



RULES OF THE SENATE

REGOLAMENTO DEL SENATO
EDIZIONE IN LINGUA INGLESE



Senato della Repubblica

BIBLIOTECA ITALIA

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REGOLAMENTO DEL SENATO
EDIZIONE IN LINGUA INGLESE
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RULES OF THE SENATE

TITLE I

PRELIMINARY PROVISIONS

Rule 1

Conferment of Senatorial privilege and rights – Senatorial duties

1. Senatorial privilege and full senatorial rights shall be conferred by the mere fact of being elected or appointed to the Senate, and shall be effective as soon as the election result is declared, if elected, or the appointment is notified, if appointed.

2. Senators are required to attend sittings of the Senate and take part in the work of committees.

Rule 2

Interim Bureau

1. The first sitting of the Senate following an election shall be provisionally presided over by the oldest Senator.

2. The six youngest Senators attending the first sitting shall act as Secretaries.

Rule 3

*The Interim Committee for the Verification
of Credentials – Declaration of succeeding Senators*

1. After installing the Interim Bureau, the President shall announce the names of the successful candidates succeeding any elected members who may have opted to serve in the Chamber of Deputies.

2. The President shall immediately convene the Interim Committee for the Verification of Credentials in order to verify credentials.

3. The Interim Committee shall comprise the members of the Committee on Elections of the previous Parliament attending the first sitting. If there are fewer than seven members, the President shall draw lots to appoint new members to reach such number of members. The Interim Committee shall be chaired by the oldest member, while the youngest shall act as secretary.

TITLE II

INSTALLATION OF THE INTERIM BUREAU

Rule 4

Election of the President

Having complied with the requirements under Title I above, the Senate shall elect its President

by secret ballot. The candidate obtaining an absolute majority of votes of the members of the Senate shall be elected. If no candidate secures a simple majority after two ballots, a third ballot shall be held the following day, for which the successful candidate must obtain a simple majority of votes cast, counting blank ballot papers as votes cast. If no candidate secures this majority in the third ballot, a runoff ballot shall be held on the same day between the two candidates who obtained the largest number of votes in the previous ballot, after which the candidate securing the larger number of votes, even if it a plurality of votes, shall be declared elected. In the event of a tied vote, the older of the two candidates shall be elected or entered for the runoff ballot.

Rule 5

Election of the Other Senate Officers

1. Following the election of the President, four Vice Presidents, three Quaestors and eight Secretaries shall be elected at the following sitting.

2. Each Senator shall write on their ballot papers the names of two candidates as Vice Presidents, two as Quaestors, and four as Secretaries. The candidates obtaining the largest number of votes shall be declared elected.

2-bis. [Repealed]

2-ter. [Repealed]

2-quater. [Repealed]

3. In a by-election to fill up to two vacancies, each Senator shall write one name on the ballot paper; when more than two vacancies are to be filled, each Senator shall write a number of names equal to one-half the number of vacant seats, rounded up to the nearest whole number. The Senators obtaining the most votes shall be declared elected.

4. In the event of a tied vote, the oldest candidate shall be elected.

Rule 6

Counting Ballot Papers for the Election of Bureau Members

1. The ballot papers cast for the election of the President shall be counted in public by the Interim Bureau.

2. The ballot papers cast in the elections under Rule 5 above shall be counted immediately by eight Senators chosen by lots. Five Senators shall be needed for the ballot paper count to be deemed valid.

Rule 7

The Bureau

As soon as the Bureau has been duly established, the President shall notify the President of the Republic and the Chamber of Deputies.

TITLE III

POWERS OF THE MEMBERS OF THE BUREAU

Rule 8

Powers of the President

The President shall represent the Senate, regulate the work of all its bodies and ensure compliance with the Rules. The President shall chair debates and maintain order, decide on the Receivability of texts, give the floor to Senators wishing to speak, present items of business, decide on the voting order, and announce the results of votes. The President shall oversee the work of Quaestors and Secretaries. The President shall be responsible for issuing instructions to ensure the smooth operation of the Senate Administration.

Rule 9

Powers of the Vice Presidents

1. Vice Presidents shall deputise for the President to chair debates and represent the Senate at official ceremonial events.

2. The President of the Senate shall appoint the Vice President to deputise when temporarily prevented from acting.

Rule 10

Powers of the Quaestors

The Quaestors shall act on the instructions of the President and shall jointly oversee policing, Senate services and protocol; they shall compile the Senate budget and financial accounts, and manage Senate funds, even on an individual basis in the cases provided by the Rules of the Administration.

Rule 11

Powers of the Secretaries

1. The Secretaries shall oversee the drafting of the minutes of public sittings, and draft the minutes of *in camera* sittings; they shall record the names of Senators registered to speak; read out the minutes and, at the request of the President,

any other text or document that has to be notified to the Senate; call the roll; record voting results; ensure the accuracy of the minutes of sittings, draft the minutes of Bureau meetings, and assist the President in ensuring the smooth transaction of business in the Senate.

2. Where necessary, the President may also call upon one or more Senators present on the Senate floor to act as Secretary.

Rule 12

Powers of the Bureau – Extension of Powers

1. The Bureau, chaired by the President of the Senate, shall adopt the draft Senate budget, changes to budgetary item allocations and the financial accounts; adopt the Rules of the Library and of the Historical Archives; decide on the penalties on Senators under Rule 67(3) and (4) below; appoint, upon a proposal of the President, the Secretary-General of the Senate; approve the Rules governing the Administration of the Senate and take measures relating to Senate staff in those cases where these Rules so provide; and consider any other matter referred to it by the President.

2. Meetings of the Bureau held pursuant to Rule 67(3) and (4) below shall be attended by the Leaders of those Parliamentary Groups whose members do not sit on the Bureau.

2-*bis*. The Bureau shall adopt a Senators' Code of Conduct, laying down the principles and standards with which Senators must comply in the performance of their parliamentary mandate.

3. Following a general election, the Bureau shall remain in office until the first sitting of the new Senate.

Rule 13

Disqualification from the Bureau

1. A Senator appointed to serve in Government shall be disqualified from Bureau membership.

1-*bis*. A Member of the Bureau who ceases to be a Member of the Group to which they belonged when they were elected shall be disqualified from that office. This shall not apply if membership ceased following a decision by the original Group, or if the Group is dissolved or merged with other Parliamentary Groups. This provision shall not apply to the President of the Senate.

TITLE IV

PARLIAMENTARY GROUPS

Rule 14

Composition of Parliamentary Groups

1. Each Senator shall be a member of a Parliamentary Group. Ex officio Senators and Life Senators may, by virtue of their autonomous legitimization, resolve not to join any Group. A Senator who resigns or has been expelled from their Group, including the Group of Non-Attached Members, shall be deemed not to be a member of any Parliamentary Group, unless they join an already existing Group other than the Group of Non-Attached Members within three days, and provided that they are authorised to do so by the Leader of such Group. However, a Senator may join a political component of the Group of Non-Attached Members within the three-day period, subject to a favourable resolution of the members of that component and after obtaining the authorisation of the legal representative of the corresponding political party or movement. Senators who are not members of any Group shall be given proportionate speaking time, as shall be established by the Conference of Parliamentary Group Leaders, pursuant to Rule 55(5).

2. Within three days of the first Senate sitting, each Senator shall notify the President of the Senate of the Group which they intend to join.

3. Senators joining the Senate during the life of a Parliament shall notify the President of the Senate of the Group they intend to join within three days of being proclaimed elected in the case of elected Senators, or of the date of their appointment in the case of Life Senators and ex officio Senators.

4. With the exception of the Group of Non-Attached Members and the Group established under paragraph 8 below, each Group shall consist of no less than six Senators from a party or political movement, or an alliance of parties and political movements, that ran under the same party symbol at the latest Senate election and secured the election of at least one Senator. Without prejudice to the requirements provided in the first sentence and the provisions of the third sentence above, in the case of an aggregation of several political parties or movements, only one Group or one political component may be established within the Non-Attached Group for each of the symbols registered, including those containing more than one symbol; to this end, the request to create the Group or the political component requires the consent of the party which registered the symbol. If several parties or political movements ran for the Senate with shared lists of candidates under

the same symbol, with respect to such lists, only one Group may be established representing all such parties or political movements; alternatively, autonomous Groups consisting of no less than six Senators may be established, on condition that such Groups correspond to individual parties or political movements that ran as part of an alliance at the latest Senate election. Senators not wishing to be part of a particular Group shall join the Group of Non-Attached Members.

5. By way of an exception to the provisions of paragraph 4 above, Groups representing a political party or a political movement which has presented candidates in the general election or the elections to the European Parliament and has secured the election of its own representatives may be created, provided that the Group has no fewer than nine members and bears the same name or symbol as the political party or movement it represents. Within thirty days of the creation of the Group, the Bureau, with the addition of a representative of the Group in question, determines the amount of the contribution referred to in Rule 16(1), in accordance with the specific requirements of that Group.

6. Senators belonging to the Group of Non-Attached Members may request permission from the President of the Senate to establish a political component within that Group, provided that the Senators intending to join such component represent a political party or movement, including

one resulting from the aggregation of several political parties or movements, that ran with their own candidates and under the same symbol at the latest Senate election, and has secured the election of at least one Senator. A political component may also be established within the Group of Non-Attached Members representing a political party or a political movement which during the ongoing parliamentary term ran in a general, regional or European Parliament election and has secured the election of candidates.

7. In the cases provided by paragraph 5 and the second sentence of paragraph 6 above, a Senator wishing to establish a Parliamentary Group or a political component within the Group of Non-Attached Members is required to submit before the President of the Senate a statement of recognition by the political party or movement which they intend to represent.

8. Senators belonging to the language minorities recognised by law and elected in the Regions where such language minorities are settled, and Senators elected in the Regions under Article 116(1) of the Constitution, whose Statutes protect language minorities, may establish a Group of no less than four members.

9. If, during the life of a Parliament, membership of a Group established under this Rule falls to below the established number, or if the requirements of paragraph 5 or 7 above are no

longer met, the Group shall be declared dissolved and any Senators formerly belonging to it who have not joined another Group within three days of such dissolution shall be registered as members of the Group of Non-Attached Members.

Rule 15

Convening and Forming Groups

1. Within seven days following the first sitting of the Senate, the President shall convene the Senators who have declared their intention to join the Groups and the Senators to be registered as Non-Attached Members.

2. Each Group shall be established by submitting its name and any subsequent changes together with a list of its members to the President of the Senate. These communications shall be signed by the Group Leader, who shall be appointed at the meeting convened pursuant to the provisions of paragraph 1 above. Each Group shall also appoint one or more Deputy Leaders and one or more Secretaries from among its members. Each Group shall appoint or dismiss a Treasurer from among its Members. The rules of each Group may provide for the Treasurer to be made the legal representative of that Group. These appointees, any changes to these appointments and any changes in

the membership of a Parliamentary Group shall be notified to the President of the Senate.

3. Save in the case under the last sentence but one of Rule 14(4) and under Rule 14(5) and (8), a new Parliamentary Group may only be established during a Parliamentary term only if it results from the merger of existing Groups.

3-bis. Within thirty days of its establishment, the Assembly of each Group shall approve its rules, which shall be submitted to the President of the Senate within five days. Such rules shall be published on the Senate web site.

3-ter. The rules of a Parliamentary Group shall establish that the financial statements of such Group be approved by its membership; they shall identify the persons responsible for administrative management and accounting and regulate the ways and criteria pursuant to which the person responsible for administrative management shall allocate funds for the purposes under Rule 16(2) below.

3-quater. The Senate Bureau shall establish how documents relating to the internal organization of a Group are to be published, it being understood that the category, job description, duties and work location of all positions within the Group shall be published and made freely available on such Group's web site.

Rule 16

Parliamentary Group Premises, Facilities and Contributions

1. Parliamentary Groups shall be given premises, assets and a single annual contribution from the Senate budget, in proportion to their size and for the purposes under paragraph 2 below. In relation to this contribution, each Group is at all events entitled to a minimum allocation of financial resources to ensure their sound operation, which is set by the Bureau Council taking into account the basic needs common to the Groups.

2. Contributions from the Senate budget to a Parliamentary Group, as determined and defined under relevant decision of the Bureau, shall be allocated to such Group solely for official purposes relating to parliamentary business and related political activity, research, relevant publishing and communication requirements, and operating costs for such Group's bodies and structures, including staff remuneration.

Rule 16-bis

Accounting and Financial Management of Parliamentary Groups

1. Each Group shall approve its annual financial statement, within the deadline and following

the criteria established by the Senate Bureau through appropriate accounting rules regulating how revenues and spending are accounted for, with reference to transfer payments made by the Senate to such Group for the purposes under Rule 16(2) above.

2. In order to ensure open and proper accounting and financial management, each Group shall – in the course of a fiscal year – submit its accounts and books to a statutory auditing firm, as shall be selected by the Senate Bureau following an open procedure. Such auditing firm shall issue an opinion on the financial statement under paragraph 1 above.

3. The financial statement of a Parliamentary Group shall be submitted to the President of the Senate. A report by the Leader of such Parliamentary Group, certifying that the document was approved by the Group's membership, and the opinion of the audit firm under paragraph 2 above shall be enclosed therewith.

4. Each Group shall publish on its web site all payment orders, cheques and bank transfers – including description of payments – in such mode as shall be established by the Senate Bureau.

5. The Quaestors shall ascertain compliance of a Group's financial statement with the provisions of these Rules, following such criteria and modes as shall be determined by the Senate Bureau.

Such financial statements shall then be published on the web site of each Parliamentary Group and attached to the Senate financial accounts pursuant to Rule 165 below.

6. Transfer payments to Groups from the Senate Budget shall be authorised by Senators Quaestors, subject to a positive compliance assessment under paragraph 5 above.

7. Senators Quaestors shall report to the Senate Bureau on the outcome of business performed under paragraphs 5 and 6 above.

8. If a Group fails to submit its financial statement within the deadline under paragraph 1 above, such Group shall be disqualified from receiving the transfer payment under Rule 16 above for that year. If Senators Quaestors ascertain that a statement they have received or the documents attached thereto do not comply with these Rules, they shall – within ten days of reception of such statement – invite the Leader of that Parliamentary Group to take such actions as shall be necessary to ensure compliance by no later than the date that they shall establish. If such Group fails to ensure compliance within such deadline as shall have been thus established, the Group shall be disqualified from receiving the transfer payment under Rule 16 above for that year. Disqualification under this paragraph shall be established by a decision by the Senate Bureau, upon a proposal by the Quaestors, and

shall require a refund – as established by the Senate Bureau – of the amounts received from the Senate budget and improperly reported.

9. Pursuant to the accounting rules under paragraph 1 above, the Senate Bureau shall regulate the financial statements to be submitted at the end of the life of a Parliament or upon dissolution of a Parliamentary Group.

10. When a Parliamentary Group is not re-established in the following parliament, any remaining funds in its budget shall be returned to the Senate budget, save for a provision to be used for outstanding expenses or the settlement of disputes. A Parliamentary Group shall be deemed to have been re-established in the following Parliament even it adopts a partially different name from the one used in the previous Parliament, subject to an agreement among the Leaders of the Groups concerned. When a re-established Group wishes to take over the assets of the older Group in the previous Parliament, its Leader and Treasurer shall set aside appropriate provisions to cover any liabilities that the Group in the previous parliament may have incurred.

TITLE V

**COMMITTEES ON RULES; ELECTIONS AND
PARLIAMENTARY IMMUNITY; LIBRARY AND
HISTORICAL ARCHIVES; LEGISLATION**

Rule 17

Appointment of Members of the Committee on Rules, the Committee on Elections and Parliamentary Immunity, and the Committee on the Library and Historical Archives

As soon as the Parliamentary Groups have been established, the President shall appoint and notify to the Senate the members of a Committee on Rules, a Committee on Elections and Parliamentary Immunity and a Committee on the Library and Historical Archives.

Rule 18

Committee on Rules

1. The Committee on Rules shall comprise ten Senators, selected in such a way to ensure that all Parliamentary Groups in the Senate are represented, as far as this is possible, and shall be chaired by the President of the Senate. A Committee member who ceases to belong to the Group to which they belonged at the time of their appointment shall be disqualified from

membership of the committee. In this case, the President of the Senate shall replace the member concerned.

2. In view of the circumstances and after consultation with the Committee, the President may appoint up to two additional members in order to make the Committee more representative. Committee meetings, convened pursuant to Rule 167, may be attended, without voting rights, by the Leaders of the Parliamentary Groups that do not have their own members on the Committee, or by delegates thereof.

3. It is the responsibility of the Committee on Rules to submit or consider any proposed amendments to the Rules and to express an opinion on matters relating to the construction of the Rules, if so requested by the President of the Senate.

3-bis. When the Leaders of one or more Groups including no less than a third of Senate members raise a point of order, the President shall refer it to the Committee on Rules.

3-ter. The President of the Senate, by agreement with the President of the Chamber of Deputies, may convene the Committee on Rules to meet in a joint session with the corresponding body of the Chamber of Deputies, in order to draw up common provisions and agreed and coordinated interpretations to ensure the smooth conduct of parliamentary business.

Rule 19

Committee on Elections and Parliamentary Immunity

1. The Committee on Elections and Parliamentary Immunity shall comprise nineteen Senators, in such a manner so as to reflect, as far as possible, the proportion existing in the Senate among Parliamentary Groups and shall be chaired by a Senator elected by the Committee from among the members of an opposition Group. The requirement to be a member of an opposition Groups shall remain in effect throughout the term of office of the Chairperson, on pain of disqualification. A Committee member who ceases to belong to the Group to which they belonged at the time of their appointment shall be disqualified from membership of the committee. In this case the President of the Senate shall replace the member concerned.

2. *[Repealed]*

3. If the Committee fails to meet for more than one month despite being repeatedly convened by its Chair, the President of the Senate shall renew its membership.

4. The Committee shall verify the credentials of Senators and any grounds for disqualification, pursuant to the provisions of the relevant Rules; if so requested, it shall report to the Senate on

any voting irregularities that it may identify in the course of verifying credentials.

5. It is also the responsibility of the Committee to consider any court requests to prosecute individual Senators pursuant to article 68 of the Constitution, and report to the Senate on any documents served by the judicial authorities seeking authorisation to prosecute a Senator for crimes under Article 96 of the Constitution, and any requests for authorisation to prosecute a Senator under Article 10(1) of Constitution Amendment Act No. 1 of 16 January 1989.

6. The Rules for the verification of credentials under paragraph 4 above shall be proposed by the Committee on Rules, in consultation with the Committee on Elections and Parliamentary Immunity, and shall be adopted by the Senate with a simple majority vote of its members.

Rule 20

The Committee on the Library and Historical Archives

The Committee on the Library and Historical Archives shall comprise three Senators. It shall oversee the Senate Library and Historical Archives and submit the text of its Rules and any amendments thereto to the Bureau.

Rule 20-*bis*
Committee on Legislation

1. The Committee on Legislation shall comprise eight Senators, selected by the President of the Senate so as to ensure equal representation of government and opposition.

2. The Committee shall be chaired in rotation by its members for a period of one year each.

3. The Committee shall issue opinions on bills being considered by the Senate or by a committee sitting as a legislative body. At any time, a Standing Committee may request the Committee on Legislation for an opinion on a Government Bill.

4. The Committee on Legislation shall issue its opinion in good time before the conclusion of consideration and no later than five days after it has received the document. The rapporteur appointed by the Committee having responsibility over the subject matter and a member of the government shall also take part in the consideration by the Committee.

5. The Committee shall issue impact assessments and opinions on the quality of measures, with respect to their homogeneity, simplicity, clarity and appropriate wording, as well as their effectiveness in relation to simplifying and reorganising existing legislation. At the request of one or more dissenting members of the

Committee, the opinion issued shall include their positions and reasons.

6. When a committee sitting as a legislative body does not intend to amend the text of a Bill so as to comply with the recommendations included in the Committee's opinion, the provisions of Rules 35(2) and 40(5), (6), (6-*bis*) and (6-*ter*) shall apply. In the case of a Bill returned to the Senate plenary by a committee acting in a drafting capacity, the President may allow the introduction of amendments strictly for the purpose of adjusting the measure under discussion so as to ensure compliance with the recommendations included in the Committee's opinion.

7. A committee may resolve to refer to the Committee on Legislation a Bill including provisions to delegate legislative authority to the Government or to transfer matters previously regulated by law to the regulatory power of Government. The Committee on Legislation shall issue its opinions in accordance with paragraphs 5 and 6 above.

8. Bills to enact Decree-Laws shall be referred for consideration to the Committee on Legislation, which shall make its opinion available to the appropriate committees within five days; such opinion may propose the deletion of any provisions in a Decree-Law running contrary to the rules on specificity and homogeneity and the constraints on the contents of decree-laws as per current legislation.

TITLE VI

STANDING, SPECIAL AND JOINT COMMITTEES

Rule 21

*Formation and Renewal of Standing Committees:
Appointments by the Groups*

1. Within five days of its establishment, each Group shall appoint one representative every ten members to each of the standing committees established by virtue of Rule 22 below and shall notify the President of the Senate thereof.

2. Groups having fewer Senators than the number of standing committees may appoint the same Senator to sit on up to three committees, so as to be represented on as many standing committees as possible.

3. Senators who have not been appointed to a standing committee following the distribution of seats provided by paragraph 1 above shall be distributed among the standing committees by the President of the Senate, acting on the proposals of the Groups to which such Senators belong, so as to ensure that, as far as possible, each committee shall reflect the proportions among all Senate Groups and the proportion between government and opposition. The President of the Senate shall assign Senators who are not members of any Parliamentary Group to the various Standing Committees, taking into

account the balance between government and opposition.

4. A Senator appointed to a position in Government shall be temporarily replaced on a standing committee by their Group with another Senator, who shall also continue to serve as a member of their original committee. A Senator representing the Government in a Committee may replace a Senator of his or her own Group, including the Senator appointed by that Group under the previous sentence.

4-bis. [Repealed]

5. Save in the cases provided by paragraphs 2 and 4 below, no Senator shall sit on more than one standing committee.

6. The President shall notify the membership of standing committees to the Senate.

7. The standing committees shall be renewed after the first two-year period of each Parliament, and their membership may be confirmed.

Rule 22

Standing Committees – Remit

1. Each standing committee has powers by subject matter, as follows:

1st - Constitutional Affairs, Prime Ministerial and Home Affairs, General Organisation of the State and the Civil Service, Publishing Industry, Digitization;

- 2nd - Judiciary;
- 3rd - Foreign Affairs and Defence;
- 4th - European Union Policies;
- 5th - Economic Planning, Budget;
- 6th - Finance and Treasury;
- 7th - Culture and Cultural Properties, Education, Scientific Research, Entertainment and Sport;
- 8th - Environment, Ecological Transition, Energy, Public Works, Communications, Technological Innovation;
- 9th - Industry, Trade, Tourism, Agriculture and Agrifood Production;
- 10th - Social Affairs, Health, Public and Private Employment, Social Security.

Rule 23

Committee on European Union Policies

1. The Committee on European Union Policies shall have overall responsibility on the activities and measures of the European Union and the EU institutions, and the implementation of European Union agreements. The Committee shall also have responsibility in respect of compliance with obligations under European Union law. The Committee, in so far as it lies within its powers, shall also be responsible for relations with the European Parliament and the Conference of

Parliamentary Committees for Union Affairs of Parliaments of the European Union.

1-bis. Members of the European Parliament elected in Italy may be invited to attend meetings of the Committee on European Union Affairs, without voting rights, in relation to specific measures. They may also submit comments and proposals relating to matters under Committee consideration.

1-ter. The Committee Chairperson shall ensure coordination between the business under Committee consideration and the activities of the Members of the European Parliament invited to attend.

2. The Committee shall consider in an advisory capacity European bills and European legislation bills and any other bills having similar contents providing urgent provisions to implement obligations deriving from membership of the European Union and to enforce judgements of the Court of Justice of the European Union and it shall report to the Senate thereon.

3. The Committee shall issue an opinion – or, in the cases provided by Rule 144(3) below, submit comments and proposals – on government bills and draft measures regarding the implementation of EU treaties and any later amendments thereto, or relating to the implementation of European Union legislation and, in general, on all domestic bills that may give rise to major issues of compliance

with European Union law, and consider business and reports under Rule 142 below. In particular, the Committee shall issue its opinion or submit comments and proposals on measures relating to: relations between the Regions and the European Union, pursuant to Article 117(3) of the Constitution; participation of Regions and Autonomous Provinces in framing and enforcing EU legislation, pursuant to Article 117(5) of the Constitution; management of cases and procedures under which Regions may conclude agreements with States or local authorities of other Member States of the European Union, pursuant to Article 117(9) of the Constitution; and compliance with the principle of subsidiarity in relations between the European Union and national and Regional Governments, pursuant to Article 120(2) of the Constitution. The Committee shall also exercise the powers specifically vested into it by these Rules.

Rule 24

Special Committees

Whenever the Senate resolves to establish a Special Committee, the President shall determine its composition and proceed to establish such Committee based on appointments by

Parliamentary Groups and in compliance with the proportionality principle.

Rule 25

Establishment of Collegiate Bodies

1. Unless otherwise provided by law or by these Rules, for the election of members to collegiate bodies, each Senator shall vote for two thirds of the members to be appointed, not counting any fractions smaller than half a whole number; when fewer than three members are to be elected, each Senator shall cast only one vote. Candidates obtaining the largest number of votes shall be elected. In the event of a tied vote, the final paragraph of Rule 5 shall apply.

2. Ballots shall be counted by three Secretaries appointed by the President. Rule 11(2) above shall apply.

3. When electing members to the Collegiate Bodies which, by law or under these Rules are required to reflect the proportions of the Parliamentary Groups, the Bureau shall notify the Groups of the number of places reserved for each one of them under such principle, and shall request Groups to submit a list of nominations matching that number. On the basis of these nominations, the President shall compile a list which shall be submitted to the Senate for a vote by secret ballot.

4. The provisions of the paragraphs above shall also apply, as far as possible, to by-elections.

5. The Senate may vest the President with authority to appoint all or any of the members serving on collegiate bodies.

Rule 26

Joint Collegiate Bodies

1. When establishing joint collegiate bodies, the President of the Senate shall consult with the President of the Chamber of Deputies to ensure representation of the largest number of Parliamentary Groups established in the two House of Parliament, in compliance with the principle of proportionality.

2. When a joint collegiate body is established in the Senate, its business shall be regulated, as far as possible, by the Senate Rules.

Rule 27

Election of a Committee Bureau

1. At its first sitting, a Committee shall elect a Chairperson, two Deputy Chairpersons and two Secretaries.

2. The provisions of Rule 4 above shall apply to the election of the Chairperson.

3. For the election of two Deputy Chairpersons and two Secretaries, each committee member shall write the name of one candidate on the ballot paper. The candidates obtaining most votes shall be elected. In the event of a tie, the older candidate shall be elected. The same provisions apply to by-elections.

3-bis. A Member of a Committee Bureau who ceases to be a Member of the Group to which they belonged when they were elected shall be disqualified from that office. This shall not apply if membership ceased following a decision by the original Group, or if the Group is dissolved or merged with other Parliamentary Groups.

3-ter. The provisions of paragraph *3-bis* above apply with reference to all Senate collegiate bodies, except those chaired by the President of the Senate.

Rule 28

Committee Remits

A committee may sit in a legislative capacity to consider and pass bills; in a drafting capacity to consider bills to be referred to the Senate for a vote on the individual articles and for the final vote; in a reporting capacity to consider bills or other business to be reported to the Senate, or in an advisory capacity to issue opinions on bills

or other business referred to other committees. A committee may also meet to consider or make decisions on business which is not to be reported to the Senate, question government officials, receive or debate information or communications from the Government, gather information or conduct fact-finding inquiries.

Rule 29

Convening Committees

1. Committees shall be convened for the first time by the President of the Senate for their formal establishment. They shall subsequently be convened by their Chairpersons, who shall attach the agenda to the notice of convocations.

2. A Committee Bureau meeting including the Group Leaders shall draft the programme and calendar of business for each committee so as to ensure that bills and measures included in the Senate programme and calendar shall be considered first by the committee. Following a request by no less than one-fifth of committee members, the Committee Bureau may promptly place an item on the agenda of the sitting, even if such item is not included in the programme of business.

2-bis. The programme and calendar of business of each committee shall be drafted also to ensure that preparatory documents for European Union

legislation published in the Official Journal or notified by the Government can be scrutinised in a timely fashion.

3. At the end of each sitting, the Committee Chairperson shall by general rule announce the date, time and agenda of the following sitting. The agenda shall be printed and published.

4. If the notice convening the following meeting has not been announced at the end of the sitting under paragraph 3 above, the agenda shall be printed, published and notified to each committee member no later than 24 hours before the relevant sitting. When the committee is sitting in a legislative or drafting capacity, the agenda must be notified 48 hours beforehand.

5. Committees meeting in a legislative or drafting capacity held when the Senate is adjourned shall be convened by the President of the Senate at the last Senate sitting before parliament is adjourned, who shall indicate the dates and agendas of sittings and shall have sitting agendas notified to all Senators, by general rule no less than three days before the date of the sitting.

6. A Committee may also be convened in a special session to consider specific matters at the request of the President of the Senate, also following a request by the Government. The President of the Senate may request the cancellation of a convened committee sitting when this is deemed necessary in relation to Senate business.

7. When the Senate is adjourned, at the request of one-third of its members, a committee may be convened to discuss specific issues. Such sitting shall be held within 10 days of the date of the request.

8. A committee may be convened at the same time as the Senate if no vote is scheduled to be held in the Senate, unless the President of the Senate decides otherwise in the interest of Senate business.

8-bis. The Chairpersons of Standing and Special Committees may meet to determine the time-table of Committee meetings, in order to coordinate their work and prevent overlapping convocations.

Rule 30

Committee Quorums – Quorum Calls

1. The quorum required for a committee sitting in a legislative or drafting capacity, when convened to debate make decisions on matters which do not need to be referred back to the Senate, and in cases under Rule 27 above, shall be the majority of the members of the committee, as per quorum call ordered by the Chairperson at the beginning of the sitting. In other instances, a quorum call shall not be necessary.

2. A quorum shall always presumed to be present when decisions are made. However, the

Chairperson shall order a quorum call when the first vote after the closure of the general debate is held by show of hands, and before any such subsequent vote if a Senator requests a quorum call.

3. When a quorum call is ordered, the majority of the members of the committee are required to be present for any decisions made at sittings under paragraph 1 above to be valid. In all other cases it is sufficient for one third of the members to be present.

4. The Chairperson may order a quorum call before putting to the vote a proposal for the passage of which a majority of committee members is required to be in favour.

5. In the certified absence of a quorum, the Chairperson shall order a 20-minute adjournment. On reconvening, the committee shall be regulated by the rules applying to sittings of the Senate.

Rule 31

Attendance by Senators at Committees other than their own – Duty of Confidentiality

1. All Senators may attend sittings of Committees other than their own, without voting rights.

2. Each Group may, for a particular bill or for a specific sitting, replace its representatives on

a committee, after giving the Chairperson of the committee prior written notice to this effect.

3. A committee may decide that for certain documents, information or discussions concerning the State, members should take an oath of confidentiality. Senators who are not members of that committee shall not be permitted to attend that sitting as per paragraph 1 above.

Rule 32

Minutes of Committee Meetings

Minutes shall be drafted of all committee meetings pursuant to Rule 60(1) below. Senators Secretaries shall oversee the drafting of minutes.

Rule 33

Openness of Committee Debates

1. Minutes of proceedings shall be compiled for all committee sittings; a verbatim report shall be drafted when a committee sits in a legislative or drafting capacity and in all other cases provided by these Rules.

2. The minutes of proceedings and the verbatim report shall make no mention of the discussions held or the resolutions adopted on the matters referred to in the final paragraph of Rule 31 above.

3. [*Repealed*]

4. The President of the Senate may, at the request of a committee, allow the press or the general public to follow sittings in separate premises through audio-visual facilities.

5. When a committee sits in a legislative or drafting capacity, the sitting shall be made public for the benefit of the press and the general public, also through audio-visual facilities installed in separate premises.

Rule 34

*Referral of Bills and other Business to a Committee –
Joint Sittings – Concurrent Jurisdiction*

1. The President of the Senate shall refer bills and any business of a general nature on which a committee is required to make decisions pursuant to these Rules to the committees having jurisdiction over the subject matter, or to a special committee, and shall inform the Senate thereof. The President of the Senate may also refer any reports, documents, or measures received by the Senate to a committee having jurisdiction over such matter.

1-*bis*. As a general rule, a bill shall be referred to a committee sitting in a legislative capacity pursuant to Rule 35 or sitting in a drafting capacity pursuant to Rule 36.

2. Bills and other business may be referred to several committees for joint consideration and decision. As a general rule, a joint committee sitting shall be chaired by the oldest Chairperson among the committees involved.

3. The President of the Senate shall refer documents and other measures under Senate Rules 23, 125-*bis*, 142, 143 and 144 to the 4th Standing Committee and to other relevant committees.

4. If a committee considers that a matter referred to it does not fall within its remit, it shall inform the President of the Senate, who shall make a decision.

5. In the event that several committees consider that a particular matter falls within their remit, the President of the Senate shall, after consultation with the Chairpersons of the committees concerned, make a final decision.

Rule 35

Referral to a Committee Sitting in a Legislative Capacity

1. Except in the case of constitutional amendments and election bills, bills to delegate legislative power, enact decree laws, authorise the ratification of international treaties, approve budgets and financial accounts, bills under Rule 126-*bis* and bills returned to Parliament for further consideration pursuant to Article 74 of

the Constitution, which shall be considered and voted on by the Senate, the President may refer an individual bill to the relevant standing committee in a reporting capacity, or to a special committee, and shall notify the Senate thereof.

2. Before a final vote is called, however, a bill may be returned to the Senate if the Government or one-fifth of the members of the Senate or one-tenth of committee members request the President of the Senate, or the committee chairperson if the debate has already begun, that such bill be considered and put to the final vote in the Senate plenary, or be submitted to the plenary for final passage, subject to votes on individual articles and explanations of vote. A bill shall also be referred back to the Senate plenary in the cases provided by Rule 40(5), (6), (6-*bis*) and (6-*ter*) below. If the bill is referred again to a committee in a drafting capacity, the Conference of Parliamentary Group Leaders shall set a deadline for the committee to complete its consideration.

Rule 36

Referral to a Committee Sitting in a Drafting Capacity

1. Notwithstanding the exceptions under Rule 35(1) above, the President may refer a bill to a standing committee or a special committee

sitting in a drafting capacity for consideration, and notify the Senate thereof, and then have the bill returned to the Senate for a vote on the individual articles and the final vote with explanations of vote.

2. [*Repealed*]

3. Until the final vote by the Senate, a bill shall follow the normal procedure for its debate and adoption, if so requested by the Government or one-tenth of the members of the Senate or one-fifth of the members of a committee, or in any of the cases under Rule 40(5), (6), (6-*bis*) and (6-*ter*) below. If the bill is referred again to a committee in a drafting capacity, the Conference of Parliamentary Group Leaders shall set a deadline for the conclusion of committee consideration.

Rule 37

Referral to a Committee Sitting in a Legislative or Drafting Capacity of a Bill previously referred to the Same Committee Sitting in a Reporting Capacity

1. Notwithstanding the exceptions under Rule 35(1), the President of the Senate may, at the unanimous request of the committee and with the consent of the government, change the status of a committee from a reporting capacity

to legislative or drafting capacity on a bill under consideration.

2. Such procedure may not be applied when a dissenting opinion has been expressed against such measure under Rule 40(5), (6), (6-*bis*) sixth clause, and (6-*ter*) second clause below.

Rule 38

Opinions on Bills and Business

The President may request an opinion on a bill from a committee other than the one to which the bill has been referred. If a committee deems it useful to hear the opinion of another committee or to express its opinion on bills or business referred to another committee it shall make such request to the President of the Senate.

Rule 39

Procedure for Expressing Opinions

1. The committee requested to express an opinion shall submit that opinion within fifteen days, or within eight days in the case of bills declared to be urgent, save for the right of the President of the Senate to set a shorter deadline, after appraising the circumstances.

2. If the committee has not expressed its opinion by such deadlines it shall be assumed that the committee does not deem it necessary to do so, unless, as per request by the Chairperson of the committee consulted, the relevant committee has extended the deadline for a further period, which may not be longer than the original deadline.

3. An opinion is normally expressed in writing. In the case of urgent measures, or whenever appropriate, an opinion may be personally notified to the relevant committee by the Chairperson of the committee consulted or by someone designated by the Chairperson.

4. The committee consulted may request that its written opinion be printed as an annex to the report which the relevant committee shall subsequently submit to the Senate.

Rule 40

Mandatory Opinions

1. A Bill under Rule 23(3) above or a bill regulating the procedures to ensure compliance with European Union legislation which has been referred to another committee shall also be referred to the 4th Standing Committee for an opinion.

2. A Bill having constitutional implications or affecting the organisation of the civil service which

has been referred to another Committee shall also be referred to the 1st Standing Committee for an opinion.

3. A bill generating new or increased expenditure or reducing tax revenues or including provisions affecting the trends and forecasts in the economic development programme, which has been referred to another committee, shall also be referred to the 5th Standing Committee for an opinion.

4. A bill establishing criminal or administrative penalties, which has been referred to another committee, shall also be referred to the 2nd Standing Committee for an opinion.

5. When the 5th Committee issues a written opinion stating its opposition to the passage of a bill generating new or increased expenditure or reducing tax revenues, which has been referred to another committee sitting in a legislative or drafting capacity, and bases its opposition on inadequate cost analysis or lack of measures to offset the budget pursuant to the final paragraph of Article 81(3) of the Constitution and the legislation in force, such bill shall be referred back to the Senate if the relevant committee has not complied with the opinion of the 5th Committee.

6. The same procedure shall apply to a written negative opinion on a bill issued by the 1st Standing Committee in the cases provided by paragraph 2 above, and to a negative written opinion on a bill issued by the 4th Standing Committee in the cases

provided by paragraph 1 above, if the relevant committee has not complied with the opinion.

6-bis. Without prejudice to paragraph 3 above and with the exception of bills considered under Rule 126-*bis*, the opinion of the 5th Standing Committee may only be requested in relation to amendments that have been carried. In the absence of such opinion, the committee rapporteur may report to the Senate no earlier than fifteen days after such request has been made, without prejudice to the power of the President of the Senate, after appraising the circumstances, to set a different deadline. If the 5th Standing Committee decides, under Rule 76-*bis*(3) below, to request the Government to provide a technical report assessing the spending arising from the amendments, the Government shall submit such technical report within five days. Failure by the Government to submit the report by this deadline shall not be construed as implying that such amendments entail increased spending. If the 5th Standing Committee has issued a negative opinion pursuant to Article 81(3) of the Constitution, or a positive opinion on condition that, under Article 81 of the Constitution, certain amendments be adopted, the Committee responsible by subject matter shall put such amendments to the vote. If the committee is considering the bill in a drafting or legislative capacity and does not comply with the opinion of the 5th Committee, the bill shall

return to the Senate. If the relevant Committee is sitting in an advisory capacity and has not adapted the bill to the opinion of the 5th Committee, such committee shall provide an explanation to the Senate.

6-ter. Without prejudice to the provisions of paragraph 2 above, the opinion of the 1st Standing Committee shall be sought only on amendments carried. If a committee responsible by subject matter is sitting in a drafting or legislative capacity and the 1st Standing Committee has issued a negative opinion or a positive opinion conditional on the adoption of certain amendments, the relevant Committee shall put such amendments to the vote; if the relevant Committee does not comply with the opinion of the 1st Committee, the bill shall return to the Senate. If the relevant Committee is sitting in an advisory capacity and has not adapted the bill to the opinion of the 1st Committee, such committee shall provide an explanation to the Senate.

7. Notwithstanding the provisions of paragraph 10 below, the opinions referred to in this Rule shall be issued within the deadlines and in the manner provided by Rule 39 above, and attached to the report that the relevant committee delivers to the Senate. If the committee has not accepted the aforementioned opinions, the report shall contain reasoned grounds for so doing.

8. When ascertaining if adequate funding is available for the purposes of expressing an opinion under paragraph 5 above, consideration shall be given to the actual expenditure for each measure and for each year under the multi-year budget in force.

9. A Bill containing provisions in respect of the matters under Article 117 of the Constitution, a Bill enacted by a Constitutional Law and containing provisions in respect of matters envisaged by a Regional Special Statute, or a Bill relating to regional legislative or administrative activities shall also be referred to the Joint Regional Affairs Committee. If such committee issues an opinion within the deadlines under Rule 39 above, such opinion shall be attached to the report submitted to the Senate by the relevant Committee.

10. The deadlines provided by Rule 39 above and within which the 1st, 4th and 5th Standing Committees are required to issue an opinion shall be counted as from the date on which the relevant committee requests such opinion.

11. In the event that a bill or an amendment requiring the use of a budget allocation, including from special funds, for purposes other than those provided in the Budget Law, is referred to the 5th Standing Committee for an opinion, such Committee may request any committee having jurisdiction over matters funded by that budget

or that special fund to issue an opinion regarding the use of such allocations.

12. A committee having jurisdiction over the subject matter of a bill shall submit to the 5th Standing Committee all information available on bills and amendments under its consideration and on which the 5th Standing Committee has been requested to issue an opinion, in order to assist the 5th Committee in assessing the expenditure, and, if so requested, in drafting the technical report under Rule 76-*bis*(3) below.

Rule 41

Procedure for Committees Sitting in a Legislative Capacity

1. As far as possible, the rules governing debates and votes in the Senate shall apply to debates and votes in a committee sitting in a legislative capacity, except for the restrictions on the submission of amendments under Rule 100(3), (4) and (5) below. A roll call vote and a secret ballot – following the procedures provided by Rule 116(1) and (2) and Rule 118(6) – may be allowed at the request of two and three Senators, respectively. Motions requiring the support of at least five Senators in the House shall require the support of at least two Senators in a committee, or one Senator speaking on behalf of a Parliamentary Group.

2. The debate may be preceded by an explanatory presentation by the Chair or by a Senator appointed by the Chair as rapporteur to the committee, who shall provide the Committee with details on the background of the bill and any other information to illustrate the issues that the bill shall regulate.

3. If the Senator explaining the bill, or in the case of several sponsors, the first sponsor, is not a member of the committee to which the bill has been referred, such Senator shall be informed of the date on which the relevant committee has been convened.

4. All Senators may submit amendments and recommendations to the committee, and may request to, or be requested to, explain them before the committee.

5. An amendment entailing increased expenditure or reduced revenues, addressing major constitutional matters or relating to the organisation of the civil service, containing provisions creating criminal or administrative penalties or containing provisions in respect of the matter provided by Rule 40(1) shall be introduced before the beginning of a debate and shall be submitted to the 5th, 1st, 2nd and 4th Standing Committees for opinions. These opinions shall be issued within eight days of the date of submission. The provisions of Rule 40(5), (6), (6-*bis*) and (6-

ter) shall apply to the opinions of the 1st, 4th and 5th Standing Committees.

Rule 42

Procedure for Committees Sitting in a Drafting Capacity – Final Vote on the Bill in the Senate

1. When a committee sitting in a drafting capacity discusses the articles of a bill under consideration, the provisions of Rule 41 shall apply.

2. [*Repealed*]

3. The provisions of Rule 43(3) below shall apply to cloture and suspensory motions.

4. After the debate, the committee shall appoint a rapporteur to draft a written report.

5. On the Senate floor, only the rapporteur and the member of the Government may take the floor. The bill shall then be put to the vote only for votes on individual articles and for final passage. Only explanations of the final vote shall be permitted.

Rule 43

Procedure for Committees Sitting in a Reporting Capacity.

1. When considering a bill referred to a committee sitting in a reporting capacity, a

general debate shall be held after the explanatory presentation under Rule 41(2) above has been delivered.

2. Individual articles shall be debated if amendments have been tabled. In this case, the committee may establish a working group, ensuring that membership includes minority Senators, in order to draft the final version of the bill.

3. A committee may not make a decision on cloture or suspensory motions. If these motions have been tabled and the committee agrees with them, they shall be laid before the Senate, together with a report. The debate may be postponed, provided that the date is prior to the deadline for the committee to report back to the Senate.

3-bis. [Repealed]

4. At the end of the debate, the committee shall appoint a rapporteur to report to the Senate. The report shall be submitted within 10 days of the appointment.

5. For the purposes of the debate in the Senate, the committee may appoint a subcommittee of not more than seven members, selected to ensure the participation of minority Senators.

6. Minority reports may always be submitted.

7. Both the rapporteur appointed by the Committee to report to the Senate and the minority rapporteur may supplement the report with oral comments.

Rule 44

Deadlines for the Submission of Reports

1. Committee reports on bills considered either in a reporting capacity or in a drafting capacity shall be submitted to the Senate by no later than two months from the date of referral.

2. According to the requirements of the programme of business or when circumstances make it appropriate, the President of the Senate may set a shorter deadline for the presentation of the report, and notify the Senate accordingly.

3. When the deadline is reached, the bill shall be considered to be set down for debate when the programme of business is set, even without a report, in the version of the text as originally proposed, save where the Senate, at the request of the appropriate committee, sets a new deadline, which shall not be later than two months thereafter, consistently with the implementation of the programme of business.

4. When, by virtue of the provisions of paragraph 3 above, a committee sitting in a drafting capacity to which a bill has been referred has not yet completed consideration, such bill shall be debated and put to the vote in the Senate following the ordinary procedure.

5. Committee reports shall be printed and circulated at least two days before the debate.

Rule 45

Calculating Deadlines

When computing deadlines to submit reports and issue opinions, the days when the Senate is adjourned pending convention by notice sent to its members shall not be counted.

Rule 46

Committee Requests to the Government for Information and Clarification – Statements by Members of the Government

1. A committee may request members of the Government to provide information or clarification on any issues, including policy issues, in relation to the subject matter falling within their remit. Information from the Government other than under Rule 105(1-*bis*), shall be provided in a committee sitting, including a joint sitting of committees of the two Houses.

2. A committee may also request members of the government to report, orally or in writing, on the implementation of laws and follow-up to recommendations, motions or resolutions adopted by the Senate or accepted by the government. In order to obtain a progress report on the implementation of a law already in force on a matter within its remit, a committee may

appoint one or more rapporteurs to gather relevant information and report back to the committee by an certain deadline.

3. Members of the government may attend a committee sitting, or a joint committee sitting, in order to make a statement.

Rule 47

Gathering Information on Bills, Business Referred to a Committee and Matters within a Committee's Remit

1. A committee may require a Minister to ensure that any executive department or agency subject to such Minister's oversight provide information and administrative or technical details relating to a measure under consideration by such committee, a business under consideration or any other matter within such committee's remit, for which supplementary information is required. For this purpose, a committee may hear individual civil servants or executive officers.

1-*bis*. In relation to a Government appointment referred to it, a committee may convene a nominee to a Government-appointed position. Such a hearing may be held jointly with a committee of the other House. Following the hearing, an ad-hoc debate may be held.

Rule 48

Fact-finding Enquiries

1. A committee may, under authorisation of the President of the Senate, conduct a fact-finding enquiry in respect of matters within its remit, in order to gather information and documentation.

2. In the performance of these fact-finding enquiries a committee shall not be vested with the powers under Rule 162(5) below and may not exercise any political control, issue directives or attribute culpability.

3. The programme of a committee enquiry, as drafted by such committee, shall be notified to the President of the Senate who, for the purposes of its implementation, shall facilitate consultation with the ministers concerned, also with respect to any agencies under their oversight, and may also authorise professional consultancy and visits.

4. All costs relating to the conduction of a fact-finding enquiry shall be paid from the Senate budget.

5. For the purposes of an enquiry under this Rule, a committee may hold special sittings to which ministers, public officials and executive officers of public agencies may be called to testify. Local government offices, private organisations, trade and professional associations and experts in the matter under consideration may also be invited to give evidence.

6. At the end of an enquiry, a committee may adopt a document which shall be printed and

circulated. If the committee deems it appropriate, a verbatim report of its sittings under this Rule may be compiled and published.

7. If the Chamber of deputies has also resolved that a fact-finding enquiry shall be conducted into the same matter, the President of the Senate may facilitate agreements with the President of the Chamber of deputies, so that the committees of both Houses may proceed on a joint basis.

Rule 48-*bis*

Requests for Information

If action under Rules 46, 47 or 48 is proposed by at least one-third of the members of a committee, such proposal shall be put to the committee for a decision to be taken within ten days.

Rule 49

[Repealed]

Rule 50

Committee Reports and Proposals – Resolutions

1. A committee may submit to the Senate reports and proposals on matters falling within its remit.

2. Upon completion of the consideration of business referred to it on which a committee is not expected to refer to the Senate, such committee may adopt a resolution setting out its position and providing guidelines stemming therefrom in relation to the subject matter. A representative of the Government shall be invited to attend such sitting.

3. In relation to issues on which a committee is not expected to report to the Senate or which the committee is not considering under paragraph 2 above, such committee may, following a request by at least one representative of a Parliamentary Group, put to the vote resolutions setting policies on matters under its remit. Such resolutions may also be considered admissible during joint committee sittings.

3-bis. Split voting shall be admitted on the operative part of resolutions under this Rule.

3-ter. At the request of the Government or one-third of the members of the committee, such resolutions, accompanied by a written report, shall be notified to the President of the Senate for submission to the Senate.

Rule 51

Related and Concurrent Bills

1. Any bills dealing with identical or closely connected matters shall be set down jointly on the

agenda of the committee responsible by subject matter, except when the committee has already completed its consideration of one or more of them.

2. In the event that the government announces to the Senate its intention to introduce a bill addressing a matter which is already the subject of a parliamentary bill referred to a committee, the committee may defer or suspend its discussion of the parliamentary bill until the government bill is introduced, but for no longer than one month.

3. In the event that a bill is placed on the agenda of a committee dealing with a matter that is identical to, or closely connected with, the subject matter of a bill previously introduced before the Chamber of Deputies, the President of the Senate shall notify the President of the Chamber of Deputies, so that appropriate agreements may be concluded.

TITLE VII

CONVENING THE SENATE – ORGANISATION OF SENATE BUSINESS AND SITTINGS

Rule 52

Convening the Senate

1. The Senate is convened by the President through the distribution of the Senate agenda.

2. A request to convene the Senate under Article 62(2) of the Constitution shall include the item to be placed on the agenda.

3. The Senate may also be convened in special session during the period in which it is prorogued following dissolution.

4. In the cases provided by Article 94(3) of the Constitution, the President, by joint agreement with the President of the Chamber of Deputies, shall set the date on which the Senate shall convene.

Rule 53

Programme of Business

1. The business of the Senate shall be planned by-monthly on the basis of programmes and calendars.

2. Two weeks a month, not overlapping with plenary business, shall be scheduled for the work of standing, special and joint committees. The business of joint committees shall be organised in agreement with the President of the Chamber of Deputies.

3. The programme of business shall be compiled every two months by the President of the Senate, following consultation with the President of the Chamber of Deputies, the chairpersons of standing and special committees, and the Government. The

programme of business shall be submitted for approval to the Conference of Parliamentary Group Leaders, meeting jointly with the Vice Presidents of the Senate and a member of the Government. The programme shall be drafted in a manner that takes into account the priorities of the Government and the proposals made by parliamentary Groups and individual Senators, also in relation to the function of ensuring government accountability to Parliament, for which specific and adequate time shall be set aside. Bills, policy recommendations and instances of parliamentary oversight signed by no less than one third of Senators shall be automatically placed on the agenda for immediate consideration, following the agenda items on which a debate has already begun, at the rate of one every three months, respectively.

4. If unanimously adopted, the programme of business shall become final after being announced to the Senate. When such announcement is made, if a Senator or the representative of the Government requests a debate on the programme, one Senator for each Group in addition to the Senator or Government member requesting the debate may address the Senate for no longer than 10 minutes each.

5. The procedure provided in the paragraphs above shall also apply when considering and adopting amendments to the programme of business.

6. For the purposes of implementing the programme of business, the President shall convene the chairpersons of standing and special committees, together with a representative of the Government, to decide on the manner and timing of the work of committees, in coordination with the business of the Senate.

7. The Rules of parliamentary Groups shall lay down the procedures and manner whereby individual Senators may express their positions and submit proposals regarding the matters included in the programme of business or the agenda.

Rule 54

[Repealed]

Rule 55

Calendar of Business

1. In order to establish the manner in which the approved programme of business is to be implemented, the President shall draft a calendar of business and submit it for approval to the Conference of Parliamentary Group Leaders, attended by a representative of the Government.

2. This calendar, which shall normally encompass one month, shall indicate the number and date

of each sitting, together with the business on the agenda. As a rule, the Senate shall hold only one sitting per sitting day scheduled under the calendar.

3. If the calendar is unanimously adopted, it shall be considered final and announced to the Senate. Otherwise, one Senator for each Group may propose amendments. The Senate shall vote on each amendment by show of hands following speeches by not more than one speaker per Group, who shall be given the floor for not longer than 10 minutes. The approved calendar shall be published and circulated.

4. The aforementioned procedure shall also be followed when considering and adopting proposals to amend the calendar.

5. When organising the debate on individual calendar items, the Conference of Parliamentary Group Leaders shall, as a general rule, decide on the overall time to be allotted to each Group and to the Senators who do not belong to a Group, as well as the date by which calendar items are to be put to the vote. The Conference of Parliamentary Group Leaders may set a deadline for putting the bills included in the calendar to the vote, either in the text as tabled before or received by the Senate, or as approved by the Committee. Where a measure is debated in the Senate pursuant to Rule 44(3), amendments adopted by the Committee shall be put to the vote again. The deadline set by the Conference of Parliamentary Group Leaders shall always be

subject to subsequent deliberation by the Senate by a simultaneous roll-call vote. The procedure under the second, third and fourth sentences above shall not apply to Bills under Article 72, last paragraph, and Article 79 of the Constitution. The Conference of Parliamentary Group Leaders shall also set the date by which bills, policy guidelines and instances of parliamentary oversight, signed by at least one-third of Senators and scheduled in the programme of business pursuant to Rule 53(3) above, shall be put to the vote or considered.

6. The calendar may only be amended by the President of the Senate to include any items which are required to be discussed and voted on, under the Constitution or these Rules, on a date falling within the period covered by the calendar.

7. At the end of each sitting, the Senate may, following a proposal by the President or at the request of the government or of five Senators, resolve to place on the calendar items not included in the programme of business, in relation to new contingent and urgent situations, provided that this does not prevent implementation of the programme of business. If necessary, supplementary sittings may be held to address such matters. Following the same procedure, the Senate may reverse the order of the items on the calendar. Such measures shall be adopted by show of hands after not more than one member per Group has addressed the Senate, for a period of not more than 10 minutes each.

Rule 56

The Sitting Agenda

1. The President shall call to order and adjourn every sitting and simultaneously announce the date, time and agenda of the following sitting, save when the Senate is convened by notice sent to its members, in which case the agenda is normally announced five days before the sitting.

2. The agenda shall be compiled according to the calendar of business.

3. The President may decide, or five Senators may propose, that the order of the items on the agenda for the sitting be reversed. The President may decide to put the proposal to a vote by show of hands, giving the floor to only one speaker against and one in favour for a maximum of ten minutes each.

4. In order to discuss or vote on any item not on the agenda the Senate must adopt a decision with a two-thirds majority of those present acting on a proposal tabled at the beginning of the sitting, or when the Senate is about to address another agenda item, by the Government or the Chairperson of the relevant committee or five Senators. Only one speaker for each Group may address the proposal for not more than ten minutes. If the proposal is carried, the committee may give an oral report.

Rule 57

Publicity of Sitzings

All Senate sittings are public. However, at the request of the Government or one-tenth Senate members, the Senate may resolve, without a debate, to sit *in camera*.

Rule 58

Reserved Seats in the Senate

1. Seats shall be reserved in the Senate for representatives of the Government and of committees reporting on items on the agenda.

2. The Secretary General and other senior officials authorised by the President shall sit on the President's bench.

Rule 59

Attendance of Senate and Committee Sitzings by Members of the Government

Members of the Government, who need not be members of the Senate, shall be entitled, and upon request shall be required, to attend Senate and committee sittings.

Rule 60

Minutes and Reports of Sittings

1. Minutes shall be drafted of each sitting, giving account only of measures and decisions, and the names of participants in a debate.

2. Each session shall begin with a reading of the previous minutes. If there are no comments, the minutes shall be considered adopted without a vote. If a vote is required, it shall be by show of hands and no member may ask for the quorum to be established.

3. No debate shall follow the reading of the minutes, except to rectify them or to speak in a personal capacity or to explain the vote.

4. The minutes of public and in camera sittings shall be signed by the President and two Secretaries immediately after their adoption. The Senate may order that no minutes be drafted of sittings held in camera.

5. A verbatim report of every public sitting shall be drafted and published.

Rule 61

Announcements to the Senate

After reading the minutes, and before moving on to the agenda, the President shall read out to the Senate any messages, letters and communications of relevance. Any message using inappropriate language shall not be read out.

Rule 62

Leaves of Absence

1. A Senator may only be absent from sittings after submitting a written request to the President for leave of absence. At the beginning of each sitting, the President shall announce the names of the Senators on leave of absence.

2. A notice indicating the names of Senators on leave of absence shall be posted in the Senate.

Rule 63

Speaking Right

Only Senators, and members of the government if they so request, may take the floor.

TITLE VIII

JOINT SITTINGS OF PARLIAMENT

Rule 64

Joint Sittings of Parliament – Presiding Officer

1. Whenever the Constitution requires that both Houses of Parliament shall sit in joint session, the sitting shall be presided by the President of the

Chamber of Deputies and the Bureau shall be that of the Chamber of Deputies.

2. The President of the Senate shall make appropriate agreements with the President of the Chamber of Deputies in order to convene Senators.

Rule 65

Rules of the Joint Sitzings of Parliament

Joint sittings of Parliament shall be regulated by the Rules of the Chamber of Deputies, notwithstanding the right of the two Houses to decide otherwise.

TITLE IX

ORDERLY PROCEEDINGS, SECURITY OF THE SENATE AND ITS GALLERIES

Rule 66

Call to Order

1. The President shall call to order any Senator for disorderly conduct or use of inappropriate language, and may order the Senator concerned to be named in the minutes.

2. A Senator called to order may explain his or her conduct before the Senate at the end of the sitting or, if the President deems it appropriate, immediately. After hearing the Senator's justification, the President may revoke the call to order. Such decision shall be final.

Rule 67

Censure – Suspension – Expulsion

1. Should a Senator, despite being called to order by the President, persist in disrupting the proceedings or, even if not already called to order, behave insultingly or violently or call for violence, or behave in a particularly unseemly manner, the President shall censure the Senator concerned and may order his or her suspension from the House for the rest of the sitting. For the purposes of censures and suspensions, Rule 66(2) above shall apply.

2. Should a Senator fail to obey the suspension order, the President shall adjourn the sitting and order the Quaestors to remove the Senator from the House.

3. In the cases provided by paragraph (1) above, the President may also submit a proposal to the Bureau – enlarged pursuant to Rule 12(2) – to ban the censured Senator from taking part in the business of the Senate for not more than

10 sitting days. The Senator may submit further explanations to the Bureau.

4. In the event of an act of particular gravity committed within the precincts of the Senate, but outside the floor of the House, the President may also refer the matter to the Bureau which, after hearing the Senators concerned, may resolve to impose the penalties under paragraph 3 above.

5. Any such decision adopted by the Bureau shall be announced to the Senate and may not be debated.

Rule 68

Continuous Disruption of Proceedings

In the event of grave disorder arising in the Senate, if the President cannot restore order the President shall leave the Chair and the sitting shall be suspend until the President resumes the Chair. If the disruption continues after the resumption of the sitting, the President may once again suspend the sitting for a given period of time or, if deemed appropriate, may adjourn the sitting. In the latter case, if the Senate has not already been convened for a later session that same day, it shall be deemed to be automatically reconvened with the same agenda on the first

working day thereafter at the same time as the suspended sitting, or even on a holiday, if the Senate had previously resolved to convene on that day.

Rule 69

Security

1. All the powers required for ensuring the security of the Senate and the Senate precincts shall be vested in the Senate itself and shall be exercised in its name by the President.

2. The President may request one or more Quaestors, assisted by the Secretary-General, to issue instructions to the security guards, who shall be directly responsible to the President, and to act in agreement with the relevant authorities for the adoption of appropriate measures.

3. Law enforcement officers – including the Criminal Police – are prohibited from entering the precincts of the Senate or any other building housing committees, Services or Offices of the Senate, unless ordered to do so by the President. Law enforcement officers – including the Criminal Police – are also prohibited from entering any buildings housing joint bodies unless ordered to do so by the President of the Senate by joint agreement with the President of the Chamber of Deputies.

4. Law enforcement officers may not access the Senate floor or committee rooms unless ordered to do so by the President of the Senate, and then only after the sitting has been suspended or adjourned.

Rule 70

Non-admission of the Public to the Senate Floor – Admission to Galleries

1. No member of the public may enter or be admitted to the Senate floor during sittings.

2. The admission of members of the public to the galleries shall be governed by rules laid down by the President following a proposal of the Quaestors.

Rule 71

Security of Galleries

1. During Senate sittings, members of the public admitted to the galleries shall remain silent with their heads uncovered, and refrain from exhibiting any signs of approval or disapproval.

2. Any member of the public who interrupts parliamentary proceedings shall be immediately removed from the gallery by the Senate ushers acting on orders of the President, and in the event that it is impossible to identify the individual

responsible, the whole gallery or the section of it in which the disorder occurred shall be vacated.

3. The persons expelled from the public gallery or a section of it shall not be readmitted. Any other persons arriving later and exhibiting a duly issued entry ticket shall, conversely, be readmitted.

Rule 72

Contempt of the Senate or its Members – Refusal to Obey the Orders of the President

Anyone acting on contempt of the Senate or any of its members in the performance of their functions, or resisting the orders of the President may be immediately arrested on the instructions of the President and delivered to the relevant authorities.

TITLE X

INTRODUCTION AND TRANSMITTAL OF BILLS

Rule 73

Introduction, Publication and Distribution of Bills

1. Bills initiated in the Senate shall be introduced at a public sitting or notified to the Bureau.

2. Bills introduced in the Senate or transmitted to the Chamber of Deputies shall be announced in the Senate and published and distributed as soon as possible thereafter. They shall also be mentioned immediately in the general agenda.

Rule 73-bis

Sunset Clauses, Deadlines for the Passage of Other Legislation, Introduction of Bills and Adoption of Other Measures

The President of the Senate shall take note of any acts containing sunset clauses or laying down deadlines for the passage of other legislation or for the introduction of bills and the adoption of other measures by the government, and shall duly inform the President of the Council of Ministers and the appropriate standing committees at least two months before such deadline expires.

Rule 74

Citizens' Bills and Bills Initiated by Regional Councils

1. Before announcing to the House a citizens' bill in the Senate, the President shall order the signatures of the sponsors to be checked and counted in order to ascertain that the bill is legally valid.

2. Citizens' Bills introduced in the previous parliamentary term do not need to be re-introduced

in the following term. At the beginning of a new Parliament, any such bills shall be referred again to committees and follow the standard procedure, save for the provisions of Rule 81 below during the first seven months.

3. A committee to which a bill initiated by popular request has been referred shall begin scrutiny of such bill within one month of referral. A representative of the sponsors appointed by the first 10 signatories to the bill may give evidence. Consideration by a committee shall be completed within three months of referral. After this deadline, the bill shall be put on the Senate Programme of Business. In this case, the Bill shall be considered as submitted and no points of order may be raised save under the second clause of Rule 93(1) and (2).

4. The deadline under paragraph 3 above shall also apply to bills introduced by the regional councils pursuant to Article 121 of the Constitution. A representative of the regional council introducing the bill may give evidence.

Rule 75

Notification to the Government or the Chamber of Deputies of a Bill passed by the Senate

A bill finally passed by the Senate shall be notified to the Government; other bills shall be notified to the Chamber of Deputies.

Rule 76

Temporary Suspension of a Bill Rejected and Introduced for a Second Time

A bill which is substantially similar to a previously rejected bill shall not be referred to the appropriate committee until six months have passed from the date of rejection.

Rule 76-bis

Technical Reports on Bills, Draft Legislative Decrees and Amendments

1. A bill introduced by the Government, Regional Councils or the National Council on the Economy and Labour, and draft delegating legislation entailing new or greater expenditure or reduced revenues may not be referred to the relevant standing committees, unless it is accompanied by the statutory technical report on the assessment of the costs of each provision and its funding.

2. Government amendments entailing new or greater expenditure or reduced revenues which are not accompanied by the statutory technical report under paragraph 1 above may not be received.

3. Any standing committee by subject matter and at all events the 5th Standing Committee may request the Government to submit the

technical report under paragraph 1 above on bills initiated by popular request, members' bills, and parliamentary amendments submitted to them for consideration, in order to assess their costs. The report on the bills shall be submitted by the Government within 30 days of receiving the request.

4. Following a request submitted in writing by at least one-third of the members of the standing committees by subject matter, the President of the Senate shall request the President of the Court of Accounts, pursuant to the provisions of current legislation, to provide an assessment of the financial effects of enacting decree-laws or issuing delegated legislation. In the case of decree-laws such request to the President of the Senate shall be submitted by no later than the fifth day following the referral of the enacting bill to the relevant committee.

TITLE XI

URGENT BUSINESS AND SUMMARY PROCEEDINGS

Rule 77

Declaration of Urgency – Permission to Report Orally

1. One tenth of the members of the Senate may request that a bill, or any matter under Senate

consideration, be declared urgent business and that a deadline be set for the business to be considered by the Senate plenary. Taking due account of all items scheduled in the calendar, the President shall decide on which sitting such matter shall be considered. The Senate shall vote by show of hands following statements by no more than one speaker for each Parliamentary Group. Following the adoption of a declaration of urgency, such matter shall be immediately placed on the Programme of Business, so as to be considered by the established deadline.

2. For reasons of urgency, at the request of the relevant committee and following statements by no more than one speaker for each Parliamentary group, the Senate may take a vote by show of hands in order to enable the committee to deliver an oral report.

Rule 78

Bills Enacting Decree-laws

1. When the President receives from the Government a bill enacting a decree-law under Article 77 of the Constitution, if the Senate has been dissolved or adjourned, the Senate shall be immediately convened to sit within five days.

2. The enacting bill submitted by the Government or notified by the Chamber of

Deputies to the Senate shall, as a rule, be referred to the appropriate committee on the day of submission or transmission. When referring such bill to a committee, the President shall appraise the circumstances and accordingly set the date for consideration of the bill.

3. Within five days of the announcement on the Senate floor that a bill to enact a decree-law has been tabled before the Senate, a Group Leader or seven Senators may move a cloture motion on such bill. The President may also admit suspensory motions if deemed compatible with the deadline for enactment of such decree law. Each Group may move only one cloture or postponement motion. A debate and vote on all cloture or suspensory motions shall be put on the agenda according to the deadline set by the President, also taking into account other business on the Senate calendar. No more than one member from each Parliamentary Group may take the floor for no more than 10 minutes and a single roll-call vote shall be taken by the Senate on all cloture or suspensory motions. In later stages in the considerations of such bill no further cloture or suspensory motions may be moved.

4. [*Repealed*]

5. The enacting bill introduced by the Government in the Senate shall at all events be put on the Senate agenda in time to ensure that

the final vote takes place by no later than the thirtieth day from the date of referral.

6. [*Repealed*]

Rule 79

Bills Endorsed by Parliamentary Groups

1. When announcing to the Senate a bill which has been endorsed by more than one-half of the members of the Parliamentary Group, the Leader of such Group may inform the Senate that the bill has been endorsed by the whole Group. In this case, the appropriate committee shall consider the bill by no later than one month following the date of referral.

2. If the Leaders of all Parliamentary Groups second the endorsement under paragraph 1 above, the bill shall be immediately referred to the appropriate committee which, if required to report back to the Senate, may do so orally. The bill shall be placed on the calendar of business immediately following the current calendar. If the bill is referred to a committee sitting in a legislative capacity it shall be considered by the Senate within one week of referral, taking precedence over every other matter.

3. The provisions of Rule 51(2) and (3) shall apply to this Rule.

Rule 80

Bills Introduced by Members of a Committee Following a Debate

Any bill which, following a debate on matters falling within the remit of a committee, is introduced by two-thirds of the members of that committee, shall be laid before the Senate immediately after being announced for a decision to be taken on whether the committee shall be authorised to report orally on it, and whether it should be included in the next calendar of business.

Rule 81

Bills Passed or Considered in the Previous Parliament

1. In the case of bills introduced in the first six months of a new Parliament which are identical to bills passed only by the Senate in the previous Parliament, the Government or twelve Senators may, within one month of their introduction, move that they be declared urgent and that summary proceedings be adopted as provided in paragraphs 2-5 below.

2. The Senate shall vote on each motion, without a debate, by show of hands; explanations of vote shall be held under the provisions of Rule 109(2) below.

3. Should the Senate resolve that a bill is urgent and that summary proceedings should be applied, if the bill is referred to a committee sitting in a reporting capacity, such committee shall be authorised to report orally to the Senate and the bill shall be included as a matter of course in the calendar of business immediately following the current one so that the Senate can vote on it, with speaking rights restricted to the rapporteur, the Government and the sponsors of any amendments. Explanations of vote shall be held under Rule 109(2) below.

4. If the bill is referred to a committee sitting in a legislative capacity, such committee shall place it on its agenda by no later than fifteen days following the date on which the motion is carried.

5. A standing committees sitting in reporting capacity to which a bill is referred which is identical to a bill which was fully considered by such committees in the previous Parliament may resolve, within the first seven months from the beginning of the new Parliament, and after a summary consideration of such bill, to adopt the reports submitted in the previous Parliament without further debate.

Rule 82

Declaration of Urgency Relating to a Deadline for Promulgation

When a proposal is received to curtail the deadline for promulgation of a particular bill pursuant to Article 73 of the Constitution, the President shall, before putting the bill to the vote, move that the Senate adopt a declaration of urgency, wherefor an absolute majority of all the members of the Senate is required. If such motion is not carried, the proposal curtailing the deadline for promulgation shall not be put to the vote. If urgency is declared, the President shall notify the Chamber of Deputies or the Government thereof.

TITLE XII

DEBATES

Rule 83

Prohibition of Debates and Votes on Business not on the Agenda

The Senate may not debate nor resolve on any business that is not on its agenda, save in the cases provided by Rule 56(4) above and Rule 151 below.

Rule 84

Registration of Speakers

1. Senators shall normally register to take the floor on business included in the calendar by the day prior to the beginning of the debate through their Parliamentary Groups. If the debate has not been organised pursuant to Rule 55(5) above, the President shall ensure that speaking times are consistent with the calendar. When any Group has used up all the time allotted to it, no further members of that Group may take the floor. Senators dissenting from the stance adopted by their Group on any business may register to speak as individuals, and their speaking time shall not be considered for the purposes of allotting speaking time to their Group.

2. In default of a calendar of business, requests for the floor may be submitted by Senators directly to the Senate Bureau up to twenty-four hours prior to the beginning of the relevant debate.

3. The President shall give the floor to Senators in the order in which floor requests were received, save for the President's right to alternate between speakers belonging to different Parliamentary Groups.

4. Any Senator registered to speak in a debate who was absent when called by the President

shall lose their right to speak. Senators may agree between themselves to change the speaking order, and shall notify the Bureau accordingly.

5. A Senator wishing to make a statement, an announcement or a request to the Senate on any matter not on the Senate agenda shall give written notice to the President on the subject they will dwell on and may only speak if duly authorised to do so, and then only for a maximum of ten minutes.

Rule 85

Place of Speaking

Speakers shall address the Senate from their seats, standing.

Rule 86

Prohibition to Speak twice in the same Debate

Notwithstanding the right provided by Rule 109 below, no Senator may speak more than once in the course of the same debate except in case of an incidental issue, or a matter of personal interest.

Rule 87

Matters of Personal Interest

1. It is deemed a matter of personal interest to be subjected to unwarranted criticism on one's personal conduct or to be attributed opinions contrary to those expressed.

2. A Senator requesting the floor on a matter of personal interest shall inform the President thereof. If the President considers that the personal interest exists, the President shall grant the floor to the Senator concerned at the end of the sitting. The person whose statements have given rise to the matter of personal interest may only address the Senate to clarify or rectify the meaning of the words spoken.

3. Whenever measures adopted by a previous Government are debated, any Senator who was a member of such Government may be given the floor at the end of the debate.

Rule 88

Charges of Dishonourable Conduct – Committee of Inquiry

1. Whenever, in the course of a debate, a Senator is accused of dishonourable conduct, such Senator may request the President to appoint a committee to investigate and ascertain the basis for the

accusation; the President may give the committee of inquiry a deadline for the submission of its conclusions. They shall be announced by the President before the Senate but they shall not be debated, even indirectly in the form of resolutions or motions.

2. The Senate may order the committee's report to be printed.

Rule 89

Speaking Times

1. In the general debate, no speaker may retain the floor for more than ten minutes. The President nevertheless has the right, considering the circumstances, to extend the speaking time to thirty minutes, limited to one speaker for each Parliamentary Group. The same speaking time shall also apply to replies by rapporteurs and members of the Government, notwithstanding the right of the President, after appraising the circumstances, to extend their speaking time to thirty minutes.

2. Save where otherwise provided by these Rules, no other Senator may speak for more than ten minutes.

3. The same speaking times apply to committee sittings.

4. By leave of the President, a Senator may submit tables and lists of names or figures for

the record, rather than read them out before the Senate, to be printed and published as annexes to their speeches.

Rule 90

Departing from the Subject or Exceeding Speaking Time

1. The President shall call a speaker to order if they depart from the subject of the debate or exceed their speaking time.
2. If a speaker fails to comply after a second call to order, the President shall order the speaker to be silent.

Rule 91

Prohibition on Interrupting Speeches

No speech may be interrupted and resumed at another sitting.

Rule 92

Points of Order admitted on Agenda, Order of Debates and Votes

1. A point of order regarding the Rules, the agenda, the priority of a debate or voting shall

have precedence over the main agenda item, the debate on which shall be suspended in order to address such point of order.

2. After a Senator raising a point of order has spoken, only one speaker against and one in favour may address the Senate for not more than five minutes each; however, in view of the importance of the point of order raised, the President may also give the floor to one member for each Parliamentary Group.

3. If the President puts the point of order to the vote, the vote shall be taken by show of hands.

Rule 93

Cloture and Postponement Motions

1. Notwithstanding the provisions of Rule 78(3), a cloture motion, i.e. a motion not to consider a certain business, or a postponement motion, i.e. a motion to postpone consideration of or deliberation on a certain business to a certain time, may be moved by one Senator for each Parliamentary Group before the opening of the debate. The President may also admit such motions during a debate when they are justified by new elements emerged during the debate.

2. Cloture and postponement motions interrupt the proceedings, and the debate may not continue until the Senate has voted on them.

3. When several motions for cloture are tabled, and after one sponsor per motion has taken the floor for explanation, all motions shall be debated together.

4. In the debate on cloture no more than one member for each Parliamentary Group may take the floor. Speaking time in each case shall be no more than ten minutes.

5. Cloture motions, even if tabled for diverse reasons, shall be put to the vote together by simultaneous roll-call.

6. The provisions of paragraphs 3-5 above shall also apply to the debate and vote on suspensory motions. Each Parliamentary Group may table no more than one cloture motion. If several motions are tabled proposing different dates for the postponement of the debate, the Senate shall vote first on suspension, and if this is adopted, on the duration of the suspension. Each Parliamentary Group may table no more than one cloture motion solely aimed at requesting that the bill under consideration be referred to the committee.

7. Cloture and postponement motions may not be tabled on articles and amendments.

Rule 94

General debate on bills

Debates on bills shall begin with a general debate. This general debate may be broken down into titles or chapters if the Senate so resolves, without a debate, by show of hands.

Rule 95

Tabling and debating Recommendations

1. In the course of a debate on a bill, recommendations may be tabled on the substance of the bill.

2. As a rule, recommendations may be tabled before the general debate, and the proposer may only illustrate them in the course of that debate.

3. A recommendation tabled in the course of the general debate by a Senator who has not registered to speak may be addressed at the end of the general debate within the speaking time limits allotted to each Group pursuant to Rule 55(5) or Rule 84(1) above.

4. The rapporteur and the Government representative shall express their opinion on a recommendation at the end of the general debate.

5. A recommendations shall be put to the vote immediately after the speech by the rapporteur and the government representative. The

proposers may refrain from requesting that the recommendation be put to the vote.

6. The President may require recommendations regarding particular provisions included in an article of a bill to be put to the vote before such article is voted on.

7. The proposer of an amendment may, by leave of the President, withdraw such amendment and transform it into a recommendation. In this case, the deadlines regarding the tabling shall no longer apply and the recommendation shall be transacted under the same conditions and according to the same deadlines as amendments, and voted on before the vote is taken on the provisions to which the recommendation refers.

8. A recommendation which has been withdrawn or which would normally be declared lapsed because of the absence of the proposer at the time of the vote may be adopted by another Senator.

Rule 96

Blocking Motions

1. Before beginning consideration of individual articles of a bill, one Senator for each Group may move that articles be not considered.

2. The vote on the blocking motion shall take precedence over other motions.

Rule 97

Declaration of inadmissibility

1. Recommendations, amendments and proposals which are irrelevant to the subject matter of the debate or containing inappropriate language shall be declared inadmissible.

2. Recommendations, and amendments and proposals contradicting a resolution already adopted by the Senate on the subject during the debate shall be declared inadmissible.

3. After reading the recommendation, the amendment or the proposal, the President shall issue a decision without appeal.

Rule 98

[Repealed]

Rule 99

Closure of the General Debate

1. When there are no more Senators registered to speak, the President shall declare the general debate closed, and give the floor to the rapporteurs and the representative of the Government.

2. If the representative of the Government, after the procedure referred to in paragraph 1 above wishes to take the floor for a second time to make

further statements, five Senators may request a new debate on those statements, in which no more than one member for each Parliamentary Group may speak.

3. If the general debate is not limited in time or if the time limits have been exceeded, five Senators may move that the debate be adjourned. If there is opposition to the motion, the President shall give the floor to one speaker for each Group for not more than three minutes each, and put the motion to a vote by show of hands.

4. After the general debate has been closed under paragraph 3 above and before the rapporteurs and the representative of the Government take the floor, only one Senator for each Group whose members have not taken part in the general debate may be entitled to speak.

Rule 100

Consideration of Individual Articles of a Bill – Tabling of Amendments

1. Following the general debate on a bill and any vote on recommendations, the Senate shall proceed to consider the individual articles.

2. Amendments proposed by individual Senators, by the committee or by the Government to each individual Article shall be put to the vote.

3. As a rule, an amendment shall be tabled in writing by its author to the Bureau within the date set by the Bureau or by the Conference of Parliamentary Group Leaders.

4. [*Repealed*]

5. If deemed appropriate, the President may allow the introduction of amendments after the date under paragraph 3 above, if such request is tabled by at least five Senators.

6. The terms and deadlines under paragraphs 3 and 5 above shall not apply to amendments tabled by the Committee or the Government. When the Committee or the Government avail themselves of the right to submit amendments without complying with the deadlines provided therein, the President may postpone the debate relating to such amendments, after appraising their importance, in order to give time for sub-amendments to these amendments and other closely related amendments to be tabled.

7. Amendments entailing increased expenditure or reduced revenues shall be referred, as soon as they are tabled, to the 5th Standing Committee for its opinion. Such opinion may also be delivered orally during the course of the sitting by the Chairperson or by another Senator delegated by the Chairperson and speaking on behalf of the whole committee.

8. The President may decide, without appeal, not to receive amendments which do not entail any

real change and may also rule that amendments designed merely to adjust the formal wording of a clause be considered and voted on in the editing stage, under Rule 103 below.

9. All amendments tabled to any one article, including amendments to add additional articles, shall be considered in one single debate, beginning with the introductory explanation by only one of the authors, who may take the floor only once for no longer than five minutes, which may be increased to 10 minutes if no other member of the same Parliamentary Group has requested the floor. Only one additional Senator may speak again for each Group, for a maximum of five minutes. When the debate is over, the rapporteur and the representative of the Government shall state their position regarding the amendments. If amendments are tabled during the course of the sitting or when it is considered appropriate for the purposes of an orderly debate, the President may rule that the debate be split in order to address separately the various amendments or articles, or parts thereof.

10. The committee responsible, the government and, in the case provided by paragraph 7, the 5th Standing Committee may request that the debate on amendments tabled during the course of the sitting be set aside and postponed to the following sitting.

11. The President may decide that it is appropriate, in the interests of the debate, to set aside individual articles and amendments thereto and refer them to the committee responsible, setting the date for the resumption of the debate in the Senate.

12. [*Repealed*]

13. As a rule, amendments shall be printed and distributed at the beginning of a sitting.

Rule 101

Motions for Separate Consideration

1. Once consideration of the articles of a bill has begun, a Senator may request that one or more articles or provisions of the bill, by virtue of their autonomous regulatory nature, be considered separately.

2. If the Senate so decides, these may be debated and voted on in the manner and within the deadlines set for cloture and postponement motions.

Rule 102

Voting on Articles and Amendments – Split Voting

1. Each article shall be voted separately, and each amendment shall be put to the vote before the article to which it refers.

2. When several amendments to the same text have been tabled, deleting amendments shall be considered first, followed by amendments which differ most widely from the original text, and other amendments in the order in which they oppose, insert or add to the original. When only one amendment has been tabled for the deletion of a whole clause, the motion put to the vote shall be to keep the original text.

3. Sub-amendments shall be put to the vote before the amendment to which they refer.

4. The President may change the voting order when this is deemed appropriate for the economy and clarity of the vote.

5. When the text to be put to the vote includes several provisions or refers to several persons or matters or may be broken down into separate parts, each with a distinct logical meaning and regulatory contents, it may be put to a split vote. Such proposal may be moved by one Senator for each Group, who may illustrate it for not more than three minutes and the Senate shall vote on the motion by show of hands without a debate.

6. Any amendment that is withdrawn or declared lapsed owing to the absence of the proposer may be adopted by other Senators.

Rule 102-*bis*

Effects of a Negative Opinion of the 5th Standing Committee

1. An amendment entailing greater expenditure or reduced revenues in respect of which the 5th Standing Committee has issued a negative opinion on the ground of lack of funding pursuant to the final paragraph of Article 81(3) of the Constitution may not be put to the vote unless ten Senators move that it be voted on. The sponsors shall be deemed to be present for the purposes of the quorum even if they do not vote.

2. If a bill contains a provision on which the Standing Committee on Budget has issued a negative opinion pursuant to Article 81(3) of the Constitution, or a conditional opinion pursuant to the same Article on certain amendments, and the committee that considered that bill in a reporting capacity has failed to comply with such opinion, proposals to delete or amend the bill, tabled for the exclusive purpose of complying with Article 81(3) of the Constitution, shall be considered amendments of the Budget Committee and put to the vote. No sub-amendments and no request for a vote on separate parts shall be entertained.

Rule 103

Final Edit

1. Before a final vote is taken on a bill, the President, the representative of the government or one Senator for each Parliamentary Group may draw the attention of the Senate to any editing changes deemed appropriate in order to improve the language and form of the text and to any provisions already adopted which seem to be in conflict with other provisions or contrary to the purpose of the law, and suggest corrections.

2. If, pursuant to the provisions of paragraph 1 above, the Senate is requested to postpone the final vote to a later sitting and to request the committee to submit relevant proposals, the motion shall be voted on by show of hands without a debate.

3. Irrespective of the actions under paragraphs 1 and 2 above, when the text of the bill has been extensively amended, the final vote shall be postponed to the following sitting in order to enable the committee and the government to submit the proposals under paragraphs 1 and 2 above, notwithstanding that the President may, in particularly urgent cases, postpone the vote to a later time in the same sitting.

4. The committee shall lay its proposals before the Senate by the given deadline, accompanied, where necessary, by a short report.

5. No more than one speaker for each Parliamentary Group may speak to the proposals referred to above, which shall be put to the vote by simultaneous roll-call.

6. The aforementioned provisions shall also apply when a committee sitting in a legislative capacity edits the wording of a bill. When considering a bill in a drafting capacity or in a reporting capacity, the text is normally edited at the sitting following the one in which the committee has completed consideration of individual articles and, in all instances, before appointing a committee member to report to the Senate. In the case of bills adopted in a drafting capacity, the Bureau may accept proposals to ensure text consistency before the final vote in the Senate.

Rule 104

Bills passed by the Senate and amended by the Chamber of Deputies

In the event that a bill passed by the Senate is later amended by the Chamber of Deputies, the Senate shall only discuss and vote on the amendments adopted by the Chamber of Deputies, and put the whole bill to the final vote. New amendments may only be considered if they are directly related the amendments adopted by the Chamber of Deputies.

Rule 105

Debate on Government Communications – Draft Resolutions – Information from the President of the Council of Ministers.

1. A special debate shall be held on Government statements at the request of five Senators. In this case, the President shall, in consultation with the Government, place the item on the Senate agenda by no later than the third day following such request. After hearing the Government statement, any Senator may submit a draft resolution, which shall be put to the vote at the end of the debate in the order of submission. If the Government supports one or more of the draft resolutions that have been tabled, those supported by the Government shall be put to the vote first, followed by the other resolutions, limited to those parts that are not inadmissible or were not subsumed into other resolutions, or in the order in which they were submitted.

1-*bis*. Information from the President of the Council of Ministers shall always be considered in the plenary. The President or the Conference of Parliamentary Group Leaders may set a date for consideration in plenary of urgent information from Ministers.

Rule 106

Application of These Provisions to Debates

The provisions of this Title shall, as far as applicable, regulate debates on any business laid before the Senate.

TITLE XIII

VOTES IN THE SENATE AND VOTING METHODS – FINAL VOTE ON BILLS

Rule 107

Majorities, Quorums, and establishing the Quorum

1. All decisions in the Senate shall be decided by a majority of the Senators present, save where a special majority is required. Senators voting for or against shall be deemed present. In the event of a tied vote, the proposal shall be considered rejected.

2. A quorum is always deemed to be present in the Senate; however, if seven Senators or the leader of a Group consisting of as many members present in the sitting so request, the President shall establish the presence of a quorum. A request to establish the quorum may not be moved before the adoption of the minutes.

2-bis. For the purpose of establishing the quorum, senators abstaining on a vote shall be considered present. Likewise, Senators requesting a qualified majority vote or the establishment of the quorum shall also be considered present. Elected Senators, ex officio life Senators, and life Senators shall be subject to the same rules governing presence, also the purpose of leave of absence and missions pursuant to Rule 108(2).

3. Before voting on a measure which requires the support of the majority of the members of the Senate, the President may establish the quorum.

Rule 108

Method for establishing the Quorum – Effects of Lack of a Quorum

1. In order to establish whether the Senate has a quorum, the President shall ask Senators to signify their presence using the electronic voting device.

2. Senators absent from the Senate on business on behalf of the Senate or because of their duties as ministers shall not be counted when establishing the quorum. The same applies to Senators on leave of absence pursuant to Rule 62 above, up to a maximum of one-tenth of the total members of the Senate

3. Senators requesting the establishment of the quorum shall be counted as present even if they have subsequently left from the Senate or have failed to signify their presence.

4. In the absence of a quorum, the President shall suspend the sitting for no less than 20 minutes, to reconvene later in the day, or adjourn it altogether. The sitting shall at all events be adjourned if the quorum is not established four times in succession. When the sitting has adjourned, in the event that no other sessions are set down in the calendar of business for the same day or for the following day, the sitting shall be deemed reconvened with the same agenda and at the same time on the next working day, or on a holiday if the Senate had previously resolved to sit on that day.

5. The fact that a quorum is not established at one sitting shall not imply that there is no quorum upon reconvening as provided in the previous paragraph.

6. For the purposes of establishing the number of Senators present pursuant to Rule 107(3) above, the procedures for establishing a quorum shall apply. If the number of Senators present is fewer than the quorum required for voting, the President shall postpone the vote to a later time in the course of the same sitting or to another sitting, save where there is no quorum, in which

case the provisions of paragraph 4 above shall apply.

Rule 109

Explanations of Vote

1. [*Repealed*]

2. Save in the cases in which the Rules provide that there shall be no debate or that the debate shall be limited, one Senator for each Parliamentary Group may give an explanation of vote on behalf of their respective Group before each vote is taken; such explanation shall last not more than five minutes; in view of the circumstances, the President may extend the speaking time to 10 minutes. Explanations of the final vote shall be restricted to 10 minutes, and Senators wishing to dissent from the positions adopted by their own Group, provided that they are fewer than half of the members of such Group, may not speak for more than two minutes.

2-bis. All cases of time-limited debate and explanations of vote for which only one speaker per Group is permitted shall also apply to the Group of Non-Attached Members. Whenever more than one Senator belonging to the Group of Non-Attached Members wish to speak, speaking time may be increased to 15 minutes, to be shared by such Senators. The Conference of Parliamentary

Group Leaders shall determine the timetable for explanations of vote by Senators who are not members of any Group

Rule 110

Speeches during the Vote

Once voting has begun, it may not be interrupted and no-one may take the floor until the result has been declared, except on a point of order relating to the Rules governing the voting process or in order to draw attention to voting irregularities or failures in the electronic voting system.

Rule 111

Declaration of Voting Results

The President shall declare the result of voting using the words, “the Senate approves” or “the Senate does not approve”.

Rule 112

Protests against Senate Voting Results

Protests against the results of votes in the Senate are prohibited. If made, they shall not be recorded in the minutes or the reports of the sitting.

Rule 113

Voting Methods

1. Votes shall be taken in the Senate by show of hands, by roll call or by secret ballot. Roll-call votes shall either be conducted by simultaneous voting or by calling the roll.

2. With the exception of votes on individuals, the standard voting procedure in the Senate shall be by show of hands, unless a request is submitted for a roll-call vote or a secret ballot under paragraphs 4 and 7 below. A roll-call vote may be requested, also orally, by ten Senators or by one or more Parliamentary Group Leaders, who jointly or separately, represent as many members. A request made at the beginning of a sitting shall remain effective for all votes save those under Rule 114. A secret ballot may be requested by twelve Senators or by one or more Parliamentary Group Leaders who, jointly or separately, represent an equivalent number. Before the vote, the President shall ascertain the number of Senators requesting a secret ballot. For the purposes of the quorum, the proposers shall be counted as present even if they do not take part in the vote.

3. Votes relating to individuals and elections using ballot cards shall be by secret ballot in all cases.

4. At the request of the required number of Senators, a secret vote shall also be held in respect of matters relating to the language minorities under Article 6 of the Constitution, civil and ethical/social relations under Articles 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 29, 30, 31 and 32(2) of the Constitution, and motions to amend the Rules of the Senate

4-bis. A secret ballot may be requested only on matters strictly relating to the cases under paragraph (4) above. In the case of votes on a composite matter, a separate vote may be proposed under Rule 102(5) for the part on which a secret ballot should be held.

5. When a vote is challenged on the grounds of its admissibility in relation to the cases provided by paragraph (4) above, the President shall settle the matter after consulting with the Committee on Rules, if the President so wishes.

6. In no case shall a secret ballot be permitted when the Senate is required to vote on Finance Bills or budgets and accounts, provisions and amendments thereto regarding taxation and social security contributions, provisions included in any bill and amendments thereto entailing greater expenditure or reduced revenue, indicating the resources with which to fund them, or providing for budget allocations. If any such provisions are part of articles or amendments relating to the matters referred

to in paragraph 4 above, they shall be voted on separately in an open ballot.

7. The final vote on a bill shall, as a rule, be taken by open ballot except that in the case of bills dealing prevalently with the matters referred to in paragraph 4 above a secret ballot may be requested. The President shall decide, after consulting with the Committee on Rules if the President so wishes, on whether or not the matters provided by paragraph 4 above are prevalent.

Rule 114

Vote by Show of Hands and Double-Checking

1. Votes by show of hands may normally also be conducted using the electronic voting system if the President deems it appropriate to facilitate the vote.

2. The electronic voting system shall also be used whenever a request is made to double-check the vote by show of hands. Double-checking shall be requested immediately after the announcement of the results of the vote, and before ordering it to be done, the President shall require the doors giving access to the Senate floor to be closed.

Rule 115

Simultaneous Roll-Call Votes

1. Simultaneous roll-call votes shall be held using the electronic voting system.

2. After the vote has been completed, the Secretaries shall deliver to the President a list of Senators participating in the vote showing the manner in which each one has voted. The President shall then announce the result of the vote. The list shall remain available to Senators on the President's table and shall be published in the records of the sitting.

Rule 116

Roll-Call Voting by Calling the Roll

1. Roll-call voting by calling the roll and using the electronic voting system shall be used for motions of confidence or no confidence, or when the President orders roll call voting by name at the request of ten Senators. In this case, after explaining the meaning of the "yes" and the "no" votes, the President shall draw by lots the name of the first Senator called to vote, after whom others will follow in alphabetical order.

2. After the roll has been called, a new roll shall be called of the Senators who failed to reply to the first call.

3. Each Senator shall be called by name and indicate their votes in a loud voice while simultaneously pressing the appropriate key of the electronic voting system. If there is a discrepancy between the two votes, the President shall suspend the roll-call and request the Senator to make it clear which way he or she intends to vote.

4. For the purposes of announcing and publishing the result of the vote, the provisions of Rule 115(2) above shall apply.

Rule 117

Voting by Secret Ballot

1. Votes by secret ballot shall be held using the electronic voting system in such a way so as to ensure the secrecy of the vote both when the vote is cast and when the results are recorded.

2. The list of Senators taking part in the vote shall be published in the record of the sitting.

Rule 118

Voided and Repeated Votes – Malfunctioning of the Electronic Voting System

1. In the event of voting irregularities, the President shall appraise the circumstances and

may void the vote and order that it be repeated immediately, with or without the electronic voting system.

2. If the electronic voting system is out of order or malfunctioning, the provisions of the following paragraph shall apply for the establishment of a quorum and the number of Senators present for the purposes of double-checking and for roll-call or secret ballots.

3. When it is necessary to establish the quorum or count the number of Senators present for the purposes of Rule 108, the President shall order the roll to be called.

4. The results of the vote by show of hands may be double-checked by dividing the voters into two separate areas of the Senate floor.

5. The roll-call vote shall be held by calling the roll, pursuant to Rule 116(1) and (2) above; the Secretaries shall record the names of the voters and the vote cast by each.

6. In the case of a secret ballot, each Senator shall be given two balls, one white and one black, which shall be placed in the ballot box to cast their vote following the President's instructions for the ballot. The Secretaries shall take down the voters' names.

7. The technical procedures for the use of the electronic voting system shall be governed by instructions approved by the Bureau.

Rule 119

Advance Notice of Voting using the Electronic Voting System

1. When voting is to be held using the electronic voting system, save when the vote is by show of hands, advance notice must be given by the President no less than 20 minutes after the beginning of the session.

2. [*Repealed*]

Rule 120

Final Vote on Bills

1. Every bill, after being approved article by article, shall be put to the final vote for adoption.

2. A bill consisting of only one article, to which no additional articles have been proposed, shall be put to the final vote after any amendments or individual parts of the article have been voted on.

3. Constitutional Bills and Constitutional Amendment Bills, bills regulating elections, bills prevalently comprising delegating provisions, bills enacting decree-laws, bills dealing with matters of public order, bills approving the State Budget and Accounts, and finance bills and bills under Rule 126-*bis* below, shall always be put to a roll-call vote using the electronic voting system pursuant

to Rule 115 above, save for the provisions of Rule 113 above.

TITLE XIV

CONSTITUTIONAL BILLS

Rule 121

Constitutional Bills – First Reading

1. The first reading of Constitutional Review Bills and other Constitutional Bills provided by Article 138 of the Constitution shall be regulated by the provisions of these Rules referring to ordinary bills.

2. After approval on first reading, the bill shall be sent to the Chamber of Deputies.

3. If the Chamber of Deputies amends the bill, it shall be returned to the Senate for new consideration pursuant to Rule 104 above.

Rule 122

Constitutional Bills – Deadline for the Second Reading

1. The second reading under Article 138 of the Constitution may take place no earlier than three months following the approval of the same text of the bill as sent to or subsequently approved by the Chamber of Deputies.

2. The three-month period shall be calculated using the ordinary calendar.

Rule 123

Constitutional Bills – Second Reading

1. At second reading the relevant committee shall consider the bill again and report to the Senate.

2. After the general debate in the Senate, the bill shall only be put to the final vote for its adoption as a whole.

3. Amendments, recommendations, motions for separate voting referring to any one or more provisions, cloture or postponement motions shall not be admitted. Postponement of the vote to a later time may be requested, on which the President shall decide without appeal.

4. Explanations of vote shall be admitted in the manner and with the time limits provided by Rule 109(2) above.

Rule 124

Constitutional Bills – Adoption on Second Reading

1. For the final vote on a Constitutional Amendment Bills, an absolute majority of the members of the Senate shall be required.

2. If the bill has been adopted with a two-thirds majority of the members of the Senate, this shall be expressly mentioned by the President in the message to the Chamber of Deputies or the Government for the purposes of Article 138(3) of the Constitution.

3. If the bill is rejected, the provisions of Rule 76 shall apply if it is introduced again.

TITLE XV

PROCEDURE FOR CONSIDERING THE BUDGET AND FINANCIAL, ECONOMIC AND ADMINISTRATIVE OVERSIGHT

Rule 125

Referral of Bills and Documents relating to the State Budget and Economic Planning

Bills to adopt the Budget, the Economic and Fiscal Plan, the General Government Accounts, the Court of Accounts Reports on Government-subsidised public agencies, Treasury forecasts and all general reports and documents submitted to Parliament by the Government or the Court of Accounts relating to economic planning and the general government budget, and other documents on the economic situation shall be referred to the 5th Standing Committee.

Rule 125-*bis*

Consideration of the Economic and Fiscal Plan

1. The Economic and Fiscal Plan shall be referred to the 5th Standing Committee for consideration, and to the other standing committees for their opinions. It shall also be referred to the Parliamentary Committee on Regional Affairs for comments. Such opinions and comments shall be delivered by the deadlines set by the President.

2. The 5th Standing Committee shall refer to the Senate within 20 days of referral, or within a shorter period if so ordered by the President. Minority reports may always be submitted.

3. Before beginning consideration of the Economic and Fiscal Plan, the 5th Standing Committee may be authorised by the President of the Senate, also jointly with the corresponding committee of the Chamber of Deputies, to acquire further information regarding the criteria used for drafting the document. To this end, it shall submit the programme of hearings to the President of the Senate.

4. The discussion of documents in the Senate shall be organised by the Conference of Parliamentary Group Leaders pursuant to Rule 55(5) above. Such discussion shall be completed within 30 days of referral, with a vote on the draft resolution; if several drafts are present, the

draft accepted by the Government shall be put to the vote first and each Senator may propose amendments to it.

Rule 126

Referral to and consideration by a Committee of the Draft Budget

1. The Draft Budget shall be referred to the 5th Standing Committee for overall consideration, and to the other standing committees, each of which shall consider it in respect of the parts for which they are responsible.

2. *[Repealed]*

3. When the Government introduces the Draft Budget in the Senate, the President of the Senate, after receiving the opinions of the 5th Standing Committee and of the Government shall, before referral of the bill, ascertain that there are no provisions falling outside its scope as provided by current legislation, or which introduce changes to current rules regulating government accounts. If there are, the President shall notify the Senate that such provisions have been removed for separate consideration.

4. In all instances, the President, after consulting with the 5th Standing Committee and the Government, shall ascertain whether

the Draft Budget contains any provisions conflicting with budget offsetting rules provided by current legislation for the Budget Law, and before referral, shall notify the Senate accordingly.

5. The ministers responsible shall attend committee sittings on overall consideration of the Draft Budget. A verbatim report shall be drafted and published for such sittings.

6. Each committee shall, within the deadlines provided by paragraph 9 below, submit its official report and any minority reports to the 5th Standing Committee. The drafters of committee reports may attend the sittings of the 5th Standing Committee without the right to vote.

7. These reports shall be annexed to the general report of the 5th Standing Committee.

8. The 5th Standing Committee shall, within the deadlines provided by paragraph 9 below, adopt a general report on the Budget and the Draft Budget. Such general report shall also address – in separate parts – the budget items for which it is responsible, and submit it to the President of the Senate together with any minority reports.

9. When the Government submits the Draft Budget before the Senate, the requirements provided by paragraphs 6 and 8 above shall be met within ten and twenty-five days, respectively,

of the date of submission. The final vote of the Senate shall take place within the fifteen-day period thereafter. When the Draft Budget is sent to the Chamber of Deputies, the deadlines for the requirements provided by paragraphs 6 and 8 shall be established by the President of the Senate in order to ensure that the final vote in the Senate may take place within thirty-five days of transmittal.

10. During the overall consideration of the Draft Budget in respect of the parts for which they are responsible, none of the committees may deal with any other business in any capacity. When calculating the deadlines for submitting reports and issuing opinions on other bills or matters referred, the time required for consideration of the Budget and the Finance Bill shall not be counted.

11. From the date of referral of the Draft Budget until a final vote is taken by the Senate, no other bills entailing changes in expenditure or revenue, or bills designed to change current legislation regulating government accounts may be placed on the agenda of standing committees or the Senate. Consequently, all deadlines for the submission of reports or opinions on such bills shall be suspended.

12. Paragraphs 10 and 11 above shall not apply to the consideration of bills enacting decree-laws and any other bills which, by unanimous decision

of the Conference of Parliamentary Group Leaders, may not be delayed.

Rule 127

Recommendations on the Draft Budget

1. Recommendations shall be tabled and addressed by the committees responsible by subject matter.

2. A recommendation accepted by the government or passed by the Senate shall be attached, together with the reports, to the general report of the 5th Standing Committee. A recommendation rejected by the Government or the committee responsible may only be re-tabled in the Senate.

Rule 128

Amendments to the Draft Budget

1. Members' and Government amendments to the first part of the Draft Budget shall be submitted to the 5th Standing Committee. Senators who are not members of the 5th Standing Committee

may request, or be requested, to explain their amendments.

2. Members' and Government amendments to the Budget shall be tabled in the committees responsible on the second part of the Draft Budget. If adopted, they shall be referred to the 5th Standing Committee in the form of draft committee amendments. Any rejection of such amendments shall be mentioned in the report of the 5th Standing Committee.

3. Rejected amendments may be introduced again in the Senate, even by the proposer alone.

4. The President may admit new amendments in the Senate which are related to amendments proposed by the 5th Standing Committee or passed by the Senate.

5. The deadlines for proposing Members' and Government amendments to the Senate shall be set by the Conference of Parliamentary Group Leaders.

6. Members' and Government amendments to the Draft Budget containing provisions which are in contrast to offsetting requirements or fall outside the scope of the Budget as defined by current legislation, or are designed to change current rules regulating government accounts, shall not be received.

Rule 129

Debate in the Senate on the Budget

1. A single general debate shall be held on the Draft Budget in which speakers may only comment on the overall budget approach and economic, fiscal and public administration policy. After the closure of the debate, the rapporteurs and the President of the Council of Ministers and one or more ministers delegated by the President of the Council of Ministers may address the Senate. Any recommendations regarding the aforementioned matters shall then be put to the vote.

2. When the Government introduces the Draft Budget in the Senate, the articles of the second part shall be considered before the first part. Any changes resulting from passage of the first part shall, as soon as they are tabled by Government, be referred immediately to the 5th Standing Committee, which shall report to the Senate. These changes shall then be put to the vote in the Senate and previously passed articles of the second part, including any tables referred therein, shall be considered amended accordingly. The Draft Budget, as amended, shall then be put to the final vote.

3 When the Draft Budget is received from the Chamber of Deputies, only amendments to budget forecasts unrelated to the first part may be received. The articles of the first part

shall then be considered and put to the vote. Pursuant to paragraph 2 above, any changes to the second part following the adoption of amendments to the first part with respect to the text received from the Chamber of Deputies shall be considered and put to the vote. The Draft Budget as amended shall then be put to the final vote.

4. The individual articles of the Budget shall be considered and put to the vote in the sequence established by current legislation. When considering the first part, priority shall be given to provisions entailing the highest level of market borrowing and with the highest net borrowing requirement, following scrutiny and voting on any amendments thereto.

5. During consideration of individual articles, only the proposers of recommendations and amendments may take the floor for the purposes of explaining them, together with the rapporteur and the government representative for the purposes of expressing their opinions. A recommendation relating to an individual table shall be put to the vote before the relevant article.

6. The stages of the debate on the Draft Budget, as defined in this Rule, shall be regulated by the Conference of Parliamentary Group Leaders pursuant to Rule 55(5) above.

Rule 130

General Government Accounts

The General Government Accounts Bill shall be referred to the 5th Standing Committee for consideration. Any opinions issued by other committees shall be annexed to the report of the 5th Standing Committee.

Rule 131

Consideration of the Report by the Court of Accounts on Government-subsidised Agencies

1. The reports of the Court of Auditors on agencies regularly subsidised by the Government are referred simultaneously to the committees responsible by subject matter and the 5th Standing Committee.

2. Each committee shall vest one or more Senators with the responsibility to study the reports of each government agency or group of agencies in order to identify instances that the committees should investigate. Any other member of each committee may report similar instances.

3. By June each year, committees shall submit a report to the 5th Standing Committee setting out their conclusions on aspects relating to the management and actual work of government agencies falling within their remit.

4. By September each year, the 5th Standing Committee shall submit a general report to the Senate on the economic and financial elements of Government-subsidised agencies and the consistency of such elements with the Economic Development Programme. This report, to which committee reports shall be annexed, may also include draft resolutions relating to the management of such agencies, also in the light of the conclusions of the aforementioned report.

5. The 5th Standing Committee's general report shall, as a rule, be debated by the Senate before debating the Budget.

6. Any comments submitted to the Senate by the Court of Accounts further to their yearly report shall be referred to the appropriate committee for consideration. The committee's feedback shall be included in the yearly committee report. However, when the comments of the Court of Accounts are particularly serious or urgent, such committee shall submit a special report to the 5th Standing Committee, which shall promptly report to the Senate.

Rule 132

Qualified Court of Auditors' decrees

A Qualified Court Of Auditors' decree shall be referred to the committee responsible by subject

matter, which shall consider them within 30 days of referral. Following consideration, such committee may adopt a resolution.

Rule 133

Requests to the Court of Auditors for Further Information

Committees may apply to the President of the Senate to request the Court of Auditors to supply information, explanations and documentation, subject to compliance with the powers vested in the court under current legislation.

Rule 134

Requests for Information from Oversight Committees

Committees may request the President of the Senate to request those oversight committees that include Senators among their membership to supply information, explanations and documentation, subject to compliance with the powers vested in them under current legislation.

TITLE XVI

**REQUESTS TO LIFT PARLIAMENTARY IMMUNITY
AND VERIFICATION OF POWERS**

Rule 135

*Requests to lift parliamentary immunity
under Article 68 of the Constitution*

1. Requests to lift a Senator's immunity shall be referred by the President to the Committee on Elections and Parliamentary Immunity, pursuant to Rule 19. If so requested, the minister responsible shall submit documents to this committee upon request.

2. The only instance in which this Committee shall cease consideration of a request to lift immunity shall be when the Minister informs the Committee that the case has been dropped.

3. The quorum for meetings of the Committee on Elections and Parliamentary Immunity shall be one-third of its members.

4. All documents received by the Committee relating to requests to prosecute Senators may only be viewed by the members of such Committee and only on its premises.

5. A Senator who has received a request to have their immunity lifted and fails to voluntarily appear before a court to testify under the code of

criminal procedure may provide explanation, also in writing, to the Committee.

6. If the request refers to the crime of contempt of legislative assemblies, the Committee may appoint one or more of its members to conduct a preliminary enquiry jointly with representatives of the corresponding committee of the Chamber of Deputies.

7. The Committee shall report to the Senate within 30 days of the referral of the request unless a new deadline has been set. Such extension may not exceed thirty days and may be granted only once.

8. After a report has been filed, or if the deadline referred to paragraph 7 above has passed without a report being issued, the request shall be placed on the current calendar.

9. Minority reports shall always be admissible.

10. The Senate shall resolve on the Committee's proposal or, if this has not been made, on the request to prosecute, after hearing the report and information from the Chairperson of the Committee or from a duly delegated member of such Committee.

11. The provisions of this Rule shall apply, where relevant, to all requests to lift immunity submitted to the Senate pursuant to Article 68 of the Constitution.

Rule 135-*bis*

Consideration of Documents submitted by the Judiciary for the Purpose of prosecuting a Senator for Crimes under Article 96 of the Constitution

1. The President of the Senate, within five days of receiving them, shall submit to the Committee on Elections and Parliamentary Immunity all the documents received from the judiciary for the purpose of lifting a Senator's immunity in connection with crimes under Article 96 of the Constitution.

2. The Committee shall invite the Senator concerned to provide any clarification he deems appropriate or which the Committee deems useful and shall permit the Senator concerned to see the case file, produce documents and submit written defences.

3. The Committee shall submit a written report to the Senate within thirty days of receiving the documents. Minority reports may also be submitted.

4. Should the Committee consider that the Senate is not empowered to resolve on a request to lift immunity, it shall propose that the request be rejected.

5. With the exception of the case under paragraph 4 above, the Committee shall propose granting or denying authorisation to proceed against each of the Senators under investigation.

6. After submitting the report or if the deadline under paragraph 3 above has expired, the Senate shall convene within 60 days from the date on which the request was submitted to the President of the Senate. In the event that a report is not submitted by the Committee, the President of the Senate shall vest a member of the Committee with the authority to give an oral report.

7. Until the end of the debate in the Senate, at least twelve Senators may make proposals differing from the conclusions of the Committee in the form of specific reasoned recommendations.

8. The Senate shall vote firstly on motions to reject the request of the judicial authority pursuant to the provisions of paragraph 4 above. If these motions are rejected and there are no further motions to consider, the sitting shall be suspended in order to enable the Committee to submit further proposals. If the Committee has moved that immunity should be lifted and no motions to reject the request have been tabled, the Senate shall not put the matter to the vote, it being deemed that the conclusions of the Committee have been adopted. Otherwise, motions rejecting the request to lift immunity shall be put to the vote and shall be deemed rejected if they fail to secure an absolute majority of Senate members.

8-bis. On proposals to reject authorisation to lift immunity, Senators may vote throughout the

sitting by simultaneous roll call; in the case of a suspension, Senators shall announce their vote to Senators Secretaries. During adjournments, ballot papers shall be kept under the supervision of the Secretaries.

9. If a request to lift the immunity of several Senators as suspects in a conspiracy to commit the same crime has been received, the Senate shall resolve separately in respect of each Senator.

10. In the case of a request under Article 10(1) of Constitutional Amendment Act No. 1 of 16 January 1989, the Committee shall report orally to the Senate, which shall meet within fifteen days of the date of the request from the judicial authorities. The Senate shall hold a vote on the Committee's conclusions.

11. The provisions of Rule 135(3) and (4) above shall apply with respect to the validity of meetings of the Committee and to the documents submitted to it.

Rule 135-ter

Verification of Powers

1. The Senate discuss on and put to the vote motions submitted by the Committee on Elections and Parliamentary Immunity in relation to challenged elections and motions relating

to disqualification within sixty days of their notification.

2. Until the end of the debate in the Senate, no less than twelve Senators may table a motion differing from the conclusions of the Committee and including a reasoned recommendation, in the absence of which the Senate shall not proceed to vote on the conclusions of the Committee, which shall *ipso facto* be adopted.

2-bis. Minority reports may always be submitted.

TITLE XVII

SPECIAL PROCEDURES

Rule 136

Bills returned by the President of the Republic

1. If the President of the Republic, pursuant to Article 74 of the Constitution, delivers a reasoned message to Parliament requesting reconsideration of a bill already passed, such bill shall be considered by both Houses following the same order as when first approved.

2. The message submitted to the Senate shall be referred to the committee responsible. Such committee shall submit a report on the bill to the Senate, which may restrict the debate to the parts mentioned in the President's message. The bill

shall be put to the vote, first article by article, and then as a whole.

Rule 137

[Repealed]

Rule 138

Consideration of Votes of Regional Councils

1. Votes submitted by regional councils shall be notified to the Senate and referred to the committee responsible. Committee scrutiny may be concluded with a report to the Senate or a resolution urging the government to take action.

2. If such votes are relevant to a bill already referred to a committee, they shall be referred to such committee to be discussed jointly with the bills.

Rule 138-bis

Participation of Officials of Regional Authorities, Autonomous Provinces and Local Authorities in the Work of the Joint Committee for Regional Affairs

1. The Joint Committee for Regional Affairs, in accordance with the Rules of Procedure of the

Chamber and the Senate, may invite officials of a regional authority, autonomous province or local authority to take part in its sitting in relation to a specific measure. Such officials may submit comments and proposals relating to committee business.

2. The provisions of paragraph 1 above shall always apply when the Chairperson of the Parliamentary Committee for Regional Affairs is a Senator.

Rule 139

Rulings of the Constitutional Court – Referral to a Committee and Follow-up Committee Decisions

1. In the event that a legislative measure or a measure act having the force of law has been declared unconstitutional pursuant to Article 136 of the Constitution, the President shall notify the Senate of the ruling of the Constitutional Court as soon as it is served. It shall be printed and referred to the relevant committee.

2. Any ruling of the Constitutional Court may be referred by the President of the Senate to a committee for consideration, as the President may deem appropriate.

3. When such committee considers that the provisions declared unconstitutional by the Constitutional Court should be replaced by new provisions, and no legislative initiative has yet been taken in this regard, it shall adopt a resolution urging the Government to take action.

4. A similar resolution may be adopted by a committee when it considers it advisable for the Government to take action in relation to rulings of the Constitutional Court.

5. The President of the Senate shall submit the resolution thus adopted to the President of the Council of Ministers, and notify the Speaker of the Chamber of Deputies thereof.

Rule 139-*bis*

Committee Opinions on Government Measures

1. When the Government is under a statutory duty to request a parliamentary opinion on a measure falling within its own jurisdiction, such request and its referral to the standing committee responsible shall be announced on the Senate floor at the first sitting following receipt of such request.

2. Within twenty days of referral, which may be extended by the President of the Senate only once and for no more than ten days, the

committee shall submit its opinion to the President of the Senate who shall forward it to the government.

3. The President, however, in consideration of the complexity of the measure, may also agree, after consultation with the Speaker of the Chamber of Deputies, to set a longer deadline.

4. The deadline under the paragraphs above shall also run when the Senate is in recess. For the purpose of considering any measure received after the recess which the Government deems to be urgent, the committee responsible shall be convened by the President of the Senate pursuant to Rule 29(6) above, by sending the agenda for the meeting to all the Senators with at least three days' notice.

5. The provisions of this Rule also apply to opinions to be issued by a joint committee. If the committee sits in the Senate, the referral of the measure under paragraph 1 above and the notice convening the meeting pursuant to paragraph 4 above shall be served by the President of the Senate.

Rule 140

Petitions

1. When the Senate receives a petition requesting legislative measures or setting out general needs,

the President may order that its authenticity and the citizenship status of the petitioner be ascertained, save where the petition is submitted personally by a Senator.

2. A summary of the petition is then announced to the Senate and referred to the appropriate committee.

2-bis. Electronic petitions may be submitted. The Senate Bureau shall regulate how this can be done.

Rule 141

Consideration of Petitions

1. A petition relating to a bill that has already been referred to a committee shall be referred to the same committee to be discussed jointly with the bill.

2. The committee responsible may resolve to receive or reject other petitions, after appointing a rapporteur. In the first instance, if no legislative initiative is adopted pursuant to Rule 80 above, the petition shall be sent by the President of the Senate to the Government, with a request to act on it.

3. In all cases the petitioner shall be notified of the decision adopted by the Senate.

TITLE XVIII

LIAISON PROCEDURES WITH THE EUROPEAN UNION AND INTERNATIONAL ORGANISATIONS

Rule 142

*Discussion of Business and Reports
relating to the European Union*

1. At the request of the Government or five Senators, the 4th Standing Committee may resolve that a debate be held with the Minister responsible on draft measures of the European Commission published in the Official Journal of the European Union, in relation to the presence of such draft measures or other business on the Council agenda, or in relation to matters relating to agreements on the Union or its activities, also through its bodies.

2. The Standing Committee on European Union Policies shall consider the reports on EU affairs submitted by the Government and, after receiving the opinions of the committees responsible by subject matter, shall report to the Senate.

3. Government reports shall simultaneously be referred also to the 3rd Standing Committee which may express its opinion on them. Such opinion shall be printed and annexed to the report of the 4th Standing Committee.

Rule 143

Consideration of Resolutions of the European Parliament and Decisions of International Parliamentary Assemblies

1. Resolutions by the European Parliament and decisions by international assemblies of which the Italian parliament is a member, and which have been formally submitted to the Senate, shall be referred by the President, after informing the Senate, to the committees responsible by subject matter or, if these documents concern the institutions or general policies of the European Union, to the 4th Standing Committee.

2. In the event that the committee responsible resolves to open a debate on the resolutions and decisions under paragraph 1 above and any related business, it shall request, through the President of the Senate, the 3rd Standing Committee and the 4th Standing Committee to issue their opinions by the deadline under Rule 39, counting from the date of the request.

3. In the event that the 4th Standing Committee resolves to open a debate on the resolutions and decisions under paragraph 1 above, and any related business, it shall request the 1st Standing Committee and the 3rd Standing Committee, through the President of the Senate, to issue their opinions by the deadline under Rule 39, counting from the date of the request.

Rule 144

Consideration of EU Regulatory Measures and Other EU Business

1. In order to deliver an opinion on a resolution pursuant to paragraph 6 below on whether follow-up action should be taken by Parliament or the Government, the committee responsible by subject matter shall consider business under Rule 29(2-*bis*), other instruments from EU institutions, Government's status reports on EU proposals and Government's progress reports on domestic enforcement of EU legislation. The 4th Standing Committees shall be called to deliver an opinion, which shall be annexed to the report of the committees responsible.

1-*bis*. EU draft legislation shall be referred to the committees responsible. The 4th standing committee shall ensure compliance with the principle of subsidiarity and proportionality, as required by the European Treaties.

1-*ter*. At the request of the 4th standing committee, the President of the Senate shall notify the Government that the Senate has begun consideration of the instruments under paragraphs 1 and 1-*bis* above, for the purposes of reserving parliamentary scrutiny.

2. The President of the Senate shall announce the report before the Senate, forward it to the

President of the Council of Ministers, and notify the President of the Chamber of Deputies thereof.

2-bis. If the approved document refers to EU legislative instruments or other measures transmitted by the institutions of the European Union, the President of the Senate shall forward it to the Presidents of the European Parliament, the Council of the European Union, and the European Commission.

3. Bills introduced by the Government to enforce EU treaties and amendments thereto or bills to enforce European Union rules which the Government is required to submit to Parliament shall be referred for opinion to the committees responsible. The 4th Standing Committee may deliver its opinion and proposals to that committee. Such comments and proposals shall be annexed to the opinion of the committee responsible by subject matter.

4. The 4th Standing Committee shall consider the instruments mentioned in paragraphs 1-3 above when they refer to the institutions or broad EU policy; in this case, the 1st and the 3rd Standing Committees may submit their comments and proposals to the 4th Standing Committee: such proposals shall be annexed to the opinion of the 4th Committee.

5. In the cases under paragraphs 1 and 3 above, the 4th Standing Committee may request that its opinions, comments and proposals be forwarded

to the Government, through the President of the Senate, in the event that the committee responsible does not issue an opinion within 15 days of referral. The 1st Standing Committee and the 3rd Standing Committee may do likewise, in the cases provided by paragraph 1 and paragraph 4, respectively.

5-bis. When the provisions of paragraph 1-*bis* apply, if the committee responsible considers that the principle of subsidiarity has been infringed, it shall refer the instruments under consideration to the 4th Standing Committee. The 4th Committee may request its opinion to be notified by the President of the Senate to the institutions referred to in paragraph 2-*bis* above.

5-ter. When the opinion approved by the 4th Standing Committee has identified an infringement of the principle of subsidiarity by a draft legislative instrument of the European Union, the Government or one-fifth of the members of the committee concerned may request that the matter be considered by the Senate under Rule 55(6) above.

6. When the matters referred to in the foregoing paragraphs have been considered, committees may adopt resolutions laying down principles and guidelines which shall apply to national policy in respect of the preparatory work for the development of European Union measures and instruments, stating their opinion on the

general approach adopted by the Government in respect of each European Union policy, sets of regulatory measures currently being issued on a subject, or on individual regulatory measures of particular relevance to general policy. The provisions of Rule 50(3-ter) above shall apply to such resolutions.

6-bis. A favourable vote by the majority of the members of each committee is required for the validity of the decisions provided by this article in respect of European Union draft legislative instruments.

6-ter. With regard to the instruments referred to in paragraph 1-bis, the President of the Senate may request the legislatures of Regions and Autonomous Provinces to issue opinions. Such opinions shall be forwarded to the committee responsible and the 4th Standing Committee.

Rule 144-bis

Referral and Consideration of the European Union and European delegation Bill and Report on Italy's Participation in the European Union

1. The European Union and European delegation bill and the annual reports on Italy's participation in the European Union shall be referred to the 4th Standing Committee for general consideration in a reporting capacity and to committees responsible

matter for consideration of the measures under their responsibility.

2. Within 15 days of referral, each committee shall consider the parts of the European Union Bill for which they are responsible and conclude their work by adopting a report and appointing a rapporteur, who shall normally be one of the Senators sitting on the 4th Standing Committee. Any minority report tabled in the Committee shall also be submitted within the same deadline. One proposer for each minority report may attend, and report to, the sittings of the 4th Standing Committee. Within the same fifteen-day deadline, each committee shall consider the parts of the annual reports on Italy's participation in the European Union under their responsibility and conclude their work by adopting an opinion. After the deadline, the 4th Standing Committee may at all events proceed to consider the bills and reports.

3. After the deadline under paragraph 2 above and within the following thirty days the 4th Standing Committee shall complete its consideration of the European Union and European delegation bill, and draft a general report for the Senate, to which the reports under paragraph 2 above shall be attached. After the deadline provided by paragraph 2 above and within the following 30 days, the Committee shall complete its consideration of the annual report on

Italy's participation in the European Union and draft a general report for the Senate, to which committee opinions under paragraph 2 above shall be attached.

4. Notwithstanding the provisions of Rule 97 above, any amendments relating to matters which fall outside the specific scope of the European Union European Union and European delegation bill, as defined by current legislation, shall not be received. In such cases, the President of the Senate may declare the text proposed by the committee to be inadmissible.

5. Only amendments rejected by the 4th Standing Committee may be tabled before the Senate, even by the proposer alone, save for the right of the President to receive any other amendments relating to amendments already introduced by the committee or adopted by the Senate.

6. The general debate on the European Union and European delegation bill shall take place simultaneously with the debate on the annual reports on Italy's participation in the European Union. Until this debate is concluded, motions may be tabled on the annual reports pursuant to Rule 105. The debate on the European Union and European delegation bill and the annual reports on Italy's participation in the European Union shall be regulated by the Conference

of Parliamentary Group Leaders, pursuant to Rule 55(5).

7. After the final vote on the European Union and European delegation bill the Senate shall resolve on any draft resolutions that may have been moved pursuant to paragraph 6 above. If several draft resolutions have been received, the first resolution to be put to the vote shall be the one accepted by the Government, to which each Senator may move amendments.

Rule 144-ter

Consideration of Judgments of the Court of Justice of the European Union

1. The most important judgments of the Court of Justice of the European Union shall be submitted to the committee responsible and to the 4th Standing Committee.

2. The committee responsible shall consider the matter, with the participation of a member of the Government.

3. At the end of the debate, such committee may adopt a resolution stating whether it considers that the national authorities should take initiatives or ensure compliance, indicating the criteria to be followed. The provisions of Rule 50(3-ter) above shall apply to this resolution.

4. The President of the Senate shall submit such resolution to the President of the Council of Ministers, and notify the President of the Chamber of Deputies thereof.

5. If a bill dealing with the same matter is already on the committee agenda, or if one has been introduced in the meantime, both shall be submitted to joint consideration and in such case the provisions of paragraphs 3 and 4 above shall not apply.

Rule 144-*quater*

Gathering Information from Representatives of European Union Institutions

1. In relation to matters falling within its remit, a committee may, if so authorised by the President of the Senate, invite members of the European Parliament to provide information on aspect relating to the powers and activities of EU institutions.

2. If so authorised by the President of the Senate, a committee may invite members of the European Commission to provide information on European Union policies falling within such committee's terms of reference.

TITLE XIX

QUESTIONS, INTERPELLATIONS AND MOTIONS

Rule 145

Questions – Tabling Questions

1. The purpose of a question is to solicit information or explanations on particular issues from the ministers responsible, or to learn which measures may have been adopted or planned for introduction in relation to the issue at hand.

1-*bis*. Questions concerning the work and activities of independent Authorities, in compliance with their autonomy, shall be taken by the Presidency of the Council of Ministers or by the appropriate Minister.

2. A Senator wishing to put a question shall table it in writing, indicating whether a written or oral reply is required. If this is not specified, it shall be assumed that the questioner requires a written reply.

Rule 146

*Receiving Questions and Announcing them
before the Senate*

The President, having ensured that a question meets the requirements of Rule 145 above and is not framed in inappropriate language, shall announce it before the Senate and order it to be published in the records of the sitting.

Rule 147

Oral Questions in a Committee

Following consultation with the questioner, the President may rule that an oral reply be given in a sitting of the committee responsible by subject matter, and shall notify the Senate accordingly.

Rule 148

Procedure for Oral Questions in the Senate

1. As a general rule, one session each week shall be reserved for questions to ministers requiring an oral reply, save when Parliament is in recess.

2. Questions requiring an oral reply shall be placed on the agenda by no later than the fifteenth day following the date on which they were tabled, in the order in which they were tabled or in the order which the President deems appropriate for the purposes of the business of the Senate.

3. The Government may announce to the Senate, and explain the reasons thereof, that they cannot reply to the question or they should postpone the reply to a later date, which shall be specified.

4. Questioners who are not present when their turn comes to put a question shall lose the right of reply and the question shall be declared lapsed.

Rule 149

Questioner's Rejoinder

1. Questioners may make a rejoinder to the Government's reply signifying whether or not they are satisfied with the answer to their question.

2. Speaking time for questioners shall be no more than five minutes. If the questioner fails to stop speaking when the allotted time runs out, the President shall call the speaker to order, and if the questioner refuses to comply, the President shall order them to stop speaking.

Rule 150

*Postponement of Question Time
to Another Sitting of the Senate*

In the event that not all questions on the agenda can be put, the President shall postpone the remaining questions to be brought at the beginning of the following question time session.

Rule 151

Urgent Oral Questions

At the request of the questioner or the Government to treat a question to be put in the Senate as a matter of urgency, the President shall

rule on the request and may order it to be put immediately or at the sitting on the following day, notwithstanding the right of the Government pursuant to Rule 148(3) above.

Rule 151-*bis*

Questions Requiring an Immediate Reply

1. Once a week, part of the sitting at which bills are discussed shall be reserved for questions requiring an immediate reply relating to urgent or politically topical matters of general interest, as per decision of the Conference of Parliamentary Group Leaders.

1-bis. By twelve noon on the day prior to questions referred to in paragraph 1 above, one Senator from each Group may submit a question through their Group Leader. When the reply is to be given by the President or Vice President of the Council of Ministers, the subject matter of the questions must fall within the remit of the President of the Council of Ministers, as defined by Article 95(1) of the Constitution. In other instances, the President of the Senate shall invite the minister or ministers responsible for the matters on which most questions have been tabled: the Groups that have submitted questions relating to different matters may submit other questions to the ministers invited to apply within

an appropriate deadline set by the Bureau. Questions asked using the procedure under this Rule may not be asked at a later time as ordinary questions or interpellations.

2. When answering such questions, the Government shall be represented by the President of the Council of Ministers at least once every two months. Sessions attended by the President of the Council of Ministers shall be scheduled with an appropriate advance notice in consultation with the Minister for Relations with Parliament. On other occasions, the Government may be represented by the Vice President of the Council of Ministers or the Minister responsible by subject matter, depending on the questions tabled.

3. [*Repealed*]

4. No more than three minutes shall be given to the Senator asking a question. The representative of the Government shall reply to a question for a maximum of three minutes. The mover of the question or another Senator of the same Group may reply for no longer than minutes.

5. [*Repealed*]

6. When the President of the Council of Ministers gives a reply, or when the importance of the question makes it advisable, the President of the Senate may rule that it shall be broadcast live on television.

6-bis. Following the procedures under the previous paragraphs of this Rule, questions requiring an immediate reply may also be raised

in a committee. Following a request by such committee, to be submitted no less than 24 hours prior to the sitting, the President of the Senate may admit the press or the general public to attend the sittings in separate premises equipped with audio-visual facilities.

Rule 152

Questions Requiring an Oral Reply in a Committee

1. Questions to be put for an oral reply in a committee shall be placed on such committee's agenda within 15 days of being tabled.

2. A questioner who is not a member of such committee shall be notified that their question has been put on the agenda at least twenty-four hours before the date of the sitting at which the question is to be put.

3. Questions placed on the agenda shall be dealt with at the beginning of each sitting.

4. After forty minutes into the sitting, the Chairperson shall postpone any remaining questions to the following sitting.

5. Anything not provided by this Rule shall be regulated by the rules for questions put on the Senate floor.

6. A verbatim report shall be compiled and published for the parts of committee sittings devoted to questions.

Rule 153

Questions Requiring a Written Answer

1. The Minister responsible shall reply within twenty days to a questioner who has requested a written answer. The Minister shall also submit copy of such reply to the President of the Senate, notwithstanding the right provided under Rule 148(3) above.

2. If a reply to a question has not been supplied within the set deadline, the question shall be entered in the agenda for an oral reply at the first sitting of the Senate reserved for question time, or at the first sitting of the committee responsible by subject matter.

3. The written reply shall be published in full in the records of the Senate.

4. A question requiring a written answer may also be tabled when Parliament is in recess.

Rule 154

Interpellations – Tabling Interpellations

1. An interpellation is a question put to the government regarding the motives or intentions underlying its conduct on matters of particular importance or of a general nature.

2. All interpellations put to the government shall be tabled in writing and submitted to the

President who, after ensuring that they are receivable according to the criteria set out in Rule 146 above, shall order them to be announced to the Senate and published in the records of the sitting.

Rule 155

Setting the Date for Interpellations

The President shall, after consulting with the Government and the questioner, decide at which sitting the interpellation shall be dealt with, save where the questioner requests that the date be set by the Senate. In this case, after hearing the stance of the Government, the Senate shall resolve on the date by show of hands, without debate.

Rule 156

Procedure for Interpellations

1. Interpellations shall normally be placed on the agenda of sittings reserved for questions.

2. The questioner may not speak for more than twenty minutes when putting an interpellation. Following the reply from the Government, the questioner may make a rejoinder for a maximum

of five minutes. The provisions of Rule 149(2) above shall apply.

3. Interpellations and questions regarding identical or closely connected matters shall normally be dealt with together. In this case, interpellations shall be given priority. After the Government's reply, rejoinders may be made by the Senators putting the questions and the interpellations, in that order.

Rule 156-*bis*

Summary Proceedings for Interpellations

1. Parliamentary Group leaders, speaking on behalf of their respective groups, and the representatives of the various political elements in the Non-Attached Group, may submit no more than one Group interpellation per month.

2. In the case of interpellations seconded by at least nine of the Senators, the procedures and the speaking times provided by this Rule shall apply. Each Senator may second yearly no more than nine interpellations on which summary proceedings are applied.

3. The interpellations referred to in this Rule shall be placed on the agenda within fifteen days of being tabled. If necessary, supplementary sittings shall be held.

4. A representative of the Parliamentary Group putting the interpellation or of the Senators that have seconded the interpellation pursuant to the provisions of paragraph 2 above may put the interpellation, speaking for a maximum of ten minutes. The questioner may make a rejoinder following the Government statement speaking for not more than five minutes.

Rule 157

Motions – Introduction – Setting the Date for the Debate

1. The purpose of a motion is to move a resolution by the Senate. A motion shall be tabled by at least five Senators. After ascertaining that the motion is receivable under the requirements of Rule 146 above, the President shall have it announced before the Senate and published in the records of the sitting.

2. [*Repealed*]

3. If the motion is seconded by at least one-fifth of the members of the Senate, it shall be debated within thirty days of being tabled. To this end, the President shall exercise the right provided by Rule 55(6) above and, if necessary, order a supplementary sitting. An individual Senator may not second more than nine

motions, to which summary proceedings have been applied, in any one year.

Rule 158

Single Debate with Vote on Several Motions

1. Motions relating to facts or matters that are identical or closely connected shall be addressed in a single debate.

2. In this case, one proposer for each motion shall speak before the floor is given to other registered speakers.

3. If several motions are tabled, those which do not pre-empt other motions shall be put to the vote first.

Rule 159

Joint Debate on Motions, Interpellations and Questions

When interpellations and questions have been tabled on issues or matters that are identical or closely connected to those to which the motions refer, the President shall rule that they be addressed together in a single debate. Proposers of interpellations shall speak immediately after the proposers of motions, and the proposers of questions who have not taken part in the debate may take the floor, for a rejoinder, within the

terms of the final paragraph of Rule 149 and immediately following the representative of the government.

Rule 160

Procedure for debating Motions

The provisions of Title XII shall apply, where applicable, to debating motions. Motions shall be put to the vote prior to any recommendations relating to them.

Rule 161

Motions of Confidence and No-Confidence – Resolution of Confidence

1. Motions of confidence and no-confidence in the Government shall be motivated and voted on by calling the roll.

2. A motion of no-confidence must be seconded by at least one-tenth of the members of the Senate, and shall be discussed at the sitting established by the Senate, after consulting with the Government, but not before three days following the date when it is tabled.

3. In respect of the motions provided by this Rule, no recommendations may be tabled, and

the motions may not be voted on in separate parts.

3-bis. Entering a motion of confidence on the adoption of an article, or on the single article of a bill transposing a decree law or again on the adoption or rejection of an amendment shall determine the voting order of the matter subject to the vote of confidence. If the Senate votes in favour and the article or amendments are adopted, all remaining amendments, recommendations and proposed split consideration motions shall be deemed rejected. Similarly, a resolution of confidence on policy guidelines shall be granted voting priority. If such resolution is carried, all other votes shall fall.

3-ter. The Government shall refer the instruments which it intends to treat as a vote of confidence to the Bureau, for the purposes of consideration under Rules 8, 97 and 102-*bis*.

3-quater. If the adoption of a Government amendment is the object of a vote of confidence, the Government may, at the start of the debate, explain the merits of such amendment solely in respect of offset or formal editing of the text. Notwithstanding the provisions of Rule 103 above, further clarifications may be offered before the vote, in order to ensure compliance with the conditions laid down by the 5th Standing

Committee pursuant to Article 81(3) of the Constitution.

4. The Government may not submit a motion of confidence on a proposal to amend the Rules of Procedure, and in general on any matter relating to the internal management of the Senate.

TITLE XX

PARLIAMENTARY INQUIRIES

Rule 162

Parliamentary Inquiries

1. Proposals to initiate a parliamentary inquiry shall be regulated, in so far as applicable, by the provisions regulating bills.

2. When a proposal to set up a parliamentary inquiry has been seconded by at least one-tenth of the members of the Senate, it shall be placed on the agenda of the committee responsible by subject matter, which shall meet within five days following the date of referral. The President of the Senate shall establish a deadline by which such committee shall report to the Senate. After the expiry of the deadline, consideration of the proposal shall be put on the agenda of the first sitting following the expiry of such deadline, or of a supplementary sitting to be

held on the same day or the following day. The debate in the Senate shall be regulated by Rule 55(5) above.

3. When the Senate resolves to set up an inquiry into matters of public interest, a committee shall be appointed in such a manner so as to ensure that its composition reflects the sizes of Parliamentary Groups.

4. If the Chamber of Deputies also resolves to set up an inquiry on an identical subject, the committees thus established by both Houses may, by joint agreement, resolve to proceed jointly.

5. Pursuant to the provisions of the Constitution, such committee shall have the same powers as the judiciary.

6. A decision to establish an inquiry shall be published in the Official Gazette of the Italian Republic.

Rule 163

Transfer of Members of a Committee of Inquiry away from Senate Premises

When a committee of inquiry deems it appropriate to meet elsewhere or to send any of its members away from the Senate premises, it shall notify the President of the Senate thereof.

TITLE XXI

DEPUTATIONS

Rule 164

Appointment and Composition of Deputations

The President of the Senate shall resolve on the number of members of a deputation and proceed to appoint its members ensuring, as far as possible, that the various Parliamentary Groups are represented on it. The President or a Vice President shall always be a member of a deputation.

TITLE XXII

SENATE BUDGET AND FINANCIAL ACCOUNTS

Rule 165

Senate Budget and Financial Accounts – Budget Variations

1. The budget and the financial accounts, as compiled by the Quaestors and agreed by the Bureau on the basis of a report submitted by the Quaestors, shall be referred to the Chairperson of the 5th Standing Committee who, after examining them with the Chairpersons of the other standing committees, shall report to the Senate.

2. *[Repealed]*

3. Any changes to budget allocations shall be resolved directly by the Bureau.

TITLE XXIII

SENATE STAFF

Rule 166

Senate Staff Rules

1. The Senate staff shall report to the Secretary-General who shall be accountable to the President.

2. Staffing levels, duties and powers of staff and all rules governing the Senate staff shall be set down in Staff Rules agreed by the Senate Bureau.

TITLE XXIV

ADOPTION OF AND AMENDMENTS TO THE SENATE RULES OF PROCEDURE

Rule 167

Adoption of Amendments to the Senate Rules of Procedure

1. The Senate shall adopt its Rules of procedure by an absolute majority of its members.

2. Each Senator may table proposals to amend these Rules of Procedure, which shall be printed and referred for consideration to the Committee on Rules.

3. The Committee on Rules shall submit a written report to the Senate, which shall be printed and distributed at least five days before the beginning of the debate.

4. In the Senate, no sub-amendments may be tabled to amendments under consideration, unless they have been tabled at least forty-eight hours before the beginning of the debate and submitted to the Committee on Rules for consideration. The President may, however, give leave to table new amendments during the course of the debate, if they are related to previously adopted amendments.

5. All amendments to these Rules shall be adopted with an absolute majority of the members of the Senate.

6. When a proposal to amend these Rules consists in a consistent set of interconnected measures, an absolute majority is only required for the final adoption of the set of rules; five Senators may, however, request that individual provisions be dealt with and put to the vote separately. In such case, an absolute majority shall be required to adopt each separate part.

7. These Rules and any amendments thereto shall be published in the Official Gazette of the Italian Republic.

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