sector to count the votes by show of hands.

(4) The secret ballot shall be expressed by ballot papers. Voting shall be secret if the Constitution of the Republic of Moldova so stipulates or if it concerns the interests of national security, territorial integrity, economic well-being of the country, public order, for the prevention of mass disturbances and crimes, for the protection of the rights, freedoms and dignity of other persons, for preventing the disclosure of confidential information or for guaranteeing the authority and impartiality of justice.

(5) The results of the overall vote on draft normative acts shall be annexed to the verbatim report of the plenary sitting and placed on the Parliament's official website, with the exception of the secret ballot procedure.

#### **Article 117. Checking the quorum during the vote**

(1) At plenary sittings where the voting procedure is applied, the Chairperson of the sitting shall verify the quorum, which must satisfy the constitutional requirements for voting on draft normative acts.

(2) If Parliament does not meet the quorum required for the voting procedure, the Chairperson of the sitting shall postpone the vote on the draft normative act.

(3) Before the vote is taken, the Chairperson of the sitting may request a check on the quorum by means of electronic devices or, if this is impossible, by counting the Members of Parliament by the numerators. Members who do not exercise their right to vote but who are present in the Chamber shall be taken into account for the purposes of calculating the quorum.

(4) The quorum may be checked periodically at the initiative of the Chairperson of the sitting or at the request of a parliamentary faction.

**Article 118.** Voting procedure in plenary sittings

(1) Before the vote, the Chairperson of the sitting shall clearly formulate the subject or proposal to be put to the vote without comment. Each proposal shall be voted on separately.

(2) When voting on draft normative acts, the Chairperson of the sitting shall give the exact name of the draft normative act, its number and the date of its registration in Parliament, after which the draft normative act shall be put to the vote.

(3) During the voting procedure, no new amendments may be tabled and the draft as a whole, part of it or amendments to it may not be discussed.

(4) If the amendment tabled by a Member of Parliament has not been accepted in committee and the author requests that the amendment be put to the vote in Parliament, the Chairperson of the sitting shall put the request to the vote.

(5) Where the committee has accepted amendments rejected by the author at his request or at the request of a parliamentary faction, the Parliament shall put each amendment individually to the vote.

(6) During the voting procedure on draft normative acts, a representative of each parliamentary faction may speak for up to 7 minutes in support of the draft normative act or its rejection.

(7) The Chairperson of the sitting shall clearly announce the results of the vote to be recorded in the minutes.

**Article 119.** Voting by electronic means

(1) The right to vote by electronic means shall be exercised by means of a voting card assigned to each Member of Parliament, which shall be used at the place of work assigned to him/her in the plenary sitting room.

(2) Voting by electronic means is personal. Voting in the place of another Member of Parliament is prohibited.

(3) If, by the end of the voting procedure, deviations from the provisions of this Code or technical shortcomings are detected, the chairperson of the meeting

shall cancel the voting procedure and, after the technical or regulatory problems have been removed, shall order the voting procedure to be repeated.

(4) If, after the voting procedure has been completed, a parliamentary faction complains to the Chairperson of the sitting that the voting procedure has been breached or that there are technical errors/deficiencies in the electronic means, the Chairperson of the sitting shall propose that Parliament cancel the vote and repeat the voting procedure.

(5) The voting procedure shall be repeated at the same meeting after technical or regulatory problems have been resolved.

(6) If it is not possible to use electronic means, the Chairperson of the sitting shall propose that the voting procedure be conducted by show of hands.

(7) The results of voting by electronic means shall be displayed on the screen, announced by the Chairperson of the sitting and recorded in the verbatim record of the plenary session.

(8) The report on the results of voting by electronic means shall be stored and archived electronically.

#### **Article 120.** Access to electronic system information

The subdivision responsible for the technical maintenance of the electronic system shall be obliged to provide Members of Parliament, at their written request, with information held on Parliament's sittings, with regard to closed sittings.

#### **Article 121.** Secret ballot

(1) The secret ballot shall be organized by a special committee formed by Parliament. The provisions of Article 33 of this Code shall apply accordingly to the organization of the secret ballot.

(2) In the case of secret voting by ballot paper, the ballot paper shall be marked with the subject put to the vote.

(3) Voting "For", the Member of Parliament shall place the stamp voted on the ballot paper in the circle of the name of the proposed candidate or, as the case may be, of the name of the subject; voting "Against", the Member of Parliament shall leave the circle empty opposite the name of the proposed candidate or, as the case may be, of the name of the subject.

(4) The ballot paper is placed in a single transparent and sealed ballot box.

**Article 122. Voting by roll-call**

(1) The roll-call vote shall be conducted as follows: the Chairperson of the sitting shall explain the subject of the vote and the meaning of the words 'for' and 'against'; one of the members of the Bureau shall read out the names of the Members of Parliament; each Member of Parliament shall reply 'for' or 'against'.

(2) At the end of the roll-call, the names of Members of Parliament who have not replied shall be repeated.

**Article 123. Challenging the correctness of the vote count**

(1) If a parliamentary faction contests the correctness of the count of the votes cast, the Chairperson of the sitting shall cancel the vote and, if the objection is upheld, shall order a re-run.

(2) An objection to the correctness of the vote count may be lodged by the representative of the faction only after the results of the vote have been announced.

(3) An objection from a parliamentary faction shall be taken into consideration only if a majority of the Members of Parliament of that faction are present in the Chamber.

**Article 124. Requirements during voting**

(1) During voting, Members of Parliament are required to respect the silence and to be seated in their assigned seats.

(2) Members of Parliament shall not be given the floor during voting. Any Member of Parliament who fails to comply with the rules shall be penalized by the Chairperson of the sitting.

## **TITLE II SPECIAL PARLIAMENTARY PROCEDURES**

### **Chapter IV CONSTITUTIONAL REVISION PROCEDURE**

**Article 125. Constitutional law**

(1) The Constitutional Law is the law on the revision of the Constitution of the Republic of Moldova, adopted in special procedure.

(2) The revision of the Constitution of the Republic of Moldova may be carried out by constitutional law in compliance with the principles of the supremacy of the Constitution, its stability, the unity of the constitutional subject matter and the balance of values enshrined in the Supreme Law.

(3) The revision of the Constitution shall be carried out in accordance with the requirements of Articles 141-143 of the Constitution of the Republic of Moldova and the provisions of this Code.

#### **Article 126.** Limits to the revision of the Constitution

(1) The Constitution may not be revised during a state of emergency, state of siege and state of war, or during the extension of the Parliament's mandate, until the new Parliament is legally constituted.

(2) The provisions on the sovereign, independent and unitary character of the state, as well as those on the permanent neutrality of the state may be subject to revision by the Parliament, with their subsequent approval by a constitutional referendum.

(3) No revision may be made if it would result in the suppression of the fundamental rights and freedoms of citizens or of their guarantees.

#### **Article 127.** Requirements for the special procedure for revising the Constitution

(1) The legislative initiative to revise the Constitution shall comply with the requirements of the Constitution of the Republic of Moldova, Law No. 100/2017 and this Code.

(2) The draft constitutional law together with the opinion of the Constitutional Court, adopted with the vote of at least 4 judges, shall be submitted to the Parliament together with the accompanying file.

(3) On the basis of the resolution of the Speaker of the Parliament, the draft constitutional law shall be introduced into the legislative procedure. If the draft constitutional law does not meet the legal requirements, the provisions of Article 70 of this Code shall apply accordingly.

(4) For the examination of the draft constitutional law, the Speaker of the Parliament shall refer it to the standing committee on the merits of the case. If the standing committee on the merits of the case considers that it is necessary to draw members from other standing committees to examine the draft constitutional law, it shall propose to the Parliament the establishment of a special committee which shall be the committee on the merits of the case.

(5) The draft constitutional law shall be distributed to the parliamentary factions, to the Directorate General for Legal Affairs and to the Government for endorsement if the initiative was not theirs.

(6) Within 90 days from the date of registration of the legislative initiative, Members of Parliament may submit amendments to the draft constitutional law. After the expiry of this period, amendments shall no longer be accepted.

(7) Amendments to the draft constitutional law may be tabled by at least 15 Members of Parliament. Amendments to the draft constitutional law shall respect the principles of unity of subject matter and balance of values enshrined in the Constitution.

(8) After 90 days, the amendments received by the committee on the merits of the case shall be submitted to the Constitutional Court for its opinion. Amendments approved by the Constitutional Court shall be included for debate in Parliament.

#### **Article 128.** Debate on the draft constitutional law

(1) The draft constitutional law shall be submitted to the plenary of the Parliament for debate after the expiry of 6 months from the date of registration of the corresponding legislative initiative.

(2) The draft constitutional law shall be debated in at least two readings.

#### **Article 129.** Debate on the draft constitutional law at the first reading

(1) The first reading debate on the draft constitutional law consists of:

- a) presentation by the author of the draft constitutional law;
- b) hearing the report of the committee on the merits of the case;
- c) speeches by representatives of parliamentary factions.

(2) When debating a draft constitutional law at the first reading, amendments may not be debated. When the debates are concluded, Parliament shall adopt one of the following decisions:

- a) approves the draft constitutional law at the first reading;
- b) reject the draft law.

(3) The decision on the draft constitutional law debated in the first reading shall be adopted by the Parliament, in the form of a decision, by a majority vote of the Members of Parliament present.

**Article 130.** Transmission of the draft constitutional law to the  
Committee on the merits of the case

(1) Once the draft constitutional law has been approved at the first reading, it shall be referred to the committee on the merits of the case for preparing it for debate at the second reading.

(2) If no amendments have been tabled and the committee on the merits of the case proposes that the draft constitutional law be debated at second reading, the Chairperson of the sitting shall put the committee's proposal to a vote.

**Article 131.** Preparation of the draft constitutional law  
for debate at the second reading

(1) When the draft constitutional law is referred to the committee on the merits of the case, the latter shall draw up a report presenting the draft constitutional law for debate at the second reading, reflecting the results of the debates in the committee.

(2) In the second reading, only amendments that have been given a positive opinion by the Constitutional Court may be debated and put to the vote. Amendments on which the Constitutional Court has delivered a negative opinion shall be deemed to have been rejected automatically.

(3) The committee on the merits of the case shall debate and vote on each amendment individually.

(4) The committee's report and summary on the draft constitutional law shall be submitted to the Parliament for debate in the second reading.

**Article 132.** Debate on the draft constitutional law at the second reading

(1) The second-reading debate by the plenary of the Parliament on the draft constitutional law consists of:

- a) presentation of the report of the standing committee on the merits of the case;



b) hearing the opinions of parliamentary factions.

(2) If an amendment has not been accepted by the committee on the merits of the case, the author of the amendment may request Parliament to vote on the amendment.

(3) Amendments to the draft constitutional law shall be approved by a majority vote of the Members of Parliament present.

(4) If the amendment fails to obtain the required number of votes, the provisions of the draft adopted at first reading shall be deemed adopted.

(5) At the request of a parliamentary faction, each amendment accepted by the committee may be put to the vote separately.

**Article 133.** Final voting procedure of the draft constitutional law

(1) After examination of and voting on the amendments, the draft constitutional law shall be put to the vote in its entirety.

(2) The draft constitutional law put to a vote in its entirety shall be adopted by a two-thirds vote of the elected Members of Parliament and shall be deemed adopted at the final reading unless Parliament orders a separate examination of the draft constitutional law at the final reading.

(3) If the draft constitutional law fails to obtain the required number of votes, it shall be deemed rejected.

(4) If the Parliament has not adopted the corresponding constitutional law within one year from the date on which the initiative to revise the Constitution was registered in the Parliament, the proposal shall be considered null and void.

(5) The same legislative initiative to revise the Constitution may be repeatedly submitted to the Parliament only after one year has elapsed since its rejection or nullity.

**Article 134.** Sending the constitutional law for promulgation to the President of the Republic of Moldova

(1) The Constitutional Law adopted by the Parliament shall be sent to the President of the Republic of Moldova for promulgation.

(2) If the President of the Republic of Moldova does not promulgate the constitutional law, the provisions of Articles 113 and 114 of this Code shall apply accordingly.

**Article 135.** Referendum to revise the Constitution

(1) When the provisions referred to in Article 142 paragraph (1) of the Constitution are to be revised, the Parliament, after the adoption of the draft constitutional law, shall declare a republican constitutional referendum for the approval of the new provisions.

(2) The date of the constitutional referendum shall be set by decision of the Parliament.

(3) The republican constitutional referendum shall be held in accordance with the provisions of the Electoral Code.

(4) If the constitutional law is subject to approval by a constitutional referendum, the promulgation of the law shall become obligatory if it has been approved by referendum.

**Article 136.** Proposals to revise the Constitution  
by a constitutional referendum

(1) The entities with the right of legislative initiative established in Article 141 of the Constitution of the Republic of Moldova may request the Parliament to submit the revision of the Constitution for direct approval by a constitutional referendum.

(2) The legislative initiative for the revision of the Constitution shall be finalized in strict compliance with the provisions of the Constitution of the Republic of Moldova, of this Code, of Law No. 100/2017 and of the Electoral Code.

(3) The legislative initiative to revise the Constitution together with the positive opinion of the Constitutional Court, approved by at least 4 judges, and the draft law file shall be submitted to the Parliament.

(4) Upon the expiry of 6 months from the date of receipt of the proposals for initiating a referendum on the revision of the Constitution, the Parliament shall adopt one of the following decisions:

a) approve the decision on the organization and holding of a constitutional referendum;

b) rejects the initiative on holding a constitutional referendum, ordering the resolution of the issues through parliamentary means;

c) reject the initiative on holding a constitutional referendum if the revision of the Constitution is not a popular initiative.

(5) If the revision of one and the same provisions of the Constitution is initiated simultaneously both through the parliamentary procedure and by citizens, the examination of proposals for the revision of the Constitution through the parliamentary procedure shall cease.

## **Chapter V**

### **THE PROCEDURE FOR DECLARING A STATE OF EMERGENCY, SIEGE OR WAR**

**Article 137.** Initiation of a declaration of a state of emergency, siege or war

(1) The proposal on the declaration of a state of emergency, state of siege or state of war shall be submitted to the Parliament for approval by the President of the Republic of Moldova or the Government under the conditions established by Law No. 212/2004 on the regime of the state of emergency, state of siege and state of war, accompanied by the draft normative act on its declaration, elaborated in accordance with the requirements of Law No. 100/2017.

(2) The entities entitled to submit the proposals referred to in paragraph (1) shall be obliged to submit to Parliament reasoned information on the declaration of a state of emergency, a state of siege or a state of war and on the need to restrict rights and freedoms during this period.

(3) If Parliament is not in ordinary session, it shall be convened in extraordinary session in accordance with the requirements of this Code.

(4) In the case referred to in Article 87 of the Constitution of the Republic of Moldova, if the Parliament is not in ordinary session, it shall be convened in extraordinary session within 24 hours from the outbreak of the aggression.

(5) During a state of emergency, siege or war, the Parliament may not be dissolved.

(6) The mandate of the Parliament shall be extended, in accordance with Article 63 of the Constitution of the Republic of Moldova, until the state of emergency, siege or war has ended.

(7) During the exercise of their parliamentary mandate, Members of Parliament may not be drafted.

(8) If the declaration of a state of emergency coincides with the holding of elections, the decision to hold elections shall be taken by Parliament.

**Article 138.** Report of the committee on the merits of the case on the declaration of a state of emergency, siege or war

(1) The proposal for the declaration of a state of emergency, siege or war shall be referred to the committee on the merits of the case, which shall examine the circumstances giving rise to the state of emergency, siege or war and prepare a report for submission to Parliament for consideration.

(2) The committee on the merits of the case shall draw up the draft decision and submit it to Parliament for approval.

**Article 139.** Plenary debates on the proposal for declaring a state of emergency, siege or war

(1) Parliamentary debates on a proposal to declare a state of emergency, a state of siege or a state of war shall be held in open session, unless the Parliament decides otherwise.

(2) Debates in the plenary session shall begin with the presentation of the proposal to declare a state of emergency, state of siege or state of war by the President of the Republic of Moldova or, as the case may be, by the Government.

(3) During the debate on the tabling of a proposal to declare a state of emergency, a state of siege or a state of war, Members of Parliament may put two questions each lasting one minute. The reply shall not exceed three minutes.

(4) After the round of questions and answers, the report of the committee on the merits of the case shall be presented, in which the Parliament shall be presented with the conclusions on the examination of the proposals for the establishment of a state of emergency, a state of siege or a state of war, as well as on the circumstances that gave rise to the state of emergency, state of siege or state of war.

(5) After the end of the debates, the parliamentary factions shall have the right to express their faction's position on the debated issue from the central rostrum, for 7 minutes.

(6) After the speeches of the representatives of the factions, the Chairperson of the sitting shall put to a vote the draft decision on the state of emergency, state of siege or state of war.

**Article 140.** Decision on the declaration of the state of emergency, siege or war

(1) A state of emergency, a state of siege or a state of war shall be declared by a decision of Parliament.

(2) A state of siege and a state of emergency may be established and maintained only to the extent required by the situations giving rise to them and in compliance with the obligations assumed by the Republic of Moldova under international law.

(3) The decision on the declaration of a state of emergency, state of siege or state of war shall provide:

- a) the reasons for declaring that state;
- b) the territory in which a state of emergency, a state of siege or a state of war is declared;
- c) the duration of the institution, where applicable;
- d) the urgent measures to be taken;
- e) provisions relating to the limitation of fundamental rights and freedoms, which must contain express references to the articles of the Constitution of the Republic of Moldova and international treaties from which the derogations are made;
- f) the competent bodies in charge of enforcing the decision;
- g) other provisions and restrictions as may be necessary.

(4) During a state of emergency, a state of siege and a state of war are prohibited:

- a) limitation of the right to life, except when death is the result of lawful acts of war;
- b) torture and inhuman or degrading treatment or punishment;
- c) conviction for offenses which are not recognized as such under national or international law;
- d) restricting free access to justice.

(5) The decision of the Parliament on the declaration of a state of emergency, a state of siege or a state of war shall be signed by the Speaker of the Parliament and published without delay.

(6) The Parliament of the Republic of Moldova, through the Ministry of Foreign Affairs of the Republic of Moldova, shall, within 3 days, notify the Secretary General of the United Nations and the Secretary General of the Council of Europe of the measures adopted which have the effect of restricting the exercise of certain fundamental rights and freedoms in accordance with the international obligations of the Republic of Moldova.

**Article 141.** Extension or termination of the state of emergency, siege or war

(1) Parliament may, depending on how the situation develops, extend or shorten the duration of a state of emergency, state of siege or state of war, and may extend or restrict its scope.

(2) The lifting of the state of emergency or state of siege shall take place on the date set in the decision on its declaration or extension.

(3) If the situation that led to the declaration of a state of emergency or a state of siege has been lifted before the expiry of the set deadline, Parliament shall adopt the decision on the lifting of the state of emergency or state of siege.

(4) The state of war shall be lifted by a decision of Parliament, after the cessation of military action and the conclusion of peace.

(5) The Parliament, through the Ministry of Foreign Affairs of the Republic of Moldova, shall notify the UN Secretary General and the Secretary General of the Council of Europe of the resumption of the full implementation of fundamental human rights and freedoms.

(6) Following the lifting or prolongation of the state of emergency the Government shall submit to the plenary session of the Parliament a report on the measures taken, the budgetary expenditures, the impact of the measures taken on human rights and freedoms, and their remedy.

## **Chapter VI** **THE PARLIAMENT'S RELATIONS WITH** **PRESIDENT OF THE REPUBLIC OF MOLDOVA**

### **Section 1** **Election and inauguration of the** **President of the Republic of Moldova**

**Article 142.** Election of the President of the Republic of Moldova

(1) The date of the election of the President of the Republic of Moldova shall be set by the Parliament in accordance with the requirements of the Election Code.

(2) After the confirmation of the results of the elections of the President of the Republic of Moldova and the validation of the mandate, he or she shall be sworn into office.

**Article 143.** Inauguration in office of the President of the Republic of Moldova

(1) The inauguration of the President of the Republic of Moldova shall take place at a special session convened by the Speaker of the Parliament at the request of the newly-elected President within 30 days after the elections.

(2) The place of the inauguration ceremony of the President of the Republic of Moldova shall be determined by the Parliament, taking into consideration the request of the newly-elected President of the Republic of Moldova.

(3) The solemn sitting of the Parliament during which the President of the Republic of Moldova is sworn in shall be held in accordance with Law No. 1073/1996 on the inauguration of the President of the Republic of Moldova.

(4) The meeting shall be held under the chairpersonship of the Speaker of the Parliament, in the presence of the newly-elected President, the members of the Constitutional Court and with the participation of officials, other personalities, according to Law No. 1073/1996.

(5) The President of the Constitutional Court shall read the judgment of the Constitutional Court on the confirmation of the results of the elections of the President of the Republic of Moldova and the validation of his/her mandate and shall declare the President of the Republic of Moldova newly elected.

(6) At the inauguration session, the newly-elected President shall take the oath of office before the Parliament and the Constitutional Court in accordance with Article 79 paragraph (2) of the Constitution of the Republic of Moldova.

## **Section 2**

### **Termination of the mandate of the President of the Republic of Moldova**

**Article 144.** Resignation of the President of the Republic of **Moldova**

(1) The President of the Republic of Moldova may resign from office by submitting a resignation request to the Parliament.

(2) The Parliament takes note of the request of resignation of the President of the Republic of Moldova, declares the office of President of the Republic of Moldova vacant, sets the date of the elections for the office of President of the Republic of Moldova and refers the matter to the Constitutional Court to determine the circumstances justifying the interim office of President of the Republic of Moldova.

**Article 145.** Termination of the mandate of the President of the Republic of Moldova in case of death

In the event of the death of the President of the Republic of Moldova, the Parliament shall declare the end of the term of office, declare the office vacant, set the date for the elections for the office of President of the Republic of Moldova and refer the matter to the Constitutional Court to determine the circumstances justifying the interim office of President of the Republic of Moldova.

**Article 146.** Termination of the mandate of the President of the Republic of Moldova in the event of permanent impossibility to carry out his/her duties

(1) In the event of permanent impossibility of exercising the powers of the President of the Republic of Moldova, the Parliament shall refer the matter to the Constitutional Court in order to establish the circumstances justifying the impossibility of the President of the Republic of Moldova to exercise his/her powers for more than 60 days.

(2) The Parliament shall take note of the opinion of the Constitutional Court establishing the circumstances justifying the inability of the President of the Republic of Moldova to exercise his/her duties for more than 60 days, as well as the interim of the office, shall declare the office vacant and shall set the date for the elections for the office of President of the Republic of Moldova.

### **Section 3** **Interim to the position of** **President of the Republic of Moldova**

**Article 147.** Definitive interim

(1) The interim position of the President of the Republic of Moldova occurs if the President of the Republic of Moldova has resigned, is dismissed, is definitively unable to exercise his duties or is deceased.



(2) In order to ensure continuity in the exercise of the office of Head of State, the President of the Republic of Moldova shall be replaced, in order, by the Speaker of the Parliament or the Prime Minister.

(3) The Speaker of the Parliament shall be relieved of office during the period of the interim of President of the Republic of Moldova in accordance with Article 34 of this Code.

(4) The Speaker of the Parliament shall exercise the office of President of the Republic of Moldova until the inauguration of the newly elected President.

(5) The Constitutional Court shall determine the interim of the office of President of the Republic of Moldova, upon application to the Parliament.

**Article 148.** Temporary interim in the office of President  
of the Republic of Moldova

(1) The temporary interim of the office of President of the Republic of Moldova is related to the temporary impossibility of exercising the office of President of the Republic of Moldova and is established to ensure the continuity of the exercise of state power.

(2) Temporary interim means the temporary replacement of the President of the Republic of Moldova by the Speaker of the Parliament or the Prime Minister, without relieving the Speaker of the Parliament from, until the President returns to office or until the Constitutional Court determines the interim of the office of President of the Republic of Moldova.

(3) Temporary interim shall intervene in the following cases:

- a) in case of leave of absence of the President of the Republic of Moldova;
- b) in the event of illness of the President of the Republic of Moldova, as a result of which he/she is temporarily unable to fulfil his/her duties;
- c) in the event of the death of the President of the Republic of Moldova, until the Constitutional Court has established the interim;
- d) in the event of the resignation of the President of the Republic of Moldova, until the Constitutional Court has established the interim;
- e) if the President of the Republic of Moldova is suspended from office by the Parliament, until the Constitutional Court has established the interim;
- f) in the event of temporary impossibility to exercise his/her functions, until the Constitutional Court determines that it is definitively impossible to exercise his/her functions.

(4) The establishment of the temporary interim by temporarily replacing the President of the Republic of Moldova does not require the confirmation of the Constitutional Court.

(5) Temporary interim in the cases referred to in paragraph (3) letter a) shall be established by the President of the Republic of Moldova by decree. In the event of return to office, the President of the Republic of Moldova shall automatically take office.

(6) The establishment of the temporary interim for the cases referred to in paragraph (3) letters b)-f) shall be established by a provision of the Speaker of the Parliament of the Republic of Moldova. In such cases, the Parliament shall be obliged to refer the matter to the Constitutional Court in order to establish the interim of the President of the Republic of Moldova.

(7) During the temporary interim, the interim President of the Republic of Moldova may not dissolve the Parliament, appoint or dismiss ministers, appoint or dismiss the Prosecutor General or judges, or appoint or recall ambassadors.

#### **Section 4** **Suspension of the** **President of the Republic of Moldova**

**Article 149.** Initiation of the suspension of the President of the Republic of Moldova

(1) The procedure of suspension from office of the President of the Republic of Moldova is a parliamentary procedure through which the Parliament resorts to the application of Article 89 of the Constitution of the Republic of Moldova in order to solve the problem of the constitutional accountability of the President of the Republic of Moldova for acts committed in the exercise of the office, by which he violates the provisions of the Constitution.

(2) An initiative to suspend the President of the Republic of Moldova from office may be submitted by at least one third of the Members of Parliament, alleging that the President of the Republic of Moldova has violated the provisions of the Constitution or the oath of office.

(3) The initiative to suspend the President of the Republic of Moldova shall be submitted together with the opinion of the Constitutional Court, which shall state the circumstances justifying the removal of the President of the Republic of Moldova from office.

(4) The initiative to suspend the President of the Republic of Moldova shall be submitted together with the request to convene a special session to examine the case.

**Article 150.** Registration of the initiative to suspend the President of the Republic of Moldova and convening the special session

(1) The initiative for the suspension of the President of the Republic of Moldova together with the opinion of the Constitutional Court, the request to convene a special session and other relevant documents shall be submitted to the Speaker of the Parliament.

(2) By resolution of the Speaker of the Parliament, the proposal to suspend the President of the Republic of Moldova from office, together with the additional materials, shall be referred to the standing committee on the merits of the case, shall be communicated without delay to the President of the Republic of Moldova and shall be brought to the attention of the Members of Parliament.

(3) The Speaker of the Parliament shall ensure that Parliament is convened in a special session to debate and resolve the matter at hand.

**Article 151.** Report of the committee on the merits of the case on the initiative to suspend the President of the Republic of Moldova

(1) After receiving the materials, the standing committee on the merits of the case, within 10 days, shall verify the legality of the facts and their legal classification, the fulfilment of all legal requirements for the case.

(2) The standing committee hearing the case shall hear the initiators and other witnesses, verify the evidence presented and give the President of the Republic of Moldova the opportunity to explain the facts alleged against him.

(3) The findings and conclusions on the issues examined shall be set out in the committee's report, which shall be submitted to the full Parliament.

**Article 152.** Parliamentary debates on the initiative to suspend the President of the Republic of Moldova

(1) Debates in the plenary session on the initiative to suspend the President of the Republic of Moldova shall begin with the hearing of the representative of the group of Members of Parliament that initiated the procedure of impeachment.

(2) The President of the Republic of Moldova shall be given the opportunity to explain the facts alleged against him or her after the initiative for suspension has been presented.

(3) Plenary debates on the suspension of the President of the Republic of Moldova may not be limited.

(4) During the debates, Members of Parliament may put two questions of two minutes each to both the initiators of the dismissal and the President of the Republic of Moldova. Their answers shall not exceed 3 minutes.

(5) After the round of questions-answers, the report of the standing committee will be presented, which will present to the Parliament the conclusions on the examination of the initiative to suspend the President of the Republic of Moldova.

(6) After the end of the debates, the parliamentary factions have the right to express from the central rostrum, for 10 minutes, their faction's position on the initiative to suspend the President of the Republic of Moldova.

(7) Before putting the motion to suspend to a vote, the Chairperson of the sitting shall give the President of the Republic of Moldova the floor for a closing speech of up to 10 minutes.

(8) The President of the Republic of Moldova may refuse to give explanations or to answer Members of Parliament's questions.

**Article 153.** Parliament's decision on the suspension initiative  
of the President of the Republic of Moldova

(1) The decision of the Parliament on the initiative to suspend the President of the Republic of Moldova shall be adopted by a decision of the Parliament.

(2) The decision to suspend the President of the Republic of Moldova shall contain:

a) provisions on suspending the President of the Republic of Moldova from office until the referendum results are confirmed;

b) the date of the referendum for the dismissal of the President of the Republic of Moldova.

(3) The decision to suspend the President of the Republic of Moldova from office and to initiate his/her removal from office by referendum shall be adopted by a two-thirds vote of the elected Members of Parliament.

(4) The Decision of the Parliament shall be sent to the Central Electoral Committee for the organization of the referendum on the dismissal of the President of the Republic of Moldova.

(5) The results of the referendum for the removal of the President of the Republic of Moldova from office shall be ascertained by the Central Election Committee and confirmed by the Constitutional Court.

(6) After the confirmation of the results of the referendum approving the dismissal of the President of the Republic of Moldova, he shall be considered to have resigned and the office shall become vacant.

(7) If, according to the results of the referendum, the President of the Republic of Moldova is not dismissed, he shall take office by right.

## **Section 5**

### **Impeachment of the President of the Republic of Moldova**

**Article 154.** Impeachment procedure of the President of the Republic of Moldova

(1) Impeachment is the parliamentary procedure for the authorization to hold the President of the Republic of Moldova criminally responsible for the commission of a crime.

(2) The impeachment shall be carried out by lifting the immunity, suspension from office and approval of the Prosecutor General's request to impeach the President of the Republic of Moldova.

**Article 155.** Waiver of immunity of the President of the Republic of Moldova for criminal liability

(1) The Parliament may waive the immunity of the President of the Republic of Moldova with a view to holding him/her criminally responsible for the commission of a crime.

(2) The procedure for waiving the immunity of the President of the Republic of Moldova shall be initiated by the Prosecutor General by filing a request for waiver of the immunity of the President of the Republic of Moldova for the purpose of criminal investigation.

(3) The Prosecutor General's notification shall be addressed to the Speaker of the Parliament and shall contain materials, data and facts that indicate the commission of a crime and their legal classification.

(4) By a resolution of the Speaker of the Parliament, the Prosecutor General's notification and the additional materials shall be referred to the standing committee on the merits of the case and shall be brought to the attention of the Members of Parliament. The Prosecutor General's notification of the waiver of immunity shall be communicated without delay to the President of the Republic of Moldova.

(5) At the proposal of the standing committee on the merits of the case, the Speaker of the Parliament shall convene the Parliament in a special session to examine the Prosecutor General's complaint.

**Article 156.** Report of the Standing Committee examining the merits of the case on the request for waiver of immunity of the President of the Republic of Moldova

(1) Within 10 days, the Standing Committee shall examine the Prosecutor General's request for the waiver of the immunity of the President of the Republic of Moldova.

(2) The findings and conclusions on the Prosecutor General's referral shall be set out in the committee's report, which shall be submitted to the plenary of the Parliament.

**Article 157.** Parliamentary debates on the referral for waiver of the immunity of the President of the Republic of Moldova

(1) The debates in plenary sitting on the motion for waiver of the immunity of the President of the Republic of Moldova shall include the hearing of the Prosecutor General and the President of the Republic of Moldova, who shall present explanations on the commission of the offense that the President of the Republic of Moldova is accused of.

(2) During the debates, Members of Parliament may put two questions of two minutes each to the Prosecutor General and the President of the Republic of Moldova, which shall not exceed 5 minutes.

(3) After the round of questions-answers, the report of the standing committee will be presented, which will present to the Parliament the conclusions on the

examination of the Prosecutor General's notification on the waiver of the immunity of the President of the Republic of Moldova.

(4) After the end of the debates, the parliamentary factions have the right to express their position on the Prosecutor General's notification from the central rostrum for 10 minutes.

(5) Before putting the waiver of immunity to the vote, the Chairperson of the sitting shall give the President of the Republic of Moldova the floor for up to 10 minutes.

(6) The President of the Republic of Moldova may refuse to give explanations or answer questions put by Members of Parliament.

**Article 158.** The Parliament's decision on the waiver of the immunity of the President of the Republic of Moldova

(1) The Parliament's decision on the waiver of the immunity of the President of the Republic of Moldova shall contain:

- a) provisions concerning the notification of the Prosecutor General;
- b) waiving of the immunity of the President of the Republic of Moldova with a view to bringing him to criminal liability.

(2) The Parliament may, by a decision, waive the immunity of the President of the Republic of Moldova.

(3) If the immunity of the President of the Republic of Moldova is not waived, the Prosecutor General's notification shall be deemed rejected.

(4) If the Parliament has decided to waive the immunity of the President of the Republic of Moldova at the request of the Prosecutor General, the Parliament may decide, by a vote of at least 2/3 of the elected Members of Parliament, to suspend the President of the Republic of Moldova from office for the duration of the criminal investigation.

**Article 159.** Impeachment of the President of the Republic of Moldova

(1) The President of the Republic of Moldova deprived of immunity shall be subject to criminal investigation in accordance with the provisions of the Criminal Procedure Code.

(2) In the event of the termination of the criminal prosecution and the consummation of the criminal proceedings, the President of the Republic of

Moldova shall continue his/her activity in office and the Prosecutor General shall inform the Parliament about this fact. The Speaker of the Parliament shall inform the Members of Parliament in the plenary of the Parliament thereof.

(3) In the event that in the course of the criminal prosecution it is established that there are reasonable doubts that the President of the Republic of Moldova has committed a criminal offense, the Prosecutor General shall submit to the Parliament the motion on the impeachment of the President of the Republic of Moldova, enclosing the materials and other data on the committed criminal offense.

(4) By resolution of the Speaker of the Parliament, the Prosecutor General's application with additional materials related to the committed offense shall be referred to the committee and brought to the attention of the Members of Parliament. The Prosecutor General's request for impeachment shall be communicated to the President of the Republic of Moldova.

(5) At the proposal of the Sectoral committee, the Speaker of the Parliament shall convene the Parliament in a special session to examine the Prosecutor General's request to impeach the President of the Republic of Moldova.

**Article 160.** Report of the standing committee on the merits of the case on the impeachment of the President of the Republic of Moldova

(1) The Sectoral Committee shall, within 10 days, verify the enclosed materials, data and facts presented in the Prosecutor General's request, which indicate that the President of the Republic of Moldova has committed a crime.

(2) The Sectoral Committee shall hear the Prosecutor General and other persons, verify the testimonies and evidence presented, give the President of the Republic of Moldova the opportunity to present explanations regarding the commission of the alleged offense.

(3) The findings and conclusions on the Prosecutor General's request shall be set out in the committee's report, which shall be submitted to the plenary of the Parliament.

**Article 161.** Parliamentary debates on the initiative to request impeachment of the President of the Republic of Moldova

(1) Debates in plenary sitting on the impeachment of the President of the Republic of Moldova shall begin with the hearing of the Prosecutor General, who shall answer questions put by Members of Parliament.



(2) After the Prosecutor General's request has been submitted, the President of the Republic of Moldova shall be given the opportunity to present explanations on the commission of the alleged offense.

(3) After the hearings, the report of the Sectoral committee will be presented to the Parliament, which will present its conclusions on the examination of the Prosecutor General's request to impeach the President of the Republic of Moldova for committing a crime.

(4) Parliamentary factions have the right to express their position on the Prosecutor General's request from the central rostrum for 7 minutes.

(5) Before putting the impeachment to a vote, the Chairperson of the sitting shall give the President of the Republic of Moldova the floor for a closing speech, up to 10 minutes.

(6) The President of the Republic of Moldova may refuse to give explanations or answer questions put by Members of Parliament.

**Article 162.** Parliament's impeachment decision  
of the President of the Republic of Moldova

(1) The decision of impeachment of the President of the Republic of Moldova shall contain:

- a) provisions relating to the Prosecutor General's request;
- b) suspension from office of the President of the Republic of Moldova;
- c) impeachment of the President of the Republic of Moldova with a view to holding him criminally responsible.

(2) The decision to impeach the President of the Republic of Moldova shall be adopted by a vote of at least two thirds of the number of elected Members of Parliament.

(3) The Parliament shall forward the decision to impeach the President of the Republic of Moldova to the Supreme Court of Justice, enclosing the materials concerning the impeachment of the President of the Republic of Moldova.

**Article 163.** Effects of conviction

If the President of the Republic of Moldova has been convicted by a final judgment, his or her term of office is terminated and the office becomes vacant.

## **Chapter VII**

### **PARLIAMENT'S RELATIONS WITH THE GOVERNMENT**

#### **Section 1**

#### **Government inauguration**

#### **Article 164.** Nomination of the candidate for Prime Minister

(1) After consulting the parliamentary factions, the President of the Republic of Moldova shall nominate a candidate for the office of Prime Minister.

(2) The parliamentary majority assumes the responsibility to propose, in consultations with the President of the Republic of Moldova, the nomination of a candidate for the office of Prime Minister.

(3) When nominating a candidate for the office of Prime Minister, the condition of formalizing an absolute parliamentary majority is met if:

a) the act formalizing the formalization of the parliamentary majority shall contain data on the number and the specific Members of Parliament constituting the absolute parliamentary majority;

b) the act reflects the willingness of the Members of Parliament to support a particular candidate for the office of Prime Minister;

c) the act is officially communicated to the President of the Republic of Moldova.

(4) In the event that a parliamentary majority is not formed and the government can be secured without the formation of an alliance/coalition, the President of the Republic of Moldova is obliged, after consulting the parliamentary factions, to nominate a candidate for the office of Prime Minister.

(5) The candidate for the office of Prime Minister shall request, within 15 days from the appointment, the Parliament's vote of confidence on the program of activity, the list of ministries and the list of candidates for the office of member of the Government.

(6) The President of the Republic of Moldova may not nominate a candidate for the office of Prime Minister in the absence of the Parliament's governing bodies.

(7) The impossibility to convene the Parliament due to the absence of the convening body makes it impossible for the President of the Republic of Moldova to nominate a candidate for the office of Prime Minister.

(8) Failure to convene the Parliament in plenary session to examine the issue of appointing the Government, when there are governing bodies of the legislature, shall be tantamount to the rejection of the request for inauguration.

**Article 165.** Registration of the application and setting the date for examination in plenary sitting

(1) The application of the candidate nominated for the office of Prime Minister shall be submitted to the Parliament together with the program of activity, the list of ministries and the list of candidates for the office of member of the Government.

(2) The Speaker of the Parliament shall cause the documents referred to in paragraph (1) to Members of Parliament, parliamentary factions and standing committees, designating the standing committee on the merits of the case.

(3) Within 3 days, the Speaker of the Parliament shall convene a meeting of the Standing Bureau in order to set the date of the special session at which the program of activity, the list of ministries and the list of candidates for the office of member of the Government shall be debated.

(4) The date of the plenary sitting at which the vote of confidence in the Government will be debated may not exceed 10 days from the date of registration in Parliament of the request for the vote of confidence in the Government.

**Article 166.** Examination of the Activity Program, list of ministries and the list of candidates for the office of member of the Government

(1) The program of activity, the list of ministries and the list of candidates for the office of member of the Government shall be examined by the parliamentary factions and the standing committees of the Parliament.

(2) Parliamentary factions may invite candidates for the office of member of the Government for hearings.

(3) The standing committee whose field of activity corresponds to the field of competence of the future Minister may invite the candidate for this office for hearings.

(4) Parliamentary factions and standing committees may request the candidate nominated for the office of Prime Minister to replace some candidates for the office of member of the Government. The request shall be forwarded to the candidate for Prime Minister and the relevant standing committee.

(5) The standing committee on the merits of the case shall examine the program of activity, the list of ministries and the list of candidates for the office of member of the Government, as well as the opinions of the parliamentary factions and standing committees, and shall draw up a report on them.

(6) The presence of the new composition of the Government shall be compulsory at the sitting of the Standing Sectoral committee, if the committee so requests.

(7) As a result of the debates, the standing committee on the merits of the case may propose amendments to the program of activity, the list of ministries and the list of candidates for the office of member of the Government.

(8) Any proposal to amend the program of activity, the list of ministries and the list of candidates for the office of member of the Government must be accepted by the Prime Minister designate.

(9) Amendments to the program of activities, the list of ministries and the list of candidates for the office of member of the Government, accepted by the Prime Minister designate, shall be included in the report of the committee and submitted to the Parliament for consideration.

#### **Article 167. Government inauguration session**

(1) The Government shall be sworn in at a special public session of the Parliament.

(2) The President of the Republic of Moldova shall present the nominated candidate for the office of Prime Minister at the inauguration session of the Government.

(3) There shall be no debate on the presentation of the candidate nominated for the office of Prime Minister.

(4) After the address of the President of the Republic of Moldova, the floor shall be given to the candidate nominated for the office of Prime Minister to present the program of activity, the list of ministries and the list of candidates for the office of member of the Government. The presentation may not exceed 45 minutes.

(5) Plenary debates on the program of activities, the list of ministries and the list of candidates for the office of member of the Government shall not exceed two hours, unless the Parliament decides otherwise.

(6) During the debates, Members of Parliament may put two questions, each lasting one minute, to the candidate nominated as Prime Minister and to the candidates for the office of Minister. Their answers shall not exceed 3 minutes.

(7) After the round of questions-answers, the Legal Committee on Appointments and Immunities shall present to the Parliament the report on the examination of the program of activity, the list of ministries and the list of candidates for the office of member of the Government.

(8) After the end of the debates, the parliamentary factions have the right to express their position on the program of activity, the list of ministries and the list of candidates for the office of member of the Government from the central rostrum for 7 minutes.

(9) Before putting to a vote the program of activities, the list of ministries and the list of candidates for the office of member of the Government, the Chairperson of the sitting shall give the Prime Minister-designate the floor for a closing speech of up to 10 minutes.

(10) The decision of the Parliament approving the Government's program of activity, the list of ministries and the vote of confidence in the candidates for the office of member of the Government shall be adopted by a majority vote of the elected Members of Parliament.

#### **Article 168.** Repeated request for inauguration of the Government

(1) In case the Parliament does not give the vote of confidence to the new Government, the President of the Republic of Moldova shall repeat the procedure of consultation and nomination of the candidate for the office of Prime Minister.

(2) The same or another person may be appointed repeatedly to the office of Prime Minister.

(3) The procedure for examining in Parliament of the vote of confidence in the Government shall be repeated under the conditions of the current Section.

(4) In the event of repeated failure to grant the Parliament's vote of confidence on the program of activity, the list of ministries and the list of candidates for the position of member of the Government, after 45 days from the first request and until the expiry of 3 months from the date of the occurrence of the circumstances that determined the necessity to form a new Government, the President of the Republic

of Moldova shall request the Constitutional Court to establish the circumstances justifying the dissolution of Parliament.

(5) After the Constitutional Court has established the circumstances justifying the dissolution of the Parliament, the President of the Republic of Moldova shall, within 10 days, dissolve the Parliament and set the date for new elections to the Parliament.

## **Section 2**

### **Government accountability**

#### **Article 169.** Mechanism of assuming responsibility by the Government

(1) Pursuant to Article 106<sup>1</sup> of the Constitution, the Government may, in a plenary session of the Parliament, assume responsibility before the Parliament for a program, a general policy statement or a draft law.

(2) The Government may assume responsibility before Parliament only on draft organic or ordinary laws.

(3) The Government may assume responsibility for a draft law or several draft laws simultaneously.

(4) The draft law on which the Government assumes responsibility before the Parliament shall not go through the stages of the legislative procedure provided for by this Code.

#### **Article 170.** Conditions underlying the Government's assumption of responsibility on one or more draft laws

The procedure for assuming responsibility by the Government on one or more draft laws must be a measure determined by the following cumulative conditions:

- a) the existence of an urgency in the adoption of the measures contained in the law on which the Government has assumed responsibility;
- b) the need for the regulation to be adopted as quickly as possible;
- c) the importance of the domain to be regulated;
- d) immediate application of the law;
- e) circumscribing laws to a single regulatory area.

#### **Article 171.** Submission of assumption of responsibility by the Government before the Parliament

(1) The Government Decision on assuming responsibility before the Parliament and the full text of the program, political declaration or draft law that is the subject of this procedure shall be published in the Official Monitor of the Republic of Moldova.

(2) The Government's decision on assuming responsibility before the Parliament and the address accompanying the Government's decision shall be sent to the Parliament together with the text of the program, political declaration or draft law together with the accompanying file.

(3) The additional explanatory memorandum to the draft law submitted to the Parliament following the Government's assumption of responsibility shall include detailed information on the conditions determined by urgency, which are the basis for the Government's assumption of responsibility.

#### **Article 172. Convening the plenary sitting**

(1) The Speaker of the Parliament shall immediately order the distribution of the Government's decision and additional materials to the Members of Parliament and shall convene a meeting of the Standing Bureau at which:

a) the Government's address and materials on the assumption of responsibility are presented;

b) the date is set of the plenary sitting at which the Government assumes responsibility for the program, general policy statement or draft law.

(2) The convening of the plenary sitting may not exceed 3 days from the date of submission to the Parliament of the request for assuming responsibility by the Government.

(3) If the Parliament is not in ordinary session, a special session of the Parliament shall be convened in accordance with Article 50 of this Code.

(4) Failure to convene the Parliament in plenary sitting to examine the assumption of responsibility by the Government shall be tantamount to rejection of the request.

(5) The special session shall end automatically after the debate on the motion of no-confidence, if it has been tabled.

#### **Article 173. Presenting the assumption of responsibility by the Government in plenary sitting**

(1) At the plenary sitting, the Prime Minister shall declare the assumption of responsibility by the Government, present the program, the general policy statement or the draft law, and shall expressly motivate the necessity of this special parliamentary procedure.

(2) Where the Government assumes responsibility before Parliament on several draft laws at the same time, each draft law shall be presented separately.

**Article 174.** Special legislative procedure of the assumption of responsibility by the Government

(1) No amendments may be tabled to a draft law on which the Government assumes responsibility before the Parliament.

(2) There shall be no debate in the plenary sitting at which the Government assumes responsibility.

(3) The Parliament, by virtue of the constitutional provisions, has the right to dismiss the Government by initiating and debating a motion of no-confidence.

**Article 175.** Motion of no-confidence following the Government's accountability

(1) From the date of the plenary session during which the Government's assumption of responsibility was presented, the 3-day period provided for in Article 106<sup>1</sup> paragraph (2) of the Constitution of the Republic of Moldova for the submission of the motion of no-confidence starts.

(2) A motion of no-confidence initiated by at least one-fourth of the total number of Members of Parliament shall be submitted to the Chairperson of the plenary sitting, who shall immediately notify the Government and distribute it to the Members of Parliament.

(3) If the Parliament is not sitting, the motion shall be tabled to the Speaker of the Parliament.

(4) The Speaker of the Parliament shall convene a meeting of the Standing Bureau to set the date for debating the motion, which shall take place 3 days after the date on which the motion is tabled.

**Article 176.** Effects of the motion of no-confidence following the assumption of responsibility by the Government



(1) In the event of the adoption of a motion of no-confidence, the provisions of Article 253 shall apply accordingly.

(2) In the case of failure to submit the motion of no-confidence, as well as in the case of its rejection, the program or the declaration of general policy shall become enforceable for the Government, and the draft law shall be deemed adopted.

**Article 177.** Promulgation of laws enacted as a result of assuming responsibility by the Government

(1) Laws adopted as a result of assuming responsibility by the Government before the Parliament shall be subject to promulgation and shall enter into force on the date of publication.

(2) The President of the Republic of Moldova shall be obliged to promulgate the adopted law for which the Government has assumed responsibility, without the right to submit it to the Parliament for reconsideration.

(3) In case the President of the Republic of Moldova considers that the law adopted by assuming responsibility by the Government is unconstitutional, he may refer the matter to the Constitutional Court.

### **Section 3** **Legislative delegation**

**Article 178.** General provisions

(1) Legislative delegation is the institution by which the Parliament, between sessions, may empower the Government with the right to issue ordinances having the force of law.

(2) In order to implement the Government's program of activity, the Parliament may adopt, on its proposal, a special organic law empowering the Government to issue ordinances in areas not covered by organic laws.

(3) Ordinances may be issued for a specific period of time and in a specific field, expressly established in the enabling law.

**Article 179.** Binding conditions

(1) The enabling law shall establish, on a mandatory basis, the scope and date until which ordinances may be issued.

(2) By the enabling act, the Parliament may make the issuance of ordinances subject to subsequent approval by the Parliament, setting the deadline for their submission.

(3) Failure to submit the draft law for the approval of the ordinance within the term established by law shall entail the termination of the effects of the ordinance.

(4) If the Parliament does not examine the draft law for the approval of the ordinance submitted by the Government within the term set in the enabling law, the effects of the ordinance shall not cease.

(5) If Parliament rejects the draft law approving the ordinances, they shall be deemed repealed.

(6) The approval or rejection of ordinances shall be made by ordinary law.

**Article 180.** Special session for the approval of the ordinance

(1) If the enabling law has set a deadline for the approval of the ordinance that coincides with the period between sessions of the Parliament, the Speaker of the Parliament shall convene the Parliament in special session, upon the proposal of the Government, to examine the draft law on the approval of the ordinance.

(2) The special session shall end automatically after the approval or rejection of the ordinances.

**Article 181.** Entry into force of ordinances

(1) Ordinances shall enter into force on the date of publication, without being promulgated.

(2) After the expiry of the period set for the issuance of ordinances, they may be amended or repealed only by law.

## **Section 4**

### **Parliament's relations with the Government in the European integration of the Republic of Moldova**

**Article 182.** Cooperation between the Parliament and the Government in the process of European integration of the Republic of Moldova

(1) The Parliament and the Government shall cooperate in the process of European integration of the Republic of Moldova.

(2) In order to ensure an effective mechanism of interaction between the Parliament and the Government on European integration, the Secretariat of the Parliament and the State Chancellery of the Government shall provide the authorities with the necessary information and logistical support to facilitate the promotion of draft laws in the field of European integration.

(3) The delimitation of the tasks of the Secretariat of the Parliament and the State Chancellery of the Government with regard to European integration shall be established on the basis of a cooperation agreement.

**Article 183.** Submission of the Government Activity Program  
in the field of harmonization of legislation

(1) At the end of each calendar year, the Government shall submit to the Parliament its activity program on the harmonization of the legislation of the Republic of Moldova with the legislation of the European Union for the following year, which shall be included in the legislative program of the Parliament.

(2) Draft laws transposing European Union legislation into national law shall be submitted to Parliament in accordance with the provisions of Chapter III, Sections 1 and 2 of this Code.

**Article 184.** Informing Parliament in the field of European integration

The Government, through the Ministry of Foreign Affairs and European Integration or the relevant ministries, regularly informs the permanent European integration committee and/or the Parliament:

- a) key issues on the European agenda for the Republic of Moldova;
- b) subjects to be discussed or negotiated with the European Union, information on the activity and results of visits, participations, meetings between members of the Government and representatives of the European Union or its institutions;
- c) documents presenting the Government's position on the issues to be addressed in the negotiations with the European Union or its institutions;
- d) the agenda and results of the negotiation rounds with the European Union or its institutions;
- e) biannual reports on the fulfilment of commitments to transpose EU legislation into national law.

**Section 5**  
**Government reports**

**Article 185.** Annual report of the Government

(1) In April of each year, but not earlier than 10 months after taking office, the Government shall present the annual activity report in the plenary session of the Parliament.

(2) In the annual report of the Government, a separate chapter shall be devoted to the process of European integration of the Republic of Moldova, the progress achieved and the priorities set.

(3) The chapter shall include the following aspects:

a) information enabling Parliament to monitor and evaluate the European integration process, including negotiations and agreements with the European Union and its institutions;

b) details of the draft laws submitted to the Parliament during the previous calendar year in order to ensure the implementation of the results of negotiations with the European Union;

c) data on the draft laws that the Government intends to present to the Parliament in the current calendar year, in order to boost negotiations or agreements with the European Union;

d) information on the issues and decisions of impact for the Republic of Moldova taken during the previous year, as well as the measures that have been implemented by the Government as a result of these decisions;

e) information on loans, credits or funds received from the European Union during the preceding year or agreements concerning such loans, credits or funds and the use made of them by the Government.

(4) The report shall be distributed to Members of Parliament at least 10 days before the plenary sitting at which it is to be heard.

(5) Parliament shall, as necessary, once in the course of a session, hear the Government in matters pertaining to its activity.

(6) Attendance of the members of the Government at the plenary sittings at which the reports of the Government are heard shall be compulsory.

(7) The Government's report shall be presented by the Prime Minister in the Parliament.

#### **Article 186. Other government reports**

At the request of the Parliament or in cases provided for by law, the Government also submits other reports on the areas of internal or foreign policy of the State.

**Chapter VIII**  
**PARLIAMENT'S RELATIONS WITH THE CONSTITUTIONAL COURT**  
**AND PUBLIC AUTHORITIES IN THE FIELD OF JUSTICE**

**Article 187.** Selection of candidates for the office of judge  
of the Constitutional Court

(1) Under Article 136 of the Constitution of the Republic of Moldova, the Parliament appoints two judges to the Constitutional Court.

(2) The organization and conduct of the competition for the selection of candidates for the position of judge at the Constitutional Court shall be governed by the provisions of this Code.

**Article 188.** Exercise of the office of judge of the Constitutional Court

(1) The person appointed to the office of judge of the Constitutional Court shall take the oath of office in the plenary of the Parliament in accordance with the requirements laid down by Law No. 317/1994 on the Constitutional Court.

(2) The date of taking the oath shall be the date on which the exercise of the office of judge begins.

**Article 189.** Referral to the Constitutional Court of admitted infringements  
by a Constitutional Court judge

(1) Entities entitled to submit applications for the office of judge of the Constitutional Court may bring a case before the Constitutional Court concerning a conflict of interest, breach of oath or breach of functional duties by a judge of the Constitutional Court

(2) The President of the Constitutional Court shall order the review of the complaint, informing the Parliament.

**Article 190.** Execution of decisions and addresses of the Constitutional Court

(1) The Parliament shall examine, as a matter of priority, the draft laws submitted by the Government in order to execute the decisions of the Constitutional Court.

(2) The task of supervising the execution of the decisions and addresses of the Constitutional Court shall be exercised by the Vice-Speaker of the Parliament

responsible, in accordance with the decision of the Standing Bureau of the Parliament.

(3) The Standing Committees in charge of the areas covered by the contested normative act shall examine and resolve, within two months, the legislative gaps and omissions indicated in the Constitutional Court's addresses, and if necessary, the Standing Committees shall request the Government to draft the respective laws.

(4) The responsible committees shall inform the Constitutional Court about the execution of the Constitutional Court's addresses.

#### **Article 191. Review of the constitutionality of international treaties**

(1) The constitutionality of an international treaty may be reviewed between the moment when the Republic of Moldova expresses its consent to be bound by a treaty at the international level and the moment when the treaty enters into force through the fulfilment of the procedures provided by law.

(2) Members of Parliament and parliamentary factions may exercise their right to refer international treaties to the Constitutional Court for constitutional review from the moment of registration in Parliament of the draft law for ratification of the international treaty until its adoption by Parliament.

(3) If the international treaty is subject to a constitutionality review during the parliamentary procedure, it may not be ratified until the Constitutional Court has adopted its judgment.

(4) If the Constitutional Court declares the international treaty incompatible with the constitutional provisions, the Parliament, if it cannot remedy the situation by approving reservations, shall submit the treaty to the Government for its adjustment to the constitutional norms or to initiate the revision of the Constitution of the Republic of Moldova.

#### **Article 192. Annual report of the Constitutional Court**

(1) The Constitutional Court shall report to the Parliament by February 1 of each year on the exercise of constitutional jurisdiction.

(2) The Parliament, at the proposal of the Sectoral committee, shall take note of the report of the Constitutional Court and shall order measures to ensure the constitutionality, remedy situations, execute the decisions or addresses of the Constitutional Court.

**Article 193.** Parliament's cooperation with public authorities  
in the field of justice

(1) In order to ensure the principles of the rule of law and the supremacy of the law, the Parliament shall cooperate with the Superior Council of Magistracy and the Superior Council of Prosecutors in the exercise of their constitutional prerogatives.

(2) The Parliament shall consult the opinion of the public authority in the field of justice if the draft normative act admitted for examination in the Parliament directly concerns it.

(3) The Parliament may not interfere in the functional activity of the administration of justice and/or investigation carried out by public authorities in the field of justice.

(4) The public authorities in the field of justice shall submit annually to the Parliament, in accordance with the legislation in force, the report on the functioning of justice and ensuring the rule of law.

(5) The Parliament, under the conditions of this Code, may also request other reports and information in the field of justice.

(6) The Parliament, on the proposal of the relevant committee, takes note of the reports of the public authorities in the field of justice and proposes remedial measures, where necessary, to improve the legislation in force.

**Chapter IX**  
**PARLIAMENT'S RELATIONS WITH**  
**LOCAL PUBLIC ADMINISTRATION**

**Article 194.** Parliament's relations with the local public administrative authorities

(1) Parliament's relations with local public administration authorities shall be based on the principles of local autonomy, legality, transparency, accountability and institutional cooperation.

(2) The Parliament, in the exercise of its representative function, supervises the activity of all local public administration authorities with a view to ensuring the rule of law.

(3) The local public administration authorities shall operate within the legal framework established by the Constitution of the Republic of Moldova and the laws. They may not adopt decisions that jeopardize territorial integrity, national security or the rule of law.

(4) The Parliament, through the standing committee on the merits of the case, shall cooperate with and support local public administration authorities in the fulfilment of their tasks.

(5) The standing committee on the merits of the case has the right to be informed about the activity of the bodies of local public administration authorities, to request information on the activity of local public authorities in the financial-budgetary, economic, social, cultural and educational fields, information related to ensuring legality, defence of public order, respect for constitutional rights and freedoms.

(6) The information requested by Parliament shall be submitted by local public authorities within 30 days.

(7) After analysing the information, the standing committee on the merits of the case shall, if necessary, draw up a report and propose to the Parliament to debate the problems faced by the local public administration.

(8) The provisions of this Chapter shall apply equally to the authorities of the Autonomous Territorial Unit of Gagauzia and to the authorities of the left bank of the Dniester River.

**Article 195.** Institutional dialogue and consultation with local public administration authorities

(1) The Parliament, through the Sectoral committees within the framework of the institutional dialogue, shall inform and consult the local public authorities on any matters of direct concern to them, as well as in the process of examining and adopting normative acts related to the organization and functioning of the local public administration.

(2) Consultations shall take place through the various forms provided for in



the legislation, from the initial phase throughout the legislative process.

(3) The standing committee on the merits of the case shall inform and ensure the transmission to the local public administration authorities of the draft normative acts and the additional information notes in accordance with the resolution of the committee chairperson.

(4) In the event that the standing committee examines draft normative acts, or other subjects directly concerning local public administration, its representatives shall also be invited to the meeting of the committee.

(5) Draft normative acts concerning the status of the Autonomous Territorial Unit of Gagauzia and/or the powers of its authorities shall be submitted for approval to the People's Assembly of the Autonomous Territorial Unit of Gagauzia.

(6) Failure to deliver the opinion within 30 days at the latest or within a shorter time-limit set by the Speaker of the Parliament shall not prevent Parliament from examining the draft normative act.

(7) If the standing committee on the merits of the case organizes public hearings on the draft normative act on the status of the autonomous territorial unit Gagauzia and/or the powers of its authorities, representatives of the People's Assembly of the Autonomous Territorial Unit Gagauzia shall be invited to the hearings.

**Article 196.** Suspension of operation of local public administration authorities

(1) If the local public administration authorities deliberately violate the provisions of the Constitution or the legislation, as well as if their actions jeopardize territorial integrity, national security or the rule of law, their activity may be suspended by the Parliament.

(2) The determination of the circumstances justifying the suspension of the activity of local public administration authorities shall be decided by the administrative courts.

(3) If the activity of local public administration authorities falls within the requirements of paragraph (1), the territorial offices of the State Chancellery shall refer the matter to the competent administrative courts and request the establishment of the circumstances justifying the suspension of the activity of local public administration bodies.

(4) The finding of the circumstances justifying the suspension of the activity of local public administration bodies, together with the record of the facts admitted by the local public authorities, shall be submitted to the Government, which shall order measures to eliminate the violations, sanction the guilty parties and refer the matter to the Parliament.

(5) On the proposal of the Government, the Parliament shall examine the case and decide on the suspension of the activity of local public administration bodies.

(6) The decision of the Parliament on the suspension of the activity of local public administration bodies shall be submitted to the Central Election Committee for the organization and conduct of early elections.

## **Chapter X**

### **PARLIAMENT'S COOPERATION WITH CIVIL SOCIETY**

#### **Article 197.** Cooperation between Parliament and civil society

(1) The cooperation between the Parliament and civil society shall be based on the provisions of this Code, Law No. 239/2008 on transparency in the decision-making process, Parliament Decision No.149/2023 on the approval of the Platform for Dialogue and Civic Participation in the Parliament's decision-making process and other normative acts.

(2) In the cooperation process, Parliament and civil society representatives shall be guided by the principles of participation and involvement, transparency and efficiency, equal treatment and equal opportunities, independence, trust and partnership.

(3) In order to ensure the cooperation process between the Parliament and civil society, the Secretariat of the Parliament shall keep a register of civil society organizations registered in the Republic of Moldova and interested in cooperating with the Parliament.

#### **Article 198.** Activities and forms of cooperation

(1) Hearings, round tables, seminars, conferences and other activities related to legislative activity may be held in the premises of Parliament on the initiative of the Speaker of the Parliament, Parliament's working bodies.

(2) Cooperation between the Parliament and civil society shall be carried out through stakeholder information, permanent consultation, active participation.

**Article 199.** Contribution of civil society

(1) Civil society organizations interested in the parliamentary activity posted on the official website of the Parliament may submit expertise, impact assessments, comments, opinions, evaluations, proposals and other materials, respecting the standards/ requirements of cooperation established by the legislation in force, in a clear, concise form.

(2) The contributions made by civil society organizations in the process of cooperation with the Parliament shall be of an advisory nature.

**Article 200.** Reception and examination of civil society proposals

(1) Civil society proposals submitted in the framework of public consultations, formulated orally or in writing, shall be received by Parliament and shall be reflected in the minutes of the respective meetings, or in written form formulated individually.

(2) The Parliament has the right to reject recommendations that are vague or irrelevant to the subject under consultation.

(3) The deadline for submitting recommendations shall be 15 working days from the date of publication of the draft normative act on Parliament's official website, unless the standing committee sets another reasonable deadline. If the procedure for examining draft normative acts needs to be expedited, a further deadline, but not less than 3 working days, shall be set for the submission of recommendations by interested parties.

(4) Recommendations shall be examined by working groups set up by Parliament or its working bodies.

**Article 201.** Transparency of cooperation between Parliament and civil society

(1) The Parliament, through the responsible subdivision of the Secretariat of the Parliament, shall provide civil society with access to the adopted decisions and related materials by placing them on the official website.

(2) Copies of transcripts, summaries of recommendations, minutes, other materials prepared as a result of hearings, round tables, seminars, conferences and other actions in the process of cooperation between Parliament and civil society shall be kept in the Parliament's library.

## **Chapter XI**

### **APPOINTMENT TO AND DISMISSAL FROM PUBLIC OFFICE**

**Article 202.** Appointment to and dismissal from public office of persons by Parliament

(1) The Parliament, in its capacity as legislature, has the power to appoint to or dismiss from public office.

(2) Appointment by Parliament to public office means the appointment, election, confirmation or designation of persons.

(3) Dismissal by Parliament from public office means the dismissal or removal of persons.

(4) The appointment to or dismissal from public office of persons shall be decided by the Parliament by a resolution.

**Article 203.** Selection of candidates for appointment to public office

(1) The selection of candidates for public office shall be by open competition on the basis of the following principles:

a) open competition, by ensuring free access to the competition to persons who meet the established conditions and submit the application;

b) selection on merit, by selecting the person on the basis of criteria that ensure guarantees of professionalism and integrity;

(c) ensuring transparency by making information about the competition available to all interested parties;

d) equal and non-discriminatory treatment, so that every candidate has equal opportunities.

(2) Exceptions to the competition shall be made in the case of the filling of public offices within the Parliament which are subject to a special procedure, as well as in the case of public offices for which a special law provides for another procedure.

(3) The competition to fill vacant public offices shall be conducted by the standing committee or, as the case may be, by another parliamentary committee.

**Article 204.** Open competition for appointment to public office

(1) The procedure for organizing and conducting the competition for the selection of candidates for appointment to public office shall be laid down by the Standing Bureau of Parliament.

(2) The competition for selection of candidates for appointment to public office consists of:

- (a) submission of the full application file by the person who meets the conditions laid down for participation in the competition;
- b) the interview before the committee.

(3) The selection of candidates for public office shall be made by the standing committee on public office, which shall propose the selected candidates to Parliament for appointment.

#### **Article 205.** Proposals for appointment to public office

(1) Following the results of the competition, the persons empowered to nominate candidates (the Speaker of the Parliament, parliamentary factions, standing committees) shall propose to the Parliament the appointment of the candidate to public office.

(2) The law may establish another person or authority to nominate to Parliament a candidate for appointment to public office.

(3) The authorities whose members are appointed by Parliament shall be obliged to inform Parliament of the need to initiate the procedure for the appointment of the persons concerned 3 months before the expiry of their term of office, unless the law provides otherwise. Where the vacancy of office has occurred before the expiry of the term of office, these authorities shall inform Parliament of the vacancy no later than 15 days after the vacancy has occurred.

(4) The procedure for the dismissal from office of persons appointed by Parliament shall be in accordance with the procedure established by law. If the law does not provide for a clear procedure for dismissal from office, similar procedures shall apply as for appointment to office.

#### **Article 206.** Report of the parliamentary Sectoral committee on proposals for appointment to public office

(1) The appointment to public office shall be examined by the standing committee or, where appropriate, by other committees of Parliament. The person considered for appointment shall be obliged to be present at the committee meeting.

(2) The Standing Sectoral committee shall examine the proposals for appointment to public office and shall draw up a report on whether the proposals comply with the requirements of the Constitution of the Republic of Moldova and the laws, and shall propose to the Parliament the adoption of a decision. The draft decision shall be drawn up by the standing committee and submitted as an annex to the report.

(3) Where the law so provides, the standing committees shall present co-reports or opinions on the proposals.

(4) Where a competition for appointment to public office is organized, the results shall be submitted to Parliament.

**Article 207.** Consideration by Parliament of proposals for appointment to or release from public office

(1) The consideration in Parliament of the appointment or dismissal of persons shall begin with the presentation by the person or representative of the collegial body of the proposal in question. In the case of the appointment of a collegial body, its presence in Parliament shall be compulsory.

(2) After the proposal has been tabled, Members of Parliament may put questions to the rapporteur or to the invited person who is being considered.

(3) The procedure shall be continued by the presentation of the report of the relevant standing committee or, as the case may be, of the co-report of another standing committee.

(4) Parliamentary factions may express their position on the proposals within up to 7 minutes.

(5) The Parliament shall appoint to or dismiss persons from public office by a decision adopted by a majority of the Members of Parliament present, unless the Constitution of the Republic of Moldova provides for another majority.

**Article 208.** Taking the oath before Parliament

(1) In accordance with the provisions of the Constitution of the Republic of Moldova or of the law, persons appointed to office shall take the oath of office before the Parliament.

(2) The procedure for taking the oath of office shall be examined in the standing committee, which shall verify compliance with the legal requirements for appointment to the office, at the same time as the preparation of the materials for the appointment.

(4) The text of the oath, inscribed on the Parliament's headed paper, shall be deposited and formally signed before Parliament by the person appointed to office.

**Article 209. Time limits for filling a vacancy**

(1) In the event of dismissal from office or in other cases that cause the office to become vacant, the person or the collegial body responsible for submitting the candidacy shall, within 30 days or within another term established by law, submit to the Parliament proposals for filling the vacant office.

(2) In the event that the competence to submit the candidacy lies with the working bodies of the Parliament, the standing committee shall, within 30 days, organize a public competition for the selection of the person to be appointed to the vacant public office.

(3) Parliament shall take a decision on the proposal to fill a vacancy within 30 days of its submission.

## **Chapter XII**

### **PARLIAMENT'S BUDGETARY AUTONOMY AND OTHER AUTHORITIES**

**Article 210. Budget of the Parliament's Secretariat**

(1) According to the Constitution of the Republic of Moldova, the Parliament has budgetary autonomy. The financial resources of the Parliament are provided for in the budget of the Secretariat of the Parliament.

(2) The budget of Parliament's Secretariat shall be approved by Parliament and shall represent all the revenue and expenditure intended for the performance of the Parliament's functions.

(3) The budget of the Parliament's Secretariat is part of the state budget.

(4) The financial activity of the Parliament's Secretariat shall be determined by its Rules of Procedure.

(5) The Secretary-General of Parliament shall be responsible for the organization of the Parliament's budgetary process and shall ensure the management of public finances and the administration of public assets in accordance with the principles of good governance, while informing the Standing Bureau.

**Article 211. Budgets of independent/autonomous budgetary authorities**

(1) The public authorities/institutions which, by the Constitution of the Republic of Moldova or by the normative acts regulating their activity, are granted budgetary/financial independence from the Government, shall prepare their draft budgets in accordance with the provisions of the legislation in force in the budgetary field.

(2) The draft budget of the independent/autonomous budgetary authority shall be approved, with the advisory opinion of the Ministry of Finance, by this authority and shall be submitted to the Government, within the deadline set by the budgetary calendar, to be included in the draft state budget to be submitted for approval to the Parliament.

(3) In case of any objections to the draft budget approved by the Government, the independent/autonomous budgetary authority shall submit them to the Parliament for the settlement of the differences.

(4) Their budgets for the next year shall be submitted for information to the Parliamentary Committee, which shall express its opinion on the compliance with the legal provisions when drafting and approving them in accordance with its attributions, taking into account the results of the external audit for the previous year.

(5) The Parliamentary Sectoral Committee is entitled to request any information relevant to the examination of the budgets of the public authorities/institutions referred to in paragraph (1) and shall decide on the need to inform the Parliament on the results of their examination, until the examination of the draft annual budget law in the second reading. Any objections and proposals to the draft annual budget law shall be submitted to the Government for its endorsement in the prescribed manner.

**TITLE III  
PARLIAMENTARY SCRUTINY**

**Chapter XIII  
COMMON PROVISIONS ON PARLIAMENTARY SCRUTINY**

**Article 212. Parliamentary scrutiny**



(1) Parliamentary scrutiny is a basic function of the Parliament through which the legislature supervises the activities of the Government and the public administration in the realization of the internal and foreign policy of the state, as well as the execution of laws, in order to ensure the process of security and development of the public values of the rule of law.

(2) The main purposes of parliamentary scrutiny are based on the principle of separation and balance of powers in the state and consist in:

- a) ensuring respect for the Constitution of the Republic of Moldova and law enforcement;
- b) ensuring the promotion and protection of fundamental human rights and freedoms;
- c) strengthening legality, national security, defence and public order in the state;
- d) detecting problems and drawing attention to them in the work of state authorities and institutions;
- e) increasing the efficiency of the interaction of the system of state bodies;
- f) fighting corruption;
- g) studying the practice of implementation of the legislation of the Republic of Moldova, developing recommendations and priority directions for its improvement and effectiveness.

(3) The performance of the parliamentary scrutiny function does not replace criminal prosecution and the administration of justice, the activity of public authorities and institutions, specialized central state bodies and the activity of local public authorities within the limits of their constitutional and legal competence.

### **Article 213. Types of parliamentary scrutiny**

(1) Parliamentary scrutiny may be exercised directly or indirectly through public authorities.

(2) Direct parliamentary scrutiny shall be carried out by the Parliament, the Standing Bureau, parliamentary factions, parliamentary committees and Members of Parliament.

(3) Indirect parliamentary control shall be carried out through the Court of Accounts and the Ombudsman, in the cases, in the order and in the forms provided for by Law No. 52/2014 on the Ombudsman and Law No. 260/2017 on the organization and functioning of the Court of Accounts of the Republic of Moldova.

(4) Parliamentary scrutiny may be carried out preventively and after the adoption of laws, action or inaction of state bodies.

**Article 214.** Forms of parliamentary scrutiny

Parliamentary scrutiny is carried out by:

- a) informing Parliament, questions, interpellations and petitions;
- b) supervising the execution of laws;
- c) hearings and reports;
- d) specialized control;
- e) Committees of inquiry and special committees ;
- f) simple motions and motions of censure.

**Chapter XIV**  
**INFORMING PARLIAMENT, QUESTIONS,**  
**INTERPELLATIONS AND PETITIONS**

**Article 215.** Procedure for informing Parliament and Members of Parliament

(1) The Parliament, its working bodies and its Members may request from the Government, central public administration authorities, authorities with autonomous status, local public administration authorities, including those of ATU Gagauzia, information or documents useful for the conduct of their work.

(2) The authorities referred to in paragraph (1) shall be obliged to submit the requested information and documents within 30 days.

(3) If the requested information or documents relate to state secrets, access to such information shall be provided in accordance with the law.

**Article 216.** Subjects of questions and interpellations

(1) Members of Parliament may put questions and interpellations to the Government, ministers, other heads of public administration bodies, requesting an oral answer, a written answer or a written and oral answer.

(2) Questions may be put in writing or orally at the end of the plenary sitting of Parliament.

(3) Interpellations shall be submitted in writing only.

(4) The Government, ministers or other heads of public administration bodies shall be obliged to answer questions or interpellations raised by Members of Parliament, under the conditions provided for by this Code.

**Article 217. Posing questions**

(1) A question consists of a request for an answer as to whether a fact is true, whether a piece of information is accurate, whether the Government, public authorities or autonomous authority intends to take a decision on a given matter.

(2) Members of Parliament may not address questions to the President of the Republic of Moldova, representatives of the judiciary, local public administration authorities, nor pose questions that:

- a) concern matters of personal interest;
- b) seek, exclusively, legal advice;
- (c) relate to court proceedings or may affect the outcome of pending cases;
- d) concern the activity of persons who do not hold public office.

(3) Two separate questions may be posed in plenary.

(4) Questions posed orally shall be recorded by the Parliament's Secretariat, which shall forward to the addressees an extract from the verbatim report of the sitting containing the questions posed by Members of Parliament.

**Article 218. Answering questions**

(1) In posing the question, a Member of Parliament shall specify who is to present the answer and the form of the answer in writing or orally.

(2) A written reply shall be submitted within 15 working days.

(3) An oral reply shall be presented at the next plenary sitting devoted to the hour of Government, and the presence of the persons or representatives of the authorities to whom the questions have been addressed shall be compulsory.

(4) Postponement of the hearing of the answer in Parliament may take place only in duly justified cases where the person concerned under the legislation in force or the public authority concerned cannot be present, which the Speaker of the Parliament shall be notified of in writing, within one day before the sitting.

(5) The postponement of the hearing of the answer shall be extended until the next plenary sitting devoted to the hour of Government.

(6) The Member of Parliament who tabled the question shall be informed of the postponement of the hearing of the answer.

(7) If questions are posed to those present in the sitting, they may reply immediately or, where appropriate, within the time limit specified in paragraph (2).

(8) Only the author of the question shall have the right to reply, clarify or comment on the oral answer.

**Rule 219.** Time for questions

(1) The time allowed for questions shall not exceed 2 minutes.

(2) The time for each oral answer will not exceed 3 minutes.

(3) The time allowed for reply, clarification or comment by the questioner shall not exceed 1 minute.

**Article 220.** Tabling and examination of interpellations

(1) The interpellation shall consist of a request addressed to the Government by at least 5 Members of Parliament or a parliamentary faction, asking for explanations on the Government's policy in internal or external affairs.

(2) The interpellations shall be formulated indicating the subject of the interpellation and, where appropriate, the necessary materials shall be attached.

(3) The interpellations shall be read out and submitted to the Chairperson of the plenary sitting, who shall forward them to the Prime Minister.

(4) Written answers to interpellations shall be submitted within 15 working days.

(5) At the same sitting, each subject referred to in paragraph (1) may raise only one interpellation.

(6) The answer to the interpellation shall not last more than 7 minutes.

(7) The author of the interpellation may, within 2 minutes, intervene once with supplementary questions and comments. The person answering the interpellation shall have two minutes for the right of reply, after which there shall be no further speeches.

(8) Members of Parliament who are not satisfied with the answer given to the interpellation may initiate a simple motion on the issue that was the subject of the interpellation.

### **Article 221. Petitions to Parliament**

(1) Natural and legal persons shall have the right to address the Parliament, working bodies and Members of Parliament with petitions concerning national security issues, the legitimate rights and interests of large groups of citizens, the execution and enforcement of laws or proposals for the amendment of legislation.

(2) Petitions addressing any issues other than those referred to in paragraph (1) shall be addressed to the bodies or official persons directly competent to deal with them, of which the petitioner shall be informed.

(3) Petitions must contain the mandatory elements provided for by the Administrative Code.

(4) Anonymous petitions and those submitted without indicating the postal address, those without meaning, those with unclear meaning, those containing uncensored or offensive language shall not be examined.

## **Chapter XV LAW ENFORCEMENT**

### **Article 222. Determining the manner of law enforcement**

(1) The manner of entry into force and the manner of execution of the provisions of the normative acts adopted by the Parliament shall be determined, in accordance with Law No. 100/2017 on normative acts, in the final and transitional provisions.

(2) The final and transitional provisions must establish and ensure, for a given period, the correlation between the new and the old rules, so that the implementation of the new normative act is smooth and avoids its retroactivity or conflict between successive rules.

(3) The law must establish a realistic term for organizing its execution, so as to ensure the possibility for the public administration authorities responsible for implementing the law to adopt/issue secondary normative acts, to establish procedures and mechanisms, which make clear how to implement the law, as well as to make them known to the public.

(4) The final and transitional provisions shall contain the obligation and deadline for the submission of reports on the execution of laws. If the deadline for

the submission of reports on the execution of laws is not fixed, the deadline shall be considered to be one year.

(5) In order to ensure the organization of law enforcement and the observance of the principle of stability of legal norms, adopted laws may not be amended before their entry into force, as a rule, and not earlier than 6 months after their entry into force.

(6) In case of a necessity arising from a change in the social relations that led to the adoption of the normative act, as well as in case the Government decides, with reasons, to propose such amendments, the Parliament shall amend the laws adopted by way of derogation from paragraph (5).

**Article 223.** Performance of controls and submission of reports  
on law enforcement

(1) Parliamentary committees, in accordance with their field of competence, assisted by the Directorate-General for Legal Affairs of the Parliament's Secretariat, shall periodically monitor the implementation of the law by the competent bodies and persons, as well as to determine the effectiveness of the law.

(2) Following the control carried out, the standing committee shall, where appropriate, submit a report to Parliament and recommendations to the Government and/or other public authorities.

(3) As a rule, the control over the execution of the law shall be carried out by the standing committee on the matter after one year from its entry into force, unless the Parliament has set another deadline for the submission of the report on the execution of the law.

**Article 224.** Explanation of the legislation

(1) In order to ensure the unity of legislative regulations throughout the country, pursuant to Article 66 of the Constitution of the Republic of Moldova, the standing committees of the Parliament, assisted by the General Legal Directorate, shall cooperate with the public administration authorities in order to form a uniform practice of law enforcement.

(2) The Standing Committees may be consulted by the public administration authorities on matters within their field of activity concerning the unity of regulations and the uniform application of laws. The Standing Committees shall issue advisory opinions following the examination of such requests.

(3) The address shall be made in writing, shall clearly contain the article, paragraph, sentence, phrase or word in the text of the legislative act that reflects the unclear application and requires explanation. In the content of the address, the author must invoke the factual situation that has created the uncertainty in the application of the legal provisions.

(4) Depending on the nature of the specified problem or its complexity, the address may be examined by several standing committees. In this case, one of the committees shall be responsible for formulating the advisory opinion and the others shall present the position of their respective committee.

(5) The time limit for consideration of an address shall be up to 60 working days from the date of its registration with the Secretariat of Parliament.

(6) The standing committee to which the application of the law is referred shall also necessarily request the opinion of the authority responsible for the application of the law, unless the address came from this authority. The opinions of other public authorities may also be sought at the decision of the chairperson of the standing committee on the merits of the case.

(7) If, in the course of the debate, the committee comes to the conclusion that the provisions of the law set out in the address are unclear and that an advisory opinion cannot eliminate the problems for the future, it shall initiate the procedure for the official interpretation of the law or its amendment.

(8) After examining the appeal, the committee shall adopt its advisory opinion by a majority of its members.

(9) The advisory opinion shall be placed on the Parliament's official website.

(10) The advisory opinion shall not be admissible as evidence in the courts of law.

## **Article 225.** Ex-post evaluation of the implementation of laws

(1) The ex-post evaluation of the implementation of normative acts includes ex-post legal analysis and ex-post impact analysis. The ex-post analysis of legislative acts shall be carried out by the standing committees and the Directorate-General for Legal Affairs, in accordance with the ex-post evaluation methodology approved by the Parliament's Bureau.

(2) The ex-post evaluation shall be carried out on the basis of the list of normative acts subject to ex-post evaluation, approved by the Standing Bureau.

**Article 226.** Ex-post legal evaluation of the organization of law enforcement

(1) The ex-post legal evaluation shall be carried out by the General Legal Directorate of the Parliament's Secretariat, which shall assess whether all normative acts normative necessary for the execution and implementation of normative acts have been approved, assess the legal obstacles to the practical application of normative acts and the relevant cases in which the norms of normative acts have been the subject of referrals to the Constitutional Court.

(2) The ex-post legal evaluation shall be carried out, as a rule, one year after the entry into force of the normative act in question, unless the Parliament has set in the text of the normative act another deadline for the submission of the report on the organization of its implementation.

(3) The Directorate-General for Legal Affairs of the Parliament's Secretariat is entitled to request, and the public authorities are obliged to submit, all the information and documents necessary for the ex-post legal analysis.

(4) As a result of the ex-post legal analysis, the General Legal Directorate of the Parliament's Secretariat shall draw up a legal report on the organization of the execution of the law, which shall be forwarded to the standing committee on the matter.

(5) On the basis of the report of the Directorate General for Legal Affairs of the Parliament's Secretariat, the standing committee may organize public hearings on the work carried out by public administration bodies in organizing the execution and implementation of normative acts.

(6) On the basis of the findings of the public hearings, the Standing Sectoral Committee may adopt recommendations to the Government and/or competent public authorities.

**Article 227.** Ex-post impact assessment on the implementation of laws

(1) Ex-post impact assessment shall be carried out by the Sectoral Standing committee, which shall assess the effectiveness of normative acts and the extent to which the purpose and objectives of the normative acts have been achieved.

(2) The Chairperson of the Sectoral Standing committee shall appoint the rapporteur Member of Parliament and the consultant responsible for carrying out the ex-post impact assessment and drafting the report.



(3) The ex-post impact assessment shall be carried out, as a rule, 3 years after the entry into force of the legislative act concerned, on the basis of the ex-post evaluation plan approved by the Standing Bureau. In the case of normative acts adopted under the urgency procedure or as a matter of priority which are intended to have an immediate effect but which have unforeseen negative effects, the ex-post impact assessment may be carried out one year after the entry into force of the normative act concerned.

(4) The Standing Sectoral Committee has the right to request and public authorities are obliged to submit all information and documents necessary for ex-post impact analysis, including monitoring reports on normative acts prepared by the ministries.

(5) As a result of the ex-post impact assessment, the Standing Sectoral committee shall draw up and adopt a report containing the findings of the committee and the recommendations on the normative acts assessed, which it shall submit to the Government and/or competent public authorities, with the request to respond in writing, within two months at the latest, to the recommendations of the ex-post impact assessment report and, where appropriate, to submit the necessary draft law.

(6) The report of the Standing committee and the reply of the Government and/or public authorities shall be transmitted to the Members of the Parliament and, where appropriate, shall be presented in the plenary session of the Parliament.

(7) At the decision of the relevant Standing committee, the ex-post impact assessment report may be submitted to the plenary of the Parliament for hearing.

(8) The report of the Standing Sectoral committee and the response of the Government and/or public authorities shall be published on the official website of the Parliament. The Standing Sectoral committee shall monitor the implementation of the recommendations.

(9) The Standing Sectoral Committee may use the services of independent experts to carry out the ex-post impact assessment and report. The independent experts will be remunerated from Parliament's budget, which will provide the necessary financial resources for carrying out the ex-post evaluation.

## **Chapter XVI**

### **HEARINGS AND REPORTS**

#### **Section 1**

#### **Parliamentary hearings**

**Article 228.** Legislative, supervisory and investigative hearings

(1) A parliamentary hearing is a form of parliamentary activity in which Members of Parliament, in plenary sittings or parliamentary committee meetings, hear and debate topical and important issues of importance for the interests of society, with the involvement of official representatives of public authorities and institutions, experts, specialists, civil society and other interested parties.

(2) Parliamentary hearings may take the form of legislative hearings, supervisory hearings and investigative hearings.

(3) Legislative hearings are procedures for consulting the opinion of citizens, associations established in accordance with the law, other interested parties on draft normative acts examined in Parliament.

(4) Supervisory hearings examine the work of the Government, ministries, other public authorities, in particular how they apply the laws, as well as the performance of public officials in managing their professional responsibilities.

(5) Investigative hearings shall investigate suspicions of violations of the law, offensive actions or misconduct of public authorities in the exercise of their official duties.

**Article 229.** Hearings in the plenary session of the Parliament

(1) Under Article 66 par. (n) of the Constitution of the Republic of Moldova, the Parliament shall initiate the investigation and hearing of any matters concerning the interests of society.

(2) Parliamentary hearings in the plenary of the Parliament shall be organized and held on the proposal of the Standing Bureau, Standing committees or parliamentary factions.

(3) The date and procedure of the hearings shall be set and notified to the Government by the Parliament.

(4) Parliament may adopt resolutions on matters discussed at parliamentary hearings in plenary.

**Article 230.** Hearings in Standing committees

(1) In order to carry out their tasks, the Standing committees may conduct

legislative, supervisory and investigative hearings in their specific areas of activity.

(2) The rules governing the conduct of hearings by Standing committees may be detailed in standard operating procedures approved by the Parliament's Standing Bureau.

(3) The provisions of this Code shall apply accordingly to the conduct of investigative hearings.

(4) On the basis of the Ombudsman's report on the respect for human rights and freedoms in the Republic of Moldova, the report of the Court of Accounts on the administration and use of public financial resources and public property, the annual audit reports of the Court of Accounts, the standing committees may conduct supervisory hearings with the authorities, institutions and persons referred to in these reports.

#### **Article 231. Organization of hearings in standing committees**

(1) The Chairperson of the Standing Committee shall appoint a Member of Parliament and a consultant responsible for the preparation and organization of the hearings.

(2) The public notice of the place, date, time and subject of the debate shall be made public and placed on the official website of Parliament at least 10 days before the hearing takes place. In exceptional circumstances, public supervisory hearings and inquiry hearings may take place with less than 10 days' notice if the committee so decides.

(3) The members of the parliamentary committee shall be required to be present at the hearings organized by the committee. If the quorum is not present, the chairperson of the committee shall suspend the hearing and announce the date and time for resuming the proceedings.

(4) The Parliament's Secretariat shall provide the logistical support necessary for the smooth running of the hearings.

#### **Article 232. Hearings of persons invited to sit on standing committees**

(1) The members of the committee shall decide on the persons to be heard, including persons from interest groups for which the subject under debate has an impact.

(2) The Committee, once the list of persons to be heard has been established,

shall send out formal invitations. The invitation shall be sent at least 7 days prior to the hearing, unless the committee decides otherwise, and shall contain the basic information concerning the hearings, including the purpose, subject, date, time and place of the hearing. Persons invited shall be required to appear before the committee and to provide any information and documents requested.

(3) The Standing Sectoral Committee may ask any participant to submit in writing his/her views/opinion on the subject under debate. The written information must be submitted in advance so that all members of the committee have the opportunity to examine it before the hearing begins.

(4) The provisions of this Code relating to the public character of sittings, the conduct of committee sittings, the taking of minutes and the verbatim report of proceedings, shall apply accordingly.

### **Article 233. Committee reports on hearings**

(1) Following the hearings, parliamentary committees shall approve reports. They shall contain a summary of the matters discussed, the proposals accepted by the committee, the proposals not accepted by the committee, the final conclusions and, where appropriate, the committee's recommendations.

(2) The report of the legislative and supervisory hearings shall be made public within 10 days after the conclusion of the hearings and shall be placed on the official website of Parliament. Where the committee makes recommendations, it shall send the report within 10 days to the persons or authorities concerned.

(3) Within 6 months of the completion of the supervisory hearings, the standing committee shall review the implementation of the recommendations made in the committee's report and, where appropriate, inform the plenary of Parliament. The responsible Member of Parliament and the responsible adviser in the committee shall draw up a follow-up table on the implementation of the recommendations, which shall be published on the official website of Parliament.

## **Section 2 Reports to Parliament**

### **Article 234. Annual reports of public authorities**

(1) Public authorities shall, in accordance with the requirements and time limits laid down in the legislation in force and with the provisions of this Code, submit reports to Parliament.

(2) Public authorities shall report to Parliament as follows:

- a) General Prosecutor's Office - annual report on the activity of the General Prosecutor's Office in the previous year, by March 31;
- b) The Audiovisual Council - annual report on its activity by March 1;
- c) The National Anti-Corruption Centre - annual report on the performance of the activity, by March 31;
- d) The Competition Council - annual report on the performance of the activity, by June 1;
- e) National Agency for Energy Regulation - annual report on the Agency's activity in the previous year by June 30;
- f) Intelligence and Security Service - annual report on the performance of activities, by June 1;
- g) Central Election Committee - report on the financing of political parties and electoral campaigns by June 1;
- h) The Superior Council of Magistracy - annual report on its activity and the activity of the judiciary by February 1;
- i) National Centre for Personal Data Protection - annual activity report by March 15;
- j) Deposit Guarantee Fund in the Banking System - the activity report of the Fund within 120 days from the end of the previous calendar year;
- k) National Integrity Authority - annual activity report of the Authority, by March 31;
- l) Council for the Prevention and Elimination of Discrimination and Equality - general report on the situation in the field of preventing and combating discrimination, by March 15;
- m) Government agent - annual report by April 15;
- n) National Agency for Dispute Resolution - annual performance report by March 15

(3) The reports of the public authorities submitted to the Parliament shall be examined by the relevant standing committee.

(4) The report of the standing committee on the work of the public authority concerned shall be examined at the same time as the report of the public authority concerned is heard in the plenary of the Parliament.

(5) Other public authorities shall submit reports to the Parliament within the required deadlines and in accordance with the legislation in force.

(6) The Standing Bureau shall include the hearing of reports in the draft agenda no later than 30 days from the date of their submission.

(7) On the basis of the reports submitted, Parliament shall adopt a decision which shall provide for the necessary measures to be taken.

**Article 235.** Requirements for reports to the Parliament

Reports from public authorities to the Parliament must contain:

- a) name, date and place of approval;
- b) the legal provisions under which they were drafted;
- c) information on the activities of the Authority in the fulfilment of the tasks established by the relevant legislation;
- d) information on the Authority's priorities for the coming year;
- e) analysis of the materials examined;
- f) circumstances elucidated in the process of examination of the materials;
- g) other information as appropriate;
- h) conclusions and recommendations;
- i) signature of the public official representing the authority concerned.

## **Chapter XVII**

### **SPECIALIZED PARLIAMENTARY SCRUTINY**

**Article 236.** Specialized parliamentary scrutiny

Specialized parliamentary scrutiny is carried out by the Parliament and the standing committees through specialized parliamentary scrutiny institutions.

**Article 237.** Reporting on the respect for and promotion of human rights and freedoms

(1) The People's Advocate (Ombudsman), ensuring the observance of human rights and freedoms in the Republic of Moldova, contributes to the protection of human rights and freedoms, the improvement of legislation in the field of human rights and freedoms through international cooperation in this field, the promotion of human rights and freedoms and mechanisms for their defence, the application of procedures regulated by this Code and the laws in this field.

(2) The Parliament, through its standing committee on human rights and freedoms, shall exercise specialized parliamentary scrutiny in the field of respect for human rights and freedoms by monitoring the implementation by public authorities of the recommendations of the Ombudsman.

(3) The People's Advocate, in accordance with the requirements and deadlines stipulated by Law No 52/2014 on the People's Advocate (Ombudsman) and the

provisions of this Code, shall submit to the Parliament the annual report on the respect for human rights in the Republic of Moldova during the previous year by March 15.

(4) The Ombudsman's report shall be heard by the plenary of the Parliament, on which it may adopt a decision.

(5) Where violations of human rights and freedoms are found, the standing committee may request the Ombudsman to investigate the facts and submit reports. Following the hearing of the reports, the standing committee shall issue recommendations on the measures to be taken for the immediate restoration of rights.

### **Article 238.** Reports of the Court of Accounts

(1) The Court of Accounts, in accordance with the requirements and deadlines stipulated by Law No. 260/2017 on the organization and functioning of the Court of Accounts of the Republic of Moldova and the provisions of this Code, shall submit reports to Parliament as follows:

- a) annual activity report - by May 1;
- b) auditor's reports on the annual reports of the Government on the execution of the state budget, the state social insurance budget and the funds of the compulsory health insurance - by June 1;
- c) annual report on the administration and use of public financial resources and public assets - by September 15.

(2) The reports of the Court of Accounts shall be heard in the relevant standing committee and in the plenary of Parliament. After hearing the reports, the Parliament may adopt decisions.

(3) The Standing Committee may request the hearing of any audit reports of the Court of Accounts. At the request of the Standing Committee, the Court of Accounts, the audited entities and other institutions concerned by the Court of Accounts' rulings shall be obliged to supply information. After hearing the reports, the standing committee may issue recommendations.

### **Article 239.** Exercise of specialized parliamentary scrutiny of the banking system and the non-bank financial market

(1) Specialized parliamentary scrutiny over the banking system and the non-banking financial market shall be carried out through the National Bank of Moldova and the National Committee for the Financial Market in their areas of supervision.

(2) The National Bank shall submit to the Parliament:

a) the annual report containing the analysis of the macroeconomic situation, the economic situation of the state, the financial statements confirmed by the external auditor, its activity and operations for the closed financial year by June 1;

b) quarterly reports, containing an analysis of the macroeconomic situation, the functioning of the supervised financial-banking and non-banking market and a medium-term forecast of inflation and key macroeconomic indicators, within 45 days of the end of the reporting quarter.

(3) In the event of a decrease in the international reserves or if the National Bank assesses that they are about to decrease to a level that would jeopardize the execution of the foreign exchange policy or the timely performance of international transactions, the National Bank shall submit to the Parliament a report on the situation of international reserves and the causes that have led or may lead to their decrease.

(4) The National Committee for the Financial Market shall submit to the Parliament reports on the monitoring of securities circulation in the country.

(5) The National Committee for the Financial Market shall submit an annual report to the Parliament by June 1, which shall be considered in the plenary session of the Parliament and shall include information on the functioning of the non-bank financial market, on issuers of securities, professional participants in the non-bank financial market and investors, as well as on its activity in the previous year, including the execution of the budget.

**Article 240.** Exercise of specialized parliamentary scrutiny over the work of the Intelligence and Security Service

(1) The Parliament exercises parliamentary scrutiny over the work of the Intelligence and Security Service (SIS) through the standing committee on the matter.

(2) The Committee supervises and verifies the compliance of the SIS with the provisions of the Constitution and the laws governing the work of the SIS, the fundamental human rights and freedoms and the democratic order of the state, as well as ensures that the SIS is not politically engaged.

(3) The members of the Committee shall have access to secret information, signing, in each individual case, an agreement to maintain the confidentiality of information constituting a state secret, and shall be liable in accordance with the law.



(4) The members of the committee may request, with the consent of its chairperson, secret information and information on the day-to-day work of the SIS, with the exception of information on the operational work of the service or the identity of persons working undercover, being part of the secret service or having specific missions that require non-disclosure of identity.

(5) Following the exercise of specialized parliamentary scrutiny, the standing committee shall make recommendations to the SIS and, where appropriate, submit reports to Parliament.

**Article 241.** Subcommittee on the exercise of parliamentary scrutiny of the implementation of judgments and decisions of the European Court of Human Rights and the Constitutional Court

(1) The Committee on Legal Affairs, Appointments and Immunities shall set up a subcommittee for the exercise of parliamentary scrutiny of the implementation of the judgments and decisions of the European Court of Human Rights (ECtHR) and the Constitutional Court.

(2) A representative of the parliamentary opposition shall be elected as chairperson of the subcommittee. The numerical and nominal composition of the subcommittee shall be approved by the Committee on Legal Affairs, Appointments and Immunities by a majority vote of its members.

(3) In the exercise of its tasks, the subcommittee shall permanently monitor the process of execution of the judgments and decisions of the ECtHR and of the Constitutional Court, as well as promote draft normative acts necessary for their execution.

(4) The subcommittee shall hear the authorities responsible for the elaboration and implementation of measures concerning the execution of the judgments and decisions of the ECtHR, those responsible for the execution of the decisions of the Constitutional Court, and request information from those authorities.

(5) The Chairperson of the Subcommittee shall present an annual report of the Subcommittee on the execution of judgments and decisions of the ECtHR to the plenary sitting of Parliament.

(6) The subcommittee's terms of reference and the procedure for organizing and conducting its work shall be laid down in the rules approved by a decision of Parliament.

## **Chapter XVIII**

## **SPECIAL COMMITTEES AND COMMITTEES OF INQUIRY**

### **Article 242. Special committees**

(1) Special committees shall be set up on the basis of a decision of Parliament, on a proposal by parliamentary factions or the Standing Bureau, in order to:

- a) draft complex normative acts;
- b) investigate and assess certain social and political situations;
- c) exercise parliamentary scrutiny in certain areas;
- (d) other purposes, as indicated in the decision establishing the committee.

(2) When a special committee is set up, Parliament shall designate the nominal composition of the committee, the chairperson, vice-chairperson and secretary of the committee and the time limit within which the committee's report shall be tabled.

(3) The special committee shall be constituted and operate on the basis of the provisions of this Code relating to the constitution and work of standing committees, which shall apply accordingly. Decisions of the committee shall be taken by a majority vote of the Members of Parliament present.

(4) The secretarial and advisory services of the special committee shall be provided by the Secretariat of Parliament at the request of the chairperson of the special committee. The delegation of civil servants or other employees to the special committee shall be decided by the Speaker of the Parliament.

(5) Draft normative acts drawn up by the special committee shall be introduced into the legislative procedure in accordance with the requirements laid down in this Code. The special committee shall be the standing committee on the merits of the case.

(6) The Special Committee shall submit a report to Parliament.

(7) On the report of the special committee Parliament shall adopt a resolution ordering certain measures to be taken.

(8) Where Parliament adopts a resolution, the standing committee responsible for monitoring the implementation of Parliament's provisions and of the recommendations contained in the report of the special committee shall be indicated.

### **Article 243. Committees of inquiry**

(1) Committees of Inquiry shall be set up by the Parliament when it is necessary to investigate events or actions that cause negative effects in society.

(2) The subject of the investigation may also be an extraordinary situation manifested by abuses and violations of the law, involving public dignitaries or high state officials, as well as cases that have caused damage to the state.

(3) The purpose of a parliamentary inquiry shall be to establish the existence or non-existence of facts, but not to establish the contravention, material, disciplinary or criminal liability of any person.

(4) Following the results of the inquiry, Parliament may hold public officials and public dignitaries accountable and may request the competent authorities to take action in accordance with the law.

(5) If, on the basis of the report of the committee of inquiry, the Parliament finds violations of the law by public officials elected or appointed by the Parliament, it may, under the conditions of the law, decide/propose their dismissal/revocation from office.

#### **Article 244.** Constitution and work of committees of inquiry

(1) On a proposal from the parliamentary factions or the Standing Bureau, Parliament may decide to set up a committee of inquiry, taking into account the proportional representation of the factions in Parliament.

(2) The decision establishing the inquiry committee shall include the objective of the inquiry, the numerical and nominal composition of the inquiry committee, the deadline within which the committee's report shall be submitted, including the name of the standing committee responsible for monitoring the implementation of the recommendations contained in the inquiry committee's report after it has ceased its work. The chairperson, vice-chairperson and secretary of the committee shall be appointed by Parliament on a proposal from the Bureau or parliamentary factions.

(3) Pending the approval of the nominal composition of the committee of inquiry, the persons proposed as members of the committee of inquiry shall make a declaration that there is no conflict between the exercise of their duties within the committee and their personal interests. In the event of a conflict of interest arising or becoming known after the adoption of the decision appointing the Member of Parliament as a member of the committee of inquiry, his membership shall automatically terminate.

(4) The proceedings of the committee of inquiry shall be deliberative in the presence of a majority of its members. No evidence may be called and no witness or other person may be summoned or heard without the decision of the committee of inquiry. Decisions of the committee of inquiry shall be taken by a majority of the Members of Parliament present.

(5) The Secretariat of Parliament shall provide secretarial and advisory services for the Committee of Inquiry at the request of the Chairperson of the Committee of Inquiry.

#### **Article 245. Powers of committees of inquiry**

(1) The Committee of Inquiry shall summon as a witness any person who has information about any fact or circumstance that may be relevant to the investigation of the case.

(2) The persons who are summoned shall be obliged to appear before the committee of inquiry. Hearings before the committee of persons summoned shall be held only in the presence of a majority of the members of the committee.

(3) Any natural or legal person having knowledge of any evidence or possessing any evidence shall be obliged to submit it to the Committee of Inquiry at its request.

(4) Failure of the invited person to show up without justification, as well as failure to submit the requested information or documents or submission of false information or documents shall be penalized according to the legislation.

(5) If, in order to clarify certain facts or circumstances with a view to ascertaining the truth, it is necessary to call in experts, the committee of inquiry shall order the experts to carry out an expert examination.

(6) The chairperson of the committee conducting an inquiry shall inform the persons interviewed that they are bound by law to tell the truth, not to conceal any information known to them and that they may be liable for false statements.

(7) The persons interviewed shall make a statement in the hearing of the committee of inquiry that they are obliged to tell the truth and that they will not conceal anything they know, which shall be recorded in the minutes of the hearing of the committee of inquiry.

(8) During investigations, the committee may request access to secret information, in accordance with the legislation in force.

(9) The expenses necessary for carrying out an expert opinion and other procedural activities related to the work of the committee shall be approved by the Standing Bureau of Parliament at the request of the chairperson of the committee of inquiry.

(10) The Committee of Inquiry may not support the investigation of actions or activities that are subject to criminal prosecution under the law or are on the lists of cases being examined in the courts. If the Board of Inquiry identifies the elements of a criminal offense as a result of its investigations, the materials in question shall be immediately forwarded to the relevant bodies for the initiation of a criminal investigation.

#### **Article 246. Limitation of activities of committees of inquiry**

(1) Judges, prosecutors and investigation and prosecution officers, lawyers and trainee lawyers may not be summoned to the investigation for the purpose of submitting information that could prejudice the fairness of the trial of the case and/or the confidentiality of the criminal proceedings.

(2) The Committee of Inquiry may not give indications to the public prosecutor's office as to the need to carry out any procedural actions.

(2) The findings of the committee of inquiry shall not affect the principle of presumption of innocence.

#### **Article 247. Time limit of an inquiry and report of the committee of inquiry**

(1) The work of a committee of inquiry shall be completed within the time-limits laid down in the resolution establishing it or after the report on the inquiry has been drawn up and presented to the plenary of Parliament. If the committee has not submitted a report to Parliament by the expiry of the set deadline and has not requested an extension of the deadline, the case shall be deemed to be closed.

(2) The committee of inquiry shall approve the report by a majority of its members. If there are separate opinions, they shall be annexed to the committee's report.

(3) The report of the committee of inquiry shall contain the findings of the inquiry, the conclusions and recommendations of the committee aimed at preventing similar situations that were the subject of the inquiry from arising in the future. The findings, conclusions and recommendations contained in the report of the Committee of Inquiry are not rules of law.

(4) The report of the committee of inquiry shall be debated by Parliament within 15 days of its submission.

(5) Parliament shall take note of the committee's report by approving a resolution, which may also contain proposals to undertake necessary measures as a result of the case under investigation.

(6) The Parliament's decision and the committee's report shall be published on the Parliament's official website and sent to the persons or authorities concerned within 3 days of the adoption of the decision.

(7) The authorities targeted by the Parliament in connection with the investigation shall be obliged to identify reasoned solutions and take the necessary measures to stop the infringements, eliminate the consequences and recover the damage, and shall inform Parliament of them within 30 days of the adoption of the solution. The information is published on the Parliament's official website.

## **Chapter XIX**

### **SIMPLE MOTIONS AND MOTIONS OF NO-CONFIDENCE**

#### **Article 248.** General provisions on motions

(1) A motion expresses the Parliament's position on a particular matter of internal or foreign policy of the Government.

(2) A motion may be a simple motion or a motion of no-confidence.

(3) A simple motion and a motion of no-confidence shall contain a reasoning and an operative part.

(4) A motion of no-confidence shall be tabled with the Chairperson of the sitting, in the plenary of the Parliament, unless the motion of no-confidence is tabled as a result of the Government's accountability.

(5) A Member of Parliament may not simultaneously sign several motions on the same subject.

(6) A Member of Parliament may withdraw his/her signature from the motion until the beginning of the debates. The Member of Parliament shall inform the Chairperson of the sitting of the withdrawal.

(7) Once the debate on a motion has been opened, the Members of Parliament who tabled the motion may no longer withdraw it, and the debate shall end with the Chairperson of the sitting putting the motion to the vote.

#### **Article 249. Simple motions**

(1) A simple motion expresses Parliament's position on a specific domestic or foreign policy issue or, as the case may be, on a matter which has been the subject of an interpellation.

(2) A simple motion may be initiated by at least 15 Members of Parliament.

(3) A simple motion shall be submitted to the Government, shall not be of a personal nature and may not be submitted against a minister.

(4) A simple motion that is a motion of no-confidence may not be tabled.

#### **Article 250. Motions of no-confidence**

(1) A motion of no-confidence expresses the withdrawal of confidence in the Government.

(2) A motion of no confidence may be initiated by at least 26 Members of Parliament.

#### **Article 251. Admissibility of a motion**

(1) The Speaker of the Parliament, in consultation with the General Legal Directorate of the Parliament's Secretariat, shall verify whether a motion meets all the conditions laid down in this Code, and shall then order that it be immediately forwarded to the Government and distributed to the Members of Parliament, and shall submit it to the Standing Bureau for the setting of the date for debate.

(2) If the motion does not meet all the conditions laid down in this Code, the Speaker of the Parliament shall return it to its authors without examination.

#### **Article 252. Debate on the motion**

(1) Unless Parliament decides otherwise, the motion shall be examined on the first sitting day of the week following the date on which it was tabled.

(2) The motion shall be debated in the presence of a majority of the elected Members of Parliament. The absence of a quorum at the sitting at which the motion is to be debated shall result in its rejection.

(3) At the beginning of the debates, Parliament shall set the time allotted for debating the motion.

(4) The debate on the motion shall begin with the presentation of the Government's report, after which Members of Parliament shall pose questions.

(5) The committee responsible for approving the simple motion shall submit its opinion on the simple motion to the plenary of Parliament.

(6) After the committee's opinion has been presented, the parliamentary factions shall decide on the motion.

(7) The Government shall have the right to make the closing speech in the debates on the motion.

(8) A simple motion shall be adopted by a majority of the Members of Parliament present.

(9) A motion of no-confidence shall be adopted by a majority vote of all elected Members of Parliament.

### **Article 253.** Effects of the decision on the motion

(1) If the motion on the work of the Government is rejected, the Members of Parliament who have signed it shall not be able to initiate a new motion on the same subject during the same session.

(2) The Parliament may not consider more than two motions of no-confidence during one session, unless the Government assumes responsibility under Article 106<sup>1</sup> of the Constitution of the Republic of Moldova.

(3) In the event of the adoption of a no-confidence motion, the Prime Minister shall submit the resignation of the Government to the President of the Republic of Moldova within 3 days at the latest.

(4) Motions adopted by the Parliament shall be published in the Official Monitor of the Republic of Moldova, Part I, and shall be binding for the Government and other authorities concerned.



**TITLE IV**  
**INTERNATIONAL RELATIONS OF THE**  
**PARLIAMENT OF THE REPUBLIC OF MOLDOVA**

**Chapter XX**  
**INTERNATIONAL RELATIONS OF THE**  
**PARLIAMENT OF THE REPUBLIC OF MOLDOVA**

**Article 254.** The Parliament's international relations

(1) The Parliament, in order to perform its representative function, may set up inter-parliamentary structures, become a member of international and regional organizations, conclude inter-parliamentary treaties of the Parliament with international and regional organizations, sign bilateral and multilateral cooperation agreements and memoranda.

(2) The Parliament's interparliamentary treaties shall be initiated, negotiated and concluded by the Speaker of the Parliament ex-officio or by a parliamentary delegation proposed by the Speaker of the Parliament or the Bureau and approved by the Parliament.

(3) The denunciation of interparliamentary treaties to which the Parliament of the Republic of Moldova is a party shall be initiated by the Speaker of the Parliament ex-officio or by the Standing Bureau, by approval of a decision by the Parliament.

**Article 255.** Interparliamentary relations

(1) The Parliament shall be represented in interparliamentary relations by parliamentary delegations.

(2) Parliamentary delegations shall comprise standing parliamentary delegations, ad hoc parliamentary delegations, delegations made up of members of parliamentary friendship groups and delegations from the Parliament's Secretariat.

(3) Parliamentary delegations shall be led by the Speaker of the Parliament or, on a proposal from the Speaker, by one of the Vice-Speakers, the Chairperson/Head of the parliamentary standing delegation or the Chairperson of the parliamentary friendship group.

(4) The subdivisions of the Parliament's Secretariat shall provide the necessary assistance for the work of parliamentary delegations in accordance with their areas of competence.

**Article 256.** Parliament's relations with the European Union

(1) The Parliament has an important role in cooperating and ensuring relations with the European Parliament and its institutions, as well as with the parliaments of the European states in the field of European integration.

(2) Draft resolutions and declarations in the field of European integration to be adopted at interparliamentary meetings, high-level visits and other significant events shall be discussed in advance in the Parliament's standing committee on European integration, which shall subsequently inform the Parliament of the results of such meetings and the documents adopted.

**Article 257.** Powers of the Parliament in the process of European integration

(1) The Parliament, in accordance with the provisions of the Constitution of the Republic of Moldova and of this Code, shall have the following powers in the process of European integration:

- a) approves the main directions of the State's internal and foreign policy on the European integration of the Republic of Moldova;
- b) adopts the legislative framework necessary to fulfil the criteria for accession to the European Union;
- c) monitors the negotiations between the Government and the European Union, as well as with its institutions through the standing committee on the matter;
- d) contributes to the process of European integration of the country by exercising its powers as the supreme representative body of the people of the Republic of Moldova and the sole legislative authority of the state.

(2) The Standing Committee on Foreign Policy shall issue advisory opinions for the finalization of national foreign policy positions. If the Government advocates a position other than that expressed in the opinions, it shall state the reasons for its position and inform the standing committee.

(3) The assessment of the consistency of national legislation with European Union law shall be carried out by the standing committees and the Directorate-General for Legal Affairs of the Parliament's Secretariat within the framework of the law-making activity, in accordance with the provisions of this Code and the legislation in force.

**Article 258.** Tasks of the Sectoral standing committee in the field of

## European integration

The Standing Committee has the following tasks in the field of European integration:

- a) submit proposals for the elaboration of the Legislative Programme in the field of European integration;
- (b) examine draft normative acts with European relevance with a view to issuing reports or co-reports;
- c) monitors the presentation and examination in Parliament of draft normative acts designed to ensure the harmonization of national legislation with that of the European Union, in accordance with the commitments undertaken and action plans on European integration;
- d) plays an important role in representing the Parliament abroad, in cooperating and ensuring relations with the European Parliament, the parliaments of the European states and interparliamentary bodies in European integration matters;
- e) gives an opinion on the advisability of initiating negotiations and signing treaties and other acts with the European Union, draws up and submits to the plenary of the Parliament reports on draft laws on the ratification, acceptance, approval or accession of the Republic of Moldova to these treaties;
- f) monitors the negotiations between the Government, on the one hand, and the European Union and its institutions, on the other hand;
- g) ensures, both through direct involvement and by facilitating the involvement of other standing committees, appropriate parliamentary scrutiny of the foreign and European integration policy promoted by the Government and of the implementation of legislation with European relevance;
- h) facilitates the process of public consultation on draft normative acts of European relevance and arrange for a summary of the recommendations received during the public consultation to be placed on the Parliament's official website;
- i) at the end of the calendar year, reports to the plenary Parliament on the EU-relevant activities carried out during the year;
- j) at the end of each part-session, presents the progress report on the measures achieved on the path towards European integration and proposes to inform the European Parliament and its institutions;
- k) monitors the work of parliamentary delegations in European parliamentary forums;
- l) ensures that the national interest is respected in relations between the Government and the institutions and Member States of the European Union by exercising parliamentary control;
- m) ensures coordination within Parliament of guidelines on regional and international issues, harmonized with the position of the European Union.

**Article 259.** Relations of the Sectoral standing committee in the field of European integration with other parliamentary committees

(1) In case a matter is not referred to the standing committee responsible for European affairs for its opinion on a draft normative act of European relevance, the standing committee responsible for European affairs shall be appointed co-rapporteur. The committee on the merits of the case shall take into account the opinion expressed in the report of the standing committee on European Affairs.

(2) With a view to exercising parliamentary scrutiny, the standing Sectoral committee in the field of European affairs may initiate, independently or together with any other parliamentary committee, inquiries and hearings on the activities of public administration bodies related to the process of European integration of the Republic of Moldova.

## **Chapter XXI**

### **PARLIAMENTARY DELEGATIONS**

#### **Article 260.** Standing parliamentary delegations

(1) Standing parliamentary delegations shall be set up at the beginning of each parliamentary term. The manner of constitution and the requirements for the activity of the standing parliamentary delegations shall be determined by the Standing Bureau, taking into account the constitutive acts of the international and regional parliamentary organizations of which the Parliament of the Republic of Moldova is a member.

(2) Standing parliamentary delegations shall be set up after consultation with the parliamentary factions, taking into account the principle of proportional representation and, where appropriate, gender equality.

(3) The names and composition of the standing parliamentary delegations shall be approved by a decision of the Standing Bureau.

(4) The agenda of Parliament's external cooperation activities shall be drawn up by the Parliament's Secretariat, taking into account the proposals of parliamentary factions, standing committees, Members of Parliament and the agendas of international and regional parliamentary organizations of which the Parliament of the Republic of Moldova is a member.

#### **Article 261.** Ad hoc parliamentary delegations

(1) Ad hoc parliamentary delegations shall be set up for initiatives aimed at establishing, maintaining and strengthening cooperation relations with other parliaments, as well as for study visits and internships with a view to learning best

practices and exchanging experiences, including in international and regional parliamentary organizations.

(2) The composition of ad hoc parliamentary delegations shall be approved by the Speaker of the Parliament after consulting the parliamentary factions.

(3) Delegations set up under the Parliament Secretariat shall be approved by the Speaker of the Parliament or the Secretary-General of Parliament.

#### **Article 262. Parliamentary friendship groups**

(1) In order to maintain and develop interparliamentary relations, Parliament may form parliamentary friendship groups.

(2) A Member of Parliament may belong to one or more parliamentary friendship groups, depending on his or her personal choices and the decision of the faction he or she represents.

(3) On a proposal from a parliamentary faction, the Standing Bureau shall propose to Parliament that the numerical and nominal composition and the leadership of the parliamentary friendship groups be approved.

(4) The delegation of representatives of parliamentary friendship groups on visits outside the country shall be decided by the Speaker of the Parliament after consulting the chairpersons of the parliamentary friendship groups.

#### **Article 263. External activity of parliamentary committees**

(1) Within the framework of implementing the provisions of interparliamentary treaties, establishing cooperation with committees of other parliaments or for other purposes, the Parliament, on a proposal from the Standing Bureau, approves the external activities of parliamentary committees.

(2) The activity of parliamentary committees on the external dimension is carried out by committee secretariats.

(3) Parliamentary committees inform Parliament of the results of external activities.

#### **Article 264. External delegations to Parliament**

(1) Parliament shall be notified at least 3 weeks before the visit of a delegation from another state or from an international or regional organization to the Republic of Moldova.

(2) The Parliament's secretariat shall ensure that the Speaker of the Parliament and the Members of Parliament are informed of the purpose of the external delegation's visit.

**Article 265.** Participation of foreign delegations in plenary sittings

(1) When foreign delegations take part in plenary sittings, the Chairperson of the sitting shall introduce the members of the delegation and inform the plenary of the purpose of their visit to the Republic of Moldova.

(2) Speakers of foreign parliaments, heads of state and heads of government, chairpersons of international and regional parliamentary organizations or other high-ranking foreign officials may deliver a speech from the central rostrum at a plenary sitting of Parliament.

(3) On the initiative of the Speaker of the Parliament, the relevant standing committee, a parliamentary faction or a group of at least five Members of Parliament, Parliament may adopt a resolution on the results of the foreign delegation's visit.

## **TITLE V THE SECRETARIAT OF THE PARLIAMENT**

**Article 266.** The Secretariat of the Parliament

(1) The Secretariat of the Parliament shall provide organizational, documentary, legal, informational and technical assistance for the activity of the Parliament, the working bodies of the Parliament, the Members of Parliament in order to exercise the prerogatives established by the Constitution of the Republic of Moldova, this Code and other normative acts.

(2) The Secretariat of the Parliament carries out its activity in accordance with the Constitution of the Republic of Moldova, this Code, other normative acts, the decisions of the Standing Bureau and the Regulation on the organization and functioning of the Secretariat of the Parliament.

(3) The Secretariat shall be headed by the Secretary-General of Parliament, assisted by a Vice-Secretary-General.

(4) The Secretariat of the Parliament shall be a legal person under public law, it shall have a stamp with the image of the State Coat of Arms of the Republic of Moldova and its name, as well as a treasury account.

(5) Parliament's Secretariat shall have its seat in the Parliament building.

#### **Article 267. General tasks of the Parliament's Secretariat**

In order for Parliament to carry out its prerogatives, the Parliament's Secretariat performs the following general tasks:

- a) providing specialized and legal assistance in the process of examination of draft normative acts;
- b) organization and documentation of plenary sittings and working bodies of Parliament;
- c) ensuring the process of adoption and post-adoption of normative acts;
- d) organization and documentation of forms of parliamentary scrutiny;
- e) providing specialized assistance and documentation in carrying out control over the execution of laws;
- f) providing expert assistance in the development of parliamentary relations of friendship and external cooperation;
- g) representing Parliament and the Secretariat in relations with other public authorities and state institutions;
- h) coordinating external assistance to Parliament and the Secretariat from development partners;
- i) ensuring the transparency of the legislative process and organizing the communication process between Parliament and civil society;
- j) informing the public about the work of Parliament, its working bodies and the Secretariat;
- k) ensuring the realization of the citizens' right to petition;
- l) managing documents and secretarial work;
- m) human resources management and implementation of personnel policies;
- n) management of budgetary resources and financial-accounting activities;
- o) ensuring the transparency and efficiency of public procurement;
- p) ensuring parliamentary ceremonial and language assistance in parliamentary activity;
- q) information resources and information technology management;
- (r) management of assets and property, provision of transportation, logistics, food and ancillary services necessary for the work of Parliament and the Secretariat;
- s) the exercise of managerial internal audit and control;

t) the exercise of other duties as determined by the Parliament and the Standing Bureau.

**Article 268.** Structure of Parliament's Secretariat

(1) The rules governing the organization and operation of the Parliament's Secretariat, the organizational structure and the staffing limits of the Parliament's Secretariat and the conditions of social and material insurance for its staff shall be approved by Parliament's Bureau on a proposal from the Parliament's Secretary-General, after prior consultation with the Speaker of the Parliament.

(2) The establishment plan of the Parliament's Secretariat shall be approved by the Speaker of the Parliament on a proposal from the Parliament's Secretary-General.

(3) Structurally, the Secretariat of the Parliament shall consist of the management of the Secretariat, the offices of persons holding public office, the secretariats of the standing committees, directorates-general, directorates, sections and services.

## **TITLE VI FINAL AND TRANSITIONAL PROVISIONS**

**Article 269.** Entry into force

(1) This Code shall enter into force on the date of the legal constitution of the new Parliament.

(2) As of the date of entry into force of this Code, Law No. 797/1996 on the adoption of the Parliament's Regulations shall be repealed.

**Article 270.** Further examination of draft normative acts

Draft normative acts which have been examined in accordance with the procedure laid down in the repealed Rules of Procedure shall continue to be examined in Parliament, in accordance with the requirements of this Code, from the stage at which they have been left.

**Article 271.** Aligning legislation into conformity with this law

(1) The Government shall, within 6 months from the publication of this Law, submit to the Parliament proposals on bringing the legislation in force in line with this Law.



(2) The Secretary-General of Parliament shall be responsible for drawing up and/or amending administrative acts relating to the work of Parliament.

### **SPEAKER OF THE PARLIAMENT**