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# Riigikogu Rules of Procedure and Internal Rules Act

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11.03.2009	RT I 2009, 19, 117	06.04.2009
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15.06.2011	RT I, 08.07.2011, 8	22.07.2011
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## Chapter 1 CONVENING THE NEW RIIGIKOGU AND THE FIRST SITTING OF THE NEW RIIGIKOGU

### § 1. Convening the new *Riigikogu*

- (1) The first sitting of the new *Riigikogu* is held within ten days as of the declaration of the results of the elections.
- (2) The first sitting of the *Riigikogu* is convened by the President of the Republic.
- (3) If the President of the Republic is unable to convene the first sitting of the *Riigikogu*, the sitting is convened by the Chair of the National Electoral Committee or his or her deputy.
- (4) The first sitting of the *Riigikogu* is held in Tallinn at Toompea Castle, unless the person who convenes the sitting has, for important reasons, designated otherwise.

### § 2. Opening and chairing of the first sitting

- (1) The first sitting of the new *Riigikogu* is opened by the President of the Republic.

(2) Until the President of the *Riigikogus* elected, the first sitting is chaired by the Chairman of the National Electoral Committee or his or her deputy.

(3) The seats of the members of the Riigikogu in the session hall of the *Riigikogu* are arranged in alphabetical order.

### **§ 3. Taking the oath of office**

(1) After the sitting of the *Riigikogus* opened, the members of the *Riigikogu* take the oath of office.

(2) The Chief Justice of the Supreme Court is present at the taking of the oath of office.

(3) The eldest member of the *Riigikogu* present reads the oath of office aloud from the rostrum in the session hall of the *Riigikogu* and signs the form of the oath. Thereafter, the other members of the *Riigikogu* sign the form of the oath.

### **§ 4. Election of the President and Vice Presidents of the *Riigikogu***

At the first sitting of the *Riigikogu*, the members of the *Riigikogu* elect the President of the *Riigikogu* and two Vice Presidents from among themselves.

### **§ 5. Notification of resignation of the Government of the Republic**

After the election of the President and Vice Presidents of the *Riigikogu*, the Prime Minister announces the resignation of the Government of the Republic.

## **Chapter 2 PRESIDENT AND VICE PRESIDENTS OF THE RIIGIKOGU**

### **Division 1 Election of the President and Vice Presidents of the *Riigikogu***

#### **§ 6. Main principles governing the holding of elections of the President and Vice Presidents of the *Riigikogu***

(1) The President and the two Vice Presidents of the *Riigikogu* are elected at the first sitting of the new *Riigikogu*. Thereafter, regular elections of the President and Vice Presidents of the *Riigikogu* are held at the last sitting of the working week of the *Riigikogu* plenary assembly that precedes the passing of one year since the previous regular election of the President and Vice Presidents of the *Riigikogu*.

(2) If the mandate of the President or the Vice Presidents of the *Riigikogu* ends before the conclusion of its term in the cases described in clauses 9(1)2), 9(1)3) or 9(1)4) or 9(2)2), 9(2)3) or 9(2)4) of this Act, an extraordinary election of the President or Vice Presidents of the *Riigikogu* is held at the first sitting of the following working week of the *Riigikogu* plenary assembly.

#### **§ 7. Principles of and procedure for the elections of the President and Vice Presidents of the *Riigikogu***

(1) The President of the *Riigikogu* is elected first. The Vice Presidents of the *Riigikogu* are elected at the same time after the election of the President of the *Riigikogu*.

(2) Candidates may be nominated by members of the *Riigikogu*. Candidates for the office of the President of the *Riigikogu* are nominated first. After the election of the President of the *Riigikogu*, candidates for the office of the Vice President of the *Riigikogu* are nominated. The nominated candidates must consent to stand as a candidate.

(3) Voting in the elections of the President and Vice Presidents of the *Riigikogu* takes place by secret ballot.

(4) Members of the *Riigikogu* have one vote in the election of the President of the *Riigikogu* and one vote in the election of the Vice Presidents of the *Riigikogu*.

(5) The candidate who receives more than one half of valid votes becomes the President of the *Riigikogu*. If no candidate receives the required number of votes, an additional election round is held between the two candidates who received the greatest number of votes. In the event that two candidates receive an equal number of votes, the winner is selected by lot. Where a sole candidate is nominated for the election of the President of the *Riigikogu*, the sole candidate is elected if more votes are cast in favour of him or her than against.

(6) The candidate who receives the greatest number of votes becomes the First Vice President of the *Riigikogu*. The candidate who receives the second greatest number of votes becomes the Second Vice President of the

*Riigikogu*. In the event that two candidates receive an equal number of votes, an additional election round is held between those two candidates.

#### **§ 8. Commencement of the mandate of the President and Vice Presidents of the *Riigikogu***

The mandates of the President and Vice Presidents of the *Riigikogu* commence after the election results are announced or after challenges to those results are resolved.

## **Division 2**

### **Termination of the mandate of the President and Vice Presidents of the *Riigikogu***

#### **§ 9. Grounds for the termination of the mandate of the President and Vice Presidents of the *Riigikogu***

- (1) The mandate of the President of the *Riigikogu* is terminated:
  - 1) when the new President of the *Riigikogu* is elected or when the mandate of the *Riigikogu* expires;
  - 2) during the mandate of the *Riigikogu*, when his or her mandate as a member of the *Riigikogu* is terminated;
  - 3) when his or her mandate as a member of the *Riigikogu* is suspended due to being appointed member of the Government of the Republic;
  - 4) when he or she resigns the office.
- (2) The mandate of the Vice President of the *Riigikogu* is terminated:
  - 1) when new Vice Presidents of the *Riigikogu* are elected or when the mandate of the *Riigikogu* is terminated;
  - 2) during the mandate of the *Riigikogu*, when his or her mandate as a member of the *Riigikogu* is terminated;
  - 3) when his or her mandate as a member of the *Riigikogu* is suspended due to being appointed member of the Government of the Republic;
  - 4) when he or she resigns the office.

#### **§ 10. Resignation of the President of the *Riigikogu***

- (1) The President of the *Riigikogu* may resign of his or her own accord, announcing his or her resignation and the reasons for the resignation at a sitting of the *Riigikogu*.
- (2) When the President of the *Riigikogu* announces his or her resignation, he or she continues to perform the President's duties until the new President of the *Riigikogu* is elected.

#### **§ 11. Resignation of Vice Presidents of the *Riigikogu***

- (1) A Vice President of the *Riigikogu* resigns:
  - 1) of his or her own accord;
  - 2) when the mandate of the President of the *Riigikogu* is terminated in accordance with clause 9(1)2), 9(1)3) or 9(1)4) of this Act;
  - 3) when the mandate of one of the Vice Presidents of the *Riigikogu* is terminated in accordance with clause 9(2)2) or 9(2)3) of this Act or in accordance with clause 1) of this subsection.
- (2) When the Vice President of the *Riigikogu* resigns of his or her own accord, he or she announces the resignation and the reasons for the resignation at a sitting of the *Riigikogu*.
- (3) After the resignation, the Vice Presidents of the *Riigikogu* continue to perform their duties until the new President or new Vice Presidents of the *Riigikogu* are elected.

## **Chapter 3**

### **BOARD OF THE *RIIGIKOGU***

#### **§ 12. Membership of the Board of the *Riigikogu***

The Board of the *Riigikogu* consists of the President and Vice Presidents of the *Riigikogu*.

#### **§ 13. Tasks of the Board of the *Riigikogu***

- (1) The Board of the *Riigikogu* is a collegial management body that arranges the work of the *Riigikogu* and ensures administration of the *Riigikogu*.
- (2) The Board of the *Riigikogu*:

- 1) arranges representation of the *Riigikogu* and, if necessary, establishes general guidelines concerning international official missions of members of the *Riigikogu*;
- 2) decides the number of members of the standing committees of the *Riigikogu* and the number of positions that are allocated for factions of the *Riigikogu*; the standing committees, appoints to standing committees members of the *Riigikogu* who do not belong to a faction, approves the membership of the standing committees and any changes in the membership and, if necessary, establishes general guidelines concerning the work arrangements and spheres of competence of the committees;
- 3) registers the factions and any changes in the membership of the factions;
- 4) opens proceedings on legislative drafts and designates lead committees for those legislative drafts;
- 4<sup>1</sup>) transmits draft European Union legislation submitted to the *Riigikogu* to the European Union Affairs Committee or the Foreign Affairs Committee, designates the standing committees which are to provide an opinion on such legislation, and determines the time by which that opinion is to be provided;
- 5) decides the holding of an additional sitting of the *Riigikogu* and prepares the agenda for the additional sitting;
- 6) makes proposals to the *Riigikogu* to establish the working schedule of the extraordinary session of the *Riigikogu*;
- 7) prepares the agenda for the working week of the *Riigikogu* plenary assembly and, in accordance with this Act, includes items in the agenda of its own motion, grants permission for visitors of the *Riigikogu* to make political statements and sets the time for the making of such declarations;
- 8) establishes the procedure for making verbatim records and taking minutes of the sittings of the *Riigikogu*;
- 9) decides on changing the time at which documents that serve as the basis for deliberation of agenda items are made available to members of the *Riigikogu*;
- 10) establishes the rules of legislative drafting for legislative drafts;
- 11) in the case described in subsection 132 (1) of this Act, determines the time-limit for the nomination of candidates for the office of Prime Minister and the order of appearance of those candidates;
- 12) sets the order of questions for Question Time;
- 13) determines the duration of deliberations on matters of significant national importance, the presenters of such matters and the time allocated for questions and for comments;
- 14) [repealed – RT I 2007, 44, 316 – entry into force 14.07.2007]
- 15) decides the sending of members of the *Riigikogu* on official missions and establishes the conditions and extent of and procedure for the reimbursement of expenses related to such missions, as well as the conditions and extent of and procedure for the reimbursement of expenses referred to in section 30 and subsection 31 (2) of the Status of Members of the *Riigikogu* Act;
- [RT I 2007, 44, 316 – entry into force 14.07.2007]
- 15<sup>1</sup>) establishes the procedure for the classification of documents of the *Riigikogu* and of the Chancellery of the *Riigikogu* as documents intended for internal use only, and for using such documents;
- 15<sup>2</sup>) establishes the conditions and extent of and procedure for the reimbursement to the members of the XI *Riigikogu* of expenses referred to in subsection 31 (1) of the Status of Members of the *Riigikogu* Act;
- [RT I 2007, 44, 316 – entry into force 14.07.2007]
- 16) establishes the organisational structure of the Chancellery of the *Riigikogu* and establishes the salary rates for employees in the Chancellery of the *Riigikogu*;
- 17) by way of public competition, appoints to office the Secretary General of the *Riigikogu*;
- 18) decides on the procedural issues not regulated in this or any other Act;
- 19) discusses questions put to it by the President of the *Riigikogu*;
- 21) arranges the work of the *Riigikogu* in other respects.

#### **§ 14. Duties of the President of the *Riigikogu***

- (1) The President of the *Riigikogu* represents the *Riigikogu* and presides over the work of the *Riigikogu*.
- (2) The President of the *Riigikogu*:
  - 1) convenes sittings of the Board of the *Riigikogu* and chairs those sittings;
  - 2) convenes the first sitting of a committee of the *Riigikogu*;
  - 3) convenes additional sittings of the *Riigikogu*;
  - 4) convenes extraordinary sessions of the *Riigikogu*;
  - 5) makes proposals to the *Riigikogu* to amend its agenda, sets the time for taking the oath of office and agrees, with the President or the minister concerned, the time for the making of political statements by the President of the Republic, the Prime Minister or other ministers;
  - 6) when weighty reasons speak for this, designates a place for holding a sitting of the *Riigikogu* that is different from the one provided in this Act;
  - 7) invites to participate in sittings of the *Riigikogu* persons who do not have such right by virtue of their office;
  - 8) grants permission to shoot footage at and make video recordings of *Riigikogu* sittings and to broadcast the sittings over television or radio, or to take photographs at the sittings;
  - 9) provides an overview of the proceedings of closed sittings of the *Riigikogu* through the media and grants permission to access the verbatim records of closed sittings;
  - 10) presides over the sittings of the *Riigikogu* and ensures order in the session hall and the galleries during the sittings;
  - 11) transmits bills to the Government of the Republic for an opinion;
  - 12) decides the setting of a time-limit that is different from the established time-limit for the submission of motions to amend a legislative draft;
  - 13) signs passed Acts and resolutions of the *Riigikogu*;

14) performs the duties of the President of the Republic in the cases described in section 83 of the Constitution of the Republic of Estonia;

15) performs other duties arising from Acts.

#### **§ 15. Duties of Vice Presidents of the *Riigikogu***

In accordance with the procedure established by the President of the *Riigikogu*, the Vice President of the *Riigikogu* performs the duties of the President of the *Riigikogu* in the latter's absence, or when the mandate of the President of the *Riigikogu* is suspended due to performing the duties of the President of the Republic, and in other cases.

#### **§ 16. Work arrangements of the Board of the *Riigikogu***

(1) Sittings of the Board of the *Riigikogu* are convened by the President of the *Riigikogu* and when needed. The President announces the time of and agenda for each sitting in a timely manner.

(2) Sittings of the Board are chaired by the President.

(3) Sittings of the Board may be attended by members of the *Riigikogu* and by persons invited by the President.

(4) The Board may adopt a resolution only after considering the opinion of all its members. A resolution of the Board of the *Riigikogu* is adopted by the consensus of the members present. If the consensus is not reached, a member of the Board of the *Riigikogu* may put the issue to the vote at a sitting of the *Riigikogu* without including it in the agenda.

(5) Unless otherwise provided in this Act, a resolution of the Board of the *Riigikogu* becomes effective upon its adoption.

[RT I 2007, 44, 316 – entry into force 14.07.2007]

(6) Minutes are taken of the sittings of the Board of the *Riigikogu*. The minutes set out the time at which the sitting begins and ends, the place where the sitting is held, the names and positions of the persons participating in the sitting, the agenda for the sitting and the resolutions adopted. At the request of the person speaking, the positions expressed by him or her are recorded in the minutes. The minutes are signed by the chair of the sitting and the secretary.

## **Chapter 4 COMMITTEES OF THE *RIIGIKOGU***

### **Division 1 Types and competence of the committees of the *Riigikogu* and the procedure for their establishment**

#### **§ 17. Types of committees**

The *Riigikogu* has standing committees, select committees, committees of investigation and study committees.

#### **§ 18. Standing committees**

(1) The *Riigikogu* has the following standing committees:

- 1) the European Union Affairs Committee;
- 2) the Environment Committee;
- 3) the Cultural Affairs Committee;
- 4) the Rural Affairs Committee;
- 5) the Economic Affairs Committee;
- 6) the Constitutional Committee;
- 7) the Finance Committee;
- 8) the National Defence Committee;
- 9) the Social Affairs Committee;
- 10) the Foreign Affairs Committee;
- 11) the Legal Affairs Committee.

(2) Standing committees of the *Riigikogu* prepare legislative drafts for deliberations in the *Riigikogu* plenary, oversee the exercise of executive power within their particular field and perform other functions assigned to the committees by Acts or resolutions of the *Riigikogu*.

(3) The European Union Affairs Committee and, in matters which concern the common foreign and security policy of the European Union, the Foreign Affairs Committee, in co-operation with other standing committees of the *Riigikogu*, formulate the position of the *Riigikogu* on draft European Union legislation and provide their opinion, while the European Union Affairs Committee also provides its position, concerning other affairs of the European Union, and oversee the work of the Government of the Republic in implementing European Union policy.

[RT II, 14.09.2012, 1 – entry into force 15.09.2012]

## **§ 19. Select committees**

(1) The *Riigikogu* forms select committees in accordance with law, as well as in order to perform functions arising from law or international agreements.

(2) A select committee is formed by the resolution of the *Riigikogu* that sets out the membership of the committee, including substitutes for all committee members, as well as the functions and procedure for reporting on the activities of the committee.

(3) The *Riigikogu* may delegate the performance of the functions set out in subsection (1) of this section to a standing committee.

## **§ 20. Committees of investigation**

(1) The *Riigikogu* may form committees of investigation in order to investigate the circumstances of events of public interest.

(2) A committee of investigation is formed by the resolution of the *Riigikogu* that sets out the membership of the committee, including substitutes for all committee members, as well as the functions of the committee and the term of the committee's mandate.

(3) The committee of investigation presents to the *Riigikogu* an interim report on its work at least once a year and, upon the termination of its work, presents a final report.

## **§ 21. Study committees**

(1) The *Riigikogu* may form study committees in order to analyse problems of significant importance.

(2) A study committee is formed by the resolution of the *Riigikogu* that sets out the membership of the committee, including substitutes for all committee members, as well as the functions of the committee and the term of the committee's mandate.

(3) Upon the termination of its work, the study committee presents to the *Riigikogu* a report on that work.

## **§ 22. Rights of committees**

(1) A committee of the *Riigikogu* has the right to:

1) require the Government of the Republic, executive agencies and government institutions to present information necessary for its work;

2) require a member of the Government of the Republic to participate in a committee sitting in order to obtain information on matters within the powers of the member of the Government;

3) invite officials of executive agencies and other persons to participate in a sitting of the committee in order to inform and advise the committee.

(2) A committee of investigation has the right to summon persons to appear before the committee and to require the presentation of information and documents necessary for the performance of its functions. The summoned person is obligated to appear, provide explanations and reply to questions. The information and documents requested by the committee must be submitted by the date set by the committee.

## **§ 23. Obstruction of the work of a committee of investigation**

(1) Failure to appear before a committee of investigation without a valid reason following a summons from the committee, failure to present information or documents, or refusal to provide explanations or to reply to questions is punishable by a fine of up to 300 fine units.

(2) The provisions of the Penal Code and of the Code of Misdemeanour Procedure apply to the misdemeanour established by subsection (1) of this section.

(3) Proceedings in matters of the misdemeanour established by subsection (1) of this section are conducted by the courts.

## **§ 23<sup>1</sup>. Committee reports**

(1) A committee of the *Riigikogu* may prepare a report for the purpose of analysing an issue that belongs to its area of authority or for oversight purposes. The committee appoints from among its members a rapporteur to ensure the preparation of the draft report and its submission to the committee for approval. At the same time, the committee also determines the time-limit for submitting the draft to the committee.

(2) A member of the committee may provide a reasoned dissenting opinion concerning the report which is annexed to the report.

(3) The committee may submit the report to the *Riigikogu* for discussion following the provisions of section 153 of this Act.

[RT I 2009, 54, 361 – entry into force 23.11.2009]

## **Division 2**

### **Membership of committees of the Riigikogu and convention of the first sitting**

## **§ 24. Affiliation of members of the Riigikogu to committees**

(1) A member of the *Riigikogu* is affiliated to one of the standing committees of the *Riigikogu* listed in clauses 18(1) 2)-11) of this Act and may be affiliated to the European Union Affairs Committee, and to select committees, committees of investigation and study committees.

(2) The President and Vice Presidents of the *Riigikogu* may not be affiliated to standing committees, with the exception of the European Union Affairs Committee, or be a substitute in such committees.

[RT I 2004, 12, 77 – entry into force 15.03.2004]

## **§ 25. Number of committee members**

(1) The number of members in the standing committees of the *Riigikogu* is determined by the Board of the *Riigikogu*.

(2) The European Union Affairs Committee has at least 15 members, and must include at least one member or substitute member from each of the standing committees listed in clauses 18(1) 2)-11) of this Act.

[RT I 2004, 12, 77 – entry into force 15.03.2004]

## **§ 26. Representation of factions of the Riigikogu in committees**

(1) The number of positions allocated to factions of the *Riigikogu* on the *Riigikogu* committees is proportional to the number of members in each faction.

(2) The Board of the *Riigikogu* determines the number of positions allocated to factions of the *Riigikogu* in each standing committee.

(3) The members of the faction to serve on standing committees are appointed by the faction.

(4) A substitute member who is appointed by the faction may appear in a sitting of the standing committee as a substitute of a member who represents that faction in that committee.

[RT I 2004, 89, 607 – entry into force 07.01.2005]

## **§ 27. Participation in standing committees of members of the Riigikogu who do not belong to factions**

Appointments of members of the *Riigikogu* who do not belong to a faction to serve on a standing committee of the *Riigikogu* are made by the Board of the *Riigikogu* considering the wishes of such members and the need to ensure effective work arrangements.

## **§ 28. Approval of the membership of a standing committee**

(1) A faction of the *Riigikogu* decides the appointment of its members and substitute members to the standing committees of the *Riigikogu* within five working days as of the determination of the number of positions allocated to the faction. The faction is entitled to amend the decision it has made.

(2) The membership of the standing committee and any changes thereto are approved by the Board of the *Riigikogu*.

## **§ 29. Convention and chairing of a committee's first sitting**

(1) The President of the *Riigikogu* convenes the first sitting of a *Riigikogu* committee within three working days as of the approval of the membership of the committee or adoption of the resolution on forming the committee.

(2) Until the chair and deputy chair of the committee are elected, the first sitting of the committee is chaired by the eldest member of the committee present.

## **Division 3**

### **Chair and deputy chair of a *Riigikogu* committee**

## **§ 30. Election of the chair and deputy chair of the committee**

(1) The members of a *Riigikogu* committee elect the chair and deputy chair of the committee from among themselves at the first sitting of the committee. If the mandate of the chair or deputy chair of the committee is terminated before the end of its term in the cases described in clause 31 2), 3), 4) or 5) of this Act, an extraordinary election of the chair and deputy chair is held at the next sitting of the committee.

(2) The chair and deputy chair of a committee are elected simultaneously.

(3) Voting in the election of the chair and deputy chair of a committee takes place by secret ballot. Each member of the committee has one vote.

(4) The candidate who receives the greatest number of votes becomes the chair of the committee. The candidate who receives the second greatest number of votes becomes the deputy chair of the committee.

(5) If, due to the number of votes received being equal, no candidate is elected chair of the committee, an additional election round is held between the two candidates who received the equal number of votes. If the number of votes received by the candidates remains equal also in the additional round, the winner of the election is decided by lot.

(6) If, due to the number of votes received being equal, no candidate is elected deputy chair of the committee, the election of the deputy chair is decided by lot.

## **§ 31. Grounds for the termination of the mandate of the chair and deputy chair of a committee**

The mandate of the chair or deputy chair of a *Riigikogu* committee is terminated when:

- 1) the mandate of the *Riigikogu* terminated;
- 2) his or her mandate as a member of the *Riigikogu* terminated;
- 3) his or her mandate as a member of the *Riigikogu* suspended in relation to his or her appointment as member of the Government of the Republic;
- 4) he or she resigns;
- 5) he or she is removed from the office.

## **§ 32. Resignation of the chair and deputy chair of a committee**

(1) The chair or deputy chair of a *Riigikogu* committee resigns:  
1) of his or her own accord;  
2) upon the corresponding termination of the mandate of the chair or deputy chair of the committee in the cases set out in clause 31 2), 3) or 5) of this Act or in clause 1) of this subsection.

(2) If the chair or deputy chair of the committee resigns of his or her accord, he or she announces his or her resignation and the reasons for that at a sitting of the committee.

(3) Upon resignation, the chair and deputy chair of the committee continue to perform their duties until the new chair and deputy chair of the committee are elected.

## **§ 33. Removal from office of the chair or deputy chair of a committee**

(1) At least one third of the members of a committee may initiate the procedure of removing the committee's chair or deputy chair from the respective office.

(2) The procedure for removal from the office may not be initiated if the chair and deputy chair of a committee have resigned and continue to perform their duties in accordance with subsection 32 (3) of this Act.

(3) The proposal for removal from office is inserted in the committee's agenda for the second sitting after the submission of the proposal unless the committee chair or deputy chair in respect of whom the proposal is submitted requests a speedier resolution.



(4) The chair or deputy chair of the committee is deemed to have been removed from his or her office if more than one half of the members of the committee vote in favour of the proposal.

(5) The procedure of removal from office may not be initiated again earlier than during the next regular session of the *Riigikogu*.

#### **§ 34. Duties of the chair and deputy chair of a committee**

(1) The chair of a *Riigikogu* committee represents the committee and presides over and arranges the work of the committee.

(2) The chair of a committee:

- 1) submits to the committee the work plan of the committee and the draft agenda for sittings of the committee;
- 2) chairs the sittings of the committee;
- 3) convenes extraordinary sittings of the committee;
- 4) invites members of the Government of the Republic, officials from executive agencies of the government and other persons to participate in committee sittings.

(3) The deputy chair of the committee performs the duties of the chair of the committee in the absence of the chair and in other cases following the procedure established by the chair of the committee.

## **Division 4**

### **Work arrangements in committees of the Riigikogu**

#### **§ 35. Time of committee sittings**

(1) Regular sittings of committees of the *Riigikogu* are held at the hours set out in section 47 of this Act.

(2) The chair of the committee convenes an extraordinary sitting of the committee of his or her own accord or at the request of at least one third of the members of the committee.

#### **§ 36. Open and closed sittings of the committees**

(1) Members of the Government of the Republic are entitled to participate and speak at committee sittings.

(2) Representatives of government institutions and other persons may participate in committee sittings when invited by the chair of the committee.

(3) The committee may decide to declare its sitting public if more than one half of the members of the committee vote in favour of the corresponding motion.

#### **§ 37. Quorum in committee sittings**

(1) In a regular sitting, the committee has a quorum provided at least one third of the members of the committee are present.

(2) In an extraordinary sitting, the committee has a quorum provided more than one half of the members of the committee, including the chair or deputy chair of the committee, are present.

#### **§ 38. Procedure for adoption of committee resolutions**

(1) The committee adopts resolutions by a majority of votes in favour.

(2) If none of the members of the committee who participate in the sitting requests a vote, the decision in the matter is deemed to have been adopted by consensus.

(3) The *Riigikogu* may, in the resolution on the formation of a select committee, require certain issues to be decided unanimously.

[RT I 2003, 90, 601 – entry into force 01.01.2004]

#### **§ 39. Minutes of committee sittings**

(1) Minutes are taken of the sittings of *Riigikogu* committees.

(2) The minutes are to record:

- 1) the time at which the sitting begins and ends and the place of holding the sitting;

- 2) the names and positions of the persons participating in the sitting;
- 3) the agenda for the sitting and the resolutions adopted;
- 4) voting results.

(3) At the request of the person speaking, the positions expressed by him or her are recorded in the minutes.

(4) The minutes are signed by the chair of the sitting and the secretary.

(5) [Repealed – RT I 2004, 12, 77 – entry into force 15.03.2004]

## **Chapter 5**

### **FACTIONS OF THE RIIGIKOGU**

#### **§ 40. Formation of factions of the Riigikogu**

(1) A faction of the *Riigikogu* may be formed by and must comprise not less than five members of the *Riigikogu* who are elected from the list of candidates of a single political party. Members of the *Riigikogu* who are elected from the list of candidates of a single political party may only form one faction.

(2) Each member of the *Riigikogu* may belong to one faction only.

(3) The faction elects from among its members a chair and a deputy chair; the chair or deputy chair may not at the same time be the President or Vice President of the *Riigikogu*. If the faction consists of more than twelve members, it is entitled to elect a second deputy chair.

#### **§ 41. Registration of factions of the Riigikogu**

(1) The application to register a faction is submitted to the Board of the *Riigikogu* within five days after the first sitting of the *Riigikogu*.

(2) The application to register a faction must state the name of the faction, the names of the members of the *Riigikogu* who formed the faction and the names of the chair and deputy chairs of the faction. The application is signed by all members of the *Riigikogu* who formed the faction.

(3) The name of the faction is the name of the political party that submitted the list of the faction's candidates together with the word *fraktsioon* [faction].

(4) Factions are registered by the Board of the *Riigikogu*.

#### **§ 42. Changes in the membership of factions**

(1) The admission of a new member is decided by the faction. The chair of the faction promptly transmits to the Board of the *Riigikogu* the resolution of the faction together with the corresponding application of the member of the *Riigikogu*.

(2) Members of the *Riigikogu* may leave their faction by drawing up the corresponding declaration and transmitting it to the Board of the *Riigikogu*.

(3) The faction may expel a member of the *Riigikogu* from among its members. The chair of the faction promptly transmits the corresponding resolution of the faction to the Board of the *Riigikogu*.

(4) Changes to the membership of factions are registered by the Board of the *Riigikogu*.

## **Chapter 6**

### **OTHER ASSOCIATIONS**

#### **§ 43. Other associations of members and factions of the Riigikogu**

(1) Members and factions of the *Riigikogu* may form associations.

(2) The chair of an association transmits to the Board of the *Riigikogu* a notice that sets out the name of the association, the objectives of its work and the names of the members and factions of the *Riigikogu* who belong to the association.

## **Chapter 7**

# DELEGATIONS OF THE RIIGIKOGU

## § 44. Delegations of the Riigikogu

- (1) The *Riigikogu* may form delegations of its members for the purpose of international communication.
- (2) The delegation is formed by a resolution of the *Riigikogu* for the term of the mandate of the *Riigikogu*. The members and, if necessary, substitute members of the delegation are appointed by a resolution of the *Riigikogu*.
- (3) At least once a year, the delegation presents a report concerning its work to the Foreign Affairs Committee.

## Chapter 8 WORKING TIME OF THE RIIGIKOGU

### Division 1 Working time of the Riigikogu during regular sessions of the Riigikogu

## § 45. Regular sessions

- (1) Regular sessions of the *Riigikogu* are held from the second Monday of January to the third Thursday of June and from the second Monday of September to the third Thursday of December.
- (2) The numeration of the regular sessions begins with the convention of the new *Riigikogu*.

## § 46. Working week and working cycle of the plenary assembly

- (1) Any week during which regular sittings of the *Riigikogu* are held is a working week of the *Riigikogu* plenary assembly.
- (2) Three consecutive working weeks of the *Riigikogu* plenary assembly form a working cycle of the plenary assembly.
- (3) The week following the working cycle of the plenary assembly is allotted for members of the *Riigikogu* to work with their constituents and for the performance of duties assigned by the *Riigikogu*, committees or factions of the *Riigikogu* and for other duties of members of the *Riigikogu*.
- (4) The last regular sitting of the *Riigikogu* is held not later than on the Thursday of the last but one week preceding election day. No regular sittings of the *Riigikogu* are held from election day until the election results are declared. If the mandate of the *Riigikogu* is extended in the cases provided for in section 131 of the Constitution of the Republic of Estonia, regular sittings are also held during that period.

## § 47. Working schedule of the Riigikogu

- (1) The *Riigikogu* works according to the following schedule:
  - 1) Monday:  
9.00–11.00 — work in factions;  
11.00–13.00 — work in standing committees, with the exception of the European Union Affairs Committee;  
13.30–15.00 — work in the European Union Affairs Committee, select committees, committees of investigation and study committees;  
15.00 — beginning of the sitting of the *Riigikogu* at which replies are provided to interpellations. After replies to all interpellations on the agenda have been provided, the time for unscheduled statements from members of the *Riigikogu* begins, to continue until no further requests for the floor are made. If no replies to interpellations are scheduled in the agenda for the sitting of the *Riigikogu*, the unscheduled statements of members of the *Riigikogu* begin after the approval of the agenda for the working week of the plenary assembly and continue until no further requests for the floor are made;  
[RT I 2009, 54, 361 – entry into force 23.11.2009]
  - 2) Tuesday:  
9.00–10.00 — work in factions;  
10.00–13.00 — the sitting of the *Riigikogu*;  
14.00 — work begins in standing committees, with the exception of the European Union Affairs Committee, and continues until all items on the agenda have been dealt with;
  - 3) Wednesday:

9.00–12.00 — work in factions of the *Riigikogu*;  
13.00–14.00 — Question Time;  
14.00 — the sitting of the *Riigikogu* begins and continues until all legislative drafts that have been initiated by the Government of the Republic and that are on the agenda have been dealt with, but not for longer than until the beginning of the sitting on Thursday;  
4) Thursday:  
10.00–13.00 — the sitting of the *Riigikogu*;  
14.00–16.00 — work in standing committees, with the exception of the European Union Affairs Committee;  
16.00 — work begins in select committees, committees of investigation and study committees;  
5) Friday:  
10.00–11.00 — work in the Foreign Affairs Committee;  
11.00 — work begins in the European Union Affairs Committee and continues until all items on the agenda have been dealt with.  
Members of the *Riigikogu* work with their constituencies, perform duties assigned by the *Riigikogu*, factions or committees of the *Riigikogu*, or perform other duties of members of the *Riigikogu*.

(2) At the proposal of the chair of the committee, a regular sitting of the committee may be scheduled for a time other than that set out in subsection (1) of this section provided the chair of the committee obtains the agreement of the committee's members concerning the time of the sitting not later than at the first committee sitting of the working week.

(3) The time of committee sittings referred to in subsection (2) of this section may not overlap with the working time of other committees, factions or the *Riigikogu* as set out in subsection (1) of this section.

(4) At the proposal of the chair of the committee, regular sittings of the committee may be scheduled for a time outside the regular sessions provided the chair obtains the agreement of the members concerning the time of the sittings not later than at the last committee sitting of the regular session. The committee notifies this to the Board of the *Riigikogu*.

[RT I 2004, 12, 77 – entry into force 15.03.2004]

(5) [Repealed – RT I 2009, 54, 361 – entry into force 23.11.2009]

#### **§ 48. Changing the working schedule of the *Riigikogu***

The *Riigikogu* may, by a resolution passed by a two-thirds majority of its members, change its working schedule, except for the part set out in clause 47(1) of this Act.

#### **§ 49. Additional sittings of the *Riigikogu***

(1) Additional sittings of the *Riigikogu* may be held outside the working schedule provided in section 47 of this Act.

(2) The Board of the *Riigikogu* decides the holding of an additional sitting and prepares the agenda for the additional sitting.

(3) The additional sitting of the *Riigikogu* is convened by the President of the *Riigikogu*. The President notifies the members of the *Riigikogu* of the convention of the additional sitting through the media at least three days before the date on which the sitting is to be held. The time-limit for giving notice may be shorter if weighty reasons require that.

## **Division 2**

### **Extraordinary session of the *Riigikogu***

#### **§ 50. The time of an extraordinary session of the *Riigikogu***

Extraordinary sessions of the *Riigikogu* may be held outside the time of regular sessions of the *Riigikogu*.

#### **§ 51. Convention of extraordinary sessions**

(1) Extraordinary sessions of the *Riigikogu* are convened by the President of the *Riigikogu* at the proposal of the President of the Republic, the Government of the Republic or at least one fifth of the members of the *Riigikogu* at the time and with the agenda requested in the proposal.

(2) The President of the *Riigikogu* notifies the members of the *Riigikogu* of the convention of the extraordinary session through the media.

#### **§ 52. Working schedule of extraordinary sessions**

The working schedule of the extraordinary session of the *Riigikogu* is established by motion of the Board of the *Riigikogu* by a majority of votes in favour.

## Chapter 9

### AGENDA

#### § 53. Preparation of the agenda

(1) The agenda sets out the list of issues to be deliberated by the plenary assembly of the *Riigikogu* and the date and order of their deliberation.

(2) The Board of the *Riigikogu* prepares the agenda for the working week of the *Riigikogu* plenary assembly on the basis of proposals from the committees and agreements reached with the addressees of interpellations concerning the provision of their replies. If the inclusion of the item in the agenda is required under this Act, the Board of the *Riigikogu* includes the item in the agenda of its own motion. The committees submit proposals concerning the agenda for the following working week of the plenary assembly not later than by 15:00 on the Thursday of the current working week.

(3) Items that were not deliberated during the previous working week of the plenary assembly are inserted at the top of the agenda for the new working week.

(4) The agenda for the additional sitting of the *Riigikogu* is prepared by the Board of the *Riigikogu*.

(5) The agenda for the extraordinary session of the *Riigikogu* is prepared by the presenters of the proposal to convene the extraordinary session.

#### § 54. Communication of the agenda

(1) The agenda of the next working week of the plenary assembly is communicated to members of the *Riigikogu* by the end of the working week.

(2) The agenda of the additional sitting or extraordinary session of the *Riigikogu* is communicated to members of the *Riigikogu* together with the notice convening the additional sitting or extraordinary session.

(3) After the agenda has been communicated, it may be amended only if none of the factions oppose the motion, except in the cases listed in section 56 of this Act.

#### § 55. Approval of the agenda

(1) The plenary assembly of the *Riigikogu* approves the agenda at the first sitting of the working week of the plenary assembly or at the beginning of the additional sitting. The agenda for the extraordinary session of the *Riigikogu* is not subject to approval.

(2) Before approving the agenda the *Riigikogu* may amend it, taking into account the provision of subsection 54 (3) of this Act.

(3) The *Riigikogu* may not remove from the agenda any item that it is required to deliberate in accordance with the Constitution of the Republic of Estonia or this Act.

#### § 56. Insertion of supplementary items in the agenda

(1) After the agenda of the working week of the *Riigikogu* plenary assembly or the agenda of the additional sitting of the *Riigikogu* has been approved, only the following items may be inserted in it:

1) granting the candidate for the office of Prime Minister the authority to form the Government of the Republic, to be inserted for deliberation within fourteen days following the designation of the candidate by the President of the Republic or after the expiry of the term for the nomination of candidates for that office;

2) a motion to express no confidence in the Government of the Republic, the Prime Minister or any other minister, to be inserted for deliberation not earlier than on the second day after the initiation thereof, unless the Government of the Republic requires the motion to be decided sooner;

3) an Act of the *Riigikogu* that the President of the Republic refused to promulgate and that has been returned to the *Riigikogu* for renewed deliberation and decision, to be inserted for deliberation at the earliest opportunity;

4) a bill to approve or repeal a decree of the President of the Republic, to be inserted for deliberation at the earliest opportunity;

5) a declaration of the state of emergency, to be inserted for deliberation at the earliest opportunity;

6) a declaration of the state of war, mobilisation or demobilisation, and decisions related to increasing the level of military readiness, to be inserted for deliberation at the earliest opportunity;

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

- 7) a proposal from the Chancellor of Justice to bring an Act or a resolution of the *Riigikogu* into conformity with the Constitution of the Republic of Estonia or Act of the *Riigikogu*, to be inserted for deliberation at the earliest opportunity;
  - 8) the grant of consent to bring criminal charges against a public official, to be inserted for deliberation at the earliest opportunity;
  - 9) a political statement by the President of the Republic, the Prime Minister or other ministers, to be presented at the time agreed upon by the President of the *Riigikogu* and the presenter of the statement;
  - 10) a political statement by a guest of the *Riigikogu*, to be presented at the time determined by the Board of the *Riigikogu*;
  - 11) the oath of office, to be taken at the time determined by the President of the *Riigikogu*;
  - 12) a draft resolution related to ensuring the financial stability of a foreign state, of the euro area or of a member state of the euro area, or to the prevention or resolution of the financial crisis referred to in the State Budget Act, to be introduced for deliberation at the earliest opportunity;
- [RT I, 13.03.2014, 2 – entry into force 23.03.2014]
- 13) [Repealed – RT I, 13.03.2014, 2 – entry into force 23.03.2014].

(2) Items are inserted in the agenda at the proposal of the President of the *Riigikogu*.

## **Chapter 10**

### **SITTINGS OF THE RIIGIKOGU**

#### **Division 1**

#### **General rules**

##### **§ 57. Place of holding the sittings**

Sittings of the *Riigikogu* are held in Tallinn in the session hall of Toompea Castle unless the President of the *Riigikogu*, for weighty reasons, designates another place for the holding of the sitting.

##### **§ 58. Participants in sittings**

(1) The right to enter the session hall of the *Riigikogu* and attend the sitting is reserved to Members of the *Riigikogu*, the President of the Republic, members of the Government of the Republic, the Chancellor of Justice, the Auditor General, the State Secretary, civil servants the performance of whose duties require entry or attendance during the sitting of the plenary assembly, as well as any persons whom the President of the *Riigikogu* has invited to participate in the sitting.

(2) Each member of the *Riigikogu* has a permanent seat in the session hall. Seats are also reserved in the session hall for the President of the Republic and members of the Government of the Republic.

##### **§ 59. Access to sittings**

(1) Sittings of the *Riigikogu* are public.

(2) Sittings may be observed from the gallery of the session hall.

(3) The permission of the President of the *Riigikogu* is required to shoot footage at and make video recordings of *Riigikogu* sittings and to broadcast the sittings over television or radio, or to take photographs at the sittings.

##### **§ 60. Closed sittings**

(1) The *Riigikogu* may declare a sitting closed by a two-thirds majority.

(2) The declaration of the sitting being closed is decided separately with regard to each item in the agenda.

(3) An overview of the proceedings at the closed sitting is provided to the public through the media by the President of the *Riigikogu*.

##### **§ 61. Verbatim records, minutes and transmissions of sittings**

(1) Verbatim records are made and minutes are taken of the sittings of the *Riigikogu* in accordance with the procedure established by the Board of the *Riigikogu*.

(2) Verbatim records of the sittings are open to the public. Access to the verbatim records of closed sittings is reserved to the persons listed in subsection 58 (1) of this Act. Other persons may access the verbatim records of closed sittings with the permission of the President of the *Riigikogu*.

(3) Public sittings of the *Riigikogu* are transmitted to the enclosed premises of the *Riigikogu*.

## **§ 62. The time of making documents available**

Documents that serve as the basis for deliberating items in the agenda are made available to members of the *Riigikogu* not later than by 18:00 on the last but one working day before the sitting day on which the matter is to be deliberated, unless otherwise provided in the Constitution of the Republic of Estonia or this Act or unless the Board of the *Riigikogu* decides otherwise.

# **Division 2**

## **Procedure for holding the sittings of the Riigikogu**

## **§ 63. Chair of the sitting**

- (1) A sitting of the *Riigikogu* is chaired by the President or Vice President of the *Riigikogu*.
- (2) If the President or Vice Presidents of the *Riigikogu* are unable to chair the sitting, the sitting is chaired by the eldest member of the *Riigikogu* present.

## **§ 64. Opening and closing of sittings**

- (1) The sittings of the *Riigikogu* are opened and closed by the chair.
- (2) The sitting may not be closed before the current proceeding (a report, a comment, the putting of a question or replying to the question, the voting of a motion to amend, the final vote or any other proceedings) comes to an end.
- (3) In the case described in section 134 of this Act, the sitting may not be closed before deciding on the agenda item.

## **§ 65. Recess**

The chair of the sitting may declare a recess of up to thirty minutes.

## **§ 66. Maintenance of order during sittings**

During the sitting of the *Riigikogu*, the chair of the sitting ensures order in the session hall and galleries.

## **§ 67. Reports**

If a report is to be made under an item in the agenda, it is delivered from the rostrum in the session hall and its duration is limited to twenty minutes, unless otherwise provided in this Act. With the agreement of the presenter, the chair of the sitting may extend the time for making the report.

## **§ 68. Oral questions**

- (1) In the cases provided in this Act, members of the *Riigikogu* may ask oral questions.
- (2) If a member of the *Riigikogu* wishes to ask a question, he or she must register for the asking. The permission to ask questions is granted by the chair of the sitting according to the order of registration.
- (3) The time for asking the question is limited to one minute.

## **§ 69. Comments**

- (1) In the cases provided in this Act, members of the *Riigikogu* may take the floor to present comments.
- (2) If a member of the *Riigikogu* wishes to present a comment, he or she must register for this. The permission to present a comment is granted by the chair of the sitting according to the order of registration.
- (3) The presentation of comments takes place from the rostrum of the session hall (a speech) or from the floor.
- (4) If the chair of the sitting wishes to present a comment, he or she must delegate the chairing of the sitting for that time and speak from the rostrum.
- (5) Unless otherwise provided in this Act, speeches are limited to five minutes and comments from the floor to two minutes. At the request of the person speaking, the chair of the sitting may allot an additional three minutes for the speech.

#### **§ 70. Retorts**

(1) If the person of a member of the *Riigikogu* or the positions expressed in a comment by a member are referred to in a comment by another member of the *Riigikogu*, the chair of the sitting may grant the member of the *Riigikogu* concerned permission to retort.

(2) In the course of the deliberation of one agenda item, the chair of the sitting may only grant permission to the member of the *Riigikogu* to retort once.

(3) A retort is limited to two minutes.

#### **§ 71. Right to speak of members of the Government of the Republic and of the Chancellor of Justice**

(1) Members of the Government of the Republic and the Chancellor of Justice have the right to present comments.

(2) The chair of the sitting grants permission for the presentation of comments, where possible taking into consideration the wishes of the member of the Government of the Republic or the Chancellor of Justice.

#### **§ 72. The authority of the chair of the sitting in conducting the deliberation of agenda items**

(1) If a report, comment or question exceeds the allotted time, the chair of the sitting demands that the report, comment or question be brought to a close. If the person making the report, presenting the comment or asking the question deviates from the agenda item, the chair demands a return to that item. If the demand of the chair is ignored, the chair cuts off the report, comment or question by switching off the speaker's microphone.

(1<sup>1</sup>) If the person making the report, presenting the comment or asking the question uses improper language, the chair of the sitting reminds him or her that this is unacceptable. If the chair's reminder is ignored, the chair cuts off the report, comment or question by switching off the speaker's microphone.

[RT I 2007, 44, 316 – entry into force 14.07.2007]

(2) When everyone who wished to take the floor have spoken or when the chair of the sitting finds that the item on the agenda has been covered adequately, he or she moves that the comments be deemed concluded. Should a member of the *Riigikogu* contest the motion of the chair, the matter of whether to deem the comments concluded is decided by a vote.

#### **§ 73. Impossibility of deliberation of an agenda item**

(1) The chair of the sitting does not open the deliberation of an agenda item if the documents that serve as the basis for the deliberation of the item have not been made available to the members of the *Riigikogu* in time or if the presenter is not present at the deliberation of the item.

(2) In the case referred to in subsection (1) of this section, the deliberation is deferred to the following working week.

#### **§ 74. Protests and questions concerning points of order**

(1) If a member of the *Riigikogu* finds that the rules governing the conduct of the sitting are being infringed, he or she may submit a protest to the chair of the sitting.

(2) If a member of the *Riigikogu* wishes to raise a point of order, he or she may address the corresponding query to the chair of the sitting.

(3) The member of the *Riigikogu* who wishes to submit a protest or address a query to the chair indicates this by raising his or her hand. The chair of the sitting grants permission to submit the protest or address the query without including it in the agenda.

(4) The chair of the sitting resolves the protest or replies to the query without delay.

#### **§ 75. Transmission of communications**

Communications to members, committees and factions of the *Riigikogu* are transmitted by the chair of the sitting. The text of the communication is submitted to the chair in writing.

## **Division 3 Voting in the sittings of the Riigikogu**

### **Subdivision 1**



## General rules

### § 76. Quorum of the *Riigikogu*

At additional sittings and during extraordinary sessions, the *Riigikogu* has a quorum if more than one half of its members are present.

### § 77. Attendance check of the members of the *Riigikogu*

- (1) The quorum of the *Riigikogu* is verified by checking the attendance of the members of the *Riigikogu*.
- (2) The attendance of the members of the *Riigikogu* is checked at the beginning of the sitting and before the final vote on a legislative draft that requires at least a majority vote of the members of the *Riigikogu* in order to pass.
- (3) During the additional sitting or extraordinary session of the *Riigikogu*, attendance is also checked before any other votes if this is requested by a member of the *Riigikogu*.

### § 78. Required majority

The *Riigikogu* makes its decisions by a majority of votes in favour, unless otherwise provided in the Constitution of the Republic of Estonia or this Act.

### § 79. Public and secret votes

- (1) Voting at the sittings of the *Riigikogu* is public.
- (2) Voting by secret ballot takes place only in the following cases:
  - 1) election of the President of the Republic;
  - 2) election of the President and Vice Presidents of the *Riigikogu*;
  - 3) appointment to office of the Chief Justice and justices of the Supreme Court;
  - 4) appointment to office of the Auditor General;
  - 5) appointment to office of the Chancellor of Justice and the Deputy Chancellors of Justice;
  - 6) appointment to office of the Chair of the Supervisory Board of the Bank of Estonia and appointment of members to the Supervisory Board of the Bank of Estonia;
  - 7) [repealed – RT I, 08.07.2011, 8 – entry into force 22.07.2011]

### § 80. Voting in person

Members of the *Riigikogu* vote in person.

### § 81. Methods of voting

- (1) An electronic voting system is employed for voting.
- (2) In the election of the President of the Republic and the President and Vice Presidents of the *Riigikogu*, ballot papers are used for voting.
- (3) When it is not possible to use the electronic voting system, voting takes place by a show of hands or, if this Act requires a secret vote, by ballot.

### § 82. Competence of the National Electoral Committee and voting committee in voting arrangements

- (1) In the cases referred to in subsection 81 (2) of this Act, voting is arranged, the voting results are ascertained and any related protests are resolved by the National Electoral Committee.
- (2) In the cases referred to in subsection 81 (3) of this Act, voting is arranged, the voting results are ascertained and any related protests are resolved by the voting committee which includes one representative from each faction of the *Riigikogu*.

## Subdivision 2

# Voting using the electronic voting system

## § 83. Voting procedure

- (1) One minute before the vote, the chair of the sitting notifies the members of the *Riigikogu* of the vote by sounding a signal that is transmitted throughout the enclosed premises of the *Riigikogu*.
- (2) The chair or deputy chair of a standing committee or faction may demand a recess of up to ten minutes before the vote.
- (3) Immediately before the vote, the chair of the sitting clearly states the matter that is being put to the vote and assures himself or herself that all members of the *Riigikogu* understand it unambiguously.
- (4) The chair of the sitting confirms the decision to put the matter to the vote by a stroke of the gavel.
- (5) Before the voting results are ascertained, no one in the session hall is allowed to express himself or herself aloud.

## § 84. Suspension of voting

- (1) If the voting procedure is infringed during voting or if a member of the *Riigikogu* is unable to vote due to a technical failure in his or her voting console, the chair of the sitting suspends the vote and confirms that decision by a stroke of the gavel.
- (2) Members of the *Riigikogu* indicate the impediment referred to in subsection (1) of this section by raising their hand.

## § 85. Announcement of voting results

- (1) The chair of the sitting announces voting results and confirms them by a stroke of the gavel.
- (2) Once confirmed, the voting results may not be contested.

## Subdivision 3 Voting by ballot

## § 86. Preparation for voting

- (1) If necessary, the chair of the sitting declares a recess in order for ballot papers to be prepared.
- (2) The ballot paper shows the names of the candidates in the order of their nomination, or boxes containing the choices *poolt*[in favour], *vastu*[against] and *erapooletu*[abstaining].
- (3) After the ballot papers have been prepared, the chair of the sitting declares the recess ended.
- (4) Before the vote is announced, the National Electoral Committee or the voting committee examines and seals the ballot box. Thereafter, the chair of the sitting explains the voting procedure to the members of the *Riigikogu*.
- (5) The vote is announced by the chair of the sitting.

## § 87. Voting procedure

- (1) The National Electoral Committee or the voting committee provides each member of the *Riigikogu* with a ballot paper by reference to the roll of the members of the *Riigikogu*. Each member of the *Riigikogu* must present an identity document. Each member of the *Riigikogu* confirms the receipt of the ballot paper with his or her signature.
- (2) Members of the *Riigikogu* complete the ballot paper in the voting booth. Members mark the ballot paper with a cross in the box next to the name of the candidate in favour of whom they wish to vote or to the answer that they favour. If the ballot paper only shows the name of one candidate, members put a cross in the box marked *poolt*[in favour] or *vastu*[opposed] on the ballot paper.
- (3) After completing the ballot paper, the member of the *Riigikogu* places it in the ballot box.
- (4) If a member of the *Riigikogu* spoils his or her ballot paper before placing it in the ballot box, he or she is entitled to obtain a new ballot paper from the voting committee. The member must return the spoiled ballot paper to the National Electoral Committee or the voting committee.
- (5) The chair of the sitting declares the vote closed thirty minutes after the vote was announced.

## **§ 88. Ascertaining and announcing of voting results**

- (1) Votes are counted publicly after the voting has ended.
- (2) Ballot papers on which more than one box is marked or on which no box is marked are deemed to be invalid.
- (3) The National Electoral Committee or the voting committee draws up a report concerning the voting results.
- (4) The chair of the sitting announces the voting results.

## **§ 89. Contestation of voting results**

- (1) Any member of the *Riigikogu* may submit to the National Electoral Committee or the voting committee a protest concerning the voting arrangements or the voting results.
- (2) A protest concerning the voting arrangements must be submitted promptly after the voting has ended. A protest concerning the voting results must be submitted promptly after the announcement of those results.
- (3) The National Electoral Committee or the voting committee resolves the protest without delay.

# **Chapter 11 PROCEEDINGS CONCERNING LEGISLATIVE DRAFTS OF THE RIIGIKOGU**

## **Division 1 Initiation of Acts. Submission of draft resolutions of the Riigikogu**

## **§ 90. Right to initiate Acts and submit draft resolutions of the *Riigikogu***

- (1) The authority to initiate Acts and submit draft resolutions of the *Riigikogu* is vested in the following:
  - 1) members of the *Riigikogu*;
  - 2) factions of the *Riigikogu*;
  - 3) committees of the *Riigikogu*;
  - 4) the Government of the Republic.
- (2) The bill to approve or repeal a decree of the President of the Republic is submitted by the President of the Republic together with the corresponding decree.
- (3) The body that has the authority to make recommendations or proposals to the *Riigikogu* in the cases referred to in clauses 78 (1) and 17), subsection 128 (1) and subsection 129 (1) of the Constitution of the Republic of Estonia submits the recommendation or proposal as a draft resolution of the *Riigikogu*.

## **§ 91. Delivery of legislative drafts**

- (1) Legislative drafts are delivered to the chair of the sitting of the *Riigikogu* from the rostrum in the session hall before the beginning of deliberation of the matters in the agenda. The presenter may take up to two minutes to introduce the legislative draft.
- (2) If a bill on which the *Riigikogu* has not opened proceedings is entered in the agenda of an extraordinary session of the *Riigikogu*, the bill is delivered to the President of the *Riigikogu* together with the proposal to convene the extraordinary session.
- (3) If the Government of the Republic requests the Board of the *Riigikogu* to hold an additional sitting of the *Riigikogu* for the deliberation of a legislative draft on which the *Riigikogu* has not opened proceedings, the legislative draft is delivered to the Board of the *Riigikogu* together with the corresponding request.  
[RT II, 14.09.2012, 1 – entry into force 15.09.2012]

## **§ 92. Requirements for legislative drafts**

- (1) The legislative draft must be formalised such as to conform to the rules of legislative drafting established by the Board of the *Riigikogu*.

- (2) The legislative draft must be signed by the body or person who initiates or submits it.
- (3) An explanatory memorandum that states the reasons for the initiation or submission of the legislative draft is annexed to that bill or draft resolution.
- (4) Bills concerning international agreements are submitted together with the text of the agreement in the Estonian and in the foreign language. If the language in which the authentic text of the international agreement is drawn up is a foreign language, an Estonian translation of the agreement is also submitted.

### **§ 93. Decision on the opening of proceedings on a legislative draft**

- (1) The Board of the *Riigikogu* decides the opening of proceedings on a legislative draft within three working days as of the delivery of the legislative draft.
- (2) When the Board of the *Riigikogu* decides to open proceedings on the legislative draft, the Board also designates, from among the standing committees of the *Riigikogu*, the lead committee for that bill or draft resolution.
- (3) If the Board of the *Riigikogu* finds that the legislative draft does not comply with the requirements set out in section 92 of this Act, the Board returns that bill or draft resolution to the body or person who initiated or submitted it without designating a lead committee.
- (4) The decisions referred to in subsections (2) and (3) of this section are communicated to the members of the *Riigikogu*.

### **§ 94. Opinion of the Government of the Republic on legislative drafts**

- (1) Any bill initiated by a member, faction or committee of the *Riigikogu* is transmitted by the President of the *Riigikogu* to the Government of the Republic for an opinion not later than on the working day following the day on which proceedings were opened on the legislative draft. The President of the *Riigikogu* may also transmit other legislative drafts to the Government of the Republic for an opinion.
- (2) The Government of the Republic presents its opinion to the lead committee in writing within five weeks following receipt of the legislative draft.
- (3) The Government of the Republic may decline to present its opinion.

### **§ 95. Withdrawal and abandonment of a legislative draft**

- (1) The body or person who initiates or submits a legislative draft is entitled to withdraw that legislative draft at any time.
- (2) The body or person who initiated or submitted a legislative draft submits the declaration withdrawing the legislative draft to the President of the *Riigikogu* in writing. If the legislative draft was initiated or submitted by two bodies or persons, both must sign the declaration. If the legislative draft was initiated or submitted by more than two bodies or persons, the declaration withdrawing that legislative draft must be signed by more than one half of the initiators or submitters.
- (3) In the case of a legislative draft that has been initiated or submitted by several bodies or persons, the body or person that initiated or submitted the legislative draft is entitled to abandon the legislative draft provided that at least one initiator or submitter remains or, in the case of a bill to amend the Constitution of the Republic of Estonia, provided at least twenty-one members of the *Riigikogu* continue as the initiators. Abandonment does not cause the legislative draft to be dropped from proceedings. The person or body to abandon the legislative draft submits the declaration concerning abandonment of the legislative draft to the President of the *Riigikogu* in writing.
- (4) A legislative draft that the Government of the Republic has declared to be a matter of confidence may not be withdrawn.

### **§ 96. Dropping legislative drafts from proceedings upon expiry of the mandate of the *Riigikogu***

Upon expiry of the mandate of the *Riigikogu*, all legislative drafts on which the proceedings were not completed during that mandate are dropped from the proceedings.

## **Division 2**

## **First reading of a legislative draft**

### **§ 97. Including the first reading of a legislative draft in the agenda**

- (1) The first reading of a legislative draft is included in the agenda on the motion of the lead committee.

(2) The first reading of a legislative draft must be completed within seven working weeks of the plenary assembly of the *Riigikogu* following the opening of proceedings on the legislative draft.

#### **§ 98. Procedure for deliberation of the legislative draft at first reading**

(1) At the first reading, the lead committee may submit an amended version of the legislative draft, provided the body or person who initiated or submitted it has agreed to that.

(2) At the first reading of the legislative draft, the general principles of the legislative draft are debated.

(3) The first reading commences with a report by the body or person who initiated or submitted the legislative draft, or by a representative of such body or person. This is followed by a report from a representative of the lead committee.

(4) Any member of the *Riigikogu* may ask up to two oral questions.

(5) At the first reading, the floor is opened for debate for representatives of the factions to present comments.

(6) If the lead committee does not move to reject the legislative draft or if none of the factions moves to reject the legislative draft in the course of the debate, the first reading of that legislative draft is concluded without a vote.

#### **§ 99. Time-limit, conditions and procedure for submission of motions to amend**

(1) After the end of the first reading of a legislative draft, members, committees and factions of the *Riigikogu* may within ten working days submit motions to amend the legislative draft. At the proposal of the lead committee, the President of the *Riigikogu* may set a different time-limit for the submission of motions to amend.

(2) The time-limit for the submission of motions to amend is announced at the end of the first reading of the legislative draft.

(3) A motion to amend must contain a reference to the part of the legislative draft to be amended and the exact wording of the desired amendment.

(4) Motions to amend are submitted to the lead committee in writing. Motions to amend are signed by the persons who submit the motion.

### **Division 3**

## **Proceedings on the legislative draft in the lead committee between the first and the second reading**

#### **§ 100. Consideration of motions to amend in the lead committee**

(1) The lead committee considers all motions to amend submitted in compliance with the time-limit, conditions and procedure provided in section 99 of this Act and decides whether to incorporate them in the new version of the legislative draft.

(2) Before deciding on a motion to amend, the lead committee must allow the person who submits the motion to explain the motion.

(3) A motion to amend may not be withdrawn if it has been incorporated in the new version of the legislative draft by the lead committee.

#### **§ 101. New version of the legislative draft**

(1) For the second reading of the legislative draft, the lead committee prepares a new version of the legislative draft that includes all the motions to amend that the committee decided to incorporate in that version as well as the amendments made by the committee itself.

(2) For the second reading, the lead committee may merge two or more legislative drafts into a single text.

#### **§ 102. List of motions to amend**

(1) For the second reading of the legislative draft, the lead committee prepares a list of motions to amend the legislative draft that sets out the wording of the motions in the order of the provisions of the legislative draft, as well as the name of the person who submits the motion and the decision of the lead committee.

(2) Motions to amend that are submitted by the same body or person and that are related in terms of their content are entered in the list of motions to amend as a single motion.

### **§ 103. Explanatory memorandum of the lead committee**

For the second reading of the legislative draft, the lead committee prepares an explanatory memorandum that provides information concerning the proceedings on the legislative draft, such as the reasons to incorporate or to refuse to incorporate motions to amend, the positions taken by the body or person who initiated or submitted the legislative draft and by experts and other persons participating in the proceedings on the legislative draft.  
[RT I 2009, 54, 361 – entry into force 23.11.2009]

## **Division 4**

### **Second reading of the legislative draft**

### **§ 104. Including the second reading of the legislative draft in the agenda**

The second reading of the legislative draft is included in the agenda at the proposal of the lead committee.

### **§ 105. Procedure for deliberation of the legislative draft at second reading**

(1) At the second reading of the legislative draft, the provisions of the legislative draft are debated.

(2) At the second reading of the legislative draft, a report is made by a representative of the lead committee. The body or person who initiated or submitted the legislative draft or a representative of such a body or person makes a report if he or she so wishes or if the lead committee so decides.

(3) Any member of the *Riigikogu* may ask up to two oral questions.

(4) At the second reading of the legislative draft, the floor is opened for debate where members of the *Riigikogu* and representatives of the committees and factions who wish to express their opinion present comments.

[RT I 2004, 89, 607 – entry into force 07.01.2005]

### **§ 106. Voting on motions to amend**

(1) Motions to amend are voted on after the debate has been closed.

(2) The chair of the sitting puts a motion to amend to the vote only if this is demanded by the person who makes the motion or by a committee or faction of the *Riigikogu*. A motion to amend that was not incorporated by the lead committee and that received less than two votes in favour is not put to the vote.

(3) If a motion to amend receives more votes in favour than against, the amendment is incorporated in the text of the legislative draft.

(4) In the case of motions to amend that are mutually exclusive, the motion that receives the largest number of votes among the motions that received more votes in favour than against is incorporated in the text of the legislative draft.

### **§ 107. Suspension of the second reading of the legislative draft**

(1) At the proposal of the Board of the *Riigikogu*, the lead committee or the body or person who initiated the legislative draft the *Riigikogu* suspends the second reading of the legislative draft without a vote. A corresponding proposal made by a faction of the *Riigikogu* is put to the vote.

(2) If the second reading of the legislative draft is suspended, motions to amend the legislative draft may be submitted within the time-limit, under the conditions and in accordance with the procedure provided in section 99 of this Act.

(3) The second reading of the legislative draft may be suspended only after voting on the motions to amend has been concluded.

### **§ 108. Closing the second reading of the legislative draft**

If the *Riigikogu* does not suspend the second reading of the legislative draft, the second reading is deemed to have been concluded and the legislative draft is passed on for the third reading.

### **§ 109. Final vote on a draft resolution of the *Riigikogu***

After the second reading has been concluded, a draft resolution of the *Riigikogu* may be put to the final vote.

## **Division 5**

### **Third reading of the legislative draft**

#### **§ 110. Final version of the legislative draft and explanatory memorandum of the lead committee**

(1) For the third reading of the legislative draft, the lead committee prepares the final version of the text which includes the linguistic and technical rectifications made by the lead committee after the second reading was concluded.

(2) For the third reading of the legislative draft, the lead committee may prepare an explanatory memorandum that gives an overview of the proceedings on the legislative draft after the end of the second reading.

#### **§ 111. Procedure for the deliberation of the legislative draft at the third reading and the final vote**

(1) At the third reading of the legislative draft, the floor is opened for debate for representatives of the factions to present comments.

(2) At the third reading, the legislative draft is put to the final vote.

## **Division 6**

### **Final proceedings**

#### **§ 112. Formalisation of passed Acts and resolutions of the *Riigikogu***

After the adoption of the Act or resolution of the *Riigikogu*, the President of the *Riigikogu* or, in his or her absence, the Vice President who chaired the sitting of the *Riigikogu* signs the Act or resolution not later than on the fifth working day following the adoption.

## **Division 7**

### **Renewal of deliberations on Acts whose promulgation was refused by the President of the Republic**

#### **§ 113. Inclusion in the agenda of an Act whose promulgation was refused by the President of the Republic**

An Act that the President of the Republic refused to promulgate and that is returned to the *Riigikogu* for renewal of deliberations is included in the agenda at the earliest opportunity by motion of the Board of the *Riigikogu* or at the proposal of the President of the *Riigikogu*.

#### **§ 114. Procedure for renewed deliberation of an Act whose promulgation was refused by the President of the Republic**

(1) In the course of the renewed deliberation of an Act whose promulgation was refused by the President of the Republic, reports are made by a representative of the Constitutional Committee and a representative of the committee that served as the lead committee for the bill when it was the subject of proceedings in the *Riigikogu*. Members of the *Riigikogu* may each ask one oral question to each presenter.

(2) In the course of the renewed deliberation of the Act, the floor is opened for debate for members of the *Riigikogu* and representatives of committees and factions of the *Riigikogu* who so wish to express their opinion concerning the motives why the Act was not proclaimed.

(3) After the debate is closed, the chair of the sitting puts to the vote the matter of renewed passage, without amendments, of the Act that was returned to the *Riigikogu* by the President of the Republic.

(4) An Act which is returned to the *Riigikogu* by the President of the Republic is deemed to have been repassed, without amendments, if it is supported by the majority that was required at its initial passage.

(5) If the *Riigikogu* does not pass again, without amendments, the Act that was returned to the *Riigikogu* by the President of the Republic, further proceedings on the Act are conducted in accordance with sections 99–108 and 110–112 of this Act. The committee that served as the lead committee for the bill when proceedings were conducted on the Act in the *Riigikogu* is the lead committee.

## Division 8

### Special proceedings regarding legislative drafts

#### § 115. Special rules for proceedings on bills concerning international agreements

Bills concerning international agreements are deliberated in two readings unless the lead committee moves to conduct a third reading. The final vote on the bill is conducted at the second reading after the motions to amend have been voted.

#### § 116. Special rules for proceedings on bills to approve or repeal decrees of the President of the Republic

(1) Bills to approve or repeal decrees of the President of the Republic are deliberated in a single reading.

(2) No lead committee is appointed for bills to approve or repeal decrees of the President of the Republic. The bill is included in the agenda at the earliest opportunity by motion of the Board of the *Riigikogu* or at the proposal of the President of the *Riigikogu*.

(3) In the course of the reading of the bill to approve or repeal a decree of the President of the Republic, the Prime Minister makes a report. Members of the *Riigikogu* may each ask one oral question to the presenter.

(4) At the reading of the bill, the floor is opened for debate for representatives of the factions of the *Riigikogu* to present comments.

(5) Motions to amend the bill may be submitted in the course of the debate. After the debate is closed, the motions to amend are put to the vote. Thereafter, the bill is put to the final vote.

#### § 117. Special rules for proceedings on draft resolutions of the *Riigikogu* concerning the appointment to or release from office of public officials, the appointment of members of supervisory boards and the formation of delegations of the *Riigikogu*

(1) Draft resolutions of the *Riigikogu* concerning the appointment to or release from office of public officials, the appointment of members of supervisory boards and the formation of delegations of the *Riigikogu* are deliberated in a single reading. Proceedings on the draft resolutions are conducted in accordance with the provisions of Divisions 2 and 3 of this Chapter without prejudice to the special rules provided in this section.

(2) If the draft resolution is submitted by a body whose right to make the proposal is provided in the Constitution of the Republic of Estonia or in an Act of the *Riigikogu*, no motions are submitted to amend the draft resolution. In other cases, when opening proceedings on the draft resolution, the President of the *Riigikogu* may set a time-limit for the submission of motions to amend. Motions to amend may only be made by the factions of the *Riigikogu*.

(3) At the course of the reading of the draft resolution, a report is made by a representative of the lead committee. At the proposal of the lead committee, the candidate to the office or the public official who is to be released from the office may make a report of up to five minutes. Members of the *Riigikogu* may each ask one oral question to the presenter. If motions to amend the draft resolution are submitted, the motions are put to the vote after the debate is closed, having regard to the provisions of subsections 106 (2) and (3) of this Act. After this, the draft resolution is put to the final vote.

[RT I 2009, 54, 361 – entry into force 23.11.2009]

#### § 118. Special rules for proceedings on draft resolutions of the *Riigikogu* that concern the declaration of a state of emergency, a state of war, mobilisation or demobilisation, or that are related to increasing the level of military readiness

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(1) Draft resolutions of the *Riigikogu* that concern the declaration of a state of emergency, a state of war, mobilisation or demobilisation, or that are related to increasing the level of military readiness are deliberated in a single reading. [RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(2) No lead committee is appointed for the draft resolution. The draft resolution is included in the agenda by motion of the Board of the *Riigikogu* or at the proposal of the President of the *Riigikogu* at the earliest opportunity.

(3) At the reading of the draft resolution, a report is made by the Prime Minister or, if he or she has been correspondingly authorised by the Prime Minister, another member of the Government. Members of the *Riigikogu* may each ask one oral question to the presenter.

(4) At the reading of the draft resolution, the floor is opened for debate for representatives of the factions to present comments. No motions to amend the draft resolution are allowed. After the debate is closed, the draft resolution is put to the final vote.



**§ 118<sup>1</sup>. Special rules for proceedings on draft resolutions of the *Riigikogu* concerning the submission of petitions to the Supreme Court**

(1) The right to initiate a draft resolution of the *Riigikogu* which includes a petition to the Supreme Court for an opinion on how to interpret the Constitution of the Republic of Estonia in conjunction with the law of the European Union is vested in the European Union Affairs Committee and the Constitutional Committee.

(2) The draft resolution is deliberated in a single reading. The proceedings are conducted in accordance with the provisions of Divisions 2 and 3 of this Chapter without prejudice to the special rules provided in this section.

(3) When opening proceedings on the draft resolution, the President of the *Riigikogu* sets the time-limit for the submission of motions to amend. Motions to amend may be submitted by the European Union Affairs Committee, the Constitutional Committee and factions.

(4) At the reading of the draft resolution, reports are made by the body that submits the draft resolution and a representative of the lead committee. Members of the *Riigikogu* may each ask one oral question to each presenter.

(5) At the reading of the draft resolution, the floor is opened for debate for representatives of the factions as well as representatives of the European Union Affairs Committee and the Constitutional Committee to present comments.

(6) If motions to amend the draft resolution are made, they are put to the vote after the debate is closed, having regard to the provisions of subsections 106 (2) and (3) of this Act. Motions to amend that the lead committee has decided not to incorporate in the text are not put to the vote. After this, the draft resolution is put to the final vote.

[RT I 2005, 68, 524 – entry into force 23.12.2005]

**§ 118<sup>2</sup>. Special rules for conducting as a matter of urgency proceedings on draft resolutions of the *Riigikogu* that are related to ensuring financial stability**

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(1) A draft resolution related to ensuring the financial stability of the euro area or a member state of the euro area, or to the prevention or resolution of the financial crisis referred to in the State Budget Act, that is declared a matter of urgency by the Board of the *Riigikogu* at the request of the Government of the Republic is deliberated in a single reading. Proceedings on the draft resolution are conducted in accordance with the provisions of Divisions 2 and 3 of this Chapter without prejudice to the special rules provided in this section.

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(2) When opening proceedings on the draft resolution, the President of the *Riigikogu* sets the time-limit for the making of motions to amend. Motions to amend may be submitted by the lead committee and factions.

(3) If motions to amend the draft resolution are submitted, they are put to the vote after the debate is closed, having regard to the provisions of subsections 106 (2) and (3) of this Act. After this, the draft resolution is put to the final vote.

[RT II, 14.09.2012, 1 – entry into force 15.09.2012]

## **Chapter 12**

### **PROCEEDINGS ON THE DRAFT STATE BUDGET**

**§ 119. Submission of the draft state budget**

(1) The Government of the Republic submits the draft state budget not later than three months before the beginning of the financial year.

(2) The delivery and formalisation, as well as the opening of proceedings on and withdrawal of the draft state budget is subject to the provisions of sections 91, 92, 93 and 95 of this Act, and to the State Budget Act (RT I 1999, 55, 584; 2002, 67, 405; 2003, 13, 69; 24, 148; 88, 588).

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

**§ 120. Procedure for deliberation of the draft state budget**

(1) The draft state budget is deliberated by the *Riigikogu* in three readings.

(2) The draft state budget is deliberated in accordance with the provisions of Divisions 2, 3, 4, 5 and 6 of Chapter 11 of this Act without prejudice to the special rules provided in this Chapter.

(3) Motions to amend the draft state budget must comply with the conditions set out in section 40 of the State Budget Act. The motions to amend the draft state budget must contain specific wording as to each modification that they entail in the receipts, expenditure and investment and financing operations set out in the draft state budget.

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(4) After the conclusion of the second reading of the draft state budget and during the third reading of the draft state budget, motions to amend may be submitted by committees and factions of the *Riigikogu*.

(5) Motions to amend that are not supported by the Government of the Republic and that are not incorporated into the text by the lead committee are not put to the vote if they are made after the suspension of the second reading, after the end of the second reading or after the suspension of the third reading of the draft state budget.

#### **§ 121. Procedure for the deliberation of a bill on amendments to the state budget and of a draft supplementary budget**

Proceedings on a bill on amendments to the state budget and a draft supplementary budget are conducted in accordance with the provisions of this Chapter, with the exclusion of subsection 119 (1).

## **Chapter 13 PROCEEDINGS ON BILLS ON AMENDMENTS TO THE CONSTITUTION**

#### **§ 122. Initiation of an amendment to the Constitution**

(1) An amendment to the Constitution may be initiated by not less than one fifth of the members of the *Riigikogu*, or by the President of the Republic.

(2) The delivery and formalisation, as well as the opening of proceedings on and withdrawal of a bill on amendments to the Constitution is subject to the provisions of sections 91, 92, 93 and 95 of this Act.

(3) In the explanatory memorandum to the bill on amendments to the Constitution, the initiators must state the method by which they propose to pass the Act on amendments to the Constitution.

#### **§ 123. Procedure for the deliberation of a bill on amendments to the Constitution**

(1) A bill on amendments to the Constitution is deliberated by the *Riigikogu* in three readings.

(2) The first and the second reading of the bill must be separated by an interval of at least three months and the second and the third reading by an interval of at least one month.

(3) The bill on amendments to the Constitution is deliberated having regard to the provisions of Divisions 2, 3, 4, 5 and 6 of Chapter 11 of this Act without prejudice to the special rules provided in this Chapter.

(4) A motion to amend the bill on amendments to the Constitution may be submitted by at least one fifth of the members of the *Riigikogu*.

#### **§ 124. Decision on the method of passing the bill on amendments to the Constitution**

(1) The *Riigikogu* decides on the method of passing the bill on amendments to the Constitution at the third reading of the bill.

(2) The proposal concerning the method of passing the bill on amendments to the Constitution is made to the *Riigikogu* by the Constitutional Committee. The proposal is submitted for the third reading of the bill on amendments to the Constitution.

#### **§ 125. Deciding on the submission of the bill on amendments to the Constitution to a referendum**

(1) If the Constitutional Committee proposes to the *Riigikogu* to amend the Constitution by referendum, the Committee initiates, before the third reading of the bill, a draft resolution of the *Riigikogu* to hold the referendum.

(2) When opening proceedings on the draft resolution, the President of the *Riigikogu* sets a time-limit for the submission of motions to amend the draft resolution. Only factions of the *Riigikogu* may submit motions to amend.

(3) In the case described in this section, the third reading of the bill on amendments to the Constitution is conducted concurrently with the reading of the draft resolution to hold the referendum; the bill on amendments to the Constitution is deliberated first, to be followed by the draft resolution when voting on the motions to amend that have been submitted for the bill has been concluded.

(4) At the reading of the draft resolution, a report is made by the lead committee. Members of the *Riigikogu* may each ask the presenter one oral question.

(5) At the reading of the draft resolution, the floor is opened for debate for representatives of the factions to present comments. If motions to amend the draft resolution are submitted, such motions are put to the vote after the debate is closed.

(6) After voting the motions to amend that have been submitted concerning the draft resolution, the chair of the sitting puts to the vote the matter of passing the draft resolution to hold the referendum. A three-fifths majority of the members of the *Riigikogu* is required to pass the draft resolution. If the draft resolution does not receive the required majority, the bill on amendments to the Constitution is also deemed to have been rejected.

#### **§ 126. Amendment of the Constitution by two successive compositions of the *Riigikogu***

(1) If the Constitutional Committee proposes to the *Riigikogu* that the Constitution be amended by an Act passed by two successive compositions of the *Riigikogu*, the chair of the sitting puts the bill on amendments to the Constitution to the final vote at the third reading after voting on all motions to amend has been concluded. If the bill receives a majority vote of the members of the *Riigikogu*, the Act is deemed to have received the support of that composition of the *Riigikogu*. If the bill does not receive the required majority, it is deemed to have been rejected.

(2) By motion of the Board of the *Riigikogu*, the bill on amendments to the Constitution that was supported by the majority of the members of the preceding *Riigikogu* is included in the agenda at the earliest opportunity.

(3) No motions to amend the bill on amendments to the Constitution are submitted.

(4) No reports are made at the reading of the bill. At the reading of the bill, the floor is opened for debate for representatives of the factions of the *Riigikogu* to present comments.

(5) After the debate is closed, the bill is put to the final vote. A three-fifths majority of the members of the *Riigikogu* is required to pass the bill. If the bill is not supported by the required majority, it is deemed to have been rejected.

#### **§ 127. Amendment of the Constitution as a matter of urgency**

(1) If the Constitutional Committee has proposed to the *Riigikogu* that the Constitution be amended as a matter of urgency, at the third reading of the bill, after voting on all motions to amend has been concluded, the chair of the sitting puts to the vote the proposal to treat the bill on amendments to the Constitution as a matter of urgency. A four-fifths majority is required to pass the resolution to treat the bill as a matter of urgency.

(2) If the method of amendment referred to in subsection (1) of this section receives the required majority, the chair of the sitting puts to the vote the matter of passing the bill on amendments to the Constitution. A two-thirds majority of the members of the *Riigikogu* is required to pass the bill.

(3) If the method of amendment referred to in subsection (1) of this section or the bill on amendments to the Constitution does not receive the required majority, the bill on amendments to the Constitution is deemed to have been rejected.

## **Chapter 14 DECIDING TO HOLD A REFERENDUM**

#### **§ 128. Initiation of a referendum**

(1) The authority to initiate a referendum in order to pass a bill or take a decision on another national issue is vested in the following persons or bodies:

- 1) members of the *Riigikogu*;
- 2) factions of the *Riigikogu*;
- 3) committees of the *Riigikogu*.

(2) If the referendum is initiated in order to pass a bill, the initiator must submit:

- 1) the bill to be submitted to the referendum, together with the draft resolution to hold the referendum, or

2) the draft resolution to hold the referendum which indicates the bill whose submission to the referendum is sought and in whose respect proceedings are pending in the *Riigikogu*. In the latter case, the body or person who initiated the bill must also be stated in the explanatory memorandum.

(3) If the referendum is initiated in order to take a decision on another national issue, the initiator must submit the draft resolution to hold the referendum which sets out the matter to be submitted to the referendum such that it only allows the answers “*jah*”[yes] or “*ei*”[no].

(4) The title of the draft resolution to hold the referendum must include the words “*rahvahääletuse korraldamine*”[the holding of a referendum].

(5) The draft resolution must set out the date of the referendum.

#### **§ 129. Deciding the holding of a referendum in order to pass a bill**

(1) If the initiator submits the bill that the initiator wishes to submit to the referendum, proceedings on that bill are conducted together with proceedings on the draft resolution to hold the referendum, having regard to the provisions of Divisions 2, 3, 4 and 5 of Chapter 11 of this Act. If the bill is rejected at the first reading, the draft resolution is also deemed to have been excluded from further proceedings. Motions may be made to amend the bill and the draft resolution.

(2) If the initiator submits the draft resolution to hold the referendum in accordance with the procedure provided in clause 128(2)2) of this Act, the first step of the proceedings is the holding of the first reading of the draft resolution having regard to the provisions of Division 2 of Chapter 11 of this Act.

(3) If the *Riigikogu*, by a majority of votes in favour, decides to join the proceedings on the bill to the proceedings on the draft resolution, the joined proceedings commence from the stage that they have reached with respect to the bill and are conducted having regard to the provisions of Divisions 3, 4 and 5 of Chapter 11 of this Act. Where necessary, the second reading of the draft resolution is conducted before commencement of the joined proceedings.

(4) If the joining of the proceedings regarding the bill and the draft resolution is not supported by the *Riigikogu*, the draft resolution is deemed to have been rejected.

(5) If the initiator withdraws from proceedings the bill that was accompanied by the draft resolution to hold the referendum, or to the *Riigikogu* has joined a draft resolution to hold the referendum, the draft resolution is also deemed to have been dropped from further proceedings.

(6) The decision to hold the referendum in order to pass an Act is taken by the *Riigikogu* at the third reading by the final vote on the draft resolution.

(7) In order to be passed, the draft resolution requires a majority of votes in favour. In order to submit to a referendum any bill listed in subsection 104 (2) of the Constitution of the Republic of Estonia, the respective draft resolution must receive a majority vote of the members of the *Riigikogu*. If the draft resolution is not adopted, the bill is also deemed to have been rejected.

#### **§ 130. Holding a referendum on another national issue**

(1) Proceedings on the draft resolution to hold a referendum to decide another national issue are conducted having regard to the provisions of Divisions 2, 3, 4 and 5 of Chapter 11 of this Act.

(2) In order to be passed, the draft resolution requires a majority of votes in favour.

## **Chapter 15 DECIDING ON AUTHORISING THE CANDIDATE FOR THE OFFICE OF PRIME MINISTER TO FORM THE GOVERNMENT OF THE REPUBLIC**

#### **§ 131. Deciding on authorising the candidate for the office of Prime Minister nominated by the President of the Republic to form the Government of the Republic**

(1) The matter of deciding on authorising a candidate for the office of Prime Minister nominated by the President of the Republic to form the Government of the Republic is included in the agenda by motion of the Board of the *Riigikogu* or at the proposal of the President of the *Riigikogu* with the consent of the candidate for the office of Prime Minister.

(2) The candidate for the office of Prime Minister makes a report on the principles upon which he or she proposes to form the Government. Members of the *Riigikogu* may each ask up to two oral questions to the candidate. No debate is opened.

(3) The granting of authority to the candidate for the office of Prime Minister to form the Government of the Republic is decided by the *Riigikogu* by a majority of votes in favour. The decision of the *Riigikogu* is formalised as a resolution of the *Riigikogu*.

### **§ 132. Nomination of the candidate for the office of Prime Minister in the *Riigikogu***

(1) After the passing to the *Riigikogu* of the right to select the candidate for the office of Prime Minister, the Board of the *Riigikogu* sets a term during which factions of the *Riigikogu* may nominate candidates for the office of Prime Minister.

(2) The declaration nominating a candidate for the office of Prime Minister is submitted to the President of the *Riigikogu* in writing. The consent of the candidate must be annexed to the declaration.

(3) The matter of deciding on authorising a candidate for the office of Prime Minister to form the Government is included in the agenda by motion of the Board of the *Riigikogu* or at the proposal of the President of the *Riigikogu* after the expiry of the term referred to in subsection (1) of this section.

(4) In the order determined by the Board of the *Riigikogu*, the candidates for the office of Prime Minister who were nominated within the set term each make a report on the principles upon which they propose to form the Government. Members of the *Riigikogu* may each ask up to two oral questions to each candidate. No debate is opened.

(5) When a candidate for the office of Prime Minister has made the report and replied to questions, the *Riigikogu*, by a majority of votes in favour, decides on whether to grant him or her authority to form the Government. If the candidate for the office of Prime Minister receives the required majority, the *Riigikogu* renounces the hearing of the reports of the other candidates.

(6) The grant of authority to the candidate for the office of Prime Minister to form the Government is formalised as a resolution of the *Riigikogu*.

(7) If the *Riigikogu* is unable to nominate the candidate for the office of Prime Minister, the President of the *Riigikogu* notifies this to the President of the Republic in writing promptly after the expiry of the term for the nomination.

## **Chapter 16 PROCEDURE FOR EXPRESSING NO CONFIDENCE AND FOR DECIDING ON A MATTER OF CONFIDENCE**

### **Division 1 Procedure for expressing no confidence**

#### **§ 133. Initiation of expression of no confidence**

(1) Motions to express no confidence in the Government of the Republic, the Prime Minister or a minister may be initiated by not less than one fifth of the members of the *Riigikogu* by submitting the corresponding written request at a sitting of the *Riigikogu*.

(2) In the request, the initiators set out the reasons for the expression of no confidence.

#### **§ 134. Deliberation of the motion to express no confidence**

(1) A request to express no confidence in the Government of the Republic, the Prime Minister or any other minister is included in the agenda not earlier than on the second day after the submission of the motion, unless the Government of the Republic requests a speedier decision.

(2) The member of the Government of the Republic who is the subject of the motion to express no confidence must be present at the sitting of the *Riigikogu* during the deliberation and must reply to the questions of the members of the *Riigikogu*. Members of the *Riigikogu* may each put one oral question.

(3) At the deliberation of the motion to express no confidence, the floor is opened for debate for representatives of factions to present comments; the first to speak is the representative of one of the factions whose members are among those who initiated the expression of no confidence.

(4) After the debate is closed, the chair of the sitting puts the expression of no confidence to the vote. The motion of no confidence in the Government of the Republic, the Prime Minister or any other minister is adopted if the majority of the members of the *Riigikogu* votes in favour of the expression of no confidence.

(5) The expression of no confidence in the Government of the Republic, the Prime Minister or any other minister is formalised as a resolution of the *Riigikogu*.

## **Division 2**

### **Rules for proceedings on legislative drafts declared to be a matter of confidence**

#### **§ 135. Rules for declaring the passage of a legislative draft to be a matter of confidence**

(1) The Government of the Republic may declare the passage of a legislative draft that it has initiated to be a matter of confidence at the initiation of the legislative draft, before its second reading or before its third reading.

(2) The Government of the Republic submits the declaration to the effect that the passage of the legislative draft is regarded to be a matter of confidence to the President of the *Riigikogu* in writing.

#### **§ 136. Rules for the deliberation of legislative drafts declared to be a matter of confidence at their initiation**

(1) If the Government of the Republic declares the passage of a legislative draft that it has initiated to be a matter of confidence at the initiation of the legislative draft, no lead committee is appointed for the legislative draft.

(2) The reading of the legislative draft is included in the agenda for the time determined by the Government of the Republic, but not earlier than on the second day after the opening of proceedings on the legislative draft.

(3) A representative of the Government of the Republic makes a report at the reading of the legislative draft. Members of the *Riigikogu* may each ask up to two oral questions to the presenter.

(4) At the reading of the legislative draft, the floor is opened for debate for representatives of factions of the *Riigikogu* to present comments.

(5) After the debate is closed, the chair of the sitting puts the legislative draft to the final vote.

(6) If the *Riigikogu* does not pass the legislative draft that has been declared to be a matter of confidence, the President of the *Riigikogu* promptly notifies this to the President of the Republic.

#### **§ 137. Rules for the deliberation of legislative drafts declared to be a matter of confidence before the second reading**

(1) If, before the second reading of a legislative draft initiated by the Government of the Republic, the Government declares the passage of that legislative draft to be a matter of confidence, the duties of the lead committee are terminated as of the time of making that declaration and the President of the *Riigikogu* transmits the motions to amend the legislative draft to the Government of the Republic.

(2) The Government of the Republic prepares the documents referred to in sections 101, 102 and 103 of this Act.

(3) The second reading of the bill is included in the agenda for the time indicated by the Government of the Republic, but not earlier than on the second day after the legislative draft was declared to be a matter of confidence.

(4) At the second reading of the legislative draft, a report is made by a representative of the Government of the Republic.

(5) At the second reading of the legislative draft, the floor is opened for debate where members of the *Riigikogu* and representatives of the committees and factions who wish to express their opinion present comments.

(6) The motions to amend are not put to the vote.

(7) After the debate is closed, the chair of the sitting puts the legislative draft to the final vote.

(8) If the *Riigikogu* does not pass the legislative draft that has been declared a matter of confidence, the President of the *Riigikogu* promptly notifies this to the President of the Republic.

### **§ 138. Rules for the deliberation of legislative drafts declared to be a matter of confidence before the third reading**

(1) If, before the third reading of the legislative draft, the Government of the Republic declares the passage of a legislative draft that it has initiated to be a matter of confidence, the duties of the lead committee are terminated as of the time of that declaration.

(2) The Government of the Republic prepares the documents referred to in section 110 of this Act.

(3) The third reading of the legislative draft is included in the agenda for the time indicated by the Government of the Republic, but not earlier than on the second day after the legislative draft was declared to be a matter of confidence.

(4) At the third reading of the legislative draft, the floor is opened for debate for representatives of the factions of the *Riigikogu* to present comments.

(5) After the debate is closed, the chair of the sitting puts the legislative draft to the final vote.

(6) If the *Riigikogu* does not pass the legislative draft declared to be a matter of confidence, the President of the *Riigikogu* promptly notifies this to the President of the Republic.

## **Chapter 17 INTERPELLATIONS AND QUESTIONS**

### **Division 1 Interpellations**

#### **§ 139. Interpellations and submission thereof**

(1) An interpellation by a member of the *Riigikogu* is a question that is addressed to the Government of the Republic or a member thereof, to the Chair of the Supervisory Board of the Bank of Estonia, to the Governor of the Bank of Estonia, to the Auditor General, or to the Chancellor of Justice and that is in the appropriate format and pertains to compliance with the legislation governing the powers of the corresponding body or public official.

[RT I, 08.07.2011, 8 – entry into force 22.07.2011]

(2) Interpellations are formalised in writing. In the interpellation, the member of the *Riigikogu* describes the circumstances that have caused him or her to submit the interpellation. The member of the *Riigikogu* may annex to the interpellation other materials that pertain to the matter considered in that interpellation.

(3) Interpellations are submitted publicly to the chair of the sitting at the beginning of the sitting of the *Riigikogu*.

(4) If the interpellation is submitted in compliance with the provisions of subsections (1)–(3) of this section, the President of the *Riigikogu* promptly transmits the interpellation to the addressee. If the interpellation is not submitted in compliance with the provisions of subsections (1)–(3) of this section, the President returns the interpellation to the person who submitted it for the elimination of deficiencies or proposes to the person that he or she put the question during Question Time or submit it as a written question.

(5) The President of the *Riigikogu* notifies the members of the *Riigikogu* of the transmission of the interpellation to the addressee.

#### **§ 140. Procedure for replying to interpellations**

(1) The reply to the interpellation must be provided at a sitting of the *Riigikogu* within twenty sitting days following the transmission of the interpellation to the addressee.

(2) The interpellation is included in the agenda by motion of the Board of the *Riigikogu* for the time agreed with the interpellator and the addressee of the interpellation.

(3) The replying to the interpellation begins with an address by the interpellator or a representative of the interpellators whose duration may not exceed five minutes and which introduces the interpellation and sets forth the reasons for the submission thereof. This is followed by an address of the addressee of the interpellation the

duration of which may not exceed fifteen minutes and in which replies are provided to the question raised in the interpellation. Members of the *Riigikogumay* each put one oral question to the addressee of the interpellation.

(4) After a reply has been provided to the interpellation, a debate is opened where the interpellator or a representative of the interpellators and thereafter members of the *Riigikogu* and representatives of factions and committees who so wish to express their opinion present comments. The addressee may present a comment before the end of the debate.

[RT I 2004, 89, 607 – entry into force 07.01.2005]

#### **§ 141. Interpellations submitted by members of the previous *Riigikogu***

No replies are made before the new *Riigikogu* to interpellations that were submitted by members of the previous *Riigikogu*.

## **Division 2 Question Time**

#### **§ 142. Time of Question Time**

Question Time, during which the Prime Minister and ministers reply to oral questions from members of the *Riigikogu*, runs from 13:00 to 14:00 on the Wednesday of every working week of the *Riigikogu* plenary assembly.

#### **§ 143. Participation of members of the Government of the Republic in Question Time**

(1) The Prime Minister or the minister acting for the Prime Minister and the ministers assigned by him or her participate in Question Time.

(2) The Prime Minister informs the President of the *Riigikogu* of the names of the members of the Government of the Republic to participate in Question Time not later than by 16.00 on the Monday of the working week. By 17.00 on the Monday of the working week, the President of the *Riigikogu* notifies to the members of the *Riigikogu* the names of the members of the Government of the Republic to participate in Question Time.  
[RT I 2009, 54, 361 – entry into force 23.11.2009]

#### **§ 144. Registration for questions**

(1) If a member of the *Riigikogu* wishes to put a question to a member of the Government during Question Time, he or she must submit the corresponding written request to the President of the *Riigikogu* by 12:00 on the sitting day preceding the day of the Question Time.

(2) In the request, the member of the *Riigikogu* sets out the name of the member of the Government of the Republic to whom he or she wishes to put the question, and the problem from the sphere of government of the member of the Government of the Republic or from the sphere of public life to which the question pertains.

(3) Members of the *Riigikogu* may each register for one question only.

#### **§ 145. Order of questions**

(1) The Board of the *Riigikogu* prepares the order of questions having regard to the requests received from members of the *Riigikogu*.

(2) When preparing the order of questions, the Board bears in mind that the representatives of all political parties represented in the *Riigikogu* should have the opportunity to put questions.

(3) The Board of the *Riigikogu* announces the order of questions not later than one hour before the beginning of Question Time. The chair of the sitting explains the order at the beginning of Question Time.

#### **§ 146. Procedure for replying to questions**

(1) The chair of the sitting gives the floor for putting the questions to the addressees according to the order of questions.

(2) The chair of the sitting may also allow members of the *Riigikogu* who have registered at the sitting to ask a question outside the order of questions.

(3) The chair of the sitting allots one minute for putting the question.

(4) The question must be brief and allow a brief answer.

(5) The chair of the sitting allots two minutes for replying to the question.



(6) After the reply, the chair of the sitting may allow the person who put the question to ask further questions for the purpose of clarification.

(7) The provisions of subsections (3)–(5) of this section apply to questions asked for clarification and the replies given to such questions.

(8) If the chair of the sitting finds that the member of the Government of the Republic has given an adequate reply to the question of the member of the *Riigikogu*, he or she closes proceedings on the question.

(9) A member of the Government of the Republic may refuse to provide a reply on a reasoned basis if the question does not pertain to the problem set out in the request (subsection 144 (2)) or if the question pertains to a state secret or classified information of a foreign state or if replying to the question would harm national security.

[RT I 2007, 16, 77 – entry into force 01.01.2008]

## **Division 3**

### **Written questions**

#### **§ 147. Written question and submission thereof**

(1) A member of the *Riigikogu* may submit a written question to the Government of the Republic or a member thereof, to the Chair of the Supervisory Board of the Bank of Estonia, to the Governor of the Bank of Estonia, to the Auditor General or to the Chancellor of Justice in order to obtain information on an individual matter within the powers of the corresponding body or public official.

[RT I, 08.07.2011, 8 – entry into force 22.07.2011]

(2) The question must be brief and allow a brief answer. The member of the *Riigikogu* may annex to the question other materials that are related to the question.

(3) The question is submitted in writing to the President of the *Riigikogu* who promptly forwards it to the addressee.

(4) If the question is not submitted in compliance with the provisions of subsections (1) and (2) of this section, the President of the *Riigikogu* returns the question to the person who submitted it.

#### **§ 148. Replying to written questions**

(1) The addressee of the question replies to the question in writing within ten working days following transmission of that question.

(2) The addressee of the question dispatches his or her written reply to the President of the *Riigikogu* who arranges communication of the reply to the members of the *Riigikogu*.

## **Chapter 18**

### **RULES FOR PROCEEDINGS REGARDING PROPOSALS SUBMITTED TO THE RIIGIKOGU**

#### **§ 149. Proposals submitted to the *Riigikogu***

The procedure set out in this Chapter for proceedings concerning proposals submitted to the *Riigikogu* applies to the following proposals:

- 1) the proposal of the President of the Republic to bring criminal charges against the Chancellor of Justice;
- 2) the proposal of the Chancellor of Justice to bring criminal charges against a member of the *Riigikogu*, the President of the Republic, a member of the Government of the Republic, the Auditor General, the Chief Justice of the Supreme Court or a justice of the Supreme Court;
- 3) the proposal of the Chancellor of Justice to bring an Act or resolution of the *Riigikogu* into conformity with the Constitution or an Act.

#### **§ 150. Inclusion of proposals in the agenda**

The proposal is included in the agenda at the earliest opportunity by motion of the Board of the *Riigikogu* or at the proposal of the President of the *Riigikogu*.

## **§ 151. Procedure for deliberation of proposals**

(1) The deliberation of the proposal begins with a report by the person who submitted that proposal. In the course of the deliberation of the proposal referred to in clause 149 3) of this Act, reports are also made by a representative of the Constitutional Committee and a representative of the committee that served as the lead committee when proceedings were conducted concerning the relevant Act or resolution of the *Riigikogu*. Members of the *Riigikogu* may each ask one oral question to each presenter.

(2) In the deliberation of the proposal, the floor is opened for debate where members of the *Riigikogu* and representatives of the committees and factions who wish to express their opinion present comments.

(3) After the debate is closed, the chair of the sitting puts the proposal to the vote.

(4) If the proposal concerns the bringing of criminal charges against a member of the *Riigikogu*, that member of the *Riigikogu* may not take the floor or participate in the vote.

(5) A majority of the members of the *Riigikogu* is required in order to support the proposals referred to in clauses 149 1) and 2) of this Act. A majority vote of the members of the *Riigikogu* is required in order to support the proposal referred to in clause 149 3) of this Act.

(6) In the cases referred to in clauses 149 1) and 2) of this Act, the decision taken is formalised as a resolution of the *Riigikogu*.

## **§ 152. Implementation of a proposal of the Chancellor of Justice that has been supported by the *Riigikogu***

If the proposal of the Chancellor of Justice to bring an Act or resolution of the *Riigikogu* into conformity with the Constitution or Act of the *Riigikogu* is supported by the *Riigikogu*, the President of the *Riigikogu* instructs one of the committees of the *Riigikogu* to initiate a legislative draft to bring the Act or resolution of the *Riigikogu* that is in conflict with the Constitution or Act into conformity with the relevant legislative instruments.

# **Chapter 18<sup>1</sup>**

## **RULES FOR PROCEEDINGS REGARDING EUROPEAN UNION MATTERS**

[RT I 2004, 12, 77 - entry into force 15.03.2004]

### **§ 152<sup>1</sup>. Submission to the *Riigikogu* of European Union matters**

(1) The Government of the Republic submits the following draft European Union legislation to the *Riigikogu* for the formation of a position in the matter:

- 1) draft legislation the scope of whose application, under the Constitution of the Republic of Estonia, requires the passage, amendment or repeal of an Act or resolution of the *Riigikogu*;
- 2) draft legislation whose passage would entail a significant economic or social impact.

(2) Of its own motion or at the demand of the *Riigikogu*, the European Union Affairs Committee or the Foreign Affairs Committee, the Government of the Republic also submits other European Union matters of significant importance for opinion to the European Union Affairs Committee or the Foreign Affairs Committee. In the cases provided by law, the Government of the Republic submits other European Union matters of significant importance to the European Union Affairs Committee to develop a position in the matter. In such cases, sections 152<sup>2</sup> and 152<sup>3</sup> and subsection 152<sup>4</sup>(1) are not applied to the proceedings of development of the position, and subsections 152<sup>4</sup>(2) and 152<sup>4</sup>(3) are applied.

[RT II, 14.09.2012, 1 – entry into force 15.09.2012]

### **§ 152<sup>2</sup>. Submission of and the opening of proceedings on draft European Union legislation**

(1) An explanatory memorandum is to be annexed to the draft European Union legislation that sets out the purpose of the draft legislation, the procedure and schedule for proceedings regarding the draft legislation in the institutions of the European Union, provides an overview of the effects related to the passage of the draft as a legislative instrument, contains an analysis regarding the conformity of the draft legislation to the principle of subsidiarity, and states the position of the Government of the Republic concerning the draft legislation.

[RT I 2010, 28, 144 – entry into force 14.06.2010]

(2) The Government of the Republic submits the draft legislation at the earliest opportunity after having received it.

(3) The draft legislation is transmitted to the Board of the *Riigikogu* which promptly forwards it to the European Union Affairs Committee, or, if the draft legislation concerns the common foreign and security policy of the European Union, to the Foreign Affairs Committee, and assigns one or several standing committees to provide their opinion on the draft legislation.

(4) Members of the *Riigikogu* are notified of the transmitted draft legislation and of the committees that have been assigned to provide their opinion.  
[RT I 2004, 12, 77 – entry into force 15.03.2004]

#### **§ 152<sup>3</sup>. Opinion of the standing committee concerning the draft legislation**

The standing committee that has been assigned by the Board of the *Riigikogu* to provide its opinion on the draft legislation submits that opinion to the European Union Affairs Committee or the Foreign Affairs Committee by the time determined by the Board of the *Riigikogu*.  
[RT I 2004, 12, 77 – entry into force 15.03.2004]

#### **§ 152<sup>4</sup>. Proceedings regarding the draft legislation in the European Union Affairs Committee and the Foreign Affairs Committee**

(1) The European Union Affairs Committee or the Foreign Affairs Committee include the draft legislation in the agenda of their sittings after the expiry of the time-limit referred to in section 152<sup>3</sup> of this Act.

(2) Acting in the name of the *Riigikogu*, the European Union Affairs Committee or the Foreign Affairs Committee develops a position regarding the draft legislation and states that position in the minutes of the sitting of the committee. The committee may decline to develop a position. The committee informs the Government of the Republic of its position or of having declined to develop a position.

(3) The Government of the Republic is obligated to adhere to the opinion of the *Riigikogu*. If the Government of the Republic has not observed this obligation, it must at the earliest opportunity explain its reasons to the European Union Affairs Committee or the Foreign Affairs Committee.  
[RT I 2004, 12, 77 – entry into force 15.03.2004]

#### **§ 152<sup>5</sup>. Prime Minister's overview of the work of the Government of the Republic in implementing European Union policy**

(1) During the autumn session of the plenary assembly of the *Riigikogu*, the Prime Minister, on behalf of the Government of the Republic, presents to the *Riigikogu* an overview of the work of the Government of the Republic in implementing European Union policy. The overview is presented following the procedure provided in section 155 of this Act and having regard to the provisions of subsection (2) of this section.

(2) At the request of the European Union Affairs Committee, the Board of the *Riigikogu* offers an opportunity to a representative of that committee to make a report after the overview of the Prime Minister, but before the opening of the debate. Members of the *Riigikogu* may each ask one oral question to the presenter.  
[RT I 2009, 54, 361 – entry into force 23.11.2009]

#### **§ 152<sup>6</sup>. Rules for proceedings on draft resolutions of the *Riigikogu* that contain a reasoned opinion regarding why a draft legislative act of the European Union is considered not to conform to the principle of subsidiarity**

(1) The European Union Affairs Committee may submit a draft resolution of the *Riigikogu* that contains a reasoned opinion regarding why a draft legislative act of the European Union referred to in the protocol on the application of the principles of subsidiarity and proportionality annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union is considered not to conform to the principle of subsidiarity.

(2) When opening proceedings on the draft resolution, the Board of the *Riigikogu* sets a time-limit for the submission of motions to amend. Motions to amend may be submitted by the standing committees and factions of the *Riigikogu*. The lead committee for the draft resolution is the European Union Affairs Committee.

(3) The lead committee hears the opinion of the Government of the Republic.

(4) A representative of the European Union Affairs Committee makes a report at the reading of the draft resolution. Members of the *Riigikogu* may each put two oral questions to the presenter.

(5) In the reading of the draft resolution, the floor is opened for debate for representatives of the standing committees and factions to present comments.

(6) If motions to amend the draft resolution are submitted, such motions are put to the vote after the debate is closed, having regard to the provisions of section 106 of this Act. Thereafter, the draft resolution is put to the final vote.

(7) When the resolution has been signed, the President of the *Riigikogu* promptly transmits it to the relevant institution of the European Union.

[RT I 2010, 28, 144 – entry into force 14.06.2010]

**§ 152<sup>7</sup>. Rules for proceedings on a draft resolution of the *Riigikogu* that contains a demand that the Government of the Republic bring an action before the Court of Justice of the European Union**

(1) A standing committee or faction of the *Riigikogu* may submit a draft resolution of the *Riigikogu* that contains a demand that the Government of the Republic bring an action before the Court of Justice of the European Union regarding violation of the principle of subsidiarity in a legislative act of the European Union.

(2) The draft resolution must include the text of the action.

(3) Proceedings on the draft resolution are conducted following the provisions of Divisions 2–6 of Chapter 11 without prejudice to the special rules set out in this section.

(4) The lead committee for the draft resolution is the European Union Affairs Committee.

(5) The draft resolution is transmitted to the Government of the Republic for an opinion in accordance with subsection 94 (1) of this Act. The Government of the Republic presents its opinion to the European Union Affairs Committee in writing within three weeks from receiving the draft resolution. The Government of the Republic may not decline to present its opinion.

(6) The Government of the Republic arranges the filing of the action in the Court of Justice of the European Union.

[RT I 2010, 28, 144 – entry into force 14.06.2010]

**§ 152<sup>8</sup>. Rules for proceedings on a draft resolution of the *Riigikogu* that expresses opposition to an initiative of the European Council or a proposal of the European Commission**

(1) A standing committee or faction of the *Riigikogu* may submit a draft resolution of the *Riigikogu* that expresses opposition to an initiative of the European Council to adopt a decision referred to in the first or second subparagraph of Article 48(7) of the Treaty on European Union or to a proposal of the European Commission to adopt a decision referred to in Article 81(3) of the Treaty on the Functioning of the European Union.

(2) When opening proceedings on the draft resolution, the Board of the *Riigikogu* sets the time-limit for the submission of motions to amend. Motions to amend may be submitted by the standing committees and factions of the *Riigikogu*. The lead committee for the draft resolution is the European Union Affairs Committee.

(3) The lead committee hears the opinion of the Government of the Republic.

(4) At the reading of the draft resolution, reports are made by a representative of the body that submitted the draft resolution and by a representative of the European Union Affairs Committee. Members of the *Riigikogu* may each ask one oral question to each presenter. If the draft resolution is submitted by the European Union Affairs Committee, members of the *Riigikogu* may ask two oral questions each to the presenter.

(5) At the reading of the draft resolution, the floor is opened for debate for representatives of the standing committees and factions to present comments.

(6) If motions to amend the draft resolution have been submitted, the motions are put to the vote after the debate is closed, having regard to the provisions of section 106 of this Act. Thereafter, the draft resolution is put to the final vote.

(7) When the resolution has been signed, the President of the *Riigikogu* promptly transmits it to the relevant institution of the European Union.

[RT I 2010, 28, 144 – entry into force 14.06.2010]

## **Chapter 19**

### **RULES FOR THE DELIBERATION OF OTHER MATTERS**

**§ 153. Deliberation of matters of significant national importance**

(1) A committee or faction of the *Riigikogu* may initiate the deliberation of a matter of significant national importance by transmitting the corresponding request to the Board of the *Riigikogu*. The request sets out the matter to be deliberated and the desired time of conducting the deliberation.

(2) The Board of the *Riigikogu* sets the duration of the deliberation, the presenters and the time allocated for asking questions and presenting comments at the proposal of the committee or faction that initiated the deliberation.

(3) In a calendar year, each faction may initiate the deliberation of one matter of significant national importance.

[RT I 2009, 54, 361 – entry into force 23.11.2009]

#### **§ 154. Proceedings concerning draft resolutions of the *Riigikogu* that contain proposals to the Government of the Republic and proceedings concerning draft statements, declarations and communications of the *Riigikogu***

(1) Factions and committees of the *Riigikogu* may submit draft resolutions of the *Riigikogu* that contain proposals to the Government of the Republic. A draft statement, declaration or communication of the *Riigikogu* may be submitted by not less than one fifth of the members of the *Riigikogu*.

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(2) The provisions of sections 91, 92 and 93 of this Act apply to the delivery of, formalisation of and the opening of proceedings on a draft. When opening proceedings on the draft, the President of the *Riigikogu* sets the time-limit for the submission of motions to amend the draft and designates the lead committee. Only factions and committees may submit motions to amend.

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(3) The draft is deliberated in a single reading.

(4) The draft is included in the agenda at the proposal of the lead committee, having regard to the provisions of section 97 of this Act.

(5) At the reading of the draft, reports are made by a representative of the body that submitted the draft and a representative of the lead committee. Members of the *Riigikogu* may each put one oral question to each presenter.

(6) At the reading of the draft, the floor is opened for debate for representatives of factions and committees to present comments.

[RT I, 13.03.2014, 2 – entry into force 23.03.2014]

(7) Voting on motions to amend is conducted after the debate is closed. After this, the proposal is put to the final vote.

#### **§ 155. Political statements of the President of the Republic, Prime Minister and ministers, and reports from and overviews by public officials**

(1) The President of the Republic, the Prime Minister and ministers are entitled to make political statements at a sitting of the *Riigikogu*. Other public officials present reports or overviews at a sitting of the *Riigikogu* as required under the Constitution of the Republic of Estonia or an Act of the *Riigikogu*.

(2) The public official who wishes to present a statement, report or overview submits the corresponding request to the Board of the *Riigikogu* that sets out the subject of the statement, report or overview and the desired time and duration of its presentation.

(3) The Board of the *Riigikogu* sets the time for the presentation of the statement, report or overview.

(4) Members of the *Riigikogu* may each put one oral question to the public official who presents a statement, report or overview unless the Board of the *Riigikogu* and the official have agreed otherwise.

(5) After the presentation of the statement, report or overview and replies to questions, the floor is opened for debate for representatives of factions to present comments.

#### **§ 156. Deliberation of action plans of the Government of the Republic**

(1) The Government of the Republic may submit its action plan to the *Riigikogu* for deliberation.

(2) The President of the *Riigikogu* designates the lead committee to review the action plan submitted by the Government of the Republic and to prepare a report on the plan.

(3) The deliberation of the action plan is included in the agenda at the proposal of the lead committee.

(4) In the course of the deliberation of the activity plan, reports are made by a representative of the Government of the Republic and a representative of the lead committee. Members of the *Riigikogu* may each put one oral question to each presenter.

(5) At the deliberation of the action plan, the floor is opened for debate where members of the *Riigikogu* and representatives of the committees and factions who wish to express their opinion present comments.

#### **§ 157. Unscheduled statements**

(1) In order to hear comments of members, factions and committees of the *Riigikogu*, time is allotted for unscheduled statements on the Monday of every working week the plenary assembly of the *Riigikogu*.

(2) During the unscheduled statements time, comments are pronounced from the rostrum of the session hall of the *Riigikogu* and a maximum of five minutes is allotted for each comment.

(3) No questions are put to the presenter of the comment and no debate is opened.

## **Chapter 19<sup>1</sup>** **CHANCELLERY OF THE RIIGIKOGU**

[RT I 2007, 44, 316 - entry into force 14.07.2007]

#### **§ 157<sup>1</sup>. Status of the Chancellery of the *Riigikogu***

(1) The Chancellery of the *Riigikogu* is the official public agency that ensures the provision of services to the *Riigikogu*, its bodies, and members of the *Riigikogu*.

(2) The Chancellery is funded from the state budget.

(3) The Chancellery possesses a seal bearing its name and the image of the lesser coat of arms of the Republic of Estonia.

(4) The Chancellery is registered in the register of state and local government agencies following the procedure set out in the constitutive regulations of that register.

[RT I 2007, 44, 316 – entry into force 14.07.2007]

#### **§ 157<sup>2</sup>. Functions of the Chancellery of the *Riigikogu***

(1) The main functions of the Chancellery of the *Riigikogu* are to:

1) advise the *Riigikogu*, its bodies, and members of the *Riigikogu* in legislative matters and in relation to the performance of other functions of the *Riigikogu*;

2) service the *Riigikogu*, make arrangements concerning its records management and create the conditions necessary for the *Riigikogu* to perform its functions;

3) assist the *Riigikogu* in communicating with other government bodies and the public, as well as to make arrangements in relation to foreign relations of the *Riigikogu*;

4) make arrangements concerning the benefits related to membership in the *Riigikogu*;

5) provide services to the National Electoral Committee and the electronic voting committee;

[RT I, 01.11.2012, 1 – entry into force 11.11.2012]

6) arrange the administration of state assets in accordance with the State Assets Act;

7) prepare the draft budget of the *Riigikogu* and implement the approved budget.

(2) The functions performed by the Chancellery also include those arising from other laws and those entrusted to the Chancellery by bodies of the *Riigikogu* in accordance with the laws.

(3) In order to perform its functions, the Chancellery has the right to obtain relevant documents and information from other official agencies of the government and of local authorities.

[RT I 2007, 44, 316 – entry into force 14.07.2007]

#### **§ 157<sup>3</sup>. Management and structure of the Chancellery of the *Riigikogu***

(1) The Chancellery of the *Riigikogu* is headed by the Secretary General of the *Riigikogu* who is appointed to office by the Board of the *Riigikogu* by way of public competition for a term of five years. The Secretary General is not subject to the probationary period provided in section 24 of the Civil Service Act.

[RT I, 06.07.2012, 1 – entry into force 01.04.2013]

(2) The Secretary General appoints to office and removes from office the civil servants of the Chancellery and enters into and terminates the employment contracts with employees.

[RT I, 06.07.2012, 1 – entry into force 01.04.2013]

(3) The authority and principal functions of the Chancellery, its management arrangements and the competences of its units are set out in the statutes of the Chancellery of the *Riigikogu* that are adopted by the Board of the *Riigikogu*.

[RT I 2007, 44, 316 – entry into force 14.07.2007]

(4) The Board of the *Riigikogu* determines the structure of the Chancellery, its roster of service positions and its salary rules and may establish a classification of service positions into functional groups.  
[RT I, 06.07.2012, 1 – entry into force 01.04.2013]

## **Chapter 20**

### **FINAL PROVISIONS**

#### **§ 158. Working language**

- (1) The working language of the *Riigikogu* is Estonian.
- (2) Legislative drafts, interpellations and other documents are submitted in Estonian.
- (3) The Estonian language is used to make reports, to present comments and to put and reply to questions.

#### **§ 158<sup>1</sup>. Access to documents**

(1) Documents prepared by or submitted to the *Riigikogu* and the Chancellery of the *Riigikogu* may be accessed by the public.

(2) In the cases provided by law, documents are not made available to the public.  
[RT I 2004, 12, 77 – entry into force 15.03.2004]

#### **§ 158<sup>2</sup>. Archives of the *Riigikogu***

(1) The archives of the *Riigikogu* are composed of the documents of the plenary assembly of the *Riigikogu*, of committees and factions of the *Riigikogu*, of the Chancellery of the *Riigikogu* and of the National Electoral Committee.

(1<sup>1</sup>) Upon the expiry of the established term, the records referred to in subsection (1) of this section are transferred to the National Archives following the procedure established in the Archives Act.  
[RT I, 21.03.2011, 1 – entry into force 01.01.2012]

(2) The procedure for keeping the archives of the *Riigikogu* is approved by the Board of the *Riigikogu*.  
[RT I 2006, 12, 80 – entry into force 19.03.2006]

#### **§ 158<sup>3</sup>. Temporary special rules for proceedings concerning draft resolutions of the *Riigikogu* in relation to the financial crisis**

At the proposal of the Government of the Republic, the special rules provided in section 118 of this Act may also be applied, until 1 July 2010, to proceedings concerning draft resolutions of the *Riigikogu* provided that the draft resolution is initiated for the purpose set out in clause 37(3) 3) of the State Budget Act and concerns:

- 1) the acquisition of shares or other financial assets;
  - 2) the issue of governmental guarantees;
  - 3) the taking and granting or acquisition of loans, or the assumption or acquisition of other debt obligations;
  - 4) the use of the funds of the stabilisation reserve.
- [RT I 2009, 19, 117 – entry into force 06.04.2009]

**§ 159.–§ 161.**[Omitted from this version.]