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## **Standing Orders of the National Council (SO-NC)**

of 3 October 2003 (Status as of 4 December 2023)

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*The National Council,*

on the basis of Article 36 of the Parliament Act of 13 December 2002<sup>1</sup> (ParlA), and having considered the report of the Political Institutions Committee of the National Council dated 10 April 2003<sup>2</sup>,

*decrees:*

### **Chapter 1 Constitution**

#### **Art. 1** Constitutive sitting

<sup>1</sup> Following the general election, the newly-elected Council shall convene to hold its constitutive sitting on the day determined by law.

<sup>2</sup> At this meeting, the Council:

- a. hears speeches by the Oldest Member and by the youngest designated member of the Council elected for the first time;
- b. establishes the constitution of the Council;
- c. swears in the members of the Council present whose election was uncontested or declared valid;
- d. establishes possible incompatibilities;
- e. elects the President;
- f. elects the First Vice-President;
- g. elects the Second Vice-President;
- h. conducts a summary election of the Tellers;
- i. conducts a summary election of the Deputy Tellers.

AS 2003 3623

<sup>1</sup> SR 171.10

<sup>2</sup> BBl 2003 3468

**Art. 2** Oldest member

<sup>1</sup> The Oldest Member is the council member who has served the longest uninterrupted term. If two or more members of the Council have served the same term, the older member shall take precedence.

<sup>2</sup> The Council Bureau for the previous legislative period shall designate the Oldest Member based on the report of the Federal Council on the results of the National Council elections.

<sup>3</sup> If the Oldest Member is unable to assume office, the office shall be assumed by the council member next in line in accordance with paragraph 1 of this Article.

**Art. 3** Tasks of the Oldest Member

<sup>1</sup> The Oldest Member:

- a. designates the eight other members of the Provisional Bureau in accordance with Article 43, paragraph 3 ParLA;
- b. chairs the Provisional Bureau;
- c. chairs the Council until the new President is elected.

<sup>2</sup> The other tasks of President are carried out by the President of the previous legislative period until the new President is elected.

**Art. 4** Tasks of the Provisional Bureau

<sup>1</sup> The Provisional Bureau shall:

- a. verify whether the elections of the majority of council members have remained uncontested or have been declared valid, and if so, propose that the Council declare that it is constituted;
- b. verify whether any of the newly elected members of the council are subject to the incompatibility provisions of Article 14 letters b-f ParLA, and, if applicable, propose a declaration of incompatibility;
- c. ascertain the results of the votes and elections in the Council, until the new Bureau is elected.

<sup>2</sup> The other tasks of the Bureau are carried out by the outgoing Bureau of the previous legislative period until the new Bureau is elected.

**Art. 5** Swearing-in

<sup>1</sup> All persons present in the chamber shall rise for the swearing-in.

<sup>2</sup> The President shall request the Secretary-General to read out the solemn promise or oath.

<sup>3</sup> Persons swearing the oath raise shall three fingers of their right hand and say the words «I swear»; persons making the solemn promise say the words «I solemnly promise».

**Chapter 2    Organs****Section 1    President and Presiding College****Art. 6            Election**

<sup>1</sup> The Council shall elect the members of the Presiding College immediately after its constitution, and shall do so for the following years of the legislative period at its first sitting of the parliamentary year.

<sup>2</sup> It shall take appropriate account of the size of the parliamentary groups and the official languages.

<sup>3</sup> If a vacancy arises in the Presiding College during the term of office, the Council shall elect a substitute member for the remaining period; if the post of President becomes vacant, the Council shall hold a substitute election if the President leaves office before the start of the summer session.

**Art. 7            Tasks**

<sup>1</sup> The President shall fulfil the tasks conferred on him or her by law and shall:

- a. chair the Council's meetings;
- b. establish the agenda, subject to Council decisions to the contrary, taking into consideration the programme of the parliamentary session established by the Bureau;
- c. chair the Presiding College and the Bureau;
- d. represent the Council in its external dealings.

<sup>2</sup> If the President is unable to chair the meeting, or wishes by way of exception to participate in a debate, he or she shall be replaced provisionally by the First Vice-President, or if need be by the Second Vice-President.

<sup>3</sup> If neither Vice-President is able to chair the meeting, the presidency shall be assumed by the following persons in this order:

- a. a predecessor; if more than one is present in the Council, the council member who more recently exercised the office shall take precedence;
- b. the council member who has served the most terms of office; if two or more council members have served the same term, the older member shall take precedence.

<sup>4</sup> The Vice-Presidents:

- a. support the President;
- b. carry out with the President the tasks conferred on the Presiding College by law.

<sup>5</sup> Decisions of the Presiding College require the approval of at least two of its members.

## Section 2    The Bureau

### Art. 8            Composition and procedure

<sup>1</sup> The Bureau comprises:

- a. the three members of the Presiding College;
- b. the four Tellers;
- c. the presidents of the groups.

<sup>2</sup> In the case of impediment, the Tellers may be substituted by their replacements, and the group presidents by any member of their group.

<sup>3</sup> The allocation of seats of Tellers and their replacements among the parliamentary groups is regulated by Articles 40 and 41 of the Federal Act of 17 December 1976<sup>3</sup> on Political Rights; for their term of office, Article 17 paragraph 1 and 4 apply *mutatis mutandis*.

<sup>4</sup> The President participates in votes in the Bureau. In the event of a tie, he or she has the casting vote.

### Art. 9            Tasks

<sup>1</sup> The Bureau:

- a. plans the activities of the Council and sets out the session programme, subject to decisions by the Council to modify the list of items of business, or to add or withdraw such items;
- b. determines the remit of the standing committees and institutes special committees;
- c. allocates items of business to the committees for preliminary consideration, co-reporting or final examination and sets deadlines; it may delegate this task to the President;
- d. coordinates the activities of the committees and decides which committee is competent in the event of disagreement;
- e. schedules the meetings of the committees for the year;
- f. decides on the number of committee members;
- g. elects the presidents, vice-presidents, and members of the committees on the recommendation of the parliamentary groups;
- h. ascertains the results of elections and votes; the President may call on other members of the council if the Tellers and their replacements are impeded;
- i. examines whether incompatibilities exist under Article 14 ParIA, and, if necessary, proposes that the Council confirm the existence of any incompatibility;

<sup>3</sup> SR 161.1

j. handles all other issues of organisation and procedure in the Council.

<sup>2</sup> The Bureau consults the presidents of the committees before taking decisions on matters concerning paragraph 1 letters b, c, and e.

### **Section 3 Committees and Delegations**

#### **Art. 10 Standing Committees**

The following standing committees exist:

1. Finance Committee (FC);
2. Control Committee (CC);
3. Foreign Affairs Committee (FAC);
4. Science, Education and Culture Committee (SECC);
5. Social Security and Health Committee (SSHC);
6. Environment, Spatial Planning and Energy Committee (ESPEC);
7. Security Policy Committee (SPC);
8. Transport and Telecommunications Committee (TTC);
9. Economic Affairs and Taxation Committee (EATC);
10. Political Institutions Committee (PIC);
11. Legal Affairs Committee (LAC);
- 12.<sup>4</sup> Immunity Committee (IC).

#### **Art. 11 Special committees**

In exceptional cases, the Bureau may institute special committees. Prior to doing so, it shall consult the presidents of the standing committees whose area of competence may be affected.

#### **Art. 12 Delegations**

Unless otherwise provided in an act or ordinance of the Federal Assembly, the provisions on committees set out in the Parliament Act and in these Standing Orders apply *mutatis mutandis* to the standing and non-standing delegations.

<sup>4</sup> Amended by No I of the NC Decree (Immunity Committee) of 30 Sept. 2011, in force since 5 Dec. 2011 (AS 2011 4633; BBl 2010 7345 7385).

**Art. 13<sup>5</sup>** Legislature Planning Committee

The Legislature Planning Committee is constituted in the first session of the legislative period as the special committee for the preliminary consideration of the Federal Council's dispatch on the legislature plan.

**Art. 13a<sup>6</sup>** Immunity Committee

<sup>1</sup> The Immunity Committee is made up of nine members.

<sup>2</sup> A standing substitute shall be elected for each Committee member.

**Art. 14** Sub-committees

<sup>1</sup> Every committee may establish its own sub-committee.<sup>7</sup>

<sup>2</sup> The committee issues the sub-committee with an assignment that specifies its task and sets a deadline for the submission of its reports.

<sup>3</sup> The finance and the control committee may establish standing sub-committees to supervise certain areas on behalf of the committee.

<sup>4</sup> The Foreign Affairs Committee shall establish a standing sub-committee for European affairs. This committee shall keep itself informed about forthcoming legal developments in the European Union that are of importance to Switzerland and report regularly to the Committee thereon.<sup>8</sup>

**Art. 15** Allocation of seats

<sup>1</sup> The following seats are allocated among the parliamentary groups, in analogous application of Articles 40 and 41 of the Federal Act of 17 December 1976<sup>9</sup> on Political Rights:

a.<sup>10</sup> the total number of seats on the standing committees under Article 10 numbers 1–11;

abis.<sup>11</sup> the seats on further individual committees;

b. the seats accorded to the National Council on a committee of the United Federal Assembly or on a joint committee of both Councils;

<sup>5</sup> Amended by No I of the NC Decree of 25 Sept. 2015 (Legislature Planning Procedure), in force since 30 Nov. 2015 (AS **2015** 4485; BBl **2015** 7009).

<sup>6</sup> Inserted by No I of the NC Decree of 30 Sept. 2011 (Immunity Committee), in force since 5 Dec. 2011 (AS **2011** 4633; BBl **2010** 7345 7385).

<sup>7</sup> Amended by No I of the NC Decree of 18 March 2022 (Improving the Functioning of Parliament, in particular in Crisis Situations), in force since 30 May 2021 (AS **2022** 295; BBl **2022** 301, 433).

<sup>8</sup> Inserted by No I of the NC Decree of 29 Sept. 2023 (Standing Sub-Committee for European Affairs of the National Council Foreign Affairs Committee), in force since 4 Dec. 2023 (AS **2023** 673; BBl **2023** 1574, 1988).

<sup>9</sup> SR **161.1**

<sup>10</sup> Amended by No I of the NC Decree of 15 June 2018, in force since 2 Dec. 2019 (AS **2018** 3473; BBl **2017** 6797 6865).

<sup>11</sup> Inserted by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS **2009** 733; BBl **2008** 1869 3177).

- c. the offices of president of the standing committees.

<sup>2</sup> ...<sup>12</sup>

<sup>3</sup> In principle, a member of the Council may not sit on more than two of the committees listed under Article 10.<sup>13</sup>

#### **Art. 16** Tasks of the President

<sup>1</sup> The President of the committee:

- a. plans the work of the committee;
- b. sets the agenda, subject to contrary decisions by the committee;
- c. chairs the meetings of the committee;
- d. represents the committee in its external dealings.

<sup>2</sup> If the President is unable to act, Article 7 paragraph 2 and 3 applies *mutatis mutandis*.

<sup>3</sup> The President shall participate in votes held by the committee. In the event of a tie, he or she has the casting vote.

#### **Art. 17** Term of office

<sup>1</sup> The term of office of all committee members is four years, subject to contrary provisions contained in the Parliament Act or in an ordinance of the Federal Assembly. It ends at the latest with the total renewal of the committees in the first session of the new legislative period. Re-election is possible.

<sup>2</sup> The term of office for presidents and vice-presidents of the standing committees is two years. It ends at the latest with the total renewal of the committees in the first session of the new legislative period. Immediate re-election to the same office is not possible.

<sup>3</sup> The term of office of the members of a special committee corresponds to the duration of the committee's activity.

<sup>4</sup> If a seat on the committee becomes vacant, the person elected to fill the seat on the committee serves out the remainder of the term of office.

<sup>5</sup> An extraordinary total renewal of the committee for the remainder of the term of office occurs if:

- a. the numerical strength of a parliamentary group alters to the extent that it is over or under-represented by more than one member on a standing committee listed under Article 10;
- b. a new parliamentary group is formed.<sup>14</sup>

<sup>12</sup> Repealed by No I of the NC Decree of 3 Oct. 2008, with effect from 2 March 2009 (AS 2009 733; BBl 2008 1869 3177).

<sup>13</sup> Amended by No I of the NC Decree of 1 Oct. 2010, in force since 5 Dec. 2011 (AS 2010 4543; BBl 2010 5977 5983).

<sup>14</sup> Inserted by No I of the NC Decree of 3 Oct. 2008, in force from the start of the winter session 2011 (AS 2009 733; BBl 2008 1869 3177).

**Art. 18** Substitution

<sup>1</sup> A committee member may be substituted for a single meeting of the committee or sub-committee. The replacement member is nominated by the group.

<sup>2</sup> If a committee member leaves the Council, the parliamentary group shall nominate a replacement, as long as the Bureau has not assigned another member to the position.

<sup>3</sup> In the cases under paragraphs 1 and 2, the parliamentary group shall give notice of the name of the replacement to the secretary of the committee without delay.

<sup>3bis</sup> A member of a sub-committee, other than the Finance Committee, may only be substituted by another member of the main committee.<sup>15</sup>

<sup>4</sup> Members of the Control Committee and members of a Parliamentary Investigation Committee, or their sub-committees, may not be substituted by another member.

**Art. 19** Reporting

<sup>1</sup> For every item of business, the committee nominates one of its members to report to the Council and to present the proposals of the committee (the rapporteur). It may also nominate additional members of a different language group to speak on the same subject. The committee president only acts as rapporteur in exceptional cases.

<sup>2</sup> If there are several rapporteurs for the same item of business, they shall divide the work by topic. A repetition of reports in a different official language shall be avoided unless the matter is of great importance or complex. The introductory speech is limited to the main points of the matter.

<sup>3</sup> The committee may deliver a written report to the Council. A written report is required if no other official explanatory document exists, or if the written procedure (Art. 49) is required to consider the item of business.

**Art. 20** Informing the public

<sup>1</sup> The president or members selected by the committee shall inform the media in written or oral form of the main results of the committee's deliberations.

<sup>2</sup> The information provided generally includes the main decisions taken, the results of any votes and the principal arguments presented in the course of the deliberations.

<sup>3</sup> Persons present at the meetings shall not release any information before the committee has released its official communication.

<sup>4</sup> Any information regarding views expressed by persons present at the meeting or how they voted shall remain confidential, unless they decide to submit a minority proposal to the Council.

<sup>15</sup> Inserted by No I of the NC Decree of 15 June 2018, in force since 26 Nov. 2018 (AS 2018 3473; BBl 2017 6797 6865).



## **Chapter 3 Procedure**

### **Section 1**

#### **Preliminary Examination, Allocation and Examination of Items of Business**

##### **Art. 21 Preliminary examination**

<sup>1</sup> Items of business under Article 71 ParlA are subject to preliminary examination by the responsible committees; exceptions there from are:

- a. procedural requests by the members of the council and groups;
- b. candidates for election;
- c. points of order;
- d. statements made by the Federal Council;
- e. other items of business for consideration stipulated by law or by this order.

<sup>2</sup> A procedural request may be subjected to preliminary examination if the responsible committee or the Council so decides.

<sup>3</sup> ...<sup>16</sup>

##### **Art. 22 Allocation**

<sup>1</sup> New items of business are generally allocated to a committee for preliminary examination at the start of every session.

<sup>2</sup> If, as a result of a Council resolution, an item of business has to be allocated to a committee, the allocation shall take place at the end of the session.

<sup>3</sup> A Federal Council report may be allocated directly to the responsible committee. The committee may propose that the Bureau include the report in the session programme.

##### **Art. 23 Examination of formal legality**

<sup>1</sup> A parliamentary initiative or procedural request submitted by a member of the Council or parliamentary group shall be examined for its formal legality by the President on its submission.

<sup>2</sup> The evaluation of formal legality of further items of business submitted in accordance with Article 71 ParlA is only conducted by the President if a corresponding proposal is made. If the item of business is pending in the Federal Assembly, the President of the Council of States shall be consulted.

<sup>3</sup> If an item of business is declared inadmissible by the President, the author may appeal to the Bureau. The decision of the Bureau is final.

<sup>16</sup> Repealed by No I of the NC Decree of 30 Sept. 2011 (Immunity Committee), with effect from 5 Dec. 2011 (AS 2011 4633; BBl 2010 7345 7385).

**Art. 24** Communication to the Council of the results of the preliminary examination

<sup>1</sup> Legislative bills produced by a committee or proposals submitted by the committee responsible for the preliminary examination of a legislative bill put forward by the Federal Council must be sent to members of the Council at least fourteen days before they are due to come before the Council; this rule does not apply to legislative bills examined by both chambers in the same session (Art. 85 ParlA).

<sup>2</sup> If the documents are not submitted in time, the Bureau shall consider removing the item of business from the session programme.

**Art. 24a<sup>17</sup>**

**Section 2 Items of Business and Procedure**

**a. Parliamentary Initiatives and Procedural Requests**

**Art. 25** Submission

A member of the Council or a group may submit a parliamentary initiative or a procedural request in writing during the Council sitting.

**Art. 26** Statement of reasons

<sup>1</sup> The wording of a parliamentary initiative and of a procedural request may not contain a statement of reasons.

<sup>2</sup> A statement of reasons must be added to a parliamentary initiative. It is optional for a motion, a postulate or an interpellation.

**Art. 27<sup>18</sup>** Answering procedural requests

If the addressee of a procedural request is unable to respond to the request within the specified period, he or she shall inform the Bureau and the author stating a reason for the delay.

**Art. 28** Procedure in the Council, General provisions<sup>19</sup>

<sup>1</sup> During every ordinary session at least eight hours shall be given over to the preliminary examination of parliamentary initiatives and the consideration of procedural requests (excluding procedural requests declared urgent). If in exceptional cases it is not

<sup>17</sup> Inserted by No I of the NC Decree of 4 May 2020 (Sessions outside the Parliament Building), in force from 4 May 2020 until the NC sits in the Parliament Building again (7. Sept. 2020) (AS **2020** 1601; BBI **2020** 4305).

<sup>18</sup> Amended by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS **2009** 733; BBI **2008** 1869 3177).

<sup>19</sup> Amended by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS **2009** 733; BBI **2008** 1869 3177).

possible to allot eight hours to these matters over the course of a session, the time dedicated to such matters shall be extended in the next session.<sup>20</sup>

<sup>2</sup> Procedural requests submitted by individual members of the Council and groups that relate to the same or a similar matter shall be considered in the order in which they were submitted. Procedural requests that the Federal Council has requested be adopted and which are opposed from the floor of the Council shall be considered before procedural requests that the Federal Council has requested be rejected.<sup>21</sup>

<sup>3</sup> A parliamentary initiative that has been supported in committee by less than one fifth of its members shall be considered in the Council under the written procedure (Art. 49).

<sup>4</sup> An interpellant may declare his or her satisfaction with the Federal Council's response, even if the Council refuses to debate the interpellation.

**Art. 28a<sup>22</sup>** Consideration of motions and postulates in the Council

<sup>1</sup> Motions adopted in the Council of States and motions or postulates submitted by a committee must be considered no later than in the second ordinary session following their adoption or the publication of the Federal Council's statement.

<sup>2</sup> ...<sup>23</sup>

**Art. 28b<sup>24</sup>** Preliminary examination of parliamentary initiatives in the Council

<sup>1</sup> After a parliamentary initiative submitted by a member of the council or a group has been allocated to the committee for preliminary examination, the committee shall decide within a year whether it intends to endorse the initiative or propose that the Council should not endorse it.

<sup>2</sup> If the committee proposes that the Council should endorse a parliamentary initiative, the Council shall consider the initiative at the latest in the second ordinary session following submission of the committee's proposal.

<sup>3</sup> If the Council of States endorses a parliamentary initiative, the Council shall consider the initiative no later than in the second ordinary session following the decision of the Council of States.

<sup>20</sup> Amended by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS 2009 733; BBl 2008 1869 3177).

<sup>21</sup> Second sentence inserted by No I of the NC Decree of 12 Dec. 2014 (Priority consideration of opposed procedural requests), in force since 2 March 2015 (AS 2015 649; BBl 2014 9413). See also the transitional provision at the end of the text.

<sup>22</sup> Inserted by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS 2009 733; BBl 2008 1869 3177). See also the transitional provision to this amendment at the end of this text.

<sup>23</sup> Inserted by No I of the NC Decree of 17 Dec. 2010 (AS 2011 637; BBl 2010 8075 8083). Repealed by No I of the NC Decree of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), with effect from 25 Nov. 2013 (AS 2013 3693; BBl 2011 6793 6829).

<sup>24</sup> Inserted by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS 2009 733; BBl 2008 1869 3177). See also the transitional provision to this amendment at the end of this text.

4 ... 25

### Art. 29 Co-signatories

<sup>1</sup> A parliamentary initiative or procedural request may be signed by more than one council member. The member signing first is considered the author.

1bis ...<sup>26</sup>

<sup>2</sup> The author may withdraw the initiative or request without approval of the co-signatories.

### Art. 30 Urgent treatment

<sup>1</sup> An interpellation or a question may be declared urgent.

<sup>2</sup> The party responsible for the declaration of urgency is:

- a. in the case of an interpellation, the Bureau, unless the Council decides otherwise;
- b. in the case of a question, the President; if the President is of the view that the question is not urgent, the Bureau makes the final decision.<sup>27</sup>

<sup>3</sup> An urgent interpellation or an urgent question must be submitted at the latest by the beginning of the third sitting of a three-week session. It shall be answered by the Federal Council in the same session.<sup>28</sup>

<sup>4</sup> The Bureau may with the consent of its author convert an urgent interpellation into an urgent question.<sup>29</sup>

### a<sup>bis</sup>.<sup>30</sup> Debate on Current Issues

#### Art. 30a

<sup>1</sup> In a three-week session, a debate on current issues is held if 75 Council members so request by the start of the third sitting of the session.

<sup>25</sup> Repealed by No I of the NC Decree of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), with effect from 25 Nov. 2013 (AS 2013 3693; BBl 2011 6793 6829).

<sup>26</sup> Inserted by No I of the NC Decree of 4 May 2020 (Sessions outside the Parliament Building), in force from 4 May 2020 until the NC sits in the Parliament Building again (7. Sept. 2020) (AS 2020 1601; BBl 2020 4305).

<sup>27</sup> Amended by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS 2009 733; BBl 2008 1869 3177).

<sup>28</sup> Amended by No I of the NC Decree of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), in force since 25 Nov. 2013 (AS 2013 3693; BBl 2011 6793 6829).

<sup>29</sup> Amended by No I of the NC Decree of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), in force since 25 Nov. 2013 (AS 2013 3693; BBl 2011 6793 6829).

<sup>30</sup> Inserted by No I of the NC Decree of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), in force since 25 Nov. 2013 (AS 2013 3693; BBl 2011 6793 6829).

<sup>2</sup> The request for a debate on current issues shall list the urgent interpellations that must be discussed.

## **b. Question Time**

### **Art. 31**

<sup>1</sup> In order to deal with topical questions, the second and the third weeks of each session shall open with a question time; it shall last for no more than 90 minutes.

<sup>2</sup> The questions must be submitted in writing, in a concise form and without stating the reasons for their asking before the end of the morning sitting on the Wednesday prior to the question time.<sup>31</sup>

<sup>3</sup> A written note of the questions shall be distributed among the members of the Council before the start of the sitting; the questions are not read out.

<sup>4</sup> If the member asking the question is present, the representative of the Federal Council shall provide a brief answer. The member asking the question may ask a supplementary question related to the same matter.

<sup>4bis</sup> ...<sup>32</sup>

<sup>5</sup> Identical questions or questions relating to the same matter shall be answered together.

<sup>6</sup> Where there is insufficient time to answer a question adequately, or in the case of questions and supplementary questions that require additional clarification, the Federal Council shall respond in writing in accordance with the rules on urgent questions.

## **c. Statements**

### **Art. 32** Statement by the National Council

<sup>1</sup> At the proposal of the majority of a committee, the Council may make a statement on important events or on foreign or domestic policy matters.

<sup>2</sup> The Council may decide to hold a discussion on the draft of a statement. It may approve or reject the draft or refer it back to the committee.

<sup>3</sup> The draft of a statement shall be abandoned if it is not considered in the ongoing or subsequent session.

### **Art. 33** Statement by the Federal Council

<sup>1</sup> The Federal Council may make a statement to the Council on important events or on foreign or domestic policy matters.

<sup>31</sup> Amended by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS 2009 733; BBl 2008 1869 3177).

<sup>32</sup> Inserted by No I of the NC Decree of 4 May 2020 (Sessions outside the Parliament Building), in force from 4 May 2020 until the NC sits in the Parliament Building again (7. Sept. 2020) (AS 2020 1601; BBl 2020 4305).

<sup>2</sup> At the proposal of a member, the Council may decide to hold a discussion on the statement.

#### **d.<sup>33</sup> Legislature Plan**

##### **Art. 33a<sup>34</sup>**

##### **Art. 33b** Proposals

<sup>1</sup> When considering the legislature plan, the Council shall decide only on the proposals and minority proposals of the committee responsible for the preliminary examination.

<sup>2</sup> Other entitled persons shall submit their proposals to the committee 24 hours at the latest before it begins to consider the Federal Decree in detail.

<sup>3</sup> Notice of the deadline for submitting proposals shall be given to the groups and the members of the Council at least three weeks in advance.

<sup>4</sup> ...<sup>35</sup>

##### **Art. 33c** Organised debate

<sup>1</sup> An organised debate in accordance with Article 47 shall be held in order to consider the legislature plan (general introductory statements from the representatives of the Federal Council and the parliamentary groups and detailed consideration of the committee proposals).<sup>36</sup>

<sup>2</sup> The time limit for the debate and the allocation of speaking rights shall be decided before the committee responsible for the preliminary examination begins to consider the Federal Decree.

<sup>3</sup> Each group shall have a minimum of ten minutes speaking time.

**e. ...**

##### **Art. 33c<sup>bis</sup> 37**

<sup>33</sup> Inserted by No I of the NC Decree of 22 June 2007, in force since 1 Dec. 2007 (AS 2007 3773 5231; BBl 2006 1837 1857).

<sup>34</sup> Repealed by No I of the NC Decree of 25 Sept. 2015 (Legislature Planning Procedure), with effect from 30 Nov. 2015 (AS 2015 4485; BBl 2015 7009).

<sup>35</sup> Repealed by No I of the NC Decree of 25 Sept. 2015 (Legislature Planning Procedure), with effect from 30 Nov. 2015 (AS 2015 4485; BBl 2015 7009).

<sup>36</sup> Amended by No I of the NC Decree of 25 Sept. 2015 (Legislature Planning Procedure), in force since 30 Nov. 2015 (AS 2015 4485; BBl 2015 7009).

<sup>37</sup> Inserted by No I of the NC Decree of 19 Dec. 2008 (Annual Report of the Federal Council) (AS 2009 699; BBl 2008 1095 1105). Repealed by No I of the NC Decree of 29 Sept. 2017 (Annual Report of the Federal Council), with effect from 1 Jan. 2018 (AS 2017 5141; BBl 2017 3419 3425).

**f.<sup>38</sup> Relative Immunity****Art. 33<sup>c</sup>ter**

The Immunity Committee is responsible for dealing with requests to lift the immunity of a Council member, a member of the Federal Council, the Federal Chancellor or federal judges, or similar requests.

**Section 3 Organisation of Council Sittings****Art. 33<sup>d</sup>39** Sessions

<sup>1</sup> The Council normally convenes as follows:

- a. on the same days as the Council of States in the four ordinary three-week sessions of the Federal Assembly;
- b. at least once every year for a special session of no more than one week provided sufficient items of business are ready for consideration.

<sup>2</sup> Extraordinary sessions (Art. 2 ParIA) are reserved.

**Art. 34** Sitting times

<sup>1</sup> The Council normally sits as follows:

- a. Monday: from 2.30 p.m. to 7.00 p.m.;
- b. Tuesday: from 8.00 a.m. to 1.00 p.m.; Tuesday afternoon is reserved for group sittings;
- c. Wednesday: from 8.00 a.m. to 1.00 p.m. and from 3.00 p.m. to 7.00 p.m.;
- d. Thursday: from 8.00 a.m. to 1.00 p.m. and in the final week of a session from 3.00 p.m. to 7.00 p.m.;
- e. On the Friday of the final week of a session: from 8.00 a.m. to 11.00 p.m..

<sup>2</sup> Evening sittings (from 7.00 p.m. to 10.00 p.m.) are arranged if the workload and the urgency of the business so requires.

**Art. 35** Agenda

<sup>1</sup> Notice is given of the agenda as follows:

- a. for the first sitting of a session: when the session programme is sent out;
- b. for other sittings: at the end of the preceding sitting.

<sup>38</sup> Inserted by No I of the NC Decree of 30 Sept. 2011 (Immunity Committee), in force since 5 Dec. 2011 (AS **2011** 4633; BBl **2010** 7345 7385).

<sup>39</sup> Inserted by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS **2009** 733; BBl **2008** 1869 3177).

<sup>2</sup> The agenda lists all items of business. Petitions and procedural requests from members of the Council and from groups may be listed under a collective heading.

<sup>3</sup> The President may give advance notice of the time of elections and votes.

<sup>4</sup> He or she may add items to the agenda during the sitting, in particular in order to deal with differences, deferred items of business and procedural requests.

#### **Art. 36** Minutes

<sup>1</sup> The Clerk to the Council shall take the minutes of each sitting in the language of the President. The minutes shall state:

- a. the items of business that have been discussed and deferred;
- b.<sup>40</sup> ...
- c. the proposals made;
- d. the result of the votes and elections;
- e.<sup>41</sup> the members of the Council who have been excused; if a member of the Council is excused by virtue of Article 57 paragraph 4 letter e, this reason must be stated;
- f. the notices given by the President.

<sup>2</sup> The President shall approve the minutes.

#### **Art. 37** Translations

<sup>1</sup> Notices and proposals made by the President, together with verbal points of order are translated into a second official language by the interpreter.

<sup>2</sup> Council proceedings are simultaneously translated into all three official languages.

#### **Art. 38** Quorum

The President shall verify whether the Council is quorate:

- a. before elections, votes on entire bills and final votes as well as votes on provisions that require the approval of a majority of the members of the Council in accordance with Article 159 paragraph 3 of the Federal Constitution<sup>42</sup> in order to be accepted;
- b. at the proposal of a member of the Council.

#### **Art. 39** Call to order

<sup>1</sup> The President shall call persons attending a sitting to order who:

<sup>40</sup> Repealed by No I of the NC Decree of 26 Sept. 2014 (Death of close relative as ground for being excused), with effect from 24 Nov. 2014 (AS **2014** 3621; BBl **2014** 7209).

<sup>41</sup> Amended by No I of the NC Decree of 26 Sept. 2014 (Death of close relative as ground for being excused), in force since 24 Nov. 2014 (AS **2014** 3621; BBl **2014** 7209).

<sup>42</sup> SR **101**



- a. make insulting or irrelevant remarks, exceed their speaking time or infringe other procedural rules;
  - b. by their conduct disrupt Council proceedings.
- <sup>2</sup> If the call to order is disregarded, the President may order that disciplinary measures be taken in accordance with Article 13 paragraph 1 ParIA.
- <sup>3</sup> The Council shall decide without discussion on objections made by the person concerned.

**Art. 40**            Absences

- <sup>1</sup> The members of the Council shall enter their names on the roll on each day of the session.
- <sup>2</sup> They shall notify the Secretary General of the Federal Assembly, if possible before the sitting, if they are unable to attend.

**Section 4        Deliberations in the Council**

**Art. 41**            Requesting and granting the right to speak

- <sup>1</sup> In the Council, no one may speak unless granted the right to do so by the President.
- <sup>2</sup> Anyone who wishes to speak must submit a written request to do so to the President.
- <sup>3</sup> The President normally grants the right to speak in the order of the requests. He or she may however group speakers according to subject matter or in order to facilitate an appropriate exchange of languages or points of view.
- <sup>4</sup> The group spokespersons and the persons submitting formal proposals speak before the other members.
- <sup>5</sup> No one may speak on the same matter more than twice.
- <sup>6</sup> The committee rapporteurs and the representative of the Federal Council are allowed to speak when they request to do so.

**Art. 42**            Incidental questions

- <sup>1</sup> At the end of a speech, any member of the Council and the representative of the Federal Council may ask the speaker a brief and precise question on a specific point relating to what he or she has said; they are not permitted to state or justify their point of view.
- <sup>2</sup> The incidental question may only be asked if the speaker consents in response to a corresponding request made by the President.
- <sup>3</sup> The speaker shall provide an immediate and brief response to the incidental question.

**Art. 43** Personal statement and group statement

<sup>1</sup> Any member of the Council may make a brief personal statement in order to respond to a comment relating to his or her person or in order to rectify a statement that he or she has made.

<sup>2</sup> A member who wishes to make a personal statement may speak immediately.

<sup>3</sup> The groups may give reasons for their voting intentions in a brief statement before the final vote.

**Art. 44** Speaking time

<sup>1</sup> In the introductory debate the speaking times are as follows:

- a. for the committee rapporteurs: 20 minutes in total;
- b. for the representative of the Federal Council: 20 minutes;
- c. for the group spokespersons: ten minutes each;
- d. for the other speakers: five minutes.

<sup>2</sup> In the other debates the speaking time amounts to five minutes for group spokespersons, persons submitting formal proposals, authors of parliamentary initiatives and procedural requests and individual speakers and the representative of the Federal Council, there is no limit on speaking time.

<sup>3</sup> By way of exception, the President may extend the speaking times specified in paragraph 1. In response to a corresponding proposal, the Council may extend the speaking times specified in paragraph 2.

**Art. 45** Introduction and detailed consideration

<sup>1</sup> The Council may dispense with an introductory debate, unless a proposal is submitted not to approve introduction.

<sup>2</sup> It may decide to consider an item of business article by article, in sections or in its entirety.

**Art. 46** Forms of consideration

<sup>1</sup> Items of business shall be considered in one of the following forms:

- I: Open debate
- II: Organised debate
- IIIa:<sup>43</sup> Group debate
- IIIb:<sup>44</sup> Time limited group debate
- IV: Short debate

<sup>43</sup> Originally No III. Amended by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS 2009 733; BBl 2008 1869 3177).

<sup>44</sup> Inserted by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS 2009 733; BBl 2008 1869 3177).

## V: Written procedure

<sup>2</sup> When deciding on the session programme, the Office shall also decide on the form in which items of business should be considered.

<sup>3</sup> Irrespective of the form of consideration, the committee rapporteur and the representative of the Federal Council may request the right to speak on an item of business.

<sup>4</sup> Irrespective of the form of consideration, the author of a parliamentary initiative, a motion or a postulate may provide a verbal statement of reasons for the same. The first person to request its rejection shall also be given the right to speak. An interpellant shall be given the right to speak when the debate has been concluded.<sup>45</sup>

<sup>5</sup> Irrespective of the form of consideration, during the preliminary examination of a cantonal initiative, a Council member from the canton that is author of the initiative may provide a verbal statement of reasons for the same provided a majority of the canton's members of parliament appoint that Council member to do so.<sup>46</sup>

**Art. 47** Organised debate

<sup>1</sup> An organised debate may in particular be held:

- a. for the introductory debate;
- b. for consideration of an interpellation or a report.

<sup>2</sup> The Bureau shall specify an overall speaking time for the groups and allocate each group a share of this time based on their size in the Council.<sup>47</sup>

<sup>3</sup> ...<sup>48</sup>

<sup>4</sup> The groups shall give notice in good time of how the speaking time available to them will be allocated among the group members.

<sup>5</sup> The members of the Council that do not belong to a group shall receive an appropriate allocation of the overall speaking time.

**Art. 48** Group debate and short debate<sup>49</sup>

<sup>1</sup> In a normal group debate, the right to speak shall be limited to group spokespersons and members proposing amendments. In a time limited group debate, speaking times

<sup>45</sup> Amended by No I of the NC Decree of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), in force since 25 Nov. 2013 (AS **2013** 3693; BBl **2011** 6793 6829).

<sup>46</sup> Inserted by No I of the NC Decree of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), in force since 25 Nov. 2013 (AS **2013** 3693; BBl **2011** 6793 6829).

<sup>47</sup> Amended by No I of the NC Decree of 25 Sept. 2015 (Legislature Planning Procedure), in force since 30 Nov. 2015 (AS **2015** 4485; BBl **2015** 7009).

<sup>48</sup> Repealed by No I of the NC Decree of 25 Sept. 2015 (Legislature Planning Procedure), with effect from 30 Nov. 2015 (AS **2015** 4485; BBl **2015** 7009).

<sup>49</sup> Amended by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS **2009** 733; BBl **2008** 1869 3177).

in the introductory debate in accordance with Article 44 shall be halved for all speakers other than those who fall within Article 44 paragraph 1 letter d.<sup>50</sup>

<sup>2</sup> In the short debate, only the rapporteurs for the committee minorities shall have the right to speak.

<sup>2bis</sup> In a short debate on motions and postulates submitted by members of the Council or groups, the first person to propose the rejection of the procedural request shall be given the right to speak.<sup>51</sup>

<sup>3</sup> Article 46 paragraphs 3 and 4 are reserved in every case.

#### **Art. 49**            Written procedure

<sup>1</sup> In the written procedure, there is no right to request the right to speak.

<sup>2</sup> Article 46 paragraphs 3 and 4 are reserved in every case.

#### **Art. 50**            Proposals

<sup>1</sup> A proposed amendment must be submitted to the President in writing and normally before the item of business concerned is considered.

<sup>2</sup> In the case of lengthy and complex deliberations, the President may set a time limit for submitting proposed amendments.

<sup>3</sup> He or she shall examine the proposed amendments on their filing to confirm that they fulfil the formal requirements.

<sup>4</sup> A proposed amendment shall be subject to a preliminary examination by the committee responsible if the committee so requests or the Council so decides.

<sup>5</sup> Proposed amendments to items of business that will be considered in debate forms I–III may be justified verbally. Proposed amendments to items of business considered in debate forms IV and V may only be justified in writing. Article 46 paragraphs 3 and 4 is reserved.<sup>52</sup>

<sup>6</sup> If two or more identical proposals relating to items of business that will be considered in debate forms I–III, then the member who submitted the first proposal shall be given the right to speak. A member who submitted a proposal subsequently may make a brief additional declaration.

#### **Art. 51**            Points of order

<sup>1</sup> The Council shall deal with a point of order immediately.

<sup>50</sup> Amended by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS 2009 733; BBl 2008 1869 3177).

<sup>51</sup> Inserted by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS 2009 733; BBl 2008 1869 3177).

<sup>52</sup> Third sentence inserted by No I of the NC Decree of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), in force since 25 Nov. 2013 (AS 2013 3693; BBl 2011 6793 6829).

<sup>2</sup> It shall decide without discussion on any proposal for reconsideration, after hearing a brief statement of reasons for the proposal and any counter-proposal.

<sup>3</sup> If the Council votes in favour of the proposal for reconsideration, the article or section shall be considered again.

**Art. 52** Conclusion of the debate

<sup>1</sup> The President shall close the debate if there are no further requests to speak or the time limit for the debate (Art. 47) has expired.

<sup>2</sup> He or she may propose that the list of speakers be closed, after the group representatives have spoken and reasons have been given for all proposed amendments.

<sup>3</sup> After everyone on the list of speakers has spoken, the representative of the Federal Council and then the committee rapporteurs may make a brief response to the speeches given.

**Art. 53** Second reading

The draft of an amendment to these Standing Orders shall be considered on a second occasion, unless the amendment is minor. Following its review by the Drafting Committee, a final vote shall be held.

**Art. 54** Revision of the text

<sup>1</sup> An item of business that has been substantially amended due to proposals from the floor of the Council shall be returned for editorial revision to the committee responsible for the preliminary examination, if that committee so requests or if the Council so decides.

<sup>2</sup> The revised text shall be submitted to the Council for approval as a whole.

## **Section 5** Voting

**Art. 55** Wording of the question

Before the vote, the President shall provide a brief summary of the proposed amendments made and submit proposals to the Council on the question and on the order of voting in accordance with Articles 78 and 79 ParIA.

**Art. 56** Vote

<sup>1</sup> The vote is normally held using the electronic voting system.

<sup>2</sup> No member of the Council is obliged to vote.

<sup>3</sup> Voting by proxy is not permitted.

<sup>4</sup> The rapporteurs vote from their desks, and the other members of the Council from their seats.

**Art. 57** Publication of voting data

- <sup>1</sup> The electronic voting system counts and stores data on the votes cast at each vote.
- <sup>2</sup> The President announces the result of the vote.
- <sup>3</sup> The result of the vote is published in the form of a list of names.<sup>53</sup>
- <sup>4</sup> On the list of names, an indication is given for each member of the Council if he or she:
- a. voted yes;
  - b. voted no;
  - c. abstained;
  - d. did not participate in the vote; or
  - e.<sup>54</sup> is excused; a person is excused when he or she has given notice of his or her absence for the entire sitting by the start of the sitting at the latest due to being on business for the standing delegations in accordance with Article 60 ParLA or due to the death of a close relative, maternity or paternity leave, accident or illness.<sup>55</sup>
- <sup>5</sup> ...<sup>56</sup>

**Art. 58<sup>57</sup>** Exceptions from electronic voting

If the electronic voting equipment is out of order, voting takes place by roll call.

<sup>53</sup> Amended by No I of the NC Decree of 3 Oct. 2008, in force since 2 March 2009 (AS **2009** 733; BBl **2008** 1869 3177).

<sup>54</sup> Amended by No I of the NC Decree of 18 March 2022 (Improving the Functioning of Parliament, in particular in Crisis Situations), in force since 1 Jan. 2021 (AS **2022** 295; BBl **2022** 301, 433).

<sup>55</sup> Amended by No I of the NC Decree of 1 Oct. 2010 (Excused absences on name lists for votes), in force since 29 Nov. 2010 (AS **2011** 1; BBl **2010** 5997 6007).

<sup>56</sup> Repealed by No I of the NC Decree of 3 Oct. 2008, with effect from 2 March 2009 (AS **2009** 733; BBl **2008** 1869 3177).

<sup>57</sup> Amended by No I of the NC Decree of 15 June 2018, in force since 2 Dec. 2019 (AS **2018** 3473; BBl **2017** 6797 6865).

**Art. 58a**<sup>58</sup>

**Art. 59**<sup>59</sup>

**Art. 60** Roll call voting

<sup>1</sup> ...,<sup>60</sup>

<sup>2</sup> In a vote by calling the roll, the members of the Council respond from their seats in alphabetical order of their names to question put to the vote by the President with a «Yes», «No» or «Abstain».

<sup>3</sup> After each response the Secretary General informs the Federal Assembly of the provisional totals of votes.

<sup>4</sup> The only vote that counts is that cast immediately after the member's name is read out counts.

## Chapter 4 House Rules

**Art. 61** Access to the chamber and its antechambers

<sup>1</sup> The following persons are allowed access to the Chamber and its anterooms (the Lobby and Antechamber) during the sessions:

- a. members of the Federal Assembly;
- b. members of the Federal Council and the Federal Chancellor;
- c. members of the Federal Supreme Court representing the federal courts on items of business in accordance with Article 162 paragraph 2 ParlA;
- d. Parliamentary Services staff, as their duties require;
- e. staff accompanying members of the Federal Council, the Federal Chancellor or members of the Federal Supreme Court, as their duties require;
- f. photographers and camera crew bearing a pass issued by Parliamentary Services.

<sup>2</sup> During sessions, accredited journalists and the persons holding an entry pass in accordance with Article 69 ParlA also have access.

<sup>3</sup> The gallery is open to the public, while the press gallery is open to accredited journalists.

<sup>58</sup> Inserted by No I of the NC Decree of 4 May 2020 (Sessions outside the Parliament Building), in force from 4 May 2020 until the NC sits in the Parliament Building again (7 Sept. 2020) (AS **2020** 1601; BBl **2020** 4305).

<sup>59</sup> Repealed by No I of the NC Decree of 15 June 2018, with effect from 26 Nov. 2018 (AS **2018** 3473; BBl **2017** 6797 6865).

<sup>60</sup> Repealed by No I of the NC Decree of 15 June 2018, with effect from 26 Nov. 2018 (AS **2018** 3473; BBl **2017** 6797 6865).

<sup>4</sup> In the case of sittings in camera (Art. 4 para. 2 and 3 ParLA), only the persons specified in paragraph 1 letters a–d have access to the Chamber and to its antechambers. The galleries are cleared.

<sup>5</sup> The President may issue further regulations on access to the Chamber, its antechambers and the galleries; in particular he or she may impose time limits on the right to visit the gallery when there are large numbers of visitors.

<sup>6</sup> The President may issue regulations on the use of the rooms while the Council is not in session.

#### **Art. 62** Conduct of visitors to the Chamber

<sup>1</sup> Visitors to the galleries shall remain quiet. They shall in particular refrain from any audible expression of approval or disapproval. Picture or sound recordings are only permitted with authorisation of the Parliamentary Services.

<sup>2</sup> The President shall order unauthorised persons to be removed from the Chamber.

<sup>3</sup> He or she shall order authorised persons who are not members of the Council to be removed from the Chamber or visitors to be removed from the gallery if, having been warned, they continue to behave inappropriately or to cause a disturbance.

<sup>4</sup> The President shall suspend the proceedings if order in the Chamber or in the galleries cannot be restored immediately.

## **Chapter 5 Final Provisions**

#### **Art. 63** Repeal of current legislation

The Standing Orders of the National Council of 22 June 1990<sup>61</sup> are repealed.

#### **Art. 64** Transitional provisions on the validation of election results

<sup>1</sup> Until Article 189 paragraph 1 letter f of the Federal Constitution in its version of 12 March 2000<sup>62</sup> comes into force, the Council at the proposal of the Provisional Office shall rule on appeals against decisions of a cantonal government on the validity of an election to the National Council.

<sup>2</sup> The Council shall rule:

- a. on appeals against general elections at the proposal of the Provisional Office before the Council has been declared to be constituted;
- b. on appeals against a supplementary election at the proposal of the offices before the new member of the Council is sworn in.

<sup>61</sup> [AS 1990 954; 1991 2158; 1992 505; 1994 362, 2150; 1995 530, 4358; 1998 782; 1999 161, 2612]

<sup>62</sup> SR 101. This Art. came into force on 1 Jan. 2007.



<sup>3</sup> A member of the Council whose election is contested shall stand down both from the provisional office and from the Council while the appeal against his election is being heard.

**Art. 65** Commencement

These Standing Orders come into force together with the Parliament Act on 1 December 2003.

**Transitional Provisions to the amendment of 3 October 2008**<sup>63</sup>

*1. Transitional provision to Art. 15*

A group that is granted the right to additional committee seats in accordance with Article 15 paragraph 1 letter a shall be allocated a corresponding number of committee seats from the time that the Amendment of 3 October 2008 comes into force until the end of the term of office.

*2. Transitional provisions to Arts. 28a and 28b*

Articles 28a and 28b apply to parliamentary initiatives, motions and postulates that have not been submitted by the date on which the Amendment of 3 October 2008 comes into force.

**Transitional Provision to the amendment of 12 December 2014**<sup>64</sup>

Article 28 paragraph 2 second sentence applies to procedural requests that are opposed from the floor of the Council from the date on which the Amendment of 12 December 2014 comes into force.

<sup>63</sup> AS 2009 733

<sup>64</sup> AS 2015 649

