

Federal Law on the Rules of Procedure of the Austrian National Council

Rules of Procedure Law of 1975

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I. Opening and Constitution of the National Council

§ 1. (1) The Federal Election Board shall issue to each Member of the National Council after his/her election, or after his/her appointment as a substitute member, a Letter of Credence which shall be deposited with the Parliamentary Administration.

(2) The Parliamentary Administration shall issue an official pass bearing his/her photograph to each Member whose letter of credence has been deposited.

§ 2. (1) A Member of the National Council shall lose his/her seat

1. if s/he fails to take the official oath, or fails to take the oath in the form required in § 4 below, or makes reservations or imposes conditions under which s/he is willing to take the oath;

2. if s/he delays taking his/her seat for 30 days or remains absent from the sittings of the National Council for 30 days without valid reason (§ 11 (4)) recognised as such by the National Council and has failed to obey the President's order addressed to him/her publicly and before the National Council to appear or justify his/her absence within a further period of 30 days;

3. if s/he ceases to be eligible after having been elected;

4. under the circumstances defined in §§ 9 and 10 of the Incompatibility and Transparency Law, BGBl. No. 330/1983.

(2) The President shall, when notified of one of the cases defined in (1) 1 and 2 above, so inform the National Council, which shall decide by a simple majority on a motion provided for in Article 141 (1) of the Federal Constitutional Law (B-VG), which decision shall be prepared by the Main Committee.

(2a) When notified of a case as defined in (1) 3 above, the President shall without delay so inform the Second and Third Presidents, as well as the National Council in its next sitting. The President shall subsequently, after consultation with the members of the President's Conference, file an application under Art. 141 (1) c B-VG with the Constitutional Court within four weeks. If the President is the subject of the application, his duties shall be discharged as provided in § 15.

(2b) If the President fails to perform his duties as defined in (2a) above, the Second or Third President shall without delay inform the National Council. The National Council shall, within four weeks, decide by a simple majority on the motion provided for in Art. 141 (1) c B-VG, which decision shall be prepared by the Main Committee. The

President shall file an application with the Constitutional Court on behalf of the National Council.

(2c) If the National Council fails to take a decision as provided in (2b) above, or the President fails to perform his duty of filing an application as set forth in (2b) above, one third of the Members shall have the right to file an application under Art. 141 (1) c B-VG with the Constitutional Court.

(3) If the National Council takes a decision under (2) above, the President shall file an application with the Constitutional Court on behalf of the National Council.

(4) In cases under (1) 4. above, the procedure shall be as provided for in § 10 of the Incompatibility and Transparency Law.

(5) After receipt of the decision of the Constitutional Court by which the member in question is declared to have lost his/her seat, the President of the National Council shall so inform the person so deprived of his/her seat. The loss of seat shall enter into force on the day following the receipt by the President of the National Council of the decision of the Constitutional Court by which the seat is declared lost. The President shall inform Members of the court decision at the next sitting of the National Council.

(6) The provisions of (5) shall apply mutatis mutandis to cases in which the Constitutional Court has granted an application contesting an election result on grounds of an ineligible person having been declared elected or an eligible person having been unlawfully declared ineligible.

(7) In cases under Art. 141 (2) B-VG the Members concerned shall only lose their seats at the time the letters of credence of the Members elected in the repeated election are deposited with the Parliamentary Administration.

(8) The proceedings under Art. 141 (1) e B-VG shall be governed, mutatis mutandis, by the provisions of (2), (3) and (5) above.

(9) If one of the Presidents is the subject of proceedings under (1) above, he shall not preside over the proceedings on the respective items of the agenda. The pertaining duties shall be discharged as provided in § 15.

(10) If a Member resigns his/her seat, said resignation shall take effect at the time of receipt by the President of the National Council of the Federal Election Board's notification to that effect, unless the resigning member has stipulated a later effective date.

§ 3. (1) The newly elected National Council shall be convened by the Federal President within 30 days of its election.

(2) The sitting shall be opened by the President of the former National Council, who shall chair the sitting until the new President has been elected.

(3) The chairperson shall appoint four Members to act temporarily as Secretaries.

§ 4. (1) The chairperson shall make a roll-call of Members, who shall take their oath of office by pronouncing the words "Ich gelobe" ("I promise"), swearing to faithfully uphold the Republic, to faithfully respect the Constitutional Laws and all other enactments at all times, and to perform his/her duties conscientiously.

(2) Members taking their seats at a later date shall take their oaths on taking their seats.

§ 5. (1) All Members having taken their oaths, the National Council shall elect from amongst its Members the President as well as the Second and Third Presidents.

(2) Following the election of the Presidents, five Secretaries and at least three Whipsshall be elected.

(3) All officers elected shall serve for the entire term of office of the National Council.

§ 6. (1) The Presidents and the Main Committe, or if the National Council has been dissolved under Art. 29 (1) B-VG, the Permanent Sub-Committee of the Main Committee instead of the latter, shall remain in office until the newly elected National Council has elected the new Presidents and Main Committee.

(2) If the elected Presidents are prevented from the exercise of their functions or if their term of office is terminated, the sitting shall be chaired by the oldest Member present at the venue of the National Council, on condition that said Member is not prevented from exercising his/her functions and is a member of a party which was represented among the Presidents of the National Council at the time when the elected Presidents were prevented or their terms of office expired; said Member shall forthwith convene the National Council and, after opening the sitting, proceed to the election of three chairpersons who shall assume the functions of the prevented Presidents or, in case the term of office of the Presidents has expired, the election of the President.

(3) If said Member fails to perform this duty within eight days of the time when the Presidents were prevented or their term of office lapsed, the afore-mentioned rights shall pass on to the next senior Member who satisfies the conditions mentioned above.

(4) The chairpersons so elected shall remain in office until at least one of the Presidents prevented from exercising his/her functions is capable of resuming office.

§ 7. (1) At the beginning of each legislative period, but not later than one month after the day of the first meeting of the National Council, Members who belong to the same political party that participated in the election may form a - single - Parliamentary Group. If Members belonging to the same political party that participated in the election announce that more than one Parliamentary Group has been formed, the numerically strongest such group shall be recognised as a Parliamentary Group. If

two or more such groups have an equal number of members, the status of Parliamentary Group shall be conveyed upon the one group that has in its ranks the Member ranking first in the Party's federal slate.

(2) Members belonging to different political parties that participated in the election may, at the beginning of a legislative period but not later than one month after the day of the first meeting of the National Council, only form a Parliamentary Group if the National Council so agrees.

(3) For the formation and continued existence of a Parliamentary Group a minimum of five Members shall be required.

(4) The results of the constitution of a Parliamentary Group and any changes in its composition shall be immediately communicated to the President.

§ 8. (1) The Presidents and Parliamentary Group chairpersons shall form the President's Conference. The Parliamentary Group chairpersons may delegate other members to the President's Conference.

(2) The President's Conference shall act as a deliberative organ. Its duties shall above all include the presentation of proposals for the execution of programmes of work, the determination of the agendas and times of National Council sittings, the referral of items of business to the committees, the coordination of committee meetings and for the cultivation of international parliamentary relations.

(3) The following matters shall under any circumstances be subject to preliminary deliberation by the President's Conference:

1. the internal rules for the Parliament Buildings (§ 14 (1)),

2. the use of the Shapley procedure (§ 32 (2)),

3. the list of persons eligible for election as Procedural Judge, Procedural Advocate as well as their deputies under § 7 (1) of Annex 1: "Rules of Procedure for Parliamentary Investigating Committees",

4. the slate of nominees to be presented to the Rules of Procedure Committee for election as Procedural Judge, Procedural Advocate as well as their deputies under § 7 (2).

(4) In addition, the dispositions of the President regarding

1. the list of Members (§ 14 (7)),

2. the number of requests under § 28b (4) and § 31c (13),

3. the restriction of speaking time (§ 57 (2)2 and (3)),

4. the order in which Members shall be given the floor (§ 60 (8)),
5. the time of the debate under § 81 (2),
6. the omission of question time (§ 94 (4)),
7. the decisions under § 6 (2), § 10 (1 and 3), § 13 (1) 6 and (2) 2 of the Federal Act on the Information Rules of the National and Federal Councils (Information Rules Act), BGBl. I No. 102/2014,
8. the provisions under §§ 26 and 27 Information Rules Act

shall also be subject to preliminary deliberation by the President's Conference.

II. General Rights and Duties of Members

§ 9. Every Member whose letter of credence has been deposited with the Parliamentary Administration shall have a seat and a vote in the National Council for the duration of its term as long as his/her membership does not expire for one of the reasons listed in § 2 above.

§ 10. (1) Members shall under no circumstances be held responsible for any votes cast in the exercise of their functions. They shall be exclusively responsible to the National Council for any statement, whether oral or in writing, made in the exercise of their functions; this does not apply in case of public prosecution for calumny under § 297 of the Penal Code, BGBl. No. 60/1974, or of an offence punishable under the Information Rules Act.

(2) Unless apprehended flagrante delicto in the performance of a felony, Members shall only be arrested with the approval of the National Council. Likewise, they shall be immune from searches unless approved by the National Council.

(3) Otherwise, Members shall, without approval of the National Council, only be prosecuted for punishable offences which are obviously in no way connected with their political activities. However, the prosecuting authority shall, upon demand of the Member concerned or of one third of the members of the Standing Committee having jurisdiction over such matters, seek a decision of the National Council on whether or not any such connection exists. Once such a demand has been made, the prosecuting authority shall immediately cease to take action or stop any action already undertaken. If the National Council determines that there is a connection between the alleged offence and the Member's political activity, it shall at the same time decide on whether or not it approves the prosecution of the Member in question.

(4) The National Council shall in all such cases be deemed to have given its approval if it fails to decide within eight weeks on a request for a decision made by the competent prosecuting authority.

(5) If a Member is apprehended flagrante delicto in the performance of a felony, the authority in question shall without delay notify the President of the National Council of the arrest of the Member. On demand of the National Council or, between parliamentary sessions, of the Standing Committee having jurisdiction over such matters, the authority shall release the arrested Member or altogether refrain from prosecuting him/her.

(6) The immunity of Members shall terminate on the day the newly elected National Council meets for its first sitting or, in the case of organs of the National Council whose function extends beyond that day, when that function expires.

§ 11. (1) It shall be incumbent upon every Member to attend the sittings of the National Council and of the committees to which s/he has been appointed.

(2) If a Member is unable to attend one or several successive sittings of the National Council, s/he or the Parliamentary Group to which s/he belongs shall inform the Parliamentary Administration of his/her absence prior to the beginning of the sitting or the first of several successive sittings.

(3) The President shall inform the National Council of any apologies at the beginning of each sitting.

(4) If a Member is unable to attend for 30 days or more, s/he shall so inform the President in writing, stating the reasons for his/her absence. If the Member's absence is for any reason other than medical, the President shall inform the National Council of the reason. If the validity of the reason is challenged, the National Council shall decide without debate whether the Member be required to resume without further delay his/her attendance at the sittings of the National Council.

§ 12. If a female Member of the National Council is elected to an office in accordance with the provision of this Law, the office in question shall be referred to by its gender-specific designation.

III. Duties of the Presidents, Secretaries and Whips

§ 13. (1) The President shall safeguard the decorum and rights of the National Council and the accomplishment of the tasks incumbent on it and ensure that its deliberations can take place without any undue delay.

(2) S/he shall implement the Rules of Procedure, ensure their respect and maintain order in the Chamber.

(3) The President shall open and close the sittings and chair them, preside over the proceedings, recognise speakers, put questions to the vote and announce the results of voting. S/he may at any time, and especially in case of any disturbance or interference, suspend the sitting for a definite or indefinite period. S/he shall see to it that persons who disturb the peace, or in extreme cases, all those attending on the galleries, are removed from the galleries.

(4) The President shall refer the items of business enumerated in § 21 (1) to the Committees. S/he shall also inform the National Council of the decisions of the Incompatibility Committee and of the measures s/he has taken on their basis.

(5) The President shall also have the duty to establish, in consultation with the members of the President's Conference, a programme of work for the sittings of the National Council, which programme should, if possible, be established for twelve months in advance. As a rule, the first and second weeks of each four-week period shall be assigned to committee sittings, the third for plenary sittings, while there shall be no sittings during the fourth week, which shall be reserved to Members' work in their constituencies. As a rule, Plenary sittings shall take place on two or three days of each week reserved for plenary sittings, at least one sitting taking place on each of these days. These provisions shall in no way prejudice the provisions of § 46 below.

(6) The President shall have the right to receive and refer all documents presented to the National Council. S/he shall represent the National Council and its Committees vis-à-vis third parties and in particular cultivate international parliamentary relations.

(7) Any documents issuing from the National Council shall be signed by the President and one Secretary.

(8) The President shall keep the list of persons under § 7 (1) RP-IC eligible to be elected as Procedural Judge, Procedural Advocate, or their deputies, of an Investigating Committee.

§ 14. (1) The President shall have authority over the Parliament Buildings and determine the internal rules of the house after deliberation in the President's Conference.

(2) The President shall, in conjunction with the Second and Third Presidents, establish for the purposes of the National Council the documentation for the Federal Financial Framework Act and the Draft Federal Budget, and determine, in conjunction with the Second and Third Presidents, the outcome objectives for the jurisdiction of the National Council. S/he shall transmit in good time to the Federal Minister of Finance said Budget with all annexes and explanatory remarks together with the documentation required for preparing the draft of the Federal Financial Framework Act and the Strategic Report, and shall have the right of disposition of the funds earmarked for the National Council in the Federal Budget.

(3) The President of the National Council shall, in particular, have the right to appoint the staff of the Parliamentary Administration and have full authority in all matters relating to the management of said staff.

(4) Members of the Parliamentary Administration staff shall be held equal to other Federal civil servants in regard to their position, rights and duties.

(5) In carrying out his/her administrative duties under Art. 30 B-VG, the President of the National Council shall be the supreme administrative organ and the only one to exercise these functions. The President of the National Council shall be empowered to issue decrees to the extent that these decrees concern exclusively administrative matters enumerated in Art. 30 B-VG.

(6) The President shall make provision for the services of parliamentary stenographers and for any other (sound and video) recordings of proceedings.

(7) At the beginning of each term of the National Council and during the same in case of major changes, the President shall provide for the publication of a list of members by the Parliamentary Administration. The list shall contain the following information in addition to the name of each Member: the constituency (constituency association) from which the Member has been elected, his/her Parliamentary Group, and his/her domicile or postal address. The President may, in conjunction with the President's Conference, decide what other information be contained in the membership list.

(8) Other publications may be made at the discretion of the President, who may, however, seek a decision of the National Council on the question of said publication.

§ 15. If the President is unable to discharge his/her duties, the same shall be discharged by the Second or Third President. The President may ask the Second or Third President to chair sittings of the National Council (§ 13) in his/her stead.

§ 16. The Secretaries shall assist the President in discharging his/her duties, and in particular in reading documents etc. in the National Council and in determining voting results.

§ 17. The Whips shall assist the President in chairing the sittings and in maintaining order in the Chamber.

IV. General Rights and Duties of the Members of the Federal Government, the President of the Court of Audit and the Members of the Ombudsman Board, and Status of other Persons

§ 18. (1) The members of the Federal Government and the State Secretaries shall have the right to participate in all the proceedings of the National Council, its Committees and the latter's Sub-Committees - except for the deliberations of the Standing Sub-Committee of the Main Committee and of the Investigating committees. (2) The persons enumerated in (1) above may have themselves accompanied by experts from their respective spheres of responsibility when participating in proceedings of the National Council, its Committees and the latter's Sub-Committees - except for the deliberations of the Standing Sub-Committee of the Main Committee and of the Investigating committees - unless a decision to the contrary is taken in respect of individual sittings or parts thereof.

(3) The National Council, its Committees and the latter's Sub-Committees may require the presence of members of the Federal Government at their deliberations.

§ 19. (1) In the debates of the National Council, its Committees and the latter's Sub-Committees - except for the deliberations of the Standing Sub-Committee of the Main Committee and of the Investigating committees - the members of the Federal Government and the State Secretaries may take the floor repeatedly on matters under discussion, but they must not interrupt speakers holding the floor. State Secretaries shall have this right in the absence of the Government Members to whom they are attached or, in their presence, with the approval of the latter.

(2) In the sittings of the National Council the members of the Federal Government shall have the right to make oral statements on matters not currently under discussion, in which case the member of the Federal Government shall, if possible, notify his/her intention to the President before the beginning of the sitting. The President shall so inform the National Council and determine at what point in time during the sitting the government member shall make his/her statement. If objections are raised to this decision of the President, the National Council shall decide on the time of delivery of the statement without debate.

§ 19a. After consultation with the President's Conference, the President may invite outstanding personalities of European and international political life to make a statement about a specific subject in the course of a sitting of the National Council. As a rule, this statement will be followed by a debate, the form and duration of which will also be determined by the President after consultation with the President's Conference. In addition, it may be decided that each parliamentary group may designate one Member of the European Parliament elected in Austria to take part in such debate in an advisory capacity; § 74b (6, second sentence) shall apply *mutatis mutandis*. No motions may be moved in the course of the debate, nor may any factual corrections be made.

§ 20. (1) The President of the Court of Audit shall have the right to participate in the proceedings of the National Council, its Committees and the latter's Sub-Committees on the reports of the Court of Audit, the Federal Financial Accounts, motions under § 99 (1) concerning the performance of special investigations into the administration of public funds and those chapters of the Draft Federal Budget which concern the Court of Audit.

(2) The President of the Court of Audit shall furthermore have the right to be accompanied by staff members of the Court of Audit at the sittings of the National Council, its Committees and the latter's Sub-Committees which he attends, unless a decision to the contrary is taken in respect of individual sittings or parts thereof.

(3) The President of the Court of Audit shall have the right to take the floor at the sittings of the National Council, its Committees and the latter's Sub-Committees

repeatedly on matters enumerated in (1) above, but may not in so doing interrupt speakers holding the floor.

(4) The National Council, its Committees and the latter's Sub-Committees may require the presence of the President of the Court of Audit at their deliberations.

(5) With regard to the members of the Ombudsman Board, paragraph (4) above and, in the case of deliberations on the reports of the Ombudsman Board and on the chapters of the Draft Federal Budget concerning the office of the Ombudsman Board, paragraphs (1-3) shall apply mutatis mutandis.

§ 20a. (1) The Chairpersons of the Parliamentary Federal Army Commission shall have the right to participate in the deliberations on the report acc. to § 4 (5) Wehrgesetz (Defence Act) 2001 in the competent National Council Committee.

(2) The Chairpersons of the Parliamentary Federal Army Commission may take the floor, also repeatedly, but without interrupting a speaker holding the floor, in the debates under para 1 above.

(3) The competent committee may require the presence of the Chairpersons of the Parliamentary Federal Army Commission at debates under para 1 above.

§ 20b. The competent National Council Committees shall have the right to require the presence of the head of an independent body under Art. 20 para 2 B-VG in the Committee sittings and to query him/her on all executive matters.

§ 20c. The Austrian Deputy Member of the Board of Governors of the European Stability Mechanism, the Austrian Member of the ESM Board of Directors and the latter's deputy shall have the right to participate in the deliberations of the Standing Sub-Committees on affairs of the European Stability Mechanism under § 32f and may take the floor repeatedly but without interrupting a speaker who is holding the floor.

V. Items of Business

§ 21. (1) The following submissions in writing shall be items of business for the National Council and for preliminary deliberation by its Committees:

private Members' motions;

Federal Government bills and other items of business submitted by the Federal Government;

Bills on initiatives and decisions of the European Council and the Council under Art. 23i (1), (3) and (4) B-VG and Art. 23j (1) B-VG;

Bills on proposals for decisions of the European Stability Mechanism under Art. 50b B-VG;

Reports and motions of the Main Committee under § 31d (5) and its Standing Sub-Committee on EU Affairs under § 31e (1);

Reports of the Main Committee under § 31d (5a) and its Standing Sub-Committee under § 31e (1);

Members' motions for taking action before the Court of the European Union under § 26a;

Members' motions for rejecting an initiative or proposal under Art. 23i (2) B-VG in pursuance of § 26b;

Federal Council bills;

Popular initiatives;

objections by the Federal Council;

stenographic records of parliamentary hearings;

joint reports of Members delegated by the National Council, or the National Council in conjunction with the Federal Council, to international parliamentary organisations and of Members of the National and Federal Councils participating in meetings of the Interparliamentary Union;

reports of the Federal Government and its members under § 28b (4);

reports of the Court of Audit and Federal Financial Accounts;

reports of the Ombudsman Board;

requests for the approval of the public prosecution of Members under § 10 (2 and 3), requests for a decision on possible connections with the political activities of Members as outlined in § 10 (3), and notifications on the part of authorities under § 10 (5);

requests of authorities under Art. 63 (2) B-VG;

requests for the authority to prosecute persons for insulting the National Council;

petitions and citizens' initiatives;

motions and demands to set up an investigating committee under § 33.

(1a) Popular initiatives, citizens' initiatives, court of audit reports, annual federal accounts and ombudsman's reports which were introduced for deliberation in the National Council and not disposed of in the previous legislative period shall be deliberated upon by the next elected National Council and preliminarily deliberated on by its committees.

(2) Other items of business of the National Council shall be the following submissions of Committees:

committee motions;

reports of the Rules of Procedure Committee under § 3 RP-IC;

reports of investigating committees;

reports of the Standing Sub-Committee of the Court of Audit Committee (§ 32e (4));

reports of the Main Committee in accordance with special legal provisions;

Reports and motions of the Budget Committee's Standing Sub-Committee on Affairs of the European Stability Mechanism;

(3) Other items of business to be dealt with by the National Council shall be

the reports of commissions of enquiry;

questions and answers thereto;

statements by members of the Federal Government;

information about the appointment of members of the Federal Government (Art. 70 B-VG) and State Secretaries (Art. 78 (2) B-VG);

consideration of EU matters under § 74b (1);

elections.

(4) Items of business to be dealt with by the committees shall be the reports of the Federal Government and its members under § 28b (1 to 3).

(5) Items of business to be dealt with by the Rules of Procedure Committee shall be:

Reasoned objections raised in writing against an administrative fine imposed (§ 54 (4) RP-IC).

§ 22. The items of business enumerated in § 21 above, other than petitions and citizens' initiatives, shall be held to be part of the proceedings in public sittings of the National Council (Art. 33 B-VG). The same shall apply to the reports of Committees, minority reports under § 42 (4) and individual dissenting opinions under § 42 (5).

§ 23. (1) Upon receipt of Federal Government Bills and other items of business submitted by the Federal Government, bills on initiatives and decisions of the European Council and the Council under Art. 23i (1), (3) and (4) B-VG and Art. 23j (1) B-VG, Federal Council bills, popular initiatives, objections by the Federal Council, stenographic records of parliamentary hearings, reports of commissions of enquiry, reports of the Federal Government and its members, reports of the Court of Audit or

Federal Financial Accounts, reports of the Ombudsman Board as well as written questions and answers thereto, the President shall direct these submissions to be copied and distributed to the Members. The copying and distribution of reports of Members delegated by the National Council, or the National Council jointly with the Federal Council, to international parliamentary organisations as well as of Members of the National and Federal Councils participating in meetings of the Interparliamentary Union shall be directed by the President after consultation with the members of the President's Conference at a time deemed appropriate.

(2) The President may, after consultation of the members of the President's Conference, exceptionally dispense with the copying of items of business or parts thereof, if such action appears necessary in the interest of economy and administrative expediency. In all such cases, the President shall, however, hold the entire document at the disposal of Members in the Parliamentary Administration.

(3) Requests for approval of the public prosecution of Members under § 10 (2) and (3, first sentence), requests for a decision on a possible connection with the political activities of a Member as outlined in § 10 (3), and information by authorities under § 10 (5), requests of authorities under Art. 63 (2) B-VG, requests for the authority to prosecute persons for insulting the National Council as well as information about the appointment of members of the Federal Government and of State Secretaries shall not be copied and distributed. The copying and distribution of bills, documents, reports, items of information, and communications to be submitted to the National Council under Art. 23c, 23e, 23f (1) and (3), 23g (1) and (2), 23h, 23i and 23j B-VG shall be governed by the provisions of § 31b, the copying and distribution of bills, documents, reports, items of information and communications in connection with Art. 50b, 50c and 50d B-VG by § 74f, and the copying and distribution of petitions and citizens' initiatives by the provisions of § 100 (5).

(4) Written documents regarding items of business - other than committee motions and the reports of investigating committees and the Main Committee - shall be communicated to the National Council during the sittings and referred to the appropriate committee. Such information may be given by referring to a document distributed in the meeting hall. The information about the receipt of documents regarding items of business (§ 49 (1) or (2)) shall be given, in the case of documents to be distributed under (1) above and/or § 26 (6), at the sitting following their distribution, and in the case of the documents enumerated in (3) above at the sitting following their receipt.

§ 23a. (1) The copying and distribution to the Members of items of business as enumerated in § 21, documents received by the National Council, agendas and other parliamentary documents may also be effected electronically. An electronic signature may also be used for this purpose.

(2) Whenever the Rules of Procedure provide for publication in a printed form, publication in electronic form shall also be admissible.

(3) Documents mentioned in (1) above that have been electronically transmitted to the Members shall be deemed to have been electronically copied and distributed within the meaning of the Rules of Procedure.

§ 24. (1) In determining the agenda of the National Council, popular initiatives shall be given priority over all other matters.

(2) Preliminary deliberation on a popular initiative shall commence within one month of its referral to the competent committee; under any circumstances, a report shall be submitted to the National Council within a further four months.

§ 25. The Federal Government may modify or withdraw its bills and other items of business it has submitted at any time up to the commencement of voting in committee. The same provision shall apply to bills concerning initiatives and decisions of the European Council and Council under Art. 23i (1), (3) and (4) B-VG and Art. 23j (1) B-VG and for reports by the Federal Government or its members. After receipt of a note to this effect the President shall have the note copied and distributed to the Members. Any such modification or withdrawal shall, in addition, be communicated to the National Council at its next sitting (§ 49 (1) or (2)).

§ 26. (1) Every Member shall have the right to introduce private Members' motions during the sittings of the National Council.

(2) The motion shall contain the words "Der Nationalrat wolle beschließen" ("...that the National Council resolve...") and the exact wording of the decision which the National Council is requested to take in accordance with the motion. Motions shall be submitted to the President in writing and shall carry the signature(s) of the sponsor(s). They shall clearly identify the sponsor.

(3) The motion may contain a proposal concerning the committee to which it should be referred for deliberation.

(4) Every motion must be supported by at least five Members (including the mover(s)).

(5) Unless the motion bears the signatures of five Members, such support shall be expressed by the seconding Members rising from their seats when asked by the President whether there are any seconds.

(6) All private Members' motions duly seconded shall without delay be copied and distributed to the Members.

(7) If a Committee fails to commence preliminary deliberations on a private Members' motion within six months of referral, the mover(s) may demand that preliminary deliberations should start within eight weeks of their demand being made.

(8) In addition, the mover(s) of a private Members' motion may demand that the Committee to which said motion has been referred report to the National Council one year after referral of the motion. Such demand shall be submitted within six months of referral and supported by at least five Members (including the mover(s)), with no Member supporting more than two such demands per year.

(9) Demands under (7) and (8) above shall be submitted in writing to the President, who shall notify the National Council and the chairperson of the Committee in question.

(10) Committee reports under (8) above shall be placed on one of the agendas of the next two weeks of sittings.

(11) The mover(s) may withdraw his/her/their private Members' motion at any time before a vote is taken on it in Committee. The President shall order the copying of the letter of withdrawal and its distribution to the Members. In addition, every such withdrawal shall be communicated to the National Council at its next meeting (§ 49 (1) or (2)).

§ 26a. (1) Every Member may, within the time allowed under Art. 8 of the Protocol on the Application of the Principles of Subsidiarity and Proportionality, introduce in the sittings of the National Council a private Members' motion to bring action against a legislative act of the European Union before the Court of Justice of the European Union on grounds of infringement of the principle of subsidiarity.

(2) The motion shall contain the words „Der Nationalrat wolle beschließen“ (“...that the National Council resolve...“) and the wording of the action to be decided upon by the National Council. The action shall meet the requirements of the Statute and Rules of Procedure of the Court of Justice of the European Union. The motion shall indicate the time limit set for bringing action and shall be accompanied by the legislative act the rescission of which is being moved. The motion shall be in writing, duly signed by the mover or movers. It shall clearly identify the mover(s) and be submitted to the President.

(3) The provisions of § 26 (4) – (6) and (11) shall be applied mutatis mutandis.

(4) The President shall immediately after receipt refer motions for action under (1) above to the Main Committee, which shall without delay embark on deliberations of the same.

(5) The decision to bring action under (1) above shall be immediately transmitted to the Federal Chancellery and the President of the Federal Council.

§ 26b. (1) Every Member may in the sittings of the National Council introduce a private Members' motion calling for rejection of an initiative or proposal under Article 23i (2) B-VG.

(2) The provisions of § 26 (2) and (4) to (6) and (11) shall be applied mutatis mutandis.

(3) The President shall immediately after receipt refer motions to reject an initiative or proposal under (1) above to the competent committee, which shall without delay embark on deliberations of said motion.

§ 27. (1) Every Committee shall have the right to present Committee motions for the adoption of laws germane to the subject matter under deliberation in Committee, and to submit a report to this effect in accordance with § 42.

(2) In preliminarily deliberating a Draft Federal Framework Budget and the Draft Federal Finance Act as well as an objection on the part of the Federal Council motions under (1) above shall not be permitted.

(3) The Committee shall also have the right to present committee motions requesting decisions that do not concern the adoption of laws in accordance with (1) above but are germane to the subject matter under deliberation in Committee. If such motions are motions for a resolution or motions requesting the holding of a referendum under Art. 43 B-VG, they shall be annexed to the Committee report on the subject matter in hand.

§ 28. (1) Private Members' motions and Committee motions that would entail financial burdens for the Federal Government in excess of the amounts foreseen in the Federal Budget shall contain proposals on how the excess expenditure is to be covered.

(2) The Committee to which such a motion has been referred for preliminary deliberation shall investigate whether the proposal on covering the excess expenditure is sufficient.

Va. Summary Procedure

§ 28a. (1) In the case of a bill concerning a State Treaty the President may, after consultation of the members of the President's Conference, propose to the National Council immediately after communicating receipt of said bill according to § 23 (4) that it should not be referred to a Committee but placed on the agenda of one of the next sittings.

(2) If there is an objection to the President's proposal the bill shall be referred to a committee for preliminary deliberation.

§ 28b. (1) The President shall refer reports of the Federal Government and its members as well as reports of Federal Ministers on EU matters under Art. 23f (2) B-VG to a committee for final deliberation. Deliberations on reports of Federal Ministers on EU matters under Art. 23f (2) B-VG shall start within two months.

(2) Debates and votes on reports of the Federal Government and its members and on reports by Federal Ministers on EU matters under Art. 23f (2) B-VG shall be open to the public under § 37a (1) [1].

(3) A time frame for the debate shall be envisaged at the beginning of the sitting. In the debate no speaker may speak for more than ten minutes.

(4) For good cause the Committee may decide at any time during debate not to enter upon the final deliberation procedure. Preliminary deliberation by the Committee shall also take place at the request of a Parliamentary Group. The President shall decide, after consultation of the President's Conference, how many such requests may be made by each Parliamentary Group, the minimum entitlement being one request per year and Parliamentary Group. In such cases, preliminary deliberation by the Committee shall be followed by a debate and vote under the General Provisions concerning the Consideration of Business in Sitzings of the National Council.

(5) In conjunction with a request under para 4, second sentence, the Parliamentary Group may also require that the report in question be deliberated on by the National Council within the scope of the next two weeks of sittings as defined in § 13 (5).

VI. Establishment of Committees and Consideration of Business during Their Meetings

§ 29. (1) The National Council shall elect the Main Committee from among its Members in accordance with the principles of proportional representation.

(2) The Main Committee shall, in particular, have the following duties:

(a) to reach agreement with the Federal Government concerning Austria's participation in appointing members of the European Commission, the Court of Justice of the European Union, the Court of Auditors and the Board of Directors of the European Investment Bank under Art. 23c (2) B-VG;

(b) to adopt opinions on projects of the European Union under Art. 23e and Art. 23j B-VG;

(c) to address communications to the organs of the European Union under Art. 23f B-VG;

(d) to adopt reasoned opinions on draft legislative acts of the European Union under Art. 23g B-VG;

(e) to deliberate preliminarily on a motion to bring action under § 26a;

(f) to deliberate preliminarily on a motion to hold a referendum under Art. 49b B-VG;

(g) to reach agreement with the Federal Government or a Federal Minister concerning such regulations as require such agreement under Federal Law in accordance with Art. 55 B-VG;

(h) to receive reports of the Federal Government or a Federal Minister to the extent this is required by Federal Law in accordance with Art. 55 B-VG;

(i) to propose a candidate for the election of the President of the Court of Audit under Art. 122 (4) B-VG;

(j) to propose a list of candidates for election as members of the Ombudsman Board under Art. 148g (2) B-VG;

(k) to propose a list of candidates for election as members of the Parliamentary Federal Army Commission under § 4 (9) Wehrgesetz/Defence Act 2001.

§ 30. (1) The number of members of the Main Committee shall be determined by decision of the National Council.

(2) The members of the Main Committee shall be elected from list submitted to the President.

(3) The number of Members on each list who shall become members of the Main Committee shall be proportional to the number of Members that have signed these lists. Each Member must not sign more than one list. The order in which Members' names are given on the slates shall decide, in the first place, on whether or not they have been elected.

(4) The assignment of the number of Members corresponding to each list shall be done by means of a denominator (Wahlzahl), which shall be determined as follows: The numbers of Members having signed the individual lists are written side by side in decreasing order of magnitude; beneath these totals are written one half of the respective number, then one third, one quarter and any further fractions that may be necessary. If the number of seats on the Committee is ten, the denominator shall be the tenth highest number, in the case of eleven committee seats, the eleventh highest, in the case of twelve seats, the twelfth highest number etc. The number of members assigned to each list shall then be the quotient of the number of Members that have signed the respective list divided by the denominator.

(5) Any Committee member unable to exercise his/her function on the Committee shall be replaced by a Member to be designated to the President in writing by those Members who have signed the respective list.

§ 31. (1) The Main Committee shall elect a Standing Sub-Committee which shall have the duties laid down in Arts. 18 (3) and 55 (3) B-VG as well as a Standing Sub-Committee which shall, in accordance with the provisions of this Federal Law, have competence to deal with projects within the framework of the European Union (Standing Sub-Committee on European Union Affairs). Elections shall be governed by the principles laid down in § 30; however, each Sub-Committee shall have among its

members at least one member of each of the Parties represented on the Main Committee.

(2) A substitute member shall be elected for each of the members of the Standing Sub-Committees. The members and substitute members of the Standing Sub-Committees shall retain their seats until the Main Committee of the National Council has elected other members and substitute members to sit on the Standing Sub-Committees.

§ 31a. The Main Committee shall without delay deal with submissions under § 29 (2) a and g. Once agreement has been reached between the Federal Government (Federal Minister) and the Main Committee, the competent Federal Minister shall publish the new provisions, making due reference to the agreement of the Main Committee.

§ 31b. (1) Proposals under Art. 23c (2) B-VG shall be distributed to the members of the Main Committee. Decisions of the Main Committee under Art. 23c (2) B-VG and communications under Art. 23c (5) B-VG shall be distributed to the Members of the National Council.

(2) Information on Projects of the European Union shall be guided by the provisions of Art. 23e to 23j B-VG and the provisions of the EU Information Act, BGBl I No. 113/2011, unless otherwise provided for in the present Act.

(3) Bills, documents, reports, items of information and communications on projects within the framework of the European Union that are not classified shall be collected and stored in the EU database under § 1 para 2 of the EU Information Act. Collection and storage shall count as distribution within the meaning of the present Act.

(4) Bills, documents, reports, items of information and communications on projects within the framework of the European Union classified as “Restreint UE/EU Restricted” shall be collected and stored in the EU database.

(5) Bills, documents, reports, items of information and communications on projects within the framework of the European Union available in the database under § 2 (1 and 2) of the EU Information Act may be accessed by Members of the National Council. Access to these documents by persons designated by the Parliamentary Groups and by employees of the Parliamentary Administration shall be subject to the provisions of the Information Rules Act.

(6) The handling and distribution of other bills, documents, reports, items of information and communications on projects within the framework of the European Union shall be governed by the Information Rules Act.

§ 31c. (1) Projects of the European Union under Art. 23e and 23j B-VG (§ 29 (2) b) on which the competent Federal Ministers have to inform the National Council, reports of the competent Federal Minister under Art. 23e (3), in so far as an opinion has been

adopted in accordance with this provision, and all documents relating to projects of the European Union that have been directly transmitted to the national parliaments by Organs of the European Union shall be items of business to be deliberated in the Main Committee.

(2) Within the scope of a session, the chairperson shall convene a sitting of the Main Committee on European Union Affairs in such a way that the Main Committee can meet within two weeks if the competent Federal Minister or 20 Members of the National Council so demand, with the proviso that each Member can second such demand only once a year.

(3) Apart from § 34 (4), a project of the European Union under Art. 23e and 23j B-VG and/or a report under Art. 23e (3) B-VG shall be placed on the agenda of a Main Committee if

1. the competent Federal Minister so demands or 2. 20 Members of the National Council so demand or

3. a member of the Main Committee so demands at least 48 hours before a sitting and if the project is likely to be decided upon at the next meeting of the Council of the European Union, with the proviso that members of the same parliamentary group can make such a demand only once.

(4) On condition that the period fixed in Art. 6 of the Protocol on the Application of the Principles of Subsidiarity and Proportionality has not yet lapsed, a draft of a legislative act of the European Union under Art. 23g (1) B-VG shall be placed on the agenda if a member of the Main Committee so demands at least 48 hours before a sitting. Para. 12 below shall not apply to such a demand.

(5) At the beginning or during the course of a sitting, the chairperson may, upon decision of the Main Committee, change the order of the items on the Main Committee's agenda.

(6) Deliberations of the Main Committee on projects within the framework of the European Union shall be confidential or secret under § 37a if the provisions of the European Union concerning the secrecy of such projects or of documents relating thereto so require.

(7) Deliberations of the Main Committee on European Union Affairs shall be open to the public under § 37a (1) [2].

(8) Summary records of the deliberations of the Main Committee on European Union Affairs shall be taken down unless the Committee otherwise decides. Summary records of those parts of the deliberations which are open to the public shall be published as annex to the Stenographic Records.

(9) The Members of the European Parliament elected in Austria shall have the right to attend the deliberations of the Main Committee on European Union Affairs in an advisory capacity.

(10) After written notification of the chairperson, a member of the Main Committee may be represented by a Member of his/her Parliamentary Group in deliberations on matters of the European Union.

(11) The speaking time for Members of the National Council and Members of the European Parliament elected in Austria shall be determined by a decision taken at the beginning of the sitting upon proposal of the Chairperson. In taking the decision, consideration shall be given to the strengths of the individual Parliamentary Groups represented on the Committee as well as to the number of Members of the European Parliament elected in Austria including those Members of the European Parliament who do not belong to a Parliamentary Group or any Parliamentary Group represented on the Committee.

(12) Once it is evident that a project under § 31c (1) is to be deliberated in a sitting of the Main Committee on European Union Affairs or the Standing Sub-Committee on European Union Affairs under § 31e (1) as an agenda item, the President shall request the competent Federal Minister to supply written information under the provisions of the EU Information Act.

(13) If a parliamentary group represented in the Main Committee so demands, the President shall request the competent Federal Minister to supply written information on a European document in accordance with the provisions of the EU Information Act. The President shall decide, after consultation of the President's Conference, how many such demands may be made by each parliamentary group, each of which shall have the right to make at least three such demands per year. Additionally, each parliamentary group may demand to be informed in writing on an imminent decision on matters under § 5 (1) to (5) EU Information Act, with the proviso that only one such demand may be made regarding any such imminent decision.

(14) The Main Committee may, through its President, request from the competent Federal Minister a statement under Art. 23g (2) B-VG on the compatibility of a draft legislative act of the European Union with the principle of subsidiarity.

§ 31d. (1) The Main Committee may

1. adopt, on one or several occasions, opinions under Art. 23e (1) B-VG on projects within the framework of the European Union, decide on communications to Organs of the European Union under Art. 23f (4) B-VG and adopt reasoned opinions under Art. 23g (1) B-VG;

2. object to any intended departure, under Art. 23e (3) B-VG, on the part of the competent Federal Minister, if the legal act in preparation were to require passage of

provisions at the level of federal constitutional law, or if it contains elements that could only be adopted by such provisions.

3. take note, or refuse to take note, of reports of the competent Federal Minister under Art. 23e (3) B-VG on any such departure from an opinion adopted by the National Council.

(2) Before entering upon a debate of a project within the framework of the European Union the chairman may give the floor to the competent Federal Minister or a staff member of his/her Ministry delegated by him/her for an introductory report on the project in hand and the Federal Minister's position on it.

(3) Once the debate has been opened, any member of the Main Committee may introduce in writing the following motions for decisions in accordance with (1) above:

1. Motions for opinions under Art. 23e B-VG shall contain statements as to whether the project is aimed at enacting a binding legal act that would affect the passing of Federal Laws concerning matters regulated by the legal act, whether it would require the passing of provisions at the level of constitutional law, or whether it contains elements that could only be adopted by such provisions.

2. Motions for adoption of a communication under Art. 23f (4) B-VG shall designate precisely the projects under § 31c (1) to which the communication refers as well as the addressees and other recipients of the communication.

3. Motions for a reasoned opinion under Art. 23g (1) B-VG shall also contain statements on why the project is incompatible with the subsidiarity principle.

(4) The President of the National Council shall without delay

1. transmit opinions and other decisions of the Main Committee on EU Affairs to all members of the Federal Government,

2. transmit communications under Art 23f (4) B-VG to the respective addressees and other recipients,

3. transmit reasoned opinions under Art. 23g (1) B-VG to the Presidents of the European Parliament, the Council and the Commission.

Unless the Main Committee decides otherwise, opinions and decisions shall also be distributed to the President of the Federal Council, all Members of the National Council and the Austrian Members of the European Parliament.

(5) The Main Committee may decide that a project or report on matters of the European Union should be deliberated by the National Council. In this case the Main Committee shall present a report, which may contain motions under (1) above as well

as motions under § 27 (1 and 3). Such reports and the motions contained therein shall constitute items of business of the National Council.

(5a) The Main Committee may furthermore adopt a report on a project concerning EU matters which is to be referred to another committee for preliminary deliberation. The submission of such reports shall be governed, *mutatis mutandis*, by § 42. The President shall immediately refer such a report to the committee indicated for preliminary deliberation. Once the report has been referred, the Main Committee may no longer adopt motions under § 27 (1 or 3) on the respective EU project; decisions under (1) above are still possible.

(6) The Main Committee may decide in what way the competent member of the Federal Government who wishes to depart under Art. 23e (3) B-VG from an opinion adopted by the National Council can bring the matter before the Main Committee for reconsideration. In so doing, the Main Committee may decide to entrust consideration to the Standing Sub-Committee on European Union Affairs or to consult the Committee established under § 31e (3).

§ 31e. (1) The Main Committee may entrust duties regarding matters of the European Union under Arts. 23e, 23f, 23g and 23j B-VG to the Standing Sub-Committee on European Union Affairs. The Main Committee may also decide in individual cases to reassume such duties so entrusted.

(2) In accomplishing duties so entrusted to it, the Standing Sub-Committee on European Union Affairs shall be governed by the provisions relating to the Main Committee.

(3) If no reconsideration by the National Council under Art. 23e (3) B-VG is called for, duties of the Main Committee or the Standing Sub-Committee on European Union Affairs may be accomplished by a committee chaired by the Chairperson of the Standing Sub-Committee on European Union Affairs (or his/her deputy) and composed of one member of each Parliamentary Group to be appointed by said Group. Said committee shall not be empowered to take decisions. After the committee has deliberated, the Chairperson shall communicate the views of the committee members to the President of the National Council, who shall in turn communicate these views to the Austrian representative to the European Council and/or the Council of the European Union.

31f. (1) Five Members may, in the course of a session, address short written questions to a member of the Federal Government on what bills, documents, reports, items of information and communications regarding a given project of the European Union within his/her remit have been received within a defined period of time, at most within the last three months.

(2) A question under (1) above shall be presented to the President. It shall bear the original signatures of at least 5 Members, including the Member who has asked the

question, and designate the project to which the question refers. The question shall be communicated to the member so queried by the Parliamentary Administration.

(3) Any Member may second such a question only once within three months.

(4) The member of the Federal Government so queried shall answer the question in writing within ten working days from the day the President has received the question. If the member so queried is not in a position to answer the question s/he shall state the reasons therefor in his/her answer. Bills, documents, reports, items of information and communications on EU projects that have already been made available to the National Council under § 2 (1, 2 or 3) EU Information Act need not be expressly mentioned in the answer.

(5) The answer shall be distributed in accordance with § 31b.

(6) A question under (1) above may also be addressed to a member of the Federal Government during times when the National Council is not in session, in which case the person so queried shall answer the question within 20 working days of receipt of the question by the President.

§ 32. (1) For the purpose of preliminary deliberation of items of business, the National Council shall elect Committees. The National Council shall determine the number of members and substitute members of each Committee. The members and substitute members shall be recruited from the Parliamentary Groups in proportion to their number of members in accordance with the principles laid down in § 30 above. The Parliamentary Groups shall communicate to the President the names of the members and substitute members to which they are entitled, which shall thereupon be considered elected. Whenever changes in the relative strength of the Parliamentary Groups reported to the President so require, the National Council shall, within one week of the President having been notified or - if no sittings are held during the period in question - at the latest in the second sitting following said notification, hold elections to determine the new Committee memberships. Up to the time the new Committees are constituted, the existing Committees shall continue their work with the previous membership. The committee deliberations in the course of a term of the National Council shall not be interrupted by the new elections.

(2) The provisions of (1) above notwithstanding, the National Council may decide, upon the President's proposal and after consultation of the President's Conference, that Committee membership shall be determined in a way that constitutes a departure from the principles for the assignment of members and substitute members laid down in § 30 above, as long as the majority coalitions possible in committee are the same as those possible in the plenary.

(3) Committee members unable to attend shall be represented by elected substitute members belonging to their Parliamentary Group.

(4) A Committee member who is unable to attend may, after written notification of the Committee chairperson, be represented by a Member of his/her Parliamentary Group other than a substitute member.

§ 32a. (1) The Committee charged, in particular, with preliminarily deliberating the Draft Federal Framework Budget as well as the Federal Finance Act shall also participate in the administration of the budget under Arts. 51 (7), 51b (2), 51c (3) and 51d (2) B-VG and undertake preliminary deliberations on the Federal Financial Accounts; subject to revocation, said Committee may refer certain tasks to a Standing Sub-Committee to be elected in accordance with § 31 above, which shall also participate in the administration of the budget under Arts. 51 (7), 51b (2), 51c (3) and 51d (2) B-VG if the Federal President dissolves the National Council under Art. 29 (1) B-VG.

(2) The deliberations of the Standing Sub-Committee shall be confidential under § 37a (3) unless it decides otherwise.

(3) Whenever necessary, the Committee or its Standing Sub-Committees under (1) above and § 32f shall be convened even during times when the National Council is not in session.

(4) The President shall refer all items of business under Arts. 51 (7), 51b (2), 51c (3) and 51d (2) B-VG directly to the Committee or its Standing Sub-Committee, the time lapse stipulated in the last sentence of Art. 51 (7) [1] B-VG beginning at the time of referral.

(5) In the course of the preliminary deliberation on a Federal Finance Law every Member entitled to vote in the respective sitting of the Budget Committee shall have the right to address brief and concrete written questions to the government members present on condition that such questions are germane to the issue in hand. Such questions shall be announced by the Chairperson and copies thereof attached to the Official Record. The government member so queried shall under any circumstances, within a period of four working days from the time of submission, provide written answers to a maximum of five questions put by any one questioner. If the government member queried is not in a position to provide the desired information, this shall be stated in the answer and the reasons given. Upon receipt of the answers in writing, the President shall cause them to be copied and distributed to the questioners, the members of the Budget Committee and all Parliamentary Groups.

§ 32b. (1) For the purpose of reviewing measures for the protection of the Institutions provided for by the Federal Constitution and their capacity to act, and for reviewing measures of the information services designed to ensure military defence, the competent Committees of the National Council shall each elect one Standing Sub-Committee. Each of the parties represented on the Main Committee of the National Council shall have at least one Member on each Sub-Committee.

(2) The members of the Standing Sub-Committees shall retain their seats until the competent Committees have elected other members or until another member has been designated under § 36 (2).

§ 32c. (1) Every member of the Standing Sub-Committee as defined in § 32b may, in the course of a Sub-Committee sitting, request relevant information from the competent government member. Requests to be given access to documentation require a decision of the Sub-Committee to make such request.

(2) The government member queried shall be under no obligation to give the relevant information or give access to documentation if s/he is not in a position to do so or if compliance with the request might jeopardise national interests or the safety of persons.

§ 32d. (1) Standing Sub-Committees under § 32b shall, unless otherwise provided in the following paragraphs, be governed by the provisions regarding the organisation and work of Sub-Committees.

(2) The Sub-Committees shall in principle be convened by their Chairpersons once every three months. In addition, a sitting of the respective Sub-Committee shall be convened by its Chairperson at the request of one quarter of its members or of the competent government member and shall meet within two weeks.

(3) The Sub-Committees may, as and when necessary, meet when the National Council is in recess.

(4) Unless otherwise decided, the deliberations of the Sub-Committees shall be secret under § 37a (4). The members of the Sub-Committee shall be sworn to secrecy by the President of the National Council.

(5) Persons who are not members of the Sub-Committee and whose presence is not provided for by Art. 75 B-VG may be admitted to individual sittings upon decision by the Sub-Committee. The extent to which records of the deliberations shall be made shall be decided by the Chairperson. The record shall be signed by the Chairperson and one Secretary. The President of the National Council shall provide for the safe-keeping of the records.

§ 32e. (1) The Court of Audit Committee (§ 79 (2)) shall elect a Standing Sub-Committee, in which each party represented in the Main Committee shall have at least one member.

(2) The National Council may, upon a motion seconded by five members, decide to instruct said Sub-Committee to investigate a particular event subject to the provisions of § 99 (2). Alternatively, such action may, subject to the conditions stipulated in (3) below, be called for by one quarter of the members of the National Council.

(3) A demand under the last sentence of (2) above shall not be permitted if the subject matter in question is already being examined by the Court of Audit. In addition,

demands of this nature must not be made as long as a previous demand is being complied with. If several demands are made by Members of different Parliamentary Groups, the President shall see to it that these demands are dealt with in alternation.

(4) The Sub-Committee shall commence deliberations within four weeks of a decision taken under the first sentence of (2) above or of receipt by the President of the National Council of a demand made under (2) second sentence above and shall report to the Court of Audit Committee within another six months. The Court of Audit Committee may decide to submit this report to the National Council.

(5) The Sub-Committee shall be governed by the provisions on the organisation and procedure of Sub-Committees as well as the provisions of § 32b (2).

§ 32f. (1) The Budget Committee shall under Art. 50d (3) B-VG elect

1. a Standing Sub-Committee entrusted with participation in secondary-market measures within the framework of the European Stability Mechanism (Standing Sub-Committee on Secondary-Market Affairs - ESM) and *(Note: § 32f para 1 subpara 1 shall not enter into force until the requirements set out in § 109 para 6 have been fulfilled)*

2. a Standing Sub-Committee entrusted with participation in all other matters of the European Stability Mechanism under this Federal Law and the preliminary deliberation on items of business under § 74d (1) (Standing Sub-Committee on ESM Affairs).

Either Sub-Committee shall comprise at least one Member of each of the parties represented in the Main Committee of the National Council. Unless otherwise provided in the paragraphs below and in §§ 32g-32k, the Standing Sub-Committees shall be governed by the provisions on the organisation and procedures of Sub-Committees as well as § 34 (5) and § 41(2). However, in departure from § 34 (4), a suspension of a sitting shall be permissible only within the time frame governing the decisions at the level of the European Stability Mechanism.

(2) Apart from the preliminary deliberation of items of business under § 74d (1), the deliberations of the Standing Sub-Committees shall be confidential under § 37a (3) unless the Standing Subcommittees decide otherwise. They shall in any case be confidential if confidentiality is required under § 74g (1).

(3) § 31 (2) shall apply, *mutatis mutandis*, to the Standing Sub-Committee on Secondary-Market Affairs - ESM. Prior to the election under (1) [1] above, the President shall consult with the Members of the President's Conference on the composition of the Sub-Committee. Its members shall be sworn by the President of the National Council to keep strict confidentiality. § 32d (5) shall apply *mutatis mutandis*. *(Note: § 32f para 3 shall not enter into force until the requirements set out in § 109 para 6 have been fulfilled.)*

§ 32g. (1) A Standing Sub-Committee under § 32f shall be convened by its Chairperson in such a way that it can meet in due course if demanded by the competent Federal Minister or twenty Members of the National Council, with the proviso that each Member can second said demand only once a year. In so doing, the Chairperson shall comply with the time limit set for decision-making at the level of the European Stability Mechanism. If the Chairperson fails to convene the Sub-Committee in due course, this shall be done by the President.

(2) Apart from § 34 (4) an item of business under § 74e shall be placed on the agenda of a Standing Sub-Committee under § 32f if this is demanded by

1. the competent Federal Minister or
2. 20 Members of the National Council.

Members of the same parliamentary group may do so only once.

(3) The speaking time allotted to a Member in the course of deliberations of a Standing Sub-Committee under § 32f shall not exceed 20 minutes unless the Standing Sub-Committee under § 32f decides otherwise.

§ 32h. (1) The Standing Sub-Committee on ESM Affairs may, on the basis of a bill under § 74e (1) [1] and [2] authorise the Austrian representative in the European Stability Mechanism to agree to

1. a change in the authorised capital stock and an adaptation of the maximum lending volume of the European Stability Mechanism in accordance with Art. 10 (1) of the Treaty Establishing the European Stability Mechanism (ESM Treaty),
2. a call-in of authorised unpaid capital stock under Art. 9 (1) ESM Treaty,
3. essential changes in the terms and conditions governing capital calls acc. to Art. 9 (4) ESM Treaty,
4. adoption of a financial assistance facility agreement under Art. 13 (3) 3rd sentence ESM Treaty and a corresponding Memorandum of Understanding under Art. 13 (4) ESM Treaty,
5. a decision on making available additional instruments without changing the lending volume of an existing financial assistance facility and essential changes in the conditions of the financial assistance facility

or to abstain from voting. In the absence of such authorisation the Austrian representative shall vote against the proposal for a decision.

(2) If the particular urgency of the matter requires a decision under (1) [4] and [5] above to be taken without delay, the competent Federal Minister shall point this out

expressly in the respective bill and state the reasons for the particular urgency and the time limit set for deliberations at the level of the European Stability Mechanism.

(3) In cases defined in (2) above the Chairperson shall without delay convene the Standing Sub-Committee on ESM Affairs under § 32g (1) and place the item on its agenda.

(4) In accordance with § 74d (4) an ESM statement shall be presented by members of the Federal Government in a sitting of the National Council following the adoption of a decision under (1) [4] and [5] by the ESM Organs.

§ 32i. (1) The Standing Sub-Committee on ESM Affairs may repeatedly adopt opinions under Art. 50c (1) B-VG on items of business under § 74d (1) and § 74e (1) [1] and [2] and on items of business, documents and proposals for decisions under § 1 ESM Information Rules.

(2) If an opinion has been adopted under (1) above, the Austrian representative in the European Stability Mechanism shall take said opinion into consideration in the deliberations of and in voting on the matter in hand. When voting has taken place, the competent Federal Minister shall immediately report to the Standing Sub-Committee on ESM Affairs and, if applicable, give the reasons why the Austrian representative has not done so.

(3) The Standing Sub-Committee on ESM Affairs may take note of reports under (2) above or refuse to do so.

§ 32j. (1) Prior to entry into debate on an item of business under § 74d (1) and § 74e (1) the Chairperson may give the floor to the competent Federal Minister and/or the Austrian representative in the European Stability Mechanism under § 20c for an introductory report on the item of business and the position taken thereon.

(2) Once the debate has been opened any member of the Standing Sub-Committee on ESM Affairs may make written motions for an opinion under § 32i.

(3) The President of the National Council shall without delay transmit

1. decisions under § 32h to the members of the Federal Government and

2. opinions under § 32i to the competent Federal Minister.

Unless the Standing Sub-Committee on ESM Affairs decides otherwise, decisions under § 32h and opinions under § 32i shall be communicated in accordance with § 39 (1).

(4) In so far as the deliberations and decisions of the Standing Sub-Committee on ESM Affairs are confidential, any distribution or communication under (3) above shall be delayed until the reasons for confidentiality have lapsed. The Standing Sub-

Committee shall decide under § 9 (3) Information Rules Act on the time for releasing such communications.

(5) The Standing Sub-Committee on ESM Affairs may, with the exception of urgent cases under § 32h (2), decide that an item of business under § 32h [1] to [5] and § 32i be deliberated by the National Council. In this case the Standing Sub-Committee shall submit a report which may contain recommendations for decisions under § 32h and motions under (2) above and motions under § 27 (3).

§ 32k. *(Note: § 32k shall not enter into force until the requirements set out in § 109 para 6 have been fulfilled.)*

(1) The Standing Sub-Committee on Secondary Market Affairs – ESM may on the basis of an item of business received from the competent Federal Minister under § 74e (2) authorise the Austrian representative in the European Stability Mechanism to agree to proposals for decisions regarding secondary-market interventions within the framework of the European Stability Mechanism under Art. 18 (1) and (6) ESM Treaty or to abstain when a decision is taken. In the absence of such authorisation the Austrian representative shall reject said proposal for decision.

(2) The Standing Sub-Committee on Secondary Market Affairs – ESM may repeatedly adopt opinions under Art. 50c (1) B-VG on items of business under § 74e (2).

(3) § 32g and § 32j (1) to (4) shall apply mutatis mutandis.

§ 33. (1) Upon a motion submitted in writing and supported by at least five Members, including the mover(s), the National Council may decide to set up an Investigating Committee. If at least 46 of its Members so demand, the National Council shall be required to set up an Investigating Committee.

(2) Such motions or demands shall be submitted in writing in the course of a National Council sitting and shall indicate the subject of investigation under Art. 53 (2) B-VG. Motions under (1) above shall contain the words “Der Nationalrat wolle beschließen” (“... that the National Council resolve ...”). They shall clearly identify the sponsor(s), carry his/her/their signature(s) and shall be submitted to the President. Motions and demands duly seconded shall without delay be distributed to the Members.

(3) The establishment and procedure of Investigating Committees shall be governed by the "Rules of Procedure for Parliamentary Investigating Committees (RP-IC)", which form Annex 1 to this Federal Law and form an integral part thereof. Unless otherwise stipulated in said Rules of Procedure, the proceedings shall be governed by the provisions of the present Federal Law.

(4) The National Council may decide that a debate be held on a motion or demand to set up an Investigating Committee. Such debate shall also be held if five Members so demand. It shall be held after the completion of the business on the agenda and shall be governed by the provisions of §§ 57a and 57b. Members belonging to the same

Parliamentary Group may call for such a debate only once in every week of sittings. If such call for a debate is supported by Members of several Parliamentary Groups, the demand shall be deemed to have been made on behalf of the group to which the first sponsor belongs. If the first sponsor belongs to no Parliamentary Group, this provision shall hold with regard to the second sponsor and so forth.

(5) A motion under (1) above may be withdrawn by its sponsor(s) at any time up to the commencement of voting in the Rules of Procedure Committee. A demand under (1) above may be withdrawn by the Qualified Minority which has supported the demand at any time up to the commencement of the consideration of the report in the National Council under § 9. The President shall have the letter of withdrawal distributed to the Members.

(6) Motions and/or demands to set up Investigating Committees shall be referred to the Rules of Procedure Committee at the end of the sitting in which they have been submitted. The Rules of Procedure Committee shall commence deliberations on a motion or demand to set up an Investigating Committee within four weeks of its referral. A report shall be submitted to the National Council within a further four weeks.

(7) The Rule of Procedure Committee's report shall be dealt with by the National Council in its sitting following the report's submission to the President.

(8) In case of a report on a motion under (1) above, the debate and vote thereon shall be governed by the General Provisions concerning the Consideration of Business in Sittings of the National Council. Motions to amend or add and demands for separate votes shall be out of order.

(9) In so far as the Rules of Procedure Committee does not consider a demand under (1) above to be totally or partly inadmissible, the Investigating Committee shall to that extent be deemed established as from the commencement of the consideration of the report, and the decisions under § 3 (5) RP-IC shall become effective. The material point in time shall be enounced by the President in the sitting, noted in the Official Records and published without delay. § 60 (3) shall apply to the debate.

(10) If so required under (6) above or under the provisions of the Rules of Procedure for Parliamentary Investigating Committees, the Rules of Procedure Committee shall meet even when the National Council is not in session. The Investigating Committee may meet even when the National Council is not in session.

§ 34. (1) The committee shall be convened for its constituent meeting by the President of the National Council.

(2) Each committee shall elect a chairperson and as many deputy chairpersons and secretaries as are deemed necessary. If the secretaries are unable to attend, the committee shall elect a secretary for the meeting in question.

(3) The meeting shall be chaired by the President of the National Council until the chairperson has been elected.

(4) The chairperson shall convene the meetings of the committee; s/he shall open and close the meetings and implement and enforce compliance with the Rules of Procedure; s/he shall maintain order during the meetings and shall have the right to suspend them.

(5) The chairperson may place the item "Debate on current issues within the remit of the committee" on the agenda of any meeting and shall be required to do so if, prior to the committee embarking upon the agenda,

1. the committee so decides or

2. such a debate is called for by a committee member and has not taken place for more than six months.

A pending audit of the administration of public funds shall not be the subject of such a debate in the Court of Audit Committee (§ 79 (2)). In the course of the debate, only procedural motions may be made. The chairperson shall have the right to close the debate after the subject has been sufficiently discussed.

(6) Para.(5) above shall apply mutatis mutandis to the "Debate on EU matters of topical interest in connection with the remit of the Committee".

§ 35. (1) Every Committee may set up a Sub-Committee to engage in a preliminary deliberation of subject matter referred to it or may entrust such deliberations to an existing sub-committee. Investigating committees may set up sub-committees solely for the purpose of drawing up draft reports.

(2) The Sub-Committee shall have consultative status; majority decisions can only be taken on procedural motions.

(3) The Sub-Committee shall be convened for its constituent meeting by the Committee chairperson. Each Sub-Committee shall elect a chairperson and as many deputy chairpersons and secretaries as are deemed necessary. The meeting shall be chaired by the Committee chairperson until the chairperson of the Sub-Committee has been elected.

(4) The chairperson of the Sub-Committee shall convene the Sub-Committee for its meetings and shall conduct its deliberations subject to the provisions of § 34 (4). In so doing, the provisions of § 41 other than those of paragraphs (2) to (4) shall be applied mutatis mutandis.

(5) Upon its chairperson's proposal the Sub-Committee shall decide

1. whether several matters entrusted to it for preliminary deliberation shall be dealt with jointly or separately;

2. if the Sub-Committee decides to deal with the matters jointly, which of several comprehensive motions shall serve as a basis for the deliberations;

3. whether the subject matters shall be debated jointly, in parts or separately in general and special debates.

(6) A Sub-Committee member who is unable to attend may, after written notification of the Sub-Committee chairperson, be represented by a Member of his/her Parliamentary Group. If the secretaries are unable to attend, an interim secretary shall be elected for the purposes of the meeting.

(7) Unless the Sub-Committee decides otherwise, its deliberations shall be confidential under § 37a (3). The provisions of the penultimate and last sentences of § 32 (1), of §§ 36 and 37 except for para (3), 37a and of §§ 38 to 40 shall apply mutatis mutandis.

§ 35a. (1) The Sub-Committee shall report the results of its deliberations to the Committee orally or in writing through the Sub-Committee chairperson or an elected rapporteur.

(2) Even in cases where agreement has not been achieved on all parts of the draft, the chairperson or elected rapporteur may, under a decision of the Sub-Committee, submit to the Committee a new version of the entire text, the passages on which no agreement has been reached being suitably marked.

(3) The Committee may at any time, and even during the time when the Sub-Committee is deliberating on the subject matter, determine a deadline for submission of the Sub-Committee report. In this case, the provisions of § 43 (2) and § 44 (3) shall apply mutatis mutandis.

§ 36. (1) Committee members are under the obligation to attend the meetings and work of their Committee.

(2) Committee membership shall expire if a Member retires from the Committee, if s/he ceases to belong to the Parliamentary Group by which s/he has been nominated, if the Parliamentary Group nominates another member to replace him/her, or if the Committee members have generally been newly elected under § 32 (1).

(3) Except for cases under § 32 (1), expiry of Committee membership shall take effect upon receipt of a communication to that effect by the President of the National Council. The President shall thereupon inform the chairperson of the Committee and, if necessary, have a new member nominated.

§ 37. (1) The President of the National Council may attend, in a consultative capacity, even the deliberations of those Committees of which s/he is not a member. Other Members may attend as observers.

(2) Committees may invite other Members to attend their meetings in a consultative capacity.

(2a) When committees are

1. to deliberate on reports of a Federal Minister on EU matters under Art. 23f (2) B-VG or on reports of the Main Committee under § 31d (5a) or its Standing Subcommittee on European Union Affairs under § 31e (2) or

2. to hold a “Debate on EU matters of topical interest” in connection with the remit of the Committee under § 34 (6),

they shall call on Members of the European Parliament elected in Austria to take part in their deliberations in an advisory capacity if a parliamentary group represented on the respective committee so demands. The respective Members of the European Parliament must be members of the same parliamentary group within the meaning of the Parliamentary Groups Funding Act 1985, BGBl. No. 156/1985, as the members of the National Council group making the demand.

(3) Members of the Federal Council shall have the right to attend the deliberations of Committees as observers.

(4) The Committees are under the obligation to invite to those parts of their sittings which are devoted to the preliminary deliberation of a popular initiative the Authorised Person pursuant to the Popular Initiatives Act of 1973 as well as two deputies, to be nominated by him/her under § 3 (3) sub-paragraph 3 of that Act.

(5) Persons who are not authorised to attend Committee sittings under (1) to (4) above or under § 18 (1) or § 20 (1 and 5), may attend such meetings only if authorised (directed) to do so by the President of the National Council or the competent member of the Federal Government, the President of the Court of Audit or the Chairperson of the Ombudsman Board.

(6) Confidential or secret committee sittings under § 37a may be attended only by persons who are members of the committee or authorized to attend Committee sittings under § 18 (1) or § 20 (1 and 5) or who are authorized to access information of the respective classification level under § 13 of the Information Rules Act. Other persons may be admitted if the Committee so decides. They shall be informed by the Chairperson of their duty to keep confidentiality and of the consequences of disclosure of protected information.

(7) Every Committee may exclude from its meetings or parts thereof any persons who are neither Members of the National Council nor entitled to attend the deliberations under § 18 (1) and § 20 (1 and 5). Under no circumstances may the Presidents of the National Council be excluded from a Committee meeting.

§ 37a. (1) Public sittings of National Council Committees shall, subject to the availability of sufficient room, be open to the general public and, above all, media representatives. Audio and video recordings shall be permitted. The following committee proceedings shall be open to the public:

1. the debate and vote on reports of the Federal Government and its members as well as on reports of Federal Ministers on EU matters under § 28b,
2. debates and votes of the Main Committee on Matters of the European Union unless (3) and (4) below otherwise provide. For good cause, a Member may move that the public be excluded from all or part of the deliberations,
3. hearings of experts and other witnesses in the course of the preliminary deliberation of important bills and State Treaties, if a Committee so decides,
4. a general debate or a detailed discussion of a popular initiative in the presence of experts or other witnesses,
5. hearings of witnesses in the course of the preliminary deliberation of Court of Audit reports, if the Court of Audit Committee so decides. Sound, film and video recordings as well as the taking of photographs shall not be permitted.

(2) Unless otherwise provided, sittings of National Council Committees shall be closed to the public. Sound, film and video recordings as well as the taking of photographs shall not be permitted.

(3) Committees may decide that, and to what extent, their deliberations and the decisions adopted by them shall be confidential. Committee proceedings and deliberations shall in any case be confidential if classified information of levels 1 and 2 or ESM classified information under the Information Rules Act is used. Other confidential proceedings shall be those of the subcommittees under §§ 32a, 32e, 32f and 35 unless these subcommittees otherwise decide.

(4) The proceedings and deliberations of Committees using classified information of levels 3 and 4 under the Information Rules Act shall be secret. The sittings of the Standing Subcommittees under § 32b shall be secret unless otherwise decided.

(5) The Chairperson shall decide to what extent records shall be made of Committee proceedings dealing with classified information or ESM classified information. The President shall provide for the safekeeping of the records.

§ 38. (1) All Committee sittings shall be duly recorded and the Official Records signed by the Committee chairperson and one secretary and deposited with the Parliamentary Administration. The minutes shall be kept by staff of the Parliamentary Administration; the Committees may, however, decide to assign this task to a secretary.

(2) The Official Records shall list the items under deliberation, all motions made in the course of the meeting, the manner in which they have been disposed of, the results of all votes and the decisions taken.

(3) The Records shall be accompanied by an attendance list as well as notifications, if any, of committee members being absent and replaced by Members other than substitute members. Originals or copies of any documents that the chairperson has brought to the notice of members in the course of the meeting shall be annexed to the Records.

(4) The Records shall be considered approved if no objections have been raised to them on the working day following the Committee meeting. If any objections are raised, the chairperson shall have the power to rule on them.

§ 39. (1) The President of the National Council shall direct communications (press releases) concerning the activities of the committees to be published. The Committees themselves may, however, of their own accord transmit to the Parliamentary Administration texts (communiqués) signed by the chairperson and one secretary for publication.

(2) In exceptional cases the Committee chairperson may ask the President to instruct the stenographers to take down summary records of the proceedings, which shall immediately thereafter be annexed to the Official Records of the meeting. These summary records shall, in particular, include any statements in writing submitted by participants of the meeting.

(3) If the Committee so decides, the President shall order the publication of such records.

§ 40. (1) The Committees may, through the President, ask members of the Federal Government to initiate investigations or summon experts or other witnesses to provide information orally or in writing; if such summonses entail costs the President's approval shall be sought.

(2) If an expert or other witness fails to comply with the summons, s/he may be brought before the Committee by the competent authority.

(3) Experts or other witnesses invited to appear before the Committee in order to make an oral statement and who have to travel for this purpose from their place of residence or work to the seat of the National Council shall be entitled to reimbursement of their costs. Reimbursement shall be effected by the Parliamentary

Administration on production of the relevant evidence. In such cases the provisions governing travel expenses of federal civil servants shall be applied *mutatis mutandis*.

(4) In connection with preliminary deliberations on an item of business the Committee chairperson may, with the approval of the President, invite the Committee members to visit the relevant locations within the federal territory.

§ 41. (1) Committees shall be deemed to have a quorum if more than half of their members are present. Such a quorum shall only be required for the purposes of votes and elections. If a vote or election cannot take place because of the absence of a quorum, the chairperson shall suspend the meeting for a definite or indefinite period. (2) At the beginning of a meeting the chairperson may change the order of business on the agenda and arrange for the deliberation of several items of business under one head. If any objections are raised, the Committee shall decide on such objections without debate. On the chairperson's proposal or on the motion of a Member the Committee may, at the beginning of the meeting, decide with a two-thirds majority of those present to strike an item of business from the agenda or to deliberate on an item of business not on the agenda.

(3) At the beginning of deliberations on an item of business the Committee shall elect a Committee rapporteur, on whose proposal the item of business may be discussed in toto or in parts or in separate general and special debates. If any objections are raised, the Committee shall decide on such objections without debate.

(4) If the Committee has been seized of several comprehensive motions, it shall decide on which of them the debate and voting shall be based. A general debate may take place prior to voting. If the written report of a Sub-Committee contains a new version of the entire text of a draft under the provisions of § 35a (2), that text shall form the basis for deliberations.

(5) The Committee chairperson shall recognise the members who have asked for the floor in the order in which they have made their requests.

(6) On the chairperson's proposal, the Committee may, for certain of its deliberations, decide by a two-thirds majority of the members present to limit the time for each member who has asked for the floor. On no account shall speaking time be limited to less than one quarter of an hour for each speaker.

(6a) Whenever Members of the European Parliament elected in Austria are called on to take part in deliberations under § 37 (2a) in an advisory capacity, para (6) above shall apply with the proviso that any such decision shall also apply to Members of the European Parliament who have asked for the floor and that the speaking time may be limited to ten minutes for each speaker. In departure from (6) above, such decision may also be adopted in the course of the debate.

(7) After at least three members who have asked for the floor have actually spoken, a motion to close debate may be made at any time on condition that the member holding the floor is not interrupted; the chairperson shall put any such motion to the vote immediately. If the motion is carried, all members who have already asked for the floor shall have the right to speak. If at the time of the vote the chairperson has no further requests for the floor, each of the Parliamentary Groups represented on the Committee (§ 32) shall have the right to appoint a speaker from its midst.

(8) Amendments modifying or adding to the text under deliberation may be made by all Members entitled to vote in the meeting; such amendments shall be presented to the chairperson in writing and may be accompanied by a statement of reasons. If a motion to close debate has been carried, Members desirous of moving an amendment may, immediately after closure, submit their amendment to the chairperson, who shall communicate it to the Committee.

(9) Unless expressly provided otherwise, all decisions in the Committee shall be taken with a majority of the Committee members present. The chairperson shall have a vote like all other members. The exercise of the right to vote shall be governed, mutatis mutandis, by the provisions of § 64. In case of a tie the motion shall be lost.

(10) The provisions of (9) above shall apply mutatis mutandis to elections to be held in the Committees. In case of a tie a second ballot shall be held. If the tie is not broken by the second ballot, the decision shall be taken by drawing lots.

(11) If the chairperson so orders or one fifth of the number of Committee members determined by the National Council so demand, a roll-call vote shall be taken. Prior to voting the chairperson shall determine and announce the names of those entitled to vote. The result of the roll-call vote shall be recorded both in the Official Records of the Committee meeting and in the written Committee report to the National Council.

(12) The adjournment of deliberations, factual corrections, the debate and vote on procedural motions, the order of voting as well as the call to speak to the point and the call to order shall be governed, mutatis mutandis, by the provisions governing the sittings of the National Council.

VII. Reporting by Committees

§ 42. (1) At the end of its deliberations the Committee shall elect a rapporteur who shall summarise the results, and in particular the decisions of the Committee, for the National Council in writing. When reporting about a popular initiative, the rapporteur shall take into consideration a brief summary of the personal opinion of the Authorised Person under § 37 (4) to the extent that it is in conflict with the main report. The report shall be signed by the chairperson and rapporteur and submitted to the President of the National Council, who shall order it copied and distributed to the Members.

(1a) Reports on a popular initiative shall also be transmitted to the Authorised Person pursuant to § 37 (4) and his/her deputies pursuant to § 3 (3) sub-paragraph 3, Popular Initiatives Act of 1973. In addition, the President shall order publication of the reports on a popular initiative in the official gazette of Wiener Zeitung. Moreover, all persons whose names have been entered in the electoral register and who have their main residence on federal territory shall have the right to receive, upon request, said reports by post without delay and free of charge.

(2) As long as the report has not been presented to the National Council, the Committee may change its decisions at any time. The number of votes by which a decision is modified must not be smaller than the number of votes by which the decision now to be modified was first taken. If the number of votes by which the decision was originally taken cannot be established, modification of the decisions in question shall require a two-thirds majority of the members present.

(3) Once the report has been presented to the National Council it can only be withdrawn with the latter's agreement.

(4) If a minority of at least three participants in the deliberations of the Committee who are entitled to vote (§ 32) wish to present their dissenting opinion, they shall have the right to present a separate (minority) report in writing.

(5) In addition, any individual who has participated in the Committee deliberations and is entitled to vote may present his/her dissenting opinion in a brief personal statement in writing.

(6) Minority reports under (4) and statements under (5) above shall be submitted to the President in time to allow their being deliberated on at the same time as the main Committee report. The President shall order the copying and distribution of such minority reports and statements to the Members. They shall be attached to the Committee report if the deadline stipulated in § 44 (1) can be met. Oral presentation of such reports and statements to the National Council shall not be permitted.

§ 43. (1) Upon proposal by the President or upon a motion tabled by a Member under § 59 (1) the National Council may at any time - including the time during which an item of business is being deliberated in Committee - determine a deadline by which the Committee shall submit its report. This does not apply to Investigating Committees set up on the basis of a demand under § 33 (1). Such a proposal by the President or motion shall be announced before the National Council has entered upon the agenda of the sitting. Unless a debate takes place, the President shall put the proposal or motion to the vote after the end of the deliberations of that sitting; if there is a debate, the vote shall take place after its end.

(2) The deadline for submission of the report may be extended by the National Council before the period has expired. A motion to this effect shall be subject to the same conditions as a motion under (1) above.

(3) The provisions concerning the procedural debate (§ 59 (3)) notwithstanding, five Members may, before the agenda is embarked upon, deposit in writing a demand for a debate on motions under (1) or (2) above. The debate shall be governed by the provisions of §§ 57a and 57b. Members belonging to the same Parliamentary Group may call for such a debate only once in every week of sittings. If such call for a debate is seconded by Members of several Parliamentary Groups, the demand shall be deemed to have been made on behalf of the Group to which the first sponsor belongs. If the first sponsor belongs to no Parliamentary Group, this provision shall hold with regard to the second sponsor and so forth.

§ 44. (1) As a rule, deliberations in the National Council on an item of business subject to preliminary deliberations in a Committee shall not take place sooner than 24 hours after distribution of the Committee report.

(2) The requirement for the Committee report to be copied and for the 24-hour limit to be respected can only be dispensed with upon a proposal of the President carried by a two-thirds majority vote.

(3) After expiry of a deadline for submission of a Committee report, deliberations on the item of business shall take place in the sitting following the expiry of the deadline even if no written Committee report has been submitted.

(4) If a Committee has failed to elect a rapporteur to submit the report to the National Council, the chairperson or, in his/her absence, a deputy chairperson may present an oral report.

§ 45. If an investigating committee is unable to present a report in writing within the period set for presentation under § 43, the chairperson of the investigating committee or his/her deputy shall present an oral report about the activities of the investigating committee at the sitting following expiry of the period. If the National Council does not set a further period for presentation of a committee report in writing, the activity of the investigating committee shall come to an end.

VIII. Sessions and Sittings of the National Council

§ 46. (1) The Federal President shall convene the National Council every year for an ordinary session, which shall not begin before the 15th of September and not end after the 15th of July of the following year.

(2) The Federal President may also convene the National Council for extraordinary sessions. If the Federal Government or at least one third of the Members of the National Council or the Federal Council so require, the Federal President shall be under the obligation to convene an extraordinary session, which shall begin within two weeks of the receipt of the request by the Federal President at the latest. If the

convocation of an extraordinary session is called for by Members of the National Council or by the Federal Council, a proposal by the Federal Government shall not be necessary.

(3) The Federal President shall close the sessions of the National Council following a decision of the same to that effect.

(4) If a new session of the National Council is convened within one and the same term, its business shall commence at that point at which it was at the time the previous session was closed. At the time a session is closed, individual Committees may be instructed by the National Council to continue their work during the recess. Such an instruction may relate to specified items of business.

(5) During the course of a session, the President of the National Council shall convene the individual sittings.

(6) During the course of a session the President shall have the duty to convene a sitting of the National Council to take place within eight days - Saturdays, Sundays and public holidays not included - if twenty Members so demand and indicate the subject to be considered; any one Member shall support such a demand no more often than once a year. If a Parliamentary Group is composed of fewer than 20 members, it may nevertheless make such a demand once a year in good and due form if said demand has the support of all the Members belonging to the respective Group. In this case, too, no one Member may give his support to such a demand more often than once a year.

(7) During the course of a session the President shall also have the duty to convene a sitting of the National Council to take place within the same period as stated in (6) above, if one third of the members or the Federal Government so demand.

§ 47. (1) The sittings of the National Council shall be open to the public.

(2) The public shall be excluded if the President or one fifth of the Members so demand and the National Council so decides after the public has left.

(3) Official Records (§ 51) shall be kept of the deliberations that take place in camera. The Records shall be read in the course of the same sitting and deemed approved if no objection is raised. If there are objections, the President shall rule on them during the same sitting. The National Council shall decide even before the public is readmitted whether or not the Minutes of the sitting in camera are to be published.

(4) The National Council shall also be free to decide that the deliberations in camera are recorded in the form of a stenographic record, about the publication of which the National Council shall decide.

§ 48. (1) The presence of a quorum shall be required only for the purposes of votes and elections.

(2) If a vote or election cannot take place because there is no quorum the President shall suspend the sitting.

§ 49. (1) The President shall open the sitting at the appointed hour irrespective of the number of Members present and shall make the communications s/he deems appropriate. In particular, s/he shall announce apologies for absence on the part of Members and indicate the individuals who deputise for members of the Federal Government who are prevented from attending (Art. 73 B-VG).

(2) The President may also make communications in the course of or at the end of a sitting.

(3) The President shall announce the entry upon the agenda.

(4) Before the agenda is embarked upon, the President may change the order of items of business on the agenda and rule that the debate about several items of business shall take place jointly. If there are any objections to this ruling, the National Council shall decide the issue without debate.

(5) Upon proposal by the President or upon a motion tabled by a Member the National Council may, before the agenda is embarked upon, decide by a two-thirds majority that an item of business be removed from the agenda or that an item of business not on the agenda is to be deliberated upon.

(6) Even after the agenda has been embarked upon, the President may, after consultation with the members of the President's Conference, propose to the National Council that one or more items of business be removed from the agenda. The National Council shall decide this question without debate by a two-thirds majority.

§ 50. (1) As a rule, the President shall at the end of each sitting announce the day, hour and, whenever possible, agenda of the next sitting envisaged. This may be done by referring to a written communication distributed in the meeting hall. If there is an objection, the issue shall be decided by the National Council unless the President accepts the objection. As a rule, all the objections raised in such a case shall be debated jointly, and the President may limit the time allotted to each speaker in this debate to five minutes and the number of speakers per Parliamentary Group to three; if five Members belonging to the same Parliamentary Group so require, a separate debate shall take place on all of the objections raised by that Parliamentary Group, and the President shall have the right to limit speaking time and the number of speakers in the same way as in the joint debate. The President shall determine the order in which several debates are to take place in accordance with the principles stipulated in § 60 (3). The vote on all the objections raised shall take place after the

end of the debate or, in the case of several debates, after the end of the last. If no objection is supported by a majority, the President's proposal shall stand.

(2) The President shall have the right to place elections on the agenda of his own accord.

(3) If the day, hour and/or agenda of the next sitting have not been announced in accordance with (1) above, the announcement shall be made in writing and communicated to each Member and each Parliamentary Group. In addition, the President may have announcements to this effect posted in the Parliament building and publicised by the press, radio and other media.

(4) Objections to an agenda announced by the President as indicated in (3) above can only be raised immediately after the opening of the sitting. In such cases the provisions of (1) above shall be applied mutatis mutandis.

§ 51. (1) Official Records of all sittings shall be kept by staff appointed for this purpose by the Parliamentary Administration; these records shall, on the working day following the sitting, be open to inspection by the Members on the premises of the Parliamentary Administration during the latter's opening hours.

(2) Objections to the form or content of the Records shall be communicated to the President outside the sitting during the time that the Records are open for inspection, and the President shall have them corrected if s/he considers the objection to be justified.

(3) If no objections to the Records are raised or the President has ruled on any objection raised, the Records shall be deemed approved after the lapse of the period indicated in (1) above or once the President has made his/her ruling.

(4) The contents of the Records shall be limited to the items of business deliberated upon, the issues voted on, the results of the votes, and the decisions taken, as well as the enunciation of the point in time at which an Investigating Committee is deemed to be established under § 33 (9).

(5) The Records shall be signed by the President and one secretary. Copies shall not be made, but the President shall announce at the sitting following approval of the Records whether any objections were raised and what his/her ruling was.

(6) In exceptional cases, a part of the Official Records shall be considered approved at the end of a sitting if the President has read, upon a demand in writing on the part of at least 20 Members, the envisaged version of the Official Records covering specific items of business that have been completed and if s/he has ruled on any objections - to be made immediately - to the form or content of that part of the Official Records. There shall be no debate.

§ 52. (1) Stenographic records shall be made of the public sittings of the National Council and published in printed form; these records shall reflect the deliberations in extenso.

(2) Each speaker shall receive, before his/her statements are printed, a copy of the stenographic record so that s/he can make editorial corrections. In case of doubt the President shall rule on the admissibility of such corrections. Unless objections are raised or the copy is returned within the period allowed for correction the record shall go to print.

(3) The stenographic records shall list the items of business received during and/or since the last sitting.

(4) The items of business enumerated in § 21 (1) and (2) other than requests for the approval of the public prosecution of Members under § 10 (2 and 3, first sentence), requests for a decision on a possible connection with the political activities of the Member as outlined in § 10 (3), and notifications on the part of authorities under § 10 (5); requests of authorities under Art. 63 (2) B-VG; requests for the authority to prosecute persons for insulting the National Council; and petitions and citizens' initiatives shall be published as annexes to the stenographic records. The same shall apply to written questions and answers thereto as well as committee reports and minority reports.

(5) If the requirement of copying and distributing items of business or parts thereof has been dispensed with (§ 23 (2)), they shall not be published as annexes to the stenographic records either.

IX. General Provisions concerning the Consideration of Business in Sittings of the National Council

§ 53. (1) The debate on an item of business that has been preliminarily deliberated in Committee shall be opened by the rapporteur or, in his/her absence, the committee chairperson or, in the latter's absence, by a deputy chairperson. Should the report be dispensed with, or in the absence of all the persons enumerated in the first sentence above, the debate shall commence with the first speaker who has asked for the floor.

(2) The President may decide that certain parts of the item of business shall be deliberated separately. In so doing, s/he shall see to it that the division of the debate and vote shall exclusively serve clarity. The National Council shall decide without debate on any objection raised against dividing the subject.

(3) Amendments may be moved by all Members once debate on that part has been opened and in respect of any decision to be taken by the National Council and shall be considered if they are supported by at least five Members including the mover. If a motion is not signed by five Members, the President shall ask for seconds, and the seconding Members shall rise from their seats to indicate their support.

(4) Such motions shall be submitted to the President in writing and read, as a rule, by one of the Members having signed the motion. Upon the President's instruction, however, the reading may be effected by one of the secretaries. If draft amendments go into considerable detail, the President may in the interest of expediting deliberations order them to be copied and distributed to the Members on condition that one of the sponsors explains the key subjects of the motion orally. Such motions to amend shall be annexed to the stenographic records.

(5) The National Council shall have the right to refer any such motion to the competent Committee and to adjourn deliberations on the item of business until a new Committee report has been presented.

(6) Once the list of speakers has been exhausted, the National Council may decide

1. to adjourn the business in hand,
2. to refer the item back to the Committee, or
3. to pass on to the next item of the agenda.

A decision in accordance with (3) above shall terminate consideration of the business in hand.

(7) Upon the president's proposal the National Council may at any time during the deliberations on an item of business decide by a two-thirds majority to adjourn the business in hand. Such decision shall be taken without debate.

(8) In those cases in which consideration of an item of business lasts several days and the decision has been taken to divide the debate and vote thereon, the National Council may after deliberation of each of the parts of the item decide to adjourn deliberation on the item of business in order to deliberate on other items of business during one or more sittings.

§ 54. If the National Council decides to refer an item of business back to the competent Committee, it may upon the President's proposal or on the motion of a Member determine a period after the expiry of which deliberations in the National Council shall be continued even if no written Committee report has been submitted or the Committee has not elected a rapporteur to present its report to the National Council.

§ 55. (1) Resolutions in which the National Council expresses its wishes concerning the exercise of the executive power (Art. 52 (1) B-VG) or by which the National Council expresses its lack of confidence in the Federal Government or individual members of the same (Art. 74 (1) B-VG) may also be moved in the course of a debate about an item of business before the National Council, if said resolutions are germane

to the issue in hand. Any objections to the germaneness of such resolutions shall be ruled on by the President.

(2) Motions for resolutions under (1) above shall be dealt with if they are supported by at least five Members including the mover. If the motion is not signed by five Members, the President shall ask for seconds, and the seconding Members shall rise from their seats to indicate their support. No motions to amend the said draft resolution shall be moved.

(3) Motions for resolutions shall be submitted to the President in writing and read out by one of the Members who have signed them. Upon the President's instruction, however, the reading may be effected by one of the secretaries. Sentences 3 and 4 of § 53 (4) shall apply mutatis mutandis.

(4) Voting on draft resolutions under (1) above or § 27 (3) shall, without prejudice to the provisions of (5) below and of § 67 (1) and (3), take place after the third reading in the case of bills and, in the case of all other items of business, after the last vote on the item, and in the case of items of business on which no vote is taken, after the end of the debate.

(5) If in the course of a second reading the special debate on a bill is performed in parts, votes on draft resolutions may be taken immediately after the vote on each part of the bill under consideration. Should an objection be raised, the National Council shall decide without debate.

§ 56. (1) A motion for closure of debate can be offered at any time without interrupting a speaker after at least two Members who have asked for the floor have spoken. The President shall put such motions to the vote immediately without debate.

(2) If the motion for closure is carried, the Members on the list of speakers shall not be recognised, but each Parliamentary Group shall have the right to designate one more speaker.

(3) Members who wish to move an amendment may, if the National Council has decided to close the debate, immediately submit their motions to the President, who shall communicate them to the Members and ask for seconds unless the motion has been signed by five Members.

(4) After a motion for closure has been carried, the only persons other than the speakers designated by the Parliamentary Groups under (2) above that may take the floor shall be the rapporteur (§ 63 (3)) and, in the case of a private Member's motion, the mover or one of the movers.

§ 57. (1) In the debates of the National Council each Member shall in principle not speak for more than 20 minutes, all other provisions concerning speaking times notwithstanding. After consultation with the members of the President's Conference,

the President may propose that the National Council allow longer speaking times for debates of special importance.

(2) The speaking time of each Member in a debate or, if the debate is held in parts, in each part thereof may be limited to less than 20 minutes but not less than 5 minutes if

1. the National Council so decides before the debate is opened at the latest, or
2. the President so orders - even in the course of a debate - after consultation with the President's Conference.

(3) After consultation with the President's Conference, the President may, before embarking on the agenda or, at the latest, before opening the debate

1. order that the total speaking time of Members of the same Parliamentary Group in the debate or, if the debate is held in parts, in each part thereof shall not exceed a certain amount of time, or

2. put to the vote of the National Council a proposal concerning arrangements for and the duration of the debate on one or more items of business or the entire agenda.

(4) The total speaking time allotted to the Members of the same Parliamentary Group in accordance with (3.1) above may, after consultation of the President's Conference, also be decided before the beginning of the debate at the latest, in which case the speaking time allotted to the speakers of one and the same Parliamentary Group shall not be less than 20 minutes and due consideration shall be given to the numerical strength of each Parliamentary Group when deciding on the total permissible speaking time. This provision shall not hold for joint debates of several items of business under § 49 (4).

(5) After consultation in the President's Conference, the total speaking time to be allowed the Members of the same Parliamentary Group in the debates covering several or all of the items on the agenda of a sitting may also be decided by a two-thirds majority before the agenda is embarked upon; in this case the speaking time allotted to the speakers for one and the same Parliamentary Group shall be not less than 30 minutes and the total speaking time not more than ten hours. When dividing the total available speaking time among the individual Parliamentary Groups due consideration shall be given to their respective numerical strengths.

(6) If a ruling has been made in accordance with (3.1) above or a decision taken in accordance with (3.2), (4) or (5) above, speaking time shall no longer be limited under (2.1) above.

(7) Within the scope of an order or decision under (3), (4) or (5) above, the speaking time allotted to a Member who does not belong to a Parliamentary Group shall, in respect of the entire agenda, not exceed half of the total speaking time allotted to the

Parliamentary Group holding the least number of seats. In addition, the speaking time allotted to a Member who does not belong to a Parliamentary Group may be limited, in each debate, to no less than 5 minutes.

(8) If a member of the Federal Government or a State Secretary speaks for more than 20 minutes in a debate subject to a limitation of speaking time under (3), (4) or (5) above, each Parliamentary Group that intends to express an opposing view may exceed its speaking time by as much as the member of Government or State Secretary has exceeded it.

(9) The limitation of speaking time shall not be subject to debate.

§ 57a. (1) Brief debates on

a) a written answer to a question addressed to the Federal Government or one of its members (§ 92),

b) a motion to set a deadline (§ 43) or on

c) a motion or demand to set up an investigating committee (§ 33)

shall be opened by one of the movers or a Member who has signed the demand for such a debate, said speaker being allowed a speaking time of ten minutes. Following this speaker, each Parliamentary Group may name one speaker, who shall be allowed five minutes. If several Members ask for the floor simultaneously, the order in which they are given the floor shall reflect the numerical strength of their Parliamentary Group.

(2) The speaking time allotted to Members of the Federal Government or State Secretaries who may take the floor under § 19 (1) should be no more than ten minutes.

(3) The provisions concerning factual corrections (§ 58) shall not apply.

(4) Debates under (1) a and b above shall take place after the agenda has been exhausted but not later than 3 p.m. If a debate on an urgent question or urgent motion has been called for to take place on the same day, the debates under (1) a and b shall take place after the debates on such urgent question or motion. Debates under (1) c shall take place after the agenda has been exhausted.

§ 57b. (1) On each day devoted to sittings, only one urgent question or urgent motion shall be called up. If an urgent question or urgent motion has been tabled for a specific sitting, no more than one debate under § 57a (1) a or b shall be called up.

(2) If an urgent discussion has been requested in respect of several questions, the urgent question of that Parliamentary Group shall be called up whose last urgent question antedates all others.

(3) The provisions of (2) above shall apply mutatis mutandis when there is a collision between several requests for urgent discussion on a motion or a collision between urgent motions and urgent questions. The provisions of (2) above shall also apply mutatis mutandis in deciding the question which debate under § 57a (1) a or b shall be called up after an urgent question or urgent motion.

(4) At a sitting called for in accordance with § 46 (6) and the first case mentioned in § 46 (7), the provisions of (2) and (3) above shall not hold, and the urgent motion or urgent question to be called up shall be the motion or question tabled by the Parliamentary Group of the Members, or of the majority of Members, that have demanded that the sitting in question be convened.

(5) If no request for an urgent discussion of a question or motion has been made for a particular sitting, all debates under § 57a (1) a or b shall be called up. Regarding the order in which they are to be disposed of, § 60 (3) shall apply mutatis mutandis, but debates under § 57a (1) a shall be called up before the debates under § 57a (1) b.

§ 58. (1) If a Member rises in the course of a debate in order to make a factual correction the President shall, as a rule, give him/her the floor immediately but without interrupting a speaker, or at the latest immediately after the end of the debate on the item of business in question.

(2) A factual correction shall start with a repetition of the statement to be corrected to be followed by a presentation of the correct facts with which that statement is at variance.

(3) A rejoinder in response to a factual correction may be made only by a Member referred to in person in the course of the presentation of the rectified facts under (2) above; when taking the floor, that Member shall confine himself/herself to a presentation of the facts.

(4) If a Member violates the provisions of (2) or (3) above, the President shall rule him/her out of order.

(5) A factual correction and a rejoinder thereto shall not exceed a duration of two minutes. In exceptional cases the President may allow the speaker more time if s/he so requests.

§ 59. (1) The requirement of submission in writing shall not hold for procedural motions, nor do such motions require a second; unless the National Council decides under (3) below to hold a debate, the President shall put such motions to the vote immediately.

(2) If a Member takes the floor on a procedural matter without him/herself tabling a motion, the President shall have the right to give him/her the floor only at the end of the meeting.

(3) Upon proposal by the President or upon a motion tabled by a Member the National Council may decide to hold a debate. For such a debate the President may limit the speaking time of Members, the minimum time allowed being five minutes.

§ 60. (1) Members who wish to take the floor on an item of business to be deliberated on during a sitting shall announce their intention to an official of the Parliamentary Administration designated for this purpose and shall indicate whether they intend to speak "for" or "against". Such announcements may also be made by a Member charged to do so by his/her Parliamentary Group. Requests for the floor may be made at any time after beginning of the sitting.

(2) The Members that have claimed the floor shall be recognised in the order in which they have announced their intention, the first intervention being that of a speaker "against", following which speakers "for" and "against" shall speak in alternate succession.

(3) If two or more speakers "for" or speakers "against" announce their intention to speak at the same time, the President shall determine the order in which they are given the floor in such a way as to give a fair hearing to the different points of view while at the same time considering the relative strengths of the individual Parliamentary Groups and respecting the principle of alternation between speakers belonging to different Parliamentary Groups.

(4) In departure from the provisions of (1) to (3) above, no distinction shall be made between speakers "for" and "against" during the first reading of a bill, in a debate on the subject of an urgent question, and during a Debate on Matters of Topical Interest.

(5) Every speaker shall be free to withdraw his/her request for the floor or to cede his/her right to speak to another Member, unless that Member has already twice spoken to the item of business.

(6) Members who are not present at the time when they are recognised shall lose their right to speak.

(7) The rapporteur elected by a Committee to report to the National Council (§ 42 (1)) cannot take the floor as a speaker "for" or "against" on the subject covered by his/her report. This provision shall not apply if the rapporteur has refrained from presenting his/her oral report.

(8) After consultation with the President's Conference, the provisions of (1) to (3) above regarding the order in which Members shall be given the floor may be suspended up to the end of the legislative period at the latest.

§ 61. If one of the Presidents enters his/her name on the list of speakers, s/he shall as a rule reassume the chair only after the item in hand has been disposed of.

§ 62. (1) The rapporteurs, secretaries and speakers who have asked for the floor shall speak from the rostrums provided for them. Members shall speak from their seats, using the microphones provided for this purpose, only on procedural questions or in special cases in which the President permits them to do so.

(2) Members of the Federal Government, the President of the Court of Audit and the members of the Ombudsman Board shall, if they ask for the floor under § 19 and § 20, respectively, speak from the Government bench.

§ 63. (1) No Member shall speak more than twice in any one debate.

(2) Requests for the floor on the part of members of the Federal Government and State Secretaries, the President of the Court of Audit and the members of the Ombudsman Board shall be governed by the provisions of § 19 and § 20, respectively.

(3) If there are no further requests for the floor, the President shall close the debate and give the floor to the rapporteur for his/her final statement, if s/he so requests. A rapporteur under § 44(4) or § 45 shall only have the right to a final statement for the purpose of correcting typographical or linguistic errors.

§ 64. (1) All Members shall vote in person.

(2) Voting shall be confined to the Member signifying his/her approval or disapproval without any explanatory statement.

(3) In case of an equal number of affirmative and negative votes the question is negatived.

§ 65. (1) After the end of deliberations the President shall as a rule announce that a vote is to be taken. If, however, the assembly is faced with motions under § 53 (3) that are comprehensive or of recent origin, or with demands or decisions under § 65 (5) or § 66 (3 or 4), and if a short suspension of the sitting is not enough to prepare the voting procedure, the President may postpone the vote (to the end of the sitting at the latest) and proceed in the meantime with the other items of business.

(2) The President shall indicate clearly the subject matter on which the vote is to be taken.

(3) Voting shall take place in such a way as to reflect the true sense of the majority of the National Council.

(4) For this reason, motions to amend shall as a rule be voted upon before the vote on the main motion, and the more extensive ones before the more restrictive amendments.

(5) Before the vote is taken, every Member may in the interest of clarity about the voting procedure or the result of the vote call for separate votes on certain parts of the subject matter.

(6) The President shall indicate in what form s/he intends to put the matter to the vote, which parts of the item under consideration will be voted on with due consideration being given to draft amendments, in how far s/he is going to comply with a possible request for separate votes, and in what order the voting will take place.

(7) Objections to this announcement by the President may be raised by any Member and shall, unless the President complies, be decided by the National Council without debate.

(8) Over and above the aforementioned cases, Members may, without interrupting the voting process, only request corrections or clarifications concerning the President's wording of the questions to be voted on. If the President fails to accept such request, it shall be voted on immediately and without debate.

(9) The President shall be free, if s/he considers it useful in the interest of simplicity or clarity of the voting or in order to dispense with unnecessary ballots, to precede the ballot by a vote on a matter of principle.

§ 66. (1) Voting shall as a rule be by the Members rising from their seats or remaining seated.

(2) If an electronic voting system is available, the President may use the same for elections and voting and determine with its help the results of said election(s) and voting. In the case of electronic voting the votes cast by each individual Member are displayed. Each Member shall upon request receive a printout of the voting record. If the President so orders prior to the voting or at least 20 Members so request in writing before the end of the sitting, the names of the Members and the votes they have cast shall be reflected in the Stenographic Record.

(3) Any Member may, before any vote is taken, demand that the President announce the numbers of those voting "for" or "against" an issue. However, the President may, at his/her discretion, rule from the start or if the result of a vote appears doubtful to him/her, that voting be by name.

(4) If at least 20 Members demand in writing before the voting procedure is commenced that voting be by name, the demand shall be granted without delay. Unless voting by name has been demanded, the National Council may decide, upon the proposal of the President or upon a motion of 20 Members, that a secret ballot be held.

(5) When voting is by name or by secret ballot, the votes shall exclusively be cast by means of official ballots marked "yes" or "no". The official ballots for voting by name shall, in addition, bear the name of the Member and shall have different colours depending on whether they are marked "yes" or "no". In each of the two voting procedures, Members shall be called by name and shall place their ballots in one and the same ballot box, those voting being counted at the same time. Members who are

absent at the time their name is called cannot vote subsequently. The President may also decide to have the voting by name take the form of the names of the Members being called up in their alphabetical order and the vote being cast viva voce by the Members responding by "yes" or "no".

(6) If five Members so demand, balloting booths shall be provided for the purposes of the secret ballot. The voting shall take place in the same manner as described in (5) above, the Parliamentary Administration taking care, however, that each Member can fill in his/her ballot and place it in the requisite envelope in a booth without being observed. The ballot and the envelope shall be handed to Members by staff of the Parliamentary Administration prior to their entry into the balloting booth; the envelope with the ballot shall be placed into the ballot box immediately after the Member has left the balloting booth.

(7) As soon as the President has declared the vote by name or secret ballot closed, the staff members of the Parliamentary Administration shall, under the supervision of the Secretaries, count the votes and inform the President of the numerical result. If, in the case of a vote by name, the number of ballots or, in the case of a secret ballot, the number of envelopes does not agree with the number of Members that have actually voted, the ballot shall be repeated if the discrepancy is deemed to be likely to affect the result.

(8) The President shall announce the result of the vote. In the case of a vote by name, the names of the Members and their votes shall be reflected in the Stenographic Record.

§ 67. (1) If one fifth of the Members so demand in writing, the vote

1. on a resolution by which the National Council expresses its lack of confidence in the Federal Government or individual members thereof (Art. 74 (1) B-VG) and

2. on a bill concerning the dissolution of the National Council (Art. 29 (2) B-VG)

shall be postponed to the second working day thereafter.

(2) Any further postponement of the votes mentioned in (1) above shall require a decision of the National Council.

(3) Voting on draft resolutions in a debate on the subject of an urgent question shall be governed by the provisions of § 93 (6).

§ 68. (1) As a rule, the President chairing the sitting shall not participate in the vote. S/he may, however, before announcing the result of a vote, participate in the same by orally answering the question voted on affirmatively or in the negative. The President chairing the sitting shall always participate in voting by name and in secret ballots (§ 66 (4) and (5)) as well as in elections.

(2) The provisions of (1) notwithstanding, members present at a sitting must not abstain from voting. This also holds for Members who are at the same time members of the Federal Government or State Secretaries.

X. Special Provisions regarding the Consideration of Bills

§ 69. (1) Bills shall reach the National Council in the form of motions submitted by Members, the Federal Council or one third of the Members of the Federal Council, and as government bills.

(2) Every petition filed by 100 000 citizens entitled to vote or by one sixth of the citizens entitled to vote in each of three provinces (popular initiative) shall be submitted by the Federal Election Board for consideration by the National Council. The popular initiative shall concern a matter to be settled by federal legislation and may take the form of a bill.

3) Bills under (1) and (2) above other than private Members' motions shall only be admitted to a first reading if the National Council so decides. A motion to this effect may be made either before entry into the agenda of the sitting following the distribution of the bill or after the end of the deliberations of that sitting.

(4) A first reading shall take place in the case of bills submitted by Members (private Members' bills) if explicitly required in the text of the bill. If the mover demands that the first reading take place within three months, this demand shall be considered in drafting the agendas of the National Council. At the time of the first reading of such a bill, the mover or, in the case of several movers, the one designated by them shall be given the floor first.

(5) The first reading shall be confined to a discussion of the general principles of the bill.

(6) During the first reading the only motions allowed shall be motions for the appointment of a special committee for the preliminary deliberation on the bill. After the first reading, the President shall refer the bill to a committee.

(7) In cases in which no first reading is envisaged, the President shall refer popular initiatives, government bills and bills moved by the Federal Council during the second sitting following their distribution and private Members' motions during the sitting following their introduction.

§ 70. (1) The preliminary deliberation by the committee shall be followed by the second reading of the bill. Committee motions for the adoption of legislation shall immediately go to the second reading.

(2) The second reading shall consist of a general debate of the bill as a whole (general debate), deliberation on individual parts of the bill (special debate) and voting. The general and special debates shall take place at the same time unless the

National Council otherwise decides upon a motion to that effect made by the rapporteur.

§ 71. (1) If the general and special debates are held separately, motions to adjourn proceedings, to refer the bill back to the competent committee, or to refer it to another committee may be made during the general debate. Such motions shall be voted on after the list of speakers in the general debate is exhausted.

(2) At the end of the general debate a vote shall be taken on whether the National Council is ready to enter upon the special debate.

(3) If the National Council decides to enter upon the special debate, the same shall follow immediately. If the National Council refuses to open the special debate, the item shall be lost.

§ 72. (1) At the beginning of the special debate the President shall determine which parts of the item of business are to be considered and voted upon separately or jointly. In so doing s/he shall respect the principle that the division of the special debate should facilitate the debate and promote the understanding of the subject in hand. If an objection is raised, the National Council shall decide without debate.

(2) If several comprehensive motions have been submitted, the National Council shall decide which of these shall form the basis of the special debate.

(3) Amendments may be moved by every Member in respect of each individual part of the bill as soon as the special debate on that part has been opened and shall be included in the deliberations if they are supported by at least five Members including the mover. Unless the motion bears the signatures of five Members, such support shall be expressed by the supporting Members rising from their seats when asked by the President whether there are any seconds.

(4) Amendments shall be submitted to the President in writing and read by one of the Members who has signed them. Upon the President's instruction, however, the reading may be effected by one of the secretaries.

(5) The National Council may refer every such amendment to the competent committee and adjourn the deliberation until the committee presents a new report on the bill in question.

(6) After a part of the item of business has been deliberated it shall be put to the vote. After the list of speakers has been exhausted, the National Council may decide

1. to adjourn deliberation,

2. to refer the subject matter back to the competent committee, or

3. to pass on to the next item on the agenda.

A decision according to (3) above shall terminate consideration of the business in hand.

§ 73. (1) If the general and special debates are held jointly, the provisions of § 72 (2-5) shall apply mutatis mutandis.

(2) Even if the general and special debates are held jointly, the President may rule that parts of the item of business be debated and voted on separately. If an objection is raised, the National Council shall decide without debate.

(3) Once the list of speakers on the entire item of business (1 above) or on each part thereof (2 above) is exhausted, the National Council may decide

1. to adjourn deliberation,
2. to refer the subject matter back to the competent committee, or
3. to consider the matter lapsed.

A decision in accordance with (3) above shall terminate consideration of the business in hand.

§ 74. (1) The third reading, i.e. the vote on the whole bill, shall take place once the bill has been adopted in the second reading. Upon the President's proposal or a motion by a Member the National Council may decide not to have the third reading immediately after the second reading but to postpone it to some later date.

(2) The only motions that may be made during the third reading are motions to resolve contradictions that may have resulted from the decisions taken in the course of the second reading, to correct typographical or linguistic errors. Draft resolutions cannot be submitted during the third reading.

(3) A debate on motions made during the third reading shall be allowed only if the National Council so decides in individual cases. Speaking time in such a debate shall be limited to five minutes for each speaker.

Xa. Urgent Motion

§ 74a. (1) Before entry upon the agenda, five Members may demand that, after the agenda has been exhausted but not later than 3 p.m. and not earlier than three hours after entry upon the agenda, the motivation for a private Member's motion, to be made at the same time and comprising a resolution by which the National Council expresses its wishes concerning the performance of the Executive Branch, be presented orally by one of the sponsors, and followed by a debate on the issue in question.

(2) § 93 (1 and 2) shall apply with regard to the support required for urgent motions; however, an urgent motion called up for discussion shall be counted for the purpose of calculating the permissible number of motions allowed to each Member or

Parliamentary group under § 93 (1 and 2). The provisions of § 57b shall govern the manner and conditions in which urgent motions may be called up.

(3) Upon a motion of five Members the National Council may decide, without debate, before entry upon the agenda that, after the agenda has been exhausted but not later than 3 p.m. and not earlier than three hours after entry upon the agenda, the motivation for a private Members' motion under (1) above be presented orally by one of the sponsors, and followed by a debate on the issue in question. An urgent motion so decided shall not be subject to the limitation under § 57b (1).

(4) Following the presentation of the motivation for the urgent motion and before the debate is opened, the competent member of the Federal Government or the State Secretary entitled to speak under § 19 (1) shall deliver his/her opinion on the issue in hand in a statement which should not exceed 20 minutes.

(5) The Member presenting the motivation shall have a speaking time of 20 minutes, each Member taking the floor in the subsequent debate ten minutes, and each Parliamentary Group a total speaking time of 25 minutes.

(6) The only motions that may be introduced during the debate are draft resolutions.

(7) The motions shall be put to the vote at the end of the debate. The President may defer voting on such motions to the beginning of the next sitting.

Xb. Special Provisions regarding the Consideration

§ 74b. (1) Consideration of EU matters shall take the form of

a) Debates on EU Matters of Topical Interest and

b) Statements by members of the Federal Government on EU matters followed by a debate,

the provisions of § 31d (5) notwithstanding.

(2) Debates on EU Matters of Topical Interest shall be governed, mutatis mutandis, by § 97a provided that

a) they take place four times a year and are duly considered in establishing the programme of work under § 13 (5),

b) in sittings that begin with a Debate on Matters of Topical Interest, the Debate on EU Matters of Topical Interest shall take place immediately thereafter and

c) the Debate on EU Matters of Topical Interest is devoted to topics of general interest that fall within the competence of the European Union.

(3) Statements by members of the Federal Government on EU matters shall take place twice a year in close temporal proximity to a meeting of the European Council or Council of the EU. Their purpose is to inform the National Council on subjects before the European Council or Council of the EU, their effects on Austria and the position adopted on them by the Austrian Federal Government.

(4) Statements by members of the Federal Government on EU matters should in all not exceed 25 minutes. Each subsequent speaker shall be accorded 10 minutes, the total speaking time allowed for each Parliamentary Group being 25 minutes.

(5) Only motions for a resolution shall be put in debates on an EU statement.

(6) When EU matters are to be considered under (1) above, each parliamentary group may designate one Member of the European Parliament elected in Austria to take part in the deliberations in an advisory capacity if it so announces in writing no later than 48 hours prior to the debate – not counting Saturdays, Sundays and public holidays. The respective Member of the European Parliament must belong to the same parliamentary group within the meaning of the Parliamentary Groups Funding Act 1985, BGBl. No. 156/1985, as the members of the National Council group making the demand. Each Member of the European Parliament may ask for the floor once and shall be allowed a maximum speaking time of five minutes, which shall not be considered in counting the total speaking time consumed by the parliamentary group designating him/her. The order in which speakers are given the floor shall be determined by the President after consultation with the members of the President's Conference in compliance with the principles set out in § 60 (4).

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XI. Special Provisions regarding the Consideration of Other Items of Business

§ 75. (1) Private Members' motions other than bills shall be referred by the President to a committee during the sitting following their distribution.

(2) Committee motions calling for decisions that do not regard adoption of legislation shall be dealt with by the National Council without any preliminary deliberation. This shall also hold for the reports of investigating committees and of the Main Committee (§ 21 (2)).

(3) The debate and vote on items mentioned in (1) and (2) above and on motions to reject an initiative or proposal under § 26b shall be governed by the General Provisions concerning the Consideration of Business in Sitzings of the National Council.

§ 76. (1) The President shall refer Government proposals other than bills as well as items of business relating to initiatives and decisions of the European Council and the Council under Art. 23i (1), (3) and (4) B-VG and Art. 23j (1) B-VG to a committee in the sitting immediately subsequent to the distribution of said items.

(2) Preliminary deliberation by the committee shall be followed by a debate and vote in accordance with the General Provisions concerning the Consideration of Business in Sitzings of the National Council.

(3) On the occasion of approving the conclusion of a State Treaty under Art. 50. para 1 (1) B-VG the National Council may decide to what extent said State Treaty shall be implemented by the adoption of legislation (Art. 50 para 2 (4) B-VG). The National Council may furthermore decide that said State Treaty or specifically designated parts thereof be made public in a suitable manner other than by publication in the Federal Law Gazette (Art. 49 para 2 B-VG).

(4) If a State Treaty provides for its simplified revision (Art. 50 para 2 (1) B-VG) the National Council may reserve the right to approve such amendments. Motions for a decision under paras 3 and 4 may also be introduced in the course of a preliminary deliberation. A motion that the National Council take such a decision may be made in the form of a committee motion under § 27 para 3 or in the form of an amendment introduced in the course of the debate in the National Council.

(5) When the National Council is to debate the approval of state treaties modifying the contractual bases of the European Union, each parliamentary group may designate one Member of the European Parliament elected in Austria to take part in the deliberations in an advisory capacity if it so announces in writing no later than 48 hours prior to the debate – not counting Saturdays, Sundays and public holidays. § 74b (6) shall apply *mutatis mutandis*.

§ 77. (1) Objections of the Federal Council to bills passed by the National Council shall be communicated to the National Council in writing by the Chairperson of the Federal Council (Art. 42 (3) B-VG) and referred by the President to a committee at the next sitting following their distribution. The committee seized of such an objection shall respond either by moving that the original bill be reaffirmed or by submitting a new bill.

(2) Preliminary deliberation by the committee shall be followed by a debate and vote in the National Council. If the committee proposes that the original decision of the National Council be reaffirmed, the General Provisions concerning the Consideration of Business in Sitzings of the National Council shall apply. If, however, the committee's proposal is for adoption of a new law, the National Council shall embark upon the second reading in accordance with the Special Provisions regarding the Consideration of Bills.

§ 78. (1) Reports of Members delegated by the National Council, or the National Council in conjunction with the Federal Council, to international parliamentary

organisations, of Members of the National and Federal Councils participating in meetings of the Interparliamentary Union, as well as reports of the Ombudsman Board and stenographic records of parliamentary hearings shall be referred to a committee for preliminary deliberation at the next meeting following their distribution. (2) Preliminary deliberation by the committee shall be followed by a debate and vote in accordance with the General Provisions concerning the Consideration of Business in Sittings of the National Council.

§ 79. (1) The Federal Financial Accounts shall be presented by the Court of Audit. The Court of Audit shall report to the National Council by December 31 of each year about its activities during the preceding year, and about special auditing activities under § 99. In addition, the Court of Audit may report to the National Council at any time about specific findings and introduce proposals thereon.

(2) The President shall refer reports of the Court of Audit for preliminary deliberation to the standing committee established for this purpose (Court of Audit Committee) at the sitting following their distribution. The Federal Financial Accounts shall in the same way be referred to the Committee under § 32a.

(3) The Committee shall commence preliminary deliberation of Court of Audit Reports within six weeks. The Court of Audit Committee may decide that witnesses be heard in open meeting under § 37a (1) [5]. Sound, film and video recordings as well as the taking of photographs shall not be permitted. During the debate no intervention shall be longer than ten minutes. In addition, a time frame for the hearing shall be envisaged at the beginning of the sitting. Preliminary deliberation by the Committee shall be followed by a debate and vote in accordance with the General Provisions concerning the Consideration of Business in Sittings of the National Council.

(4) In the case of the Federal Financial Accounts, the Committee's proposal shall, if its report is favourable, contain a bill to that effect. In this case the National Council shall embark upon the second reading in accordance with the Special Provisions regarding the Consideration of Bills.

§ 80. (1) Requests for the approval of the public prosecution of Members under § 10 (2 and 3, first sentence), requests for a decision on a possible connection with political activities of the Member as outlined in § 10 (3), and notifications on the part of authorities under § 10 (5), requests of authorities under Art. 63 (2) B-VG and requests for the authority to prosecute persons for insulting the National Council shall as and when received be referred by the President to the standing committee seized of such matters (Immunities Committee). Requests for the approval of the public prosecution of Members under § 10 (3, first sentence) and requests for a decision on a possible connection with political activities of the Member as outlined in § 10 (3) shall be communicated to the Member concerned.

(2) Preliminary deliberation by the committee shall be followed by a debate and vote in accordance with the General Provisions concerning the Consideration of Business

in Sitzings of the National Council. During the parliamentary recess, notifications on the part of authorities under § 10 (5) shall be decided upon by the Immunities Committee acting on behalf of the National Council.

(3) The Committee shall report to the National Council about requests for the extradition of Members in good time to allow it to vote on said request at the latest on the penultimate day of the eight-week period provided therefore in § 10 (4).

(4) Should the Committee fail to report in good time, the President shall put the request for extradition to the vote on the penultimate day of said eight-week period at the latest.

§ 81. (1) If five Members so demand in writing, debates on declarations by members of the Federal Government and notifications of the appointment of members of the Federal Government and of State Secretaries shall take place immediately.

(2) If the demand is not expressly for said debate to take place immediately, the President shall determine the time for the debate after consultation of the President's Conference.

(3) If there are any objections to the immediate holding of a debate under (1) above, the National Council shall decide on such objections. In this case, however, the debate shall not take place later than at the end of the next sitting other than sittings under § 94 (5, third and fourth sentences).

XII. Decisions and Elections

§ 82. (1) Unless otherwise provided below, decisions of the National Council shall require the presence of one third of the Members and the absolute majority of the votes cast.

(2) Requirements other than those indicated in (1) above shall obtain in the following cases:

1. Constitutional laws or constitutional provisions contained in simple laws shall require for adoption the presence of at least half of the Members and a majority of two thirds of the votes cast.

1a. For the approval of the conclusion of State Treaties under Art. 50 (1) [2] B-VG by which the contractual bases of the European Union are changed, the authorisation of the Austrian member of the European Council to approve an initiative under Art. 23i (1) B-VG and the approval of Council decisions establishing new categories of own resources of the European Union under Art. 23i (3) B-VG, of other decisions of the European Council or the Council under Art. 23i (4) B-VG and of decisions of the European Council concerning common defence under Art. 23j (1) B-VG the presence

of at least one half of the Members of the National Council and a two-thirds majority of the votes cast shall be required.

2. The present Federal Law can only be amended in the presence of at least half of the Members and with a majority of two thirds of the votes cast.

2a. The Information Rules Act can only be amended in the presence of at least half of the Members and with a majority of two thirds of the votes cast.

3. The reaffirmation of a bill adopted by the National Council against which the Federal Council has raised an objection shall require the presence of half of the Members.

4. A decision of the National Council expressing a vote of no confidence against the Federal Government or individual members thereof shall require the presence of half of the Members.

5. A decision of the National Council charging members of the Federal Government or organs having equal responsibility with violations of the law shall require the presence of more than half of the Members.

6. A decision of the National Council to have the Federal Assembly (Bundesversammlung) convened by the Federal Chancellor in accordance with Art. 60 (6) B-VG shall require the presence of at least half of the Members and a majority of two thirds of the votes cast.

7. A bill adopted by the National Council concerning an issue enumerated in Art. 14 (10) and Art. 14a (8) B-VG shall require the presence of at least half of the Members and a majority of two thirds of the votes cast. The same shall also obtain in respect of the approval of the conclusion of state treaties concerning matters enumerated in Art. 14 (10) B-VG.

7a. Decisions of the National Council on changes in national borders under Art. 3 paras 2 and 3 B-VG shall require the presence of at least half of the Members and a two-thirds majority of the votes cast (Art. 3 para 4 B-VG).

8. Furthermore, a majority of two thirds of the votes cast shall be required in cases covered by §§ 44 (2), 49 (5 and 6), 53 (7) and 57 (5) of the present Federal Law.

(3) Elections shall be governed by the provisions of (1) above and § 87.

(4) Constitutional laws and constitutional provisions contained in simple laws as well as fundamental laws and fundamental provisions contained in simple federal laws shall be expressly designated as such.

(5) *Note: Cancelled by amendment BGBl. I No. 11/2010*

§ 83. The President of the National Council shall, on the basis of the approved Official Records (§ 51), direct the execution and service of decisions taken by the National Council.

§ 84. (1) If the National Council so decides or the majority of Members so demand, any bill adopted by the National Council shall be submitted to a referendum upon conclusion of the procedure pursuant to Art. 42 B-VG but before its authentication by the Federal President.

(2) A motion for such a decision by the National Council may be introduced in the form of a committee motion under § 27 (3) or in the form of a motion to add in the course of the second reading of the bill. The motion shall be put to the vote after the end of the third reading.

§ 85. If one third of the Members so demand, a partial amendment of the Federal Constitution shall be submitted to a referendum upon conclusion of the procedure pursuant to Art. 42 B-VG but before its authentication by the Federal President.

§ 86. (1) In pursuance of Art. 140 (1) B-VG, one third of the Members may demand that a Federal Law in toto or certain passages thereof be declared null and void by the Constitutional Court as being unconstitutional. The demand shall set forth in detail the objections speaking against the constitutionality of the Federal Law in question.

(2) Members who have made a demand in accordance with (1) above shall also appoint one or more authorised persons who shall represent them in the proceedings before the Constitutional Court.

§ 87. (1) Elections in the National Council shall constitute a separate item of the agenda (§ 50 (2)). This provision notwithstanding, the election of a special committee for the purpose of preliminary deliberations on a bill may be moved before said bill is referred by the President or in the course of the first reading of a bill.

(2) As a rule elections shall take place by means of ballots and shall be decided by an absolute majority of the valid votes cast. Balloting shall be secret. The election of committees shall be governed by the provisions of §§ 30, 32 and 33.

(3) The President shall communicate nominations received in writing to the National Council; however, ballots bearing the names of other eligible candidates shall be equally valid.

(4) The President of the Court of Audit, the members of the Ombudsman Board as well as the chairpersons of the Parliamentary Federal Army Commission under § 4 Defence Act shall be elected upon nomination by the Main Committee.

(5) If no absolute majority of the valid votes cast is achieved during the first ballot, a second ballot shall be held. If the second ballot also fails to produce an absolute majority, there shall be a third ballot based on a short list. The candidates placed on the short list shall be those who have obtained the largest number of votes during the second ballot, and their number shall be twice that of the number of persons to be

elected. If several candidates have received the same number of votes during the second ballot, the candidates to be shortlisted shall be determined by the drawing of lots. Should the third, short-listed, ballot also result in a tie, the decision shall again be by the drawing of lots.

(6) If none of the nominations receives the necessary majority in the first or second ballot, they may be withdrawn and replaced by a single list of candidates.

(7) If only one list of candidates is presented, the President may propose that it be voted on in accordance with § 66 (1 or 2). If, however, an objection is raised against this proposal, the election shall take place by secret ballot. The President and the Second and Third Presidents shall always be elected by secret ballot. The President may rule that a secret ballot be held if s/he has doubts about the result of an election held under § 66 (1 or 2).

§ 88. (1) In the case of elections by secret ballot the President shall direct in what form Members are to indicate their choice.

(2) The election shall take place by the Members depositing their ballots in the voting box. For this purpose, Members shall be called by name and counted. Those not present when their names are counted shall not be allowed to deposit their ballots thereafter.

(3) If five Members so demand, voting booths shall be used for balloting. The ballot shall take place in the same way as indicated in (2) above, but the Parliamentary Administration shall arrange for each Member to be able, in the voting booth, to fill in the ballot and place it in the envelope without being observed by others. The envelopes and ballots shall be handed to the Members by Parliamentary Administration officials appointed for this purpose before they enter the booths; the envelope shall be placed in the voting box immediately after the Member has left the voting booth.

(4) As soon as the President has declared the ballot closed, the staff members of the Parliamentary Administration appointed for the purpose shall, under the supervision of the Secretaries, count the votes and inform the President of the result. If the number of votes or, in the case covered by (3) above, the number of envelopes does not agree with the number of Members that have actually voted, the ballot shall be repeated if the discrepancy is deemed to be likely to affect the result.

(5) Ballots that do not clearly show the intention of the voter shall be deemed invalid.

(6) The President shall announce the result of the election.

XIII. Questions

§ 89. (1) Every Member shall have the right to address written questions to the President of the National Council and the Chairpersons of Committees.

(2) The person so questioned shall reply in writing. If s/he is not in a position to answer the question, his/her reply shall indicate the reason.

§ 90. The National Council shall have the right to scrutinise the activities of the Federal Government, to question its members on all matters of execution and to demand all relevant information from them. This right pertains in particular to acts of government and matters of public administration or administrative acts on the part of the Federal Government in its capacity of holder of private rights.

§ 91. (1) Questions which a Member wishes to address to the Federal Government or one of its members shall be submitted to the President in writing. They shall bear the personal signatures of at least five Members including the questioner and shall be communicated to the person questioned by the Parliamentary Administration.

(2) Questioners may withdraw their questions in writing at any time before receipt by the President of the answer. The President shall communicate the withdrawal of the question to the National Council at its next following sitting and shall inform the government member accordingly.

(3) Questions shall be read only on the President's order.

(4) The person questioned shall answer the question(s) orally or in writing within two months of the question(s) having been received by the President. If s/he is not in a position to answer the question, his/her reply shall indicate the reason. Oral answers shall be governed, *mutatis mutandis*, by the provisions of §§ 19 (2) and 81.

§ 91a. (1) Questions which a Member wishes to address to the President of the Court of Audit shall be submitted to the President of the National Council. The right to question shall pertain to matters within the jurisdiction of the President of the Court of Audit to the extent that they concern the management of the budget in terms of the Federal Budgeting Act, the service prerogative under Art. 125 (3) B-VG and the organisation of the Court of Audit under § 26 (2) Court of Audit Act.

(2) All other matters shall be governed, *mutatis mutandis*, by the provisions of § 91 above.

§ 92. (1) Before entry upon the agenda, five Members may demand that a debate under §§ 57a and 57b be held on the written answer to a question under § 91(1). Members belonging to the same Parliamentary Group shall call for such a debate only once in every week of sittings. If such a demand is made by Members belonging to different Parliamentary Groups, the demand shall be deemed to have been made on behalf of the Group to which the first sponsor belongs. If the first sponsor belongs to no Parliamentary Group, this provision shall hold with regard to the second sponsor and so forth.

(2) Demands under (1) above can only be made in regard of such written answers to a question as have been received by the National Council within the last two months.

(3) In the course of said debate the only motion allowed shall be that the National Council take note or not take note of the answer. The motion may be accompanied by a short statement of reasons.

§ 93. (1) Before entry upon the agenda, five Members may demand that, after the agenda has been exhausted but not later than 3 p.m. and not earlier than three hours after entry upon the agenda, the motivation for a written question to a member of the Federal Government, to be introduced at the same time, be presented orally by the questioner and followed by a debate on the issue in question. However, no Member shall sponsor such a demand more often than once within each year.

(2) In addition, each Parliamentary Group may in each year make another four such demands under (1) above; such demands shall contain a reference to the legal provision in question and shall be signed by five Members of the Parliamentary Group making the demand. The signatures in support of such demand shall not be counted for the purpose of the restriction under (1) above.

(3) Upon a motion of five Members the National Council may decide, without debate, before entry upon the agenda that, after the agenda has been exhausted but not later than 3 p.m. and not earlier than three hours after entry upon the agenda, the motivation for a written question to a member of the Federal Government, to be introduced at the same time, be presented orally by the questioner and followed by a debate on the issue in question. An urgent question so decided shall not be subject to the restriction under § 57b (1).

(4) Following the presentation of the motivation for the question and before the debate is opened, the member of the Federal Government so questioned or the State Secretary entitled to speak under § 19 (1) shall deliver his/her opinion on the issue in hand; alternatively, an oral answer may be given under § 91(4). The statement or oral answer should not exceed 20 minutes.

(5) The Member presenting the motivation shall have a speaking time of 20 minutes, each Member taking the floor in the subsequent debate ten minutes, and each Parliamentary Group a total speaking time of 25 minutes.

(6) The only motions that may be introduced during the debate are draft resolutions. The President may defer voting on such motions to the beginning of the next sitting.

§ 94. (1) During the sittings of the National Council every Member may put brief oral questions to members of the Federal Government.

(2) The member of the Federal Government so questioned or the State Secretary entitled to speak under § 19 (1) shall answer said questions orally during the sitting in

which they are asked. If s/he is not in a position to answer the question, his/her reply shall indicate the reason.

(3) No Member shall table more than four questions for the Question Times of each month. Oral questions may be withdrawn at any time.

(4) Unless a Debate on Matters of Topical Interest has been scheduled, each sitting of the National Council shall, as a rule, commence with Question Time; exceptions are determined by the President after consultation with the President's Conference. Question Time shall not normally exceed one hour, but the President may exceptionally allow more time.

(5) If a large number of questions are put, a special sitting of the National Council may be scheduled for their treatment. If a further sitting of the National Council has been envisaged for the same day, brief debates pursuant to § 57a and the deliberation of Urgent Questions or Urgent Motions shall be out of order.

(6) If a sitting which is to commence with Question Time cannot start at the appointed hour, the President may appoint a certain hour for the inception of Question Time, which shall be complied with even if the previous meeting has not yet been terminated.

§ 95. (1) Short questions under § 90 shall be in order. Each question shall be confined to one concrete question and must not be divided into several parts.

(2) Questions that do not comply with these requirements shall be disallowed by the President.

(3) Questions shall be tabled by way of the Parliamentary Administration in quintuplicate at the latest 48 hours - not counting Saturdays, Sundays and legal holidays - before the sitting in which they are to be called up. The Parliamentary Administration shall inform the person questioned immediately of the questions tabled.

(4) After consultation of the members of the President's Conference the President shall determine the order in which the questions are to be called up during Question Time, taking into consideration ministerial responsibility and the alternation between the Parliamentary Groups and the points of view expressed.

(5) The questions envisaged to be called up shall be copied and distributed to all Members before the sitting.

§ 96. (1) The President shall call up the questions in the order in which they have been arranged. The Member asking the question shall have a speaking time of one minute. Questions shall not be called up if the questioner is absent.

(2) Answers should not exceed two minutes in duration.

(3) After a question has been answered, the questioner shall have the right to ask one supplementary question. Thereafter, other Members may ask supplementary questions, and the floor shall as a rule be given to Members of each of the Parliamentary Groups other than the one to which the questioner belongs. Members who put supplementary questions shall have a speaking time of one minute. Answers to supplementary questions should also not exceed one minute in duration. Members who do not belong to a Parliamentary Group shall be allowed appropriate time. If several Members ask for the floor simultaneously to put a supplementary question, the President shall determine the order in which they are given the floor in compliance with the principles set out in § 60 para 3.

(4) Supplementary questions must be directly related to the original question and comply with the provisions of § 95 para 1.

§ 97. (1) Unless a question has been called up during Question Time within four weeks of its receipt by the President, the questioner may within a further period of eight days declare that s/he wishes to receive an answer in writing.

(2) The written answer shall be given within one month of said declaration by the questioner under (1) above. If the person questioned is not in a position to answer the question, his/her written reply shall indicate the reason.

(3) The President shall announce receipt of the written answer at the sitting of the National Council following receipt. S/he shall order the answer to be copied and distributed to Members, seeing to it that the Members are also cognizant of the wording of the oral question concerned.

XIIIa. Debate on Matters of Topical Interest

§ 97a. (1) The deliberations in plenary of a week of sittings shall commence with a Debate on Matters of Topical Interest if five Members so require in writing at least 48 hours previously - not counting Saturdays, Sundays and legal holidays - and at the same time indicate the subject to be discussed. If there are several requests, the President shall select the topic to be discussed, bearing in mind the principles set out in § 60 (3).

(2) The Parliamentary Administration shall inform the members of the Federal Government.

(3) The Debate on Matters of Topical Interest shall serve to discuss subjects of general topical interest that regard the executive function of the Federal Government; no motions may be made or decisions taken.

(4) No Question Hour shall take place in sittings that commence with a Debate on Matters of Topical Interest.

(5) The Debate on Matters of Topical Interest shall, as a rule, last between 60 and 70 minutes and be organised in such a way that no more than 50 minutes of that time are allowed for Members' contributions. The President shall have the right to close the Debate on Matters of Topical Interest after the lapse of 90 minutes.

(6) As a rule, the first speaker shall be the first signatory of the proposal in accordance with (1) above, who shall have a speaking time of 10 minutes. The competent member of the Federal Government or the State Secretary entitled to speak under § 19 (1) shall have the duty to make an introductory statement, which should not exceed 10 minutes. The speaking time for all other speakers during the Debate on Matters of Topical Interest shall not be more than five minutes, and as a rule two speakers for each Parliamentary Group shall be given the floor. The provisions concerning factual corrections shall not apply.

XIV. Parliamentary Hearings and Commissions of Enquiry

§ 98. (1) The Main Committee of the National Council may upon a motion tabled by one of its members decide to hold a parliamentary hearing (i.e. to solicit written statements and to hear experts and other witnesses subject to the provisions of § 40 (1 and 3)) on matters with regard to which legislation is reserved to the federal level. In deliberating on such a motion every Member who is entitled to vote in the sitting shall have the right to offer amendments. The Main Committee may at any time modify a decision to hold a hearing subject to compliance with the requirements of § 42 (2) regarding modification of decisions.

(2) The motion to hold a hearing under (1) above shall be submitted to the President in writing and shall at a minimum contain indications of the subject matter, the participants desired to be present, and the day of the hearing.

(3) If in the course of a meeting of the Main Committee at least one third of the Members entitled to vote require that such a motion be dealt with, the President shall enter it on the agenda of the following sitting of the Main Committee. In the absence of such a request a motion of this nature shall in any case be dealt with within six months of it being tabled.

4) In the same way, the Main Committee may set up a Commission of Enquiry to prepare decisions on comprehensive and significant matters and may, in so doing, set a date for reporting. A motion to this effect under (2) above shall at a minimum contain detailed instructions for the Commission and indicate its composition. The Commission of Enquiry shall conclude its work with the presentation of a report to the National Council which reflects the various opinions expressed.

(5) The Commission of Enquiry may decide to admit the general public to parts of its sittings under § 37a (1). Sound, film and video recordings as well as the taking of photographs shall be permitted.

(6) The total number of Commissions of Enquiry that have not yet submitted their concluding report shall at no time exceed three.

(7) The activities of the Commissions of Enquiry shall be subject, mutatis mutandis, to the procedural provisions of the present Federal Law concerning the work of committees.

§ 98a. (1) Unless the Main Committee decides otherwise upon the President's proposal, the hearing shall be chaired by the President of the National Council. The chairperson's responsibilities in chairing a hearing shall, mutatis mutandis, be those set out in § 13 (2 and 3).

(2) Hearings shall be open to the media unless the Main Committee decides otherwise when taking the decision to hold the hearing. In any case, the meetings shall be open to those persons who are entitled to be present at the sittings of committees of the National Council. The President shall decide on whether representatives of the media can be admitted subject to the availability of sufficient room.

(3) Furthermore, the provisions of §§ 41 (5), 58, 101 and 102 shall apply, mutatis mutandis, with regard to the recognition of participants who have asked for the floor, factual corrections as well as the call to speak to the point and the call to order.

(4) Unless the Members participating in the hearing decide otherwise with respect to parts of the deliberations, stenographic records of the deliberations shall be made and published in print. Any further publication concerning the hearing shall be at the President's discretion.

(5) The Members participating in the hearing may decide to submit the stenographic records thereof to the National Council as an item of business.

XIV. Parliamentary Hearings and Commissions of Enquiry

§ 98. (1) The Main Committee of the National Council may upon a motion tabled by one of its members decide to hold a parliamentary hearing (i.e. to solicit written statements and to hear experts and other witnesses subject to the provisions of § 40 (1 and 3)) on matters with regard to which legislation is reserved to the federal level. In deliberating on such a motion every Member who is entitled to vote in the sitting shall have the right to offer amendments. The Main Committee may at any time modify a decision to hold a hearing subject to compliance with the requirements of § 42 (2) regarding modification of decisions.

(2) The motion to hold a hearing under (1) above shall be submitted to the President in writing and shall at a minimum contain indications of the subject matter, the participants desired to be present, and the day of the hearing.

(3) If in the course of a meeting of the Main Committee at least one third of the Members entitled to vote require that such a motion be dealt with, the President shall enter it on the agenda of the following sitting of the Main Committee. In the absence of such a request a motion of this nature shall in any case be dealt with within six months of it being tabled.

4) In the same way, the Main Committee may set up a Commission of Enquiry to prepare decisions on comprehensive and significant matters and may, in so doing, set a date for reporting. A motion to this effect under (2) above shall at a minimum contain detailed instructions for the Commission and indicate its composition. The Commission of Enquiry shall conclude its work with the presentation of a report to the National Council which reflects the various opinions expressed.

(5) The Commission of Enquiry may decide to admit the general public to parts of its sittings under § 37a (1). Sound, film and video recordings as well as the taking of photographs shall be permitted.

(6) The total number of Commissions of Enquiry that have not yet submitted their concluding report shall at no time exceed three.

(7) The activities of the Commissions of Enquiry shall be subject, *mutatis mutandis*, to the procedural provisions of the present Federal Law concerning the work of committees.

§ 98a. (1) Unless the Main Committee decides otherwise upon the President's proposal, the hearing shall be chaired by the President of the National Council. The chairperson's responsibilities in chairing a hearing shall, *mutatis mutandis*, be those set out in § 13 (2 and 3).

(2) Hearings shall be open to the media unless the Main Committee decides otherwise when taking the decision to hold the hearing. In any case, the meetings shall be open to those persons who are entitled to be present at the sittings of committees of the National Council. The President shall decide on whether representatives of the media can be admitted subject to the availability of sufficient room.

(3) Furthermore, the provisions of §§ 41 (5), 58, 101 and 102 shall apply, *mutatis mutandis*, with regard to the recognition of participants who have asked for the floor, factual corrections as well as the call to speak to the point and the call to order.

(4) Unless the Members participating in the hearing decide otherwise with respect to parts of the deliberations, stenographic records of the deliberations shall be made and published in print. Any further publication concerning the hearing shall be at the President's discretion.

(5) The Members participating in the hearing may decide to submit the stenographic records thereof to the National Council as an item of business.

XV. Audit Instructions to the Court of Audit

§ 99. (1) The National Council may, upon a private Members' motion or committee motion (§§ 26 and 27), decide to ask the Court of Audit to carry out audits of special aspects of the administration of public funds.

(2) Such audits shall be carried out without a decision of the National Council if a motion tabled under § 26 and seconded in writing by at least 20 Members refers to a special event in connection with a matter of the federal administration of public funds that falls within the jurisdiction of the Court of Audit (Art. 122 (1) B-VG).

(3) No further such motion may be tabled as long as three audits of the administration of public funds under (2) above are pending. In addition, no Member may second such a motion as long as two such audits are pending which were instituted with the seconds of members of the Parliamentary Group to which s/he belongs. An audit shall be deemed pending up to the time the Court of Audit presents its report to the National Council.

(4) The President shall communicate any motion meeting the conditions stipulated in (2) and (3) above to the National Council at the end of the sitting.

(5) The President shall without delay communicate to the Court of Audit any decision under (1) or demand under (2) above.

(6) The Court of Audit shall report to the National Council on its audit under (1) or (2) above.

XVI. Parliamentary Petitions and Parliamentary Citizens' Initiatives

§ 100. (1) Any matter submitted to the National Council shall only be dealt with if the submission is made in writing, if it pertains to a matter within the jurisdiction of the legislative or executive branches at the federal level and if it has been

1. filed as a petition on the part of a Member of the National Council or

2. submitted as a citizens' initiative supported by at least 500 Austrian citizens who have completed their 16th year at the time they support it.

(2) Support of a citizens' initiative shall be by the supporter giving, in his/her own hand, his/her name, address, date of birth and date of signature and affixing his/her signature thereto. The first signatory of a citizens' initiative must be registered as a voter.

(3) A citizens' initiative shall be filed with the Parliamentary Administration by the first signatory, who shall produce evidence of his/her regular residence. The Parliamentary Administration shall thereupon verify whether the first signatory is registered as a voter; the President may order compliance with the requirements for supporters to be examined in a form s/he deems appropriate.

(4) The President shall refer petitions and citizens' initiatives complying with the conditions set forth in (1) to (3) above to the Committee for Petitions and Citizens' Initiatives. However, when submitting a petition, the Member of the National Council doing so may propose that the Committee for Petitions and Citizens' Initiatives have the same referred to another committee.

(5) Petitions and citizens' initiatives shall be made available for inspection in the Parliamentary Administration and distributed to the members and substitute members of the Committee to which they are referred. The President may, after consultation of the members of the President's Conference, dispense with the requirement of copies being distributed either wholly or in part if such action appears to be justified for reasons of economy and utility. The President may, however, also order the text to be distributed to all Members if s/he feels that such action is required for compelling reasons.

§ 100a. Procedure in the Committee for Petitions and Citizens' Initiatives shall be governed, subject to the provisions below, by the provisions concerning the establishment of committees and the consideration of business during their meetings as well as committee reporting.

§ 100b. (1) The Committee for Petitions and Citizens' Initiatives shall discuss incoming business at each of its sittings; its Chairperson may convene a special sitting for this purpose. During this phase of its work, the Committee may

1. decide

a) to refuse to deal with the matter in hand, if it feels that it is obviously unsuitable for further consideration, or

b) to transfer the matter to the Ombudsman Board for further consideration, or

c) to ask the President to refer the matter to a different committee, and

2. take decisions under (2) below or § 40 (1). In cases mentioned under subpara 1 (a and b) above, the Committee shall report to the National Council in accordance with § 100c (3) subpara 3.

(2) In the course of its preliminary deliberations, the Committee for Petitions and Citizens' Initiatives may

1. decide to obtain, through the President, opinions of the Federal Government, of some of its members or of the Ombudsman Board and, if it chooses, to set a deadline for receipt of such opinion(s), and

2. decide whether the first signatory, the members of the Ombudsman Board or informed representatives of members of the Federal Government or the Ombudsman Board may participate in the deliberations, or in which parts thereof they may do so and take the floor in the debate.

§ 100c. (1) At the end of the deliberations, the Committee for Petitions and Citizens' Initiatives may decide to ask the President to refer the subject matter - and possibly a recommendation of the Committee as to the form and content of the ultimate decision - to another committee.

(2) As regards its report to the National Council, the Committee for Petitions and Citizens' Initiatives may decide either to report separately on a single petition or citizens' initiative or to present a joint report on several of them. Motions under § 27 shall not be in order.

(3) The report under (2) above shall in every case contain a motion addressed to the National Council, which may be

1. to transfer the subject matter to the Federal Government or some of its members for appropriate action, or

2. to transfer the subject matter to the Ombudsman Board for further action, or

3. to dispose of the subject matter by noting the Committee report.

(4) Deliberations before the Plenary shall be governed by the General Provisions concerning the Consideration of Business in Sitzings of the National Council subject to the provisions that amendments do not go beyond the motions set forth in (3) subparas 1-3 above and that the motions contained in a joint report under (2) above are voted on jointly unless there are any amendments. Amendments shall not be in order in respect of reports under § 100b (1) subpara 1 a and b.

§ 100d. The Parliamentary Administration shall provide information on the formal requirements regarding the introduction of citizens' initiatives; it shall inform the first signatory (§ 100 (2 and 3)) at his/her request on the status of the parliamentary process while the matter is still pending or on the manner in which it has been disposed of.

XVII. Order in the House

§ 101. (1) If a speaker roams wide of a question before the National Council, the President may require him/her to speak to the point.

(2) After the third admonition, the President may withdraw a Member's right to speak.

§ 102. (1) If a person who is entitled to participate in the deliberations of the National Council violates the decorum or dignity of the National Council, uses abusive language, does not comply with the President's orders or infringes obligations to observe secrecy under the Information Rules Act, the President shall call him/her to order.

(2) The President shall in such a case have the right to interrupt the speaker or to withdraw his/her right to speak.

(3) If a Member has been called to order repeatedly at short intervals, the President may at the same time rule that s/he will not be recognised for the rest of the sitting.

§ 103. (1) Persons entitled to participate in the deliberations of the National Council may request the President to require a Member to speak to the question or to call him/her to order. The president shall rule on this request without recourse to the National Council.

(2) If a person entitled to participate in the proceedings of the National Council has behaved in a way that would have made him/her liable to a call to order, the President may call him/her to order ex post facto at the end of the sitting or at the beginning of the next sitting, and any person entitled to participate in the deliberations may request the President to.

§ 104. If a speaker is interrupted by the President s/he shall cease to speak immediately, failing which the President may withdraw his/her right to speak.

§ 105. The only official language of the National Council and its committees shall be German.

§ 106. Requests of one third of the members of the Immunities Committee that a decision of the National Council be sought under § 10 (3), requests to convene an extraordinary session under § 46 (2), requests to hold a referendum under §§ 84 (1) or 85, as well as motions and challenges in Constitutional Court proceedings under the provisions of the present Rules of Procedure shall be submitted in writing to the President for further action in compliance with the Constitution and shall bear the personal signatures of the Members supporting the request, motion or challenge, as the case may be.

§ 107. In cases under §§ 2 (1,2), 10 (4), 24 (2), 26 (7), 28b (1), 32e (4), 69 (4), 79 (3) and 92 (2), the running of any times set shall be suspended throughout the time during which the National Council is in recess. This provision shall also hold in respect of cases covered by § 7 (1) of the Incompatibility and Transparency Law.

XVIII. Concluding Provisions

§ 108. This Federal Law may only be amended on the basis of private Member's motions (§ 26). Such motions shall be referred to committee after the first reading. The committee shall report in writing, whereupon the second reading shall take place in the National Council, to be followed by the third reading 24 hours after the second one at the earliest. For the rest, the provisions of § 82 (2,2) shall hold.

§ 108a. Whenever this Federal Act refers to provisions of other federal laws, they shall be applied as amended.

§ 109. (1) This Federal Law shall, except for § 86, enter into force on October 1, 1975; § 86 shall enter into force on July 1, 1976.

(2) As this Federal Law enters into force, it shall replace the Federal Law of July 6, 1961, BGBl. No. 178, governing the Rules of Procedure of the National Council.

(3) § 8 para 3, § 21 para 1a, § 28b paras 2 - 5, § 95 para 5, § 96 paras 1 - 4 and § 100 para 1 (2), as amended by Federal Law BGBl. I No. 31/2009, shall enter into force on 1 April, 2009.

(4) § 31f shall enter into force at the end of the day to be announced under § 12 (1) EU Information Act BGBl. I Nr. 113/2011. As regards documents under § 12 (2) EU Information Act BGBl. I Nr. 113/2011, § 31f shall, however, apply only from the end of the day to be stated in the Federal Law Gazette under § 12 (2) EU Information Act.

(5) § 8 (3), § 21 (1), § 23 (1) and (3), § 25, § 26a, § 26b, § 28b (1) and (2), § 29 (2), § 31a, § 31b, § 31c, § 31d, § 31e, § 33 (3), § 34 (6), § 75 (3), § 76 (1), § 82 (2) [1a], § 98b, § 107 and Annex 2 of the Rules of Procedure Act of 1975: "Rules for the Handling and Distribution of Bills, Documents, Reports, Items of Information and Communications on Projects within the framework of the European Union (Distribution Rules EU - DR-EU)" as promulgated as Federal Act BGBl. I Nr. 114/2011 shall enter into force on 1 January 2012.

(6) *(The wording "§ 107, § 24 (1) of Annex 1 to the Rules of Procedure Act (RPA) (Rules of Procedure of Parliamentary Investigating Committees)" in the first sentence of para (6) was due to an editorial error.)*

§ 20c, § 21 (1) and (2), § 23 (3), § 32a (3), § 32f (1) [2] and (2), §§ 32g to 32j, the designation of Section Xc, §§ 74c and 74d, § 74e (1), § 74f (1) to (3) and (5), § 74g, § 107, § 24 (1) of Annex 1 to the Rules of Procedure Act (RPA) (Rules of Procedure of Parliamentary Investigating Committees), the designation and title of Annex 3 of the RPA of 1975: "Rules for the Information on and the Handling of Bills, Documents, Reports, Information and Communications within the framework of the European Stability Mechanism (ESM Information Rules)", § 1 [1] to [10], [11] as regards documents on guidelines under Art. 14 (4), Art. 15 (4), Art. 16 (4) and Art. 17 (4) ESM Treaty, [12] to [14] and [16] to [22], §§ 2 to 4, § 5 (1), §§ 6 to 9 of Annex 3 to the RPA (ESM Information Rules), as promulgated in Federal Act BGBl. I Nr. 66/2012, shall enter into force at the same time as the Treaty establishing the European Stability Mechanism. § 32f (1) [1] and (3), § 32k, § 74e (2), § 74f (4), § 1 [11] as regards documents on guidelines under Art. 18 (5) ESM Treaty, § 1 [15] and § 5 (2) of Annex 3 to the RPA (ESM Information Rules), as promulgated in Federal Act BGBl. I Nr. 66/2012, shall enter into force as soon as the President of the National Council, having consulted with the President's Conference, informs the Federal Chancellor that the necessary provisions of Federal Law concerning the handling of information

relevant to the secondary market have entered into force. The Federal Chancellor shall announce the date of entry into force in Federal Law Gazette II.

(7) § 2 (1) [4] and (4), § 8 (3 and 4), § 10 (1), § 13 (8), § 21 (1, 2 and 5), § 23a, § 26 (2), § 26a (2), § 28b (2), § 31b (2 to 6), § 31c (6, 7, 12 and 13), § 31f (2 and 4), § 32a (1, 2 and 4), § 32d (4), 32f (2), 32j (4), § 33, § 35 (7), §§ 37 und 37a, § 42 (1 and 2), § 43 (1), § 51 (4), § 57a (1) c, § 67 (3), § 74g (2), § 76 (3), § 79 (3), § 82 (2) [2a], § 91 (1 and 4), § 97 (2), § 98 (5), § 102 (1), § 106, § 107, § 108a, Annex 1 of the Rules of Procedure Act 1975: „Rules of Procedure for Parliamentary Investigating Committees (RP-IC)“ and the title of Annex 2 of the Rules of Procedure Act 1975 as amended by Federal Law BGBl. I No. 99/2014, shall enter into force on January 1, 2015. At the same time, § 75 (4) as well as Annex 2 of the Rules of Procedure Act 1975: „Rules for the Handling and Distribution of Bills, Documents, Reports, Items of Information and Communications on Projects within the Framework of the European Union (Distribution Rules EU)“, BGBl. I No. 114/2011, shall expire.

(8) § 11 (4), the heading and designation of Section IV., § 19a, § 21 (1), § 31d (5a), § 37 (2a), § 41 (6a), § 74b (3) and § 76 (5) as amended by BGBl. I No. 62/2015 shall enter into force on August 1, 2015.

(9) § 2 (2) to (2c) and (8) to (10) as well as § 8 (3) as amended by Federal Law Gazette BGBl. I No. 41/2016 shall enter into force on January 1, 2017.