

**STANDING ORDERS
OF THE SENATE**

January 2014

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STANDING ORDERS OF THE SENATE

CHAPTER I

Provisional *Bureau* – Definitive *Bureau*

Article 1

1. – At the opening of the first sitting after each partial renewal of the Senate, the Chair shall be taken by the oldest member present, until the President is proclaimed.
2. – The six youngest Senators present shall carry out the duties of Secretary until the election of the Definitive *Bureau*.
3. – No debate may take place if the provisional President is in the Chair.

Article 2

1. – The installation of the provisional President shall be immediately followed in a public sitting by the election of the President.
2. – The remaining members of the Definitive *Bureau* shall be appointed during the next sitting.
3. – The Definitive *Bureau* shall be fully empowered to preside over the Senate's deliberations, to organise and manage all services under the conditions determined by these Standing Orders.

Article 3

1. – The Senate's Definitive *Bureau* is made up of:
 - a President,
 - eight Deputy Chairpersons,
 - three *Questeurs*,
 - fourteen Secretaries,appointed for three years.
2. – The Deputy Chairpersons shall stand in for, and represent the President in his/her absence.

3. – When the President of the Senate is called upon to perform the duties of the President of the Republic, under Article 7 of the Constitution, the *Bureau* shall appoint one of the Deputy Chairpersons to replace him/her temporarily.

4. – The election of the President shall take place in a secret ballot at the rostrum.

5. – Tellers shall count the votes, and the result of the ballot shall be announced by the provisional President.

6. – If an absolute majority of the votes cast is not obtained at the first or second ballot, a relative majority on the third ballot shall suffice; in the event of a tied ballot, the oldest candidate shall be declared to have won.

7. – After the President has been elected, the Chairpersons of the political groups shall meet to draw up the lists of candidates for the offices of Deputy Chairperson, *Questeur* and Secretary; these lists shall reflect the proportional representation of groups. This proportional representation is primarily calculated for the offices of Deputy Chairperson and *Questeur* according to the result of the election of the President and then for the entire *Bureau*. These lists shall be forwarded to the President, who shall have them displayed.

8. – These lists may be challenged within one hour on the grounds that the rule on proportional representation has not been applied. To be admissible, the challenge must be set out in writing, signed by at least thirty Senators or by the Chairperson of a political group, and shall be forwarded to the President.

9. – When the deadline for challenging the list has lapsed, and if no challenge has been formulated, the lists of candidates shall be ratified by the Senate, and the President shall declare those who have been appointed Deputy Chairpersons, *Questeurs* and Secretaries.

10. – If, on the contrary, the President is presented with a challenge, he/she shall report it to the Senate, which will in turn rule on whether to consider it, following a debate in which only one speaker '*for*' and one speaker '*against*' may be heard, neither of whom may speak for more than five minutes.

11. – Rejection of the proposal to consider that matter shall be tantamount to ratification of the list that has been presented, and the candidates whose names appear on it shall be immediately proclaimed by the President. Consideration of the matter shall result in the nullification of the list therefore considered as litigious. In these circumstances, the Chairpersons of political groups shall meet immediately to draw up another list following the same rules as those followed to draw the first list.

Article 4

After the definitive *Bureau* has been elected, the President of the Senate shall inform the President of the Republic and the National Assembly that the Senate has been constituted.

CHAPTER II

Groups

Article 5

1. – Senators may organise themselves into groups reflecting political affinities. No Senator may be a member of more than one group, nor be compelled to join a group.

2. – A group shall be constituted by the presentation to the President's office of a list of Senators who have stated they wish to belong to it. As soon as groups are formed, and also after each renewal of the Senate, they shall publish a political statement setting out the objectives of, and resources for, the policy which they advocate for. The lists of members of groups shall be published in the *Journal officiel* as soon as the groups are established as well as after each renewal of the Senate.

3. – Groups shall establish their *Bureaux* without hindrance.

4. – Each group shall have at least ten members, and may provide an internal service through an administrative secretariat, which shall manage its own rules, recruitment and method of payment.

5. – The conditions governing the physical establishment of group secretariats and the right of staff to access and to move freely around the *Palais du Luxembourg* shall be stated by the *Bureau* of the Senate on the proposal of the *Questeurs*.

6. – The establishment in the Senate of groups defending private, local or professional interests is forbidden.

Article 5a

Within seven days following its creation and at the beginning of every ordinary session, a group shall declare itself to the President's office as an opposition group or as a minority group under Article 51-1 of the Constitution. This declaration may be corrected or modified at any time.

Article 6

1. – Political groupings consisting of less than ten members may ally or attach themselves for administrative purposes to a group of their choosing with the agreement of the *Bureau* of that group.

2. – The same possibility shall be available under the same conditions to individual Senators whose names do not appear on the lists of any group or grouping.

3. – A statement of groupings and of Senators who, under the terms of this Article, have announced that they will ally themselves with, or administratively attach themselves to, a group shall be mentioned after the list of the members of the groups in question.

4. – Senators who are neither formal members of a group, nor allied nor attached to one shall meet to elect a delegate from among themselves to represent their interests. That delegate shall have the same rights as a group chairperson pertaining to appointments to committees and as Secretaries of the Senate.

5. – When appointments provided for under Article 3 paragraph 7 and Articles 8 and 105 are being made, and in accordance with regulations governing the proportional representation of groups, the total membership of the groups must include, in addition to full members, those of allied and attached groupings and of individually allied and attached Senators.

Article 6a

1. – During every parliamentary year, each group has the right to set up an inquiry committee or a fact finding mission.

2. – In case of setting-up of an inquiry committee, provisions of Article 11 are applicable subject to the following paragraph.

3. – The request for the setting-up of either an inquiry committee or a fact finding mission has to be formulated at least one week before the meeting of the Chairpersons' conference that will duly record this request.

4. – The appointments as Chairperson or Rapporteur of an inquiry committee or of a fact finding mission are shared between majority and opposition.

Article 6b

Groups usually meet on Tuesday morning, starting from 10:30 a.m.

CHAPTER III

Appointments to Committees

The work of the Committees

I. – Appointments to Committees

a) Standing committees

Article 7

1. – After each partial renewal, the Senate shall appoint the following seven standing committees in a public sitting:

- the Economic Affairs Committee consisting of 39 members;
- the Foreign Affairs, Defence and Armed Forces Committee consisting of 57 members;
- the Social Affairs Committee consisting of 57 members;
- the Culture, Education and Communication Committee consisting of 57 members;
- the Committee for Sustainable Development, Public Works and Regional Planning consisting of 39 members;
- the Finance Committee consisting of 49 members;
- the Committee for Constitutional Acts, Legislation, Universal Suffrage, Standing Orders and General Administration consisting of 49 members.

Article 8

1. – After the President has been elected, the Senate shall fix the date for the sitting during which the standing committees shall be appointed.

2. – Before this sitting, *Bureaux* of political groups and the Delegate of Senators not belonging to any group will first meet and then send to the President the list of candidates that they have drawn up in accordance with the rule on proportionality.

3. – This list shall be posted as soon as possible. During the sitting, the President shall announce that it has been posted.

4. – Any objection to the list of candidates must be tabled within the hour following that announcement.

5. – If this objection is based on failure to comply with the rules governing proportional representation, it must be made in writing and signed by a group chairperson or at least by thirty Senators.

6. – If the Senate considers this objection valid, there shall be provision for drawing up a fresh list of candidates, as set out in paragraph 2 of this Article.

7. – If the opposition is not based on failure to comply with the rules governing proportional representation, it must be made in writing and signed by three group chairpersons or by sixty Senators.

8. – In such circumstances, if the objection is considered by the Senate, the Senate shall conduct one or more plurinominal votes in a plenary sitting.

9. – If there is no challenge by the deadline set out in paragraph 4, the list of candidates shall be ratified by the Senate.

10. – In the event of a vacancy on a standing committee, and subject to the provisions set up in Article 15 paragraph 3, the group concerned or, as appropriate, the Delegate of Senators who are not belonging to any group, shall forward to the President the name of the Senator called to occupy the vacant seat. The Senator shall be appointed under the conditions set out above.

11. – The list of committee members shall be published in the *Journal officiel*.

12. – A Senator may belong to only one standing committee. The President of the Senate may not serve on any standing committee.

Article 9

1a. – Appointments made under the provisions of this Article shall take into account the rules on proportional representation of groups.

1. – Where the rules of an extra-parliamentary body provide that members of one or more standing committees have seats on it, the committees concerned shall appoint these members, and inform the member of Government concerned through the intermediary of the President of the Senate.

2. – When the Government shall ask the Senate to appoint one or more members to sit on an extra-parliamentary body, the President of the Senate shall invite the standing committee(s) related to the fields of competence of this body to put forward the name(s) of the candidate(s). If there is any doubt as to which committee has competence, the Senate shall give a ruling by ordinary public ballot.

3. – Each committee may choose its own candidate(s), either from its own members or from among other members of the Senate. The President of the committee shall transmit the names of the candidates to the President of the Senate.

4. – The President shall give instructions for the candidates' names to be posted. He shall give notification that this has been done during the sitting on whose agenda the designation appears.

5. – After a delay of one hour, and unless there is a challenge, the appointment of the candidate(s) shall be ratified.

6. – An objection to the committee's proposals may be tabled within an hour of the President's announcement: any such objection must be endorsed in writing and signed by at least thirty Senators or a group chairperson.

7. – If an objection is formulated, the President shall ask the Senate whether it is to be considered. The Senate shall then give a ruling following a debate in which only one of the signatories to the objection and one speaker with a contrary opinion may be heard.

8. – If the Senate chooses not to consider the objection, the list of candidates shall be ratified.

9. – If the Senate does choose to consider the objection, the candidates are then appointed by a plurinominal vote in a plenary sitting. The candidacies must then be the subject of a declaration to the President's office at least one hour before the ballot takes place.

10. – The procedure set out above does not apply when the rules of the extra-parliamentary body provide for a particular appointment procedure.

b) Special Committees

Article 10

1. – For the appointment of members to special committees established under conditions set out in Article 16 to follow, a list of candidates shall be drawn up, in accordance with the rules on proportionality and following prior consultation with the chairpersons of standing committees, the chairpersons of groups, and the Delegate of Senators not belonging to any group.

2. – The appointment shall then proceed in accordance with regulations set out in Article 8 paragraphs 3 to 11.

3. – A special committee shall be made up of 37 members.

c) Inquiry Committees

Article 11

1. – An inquiry committee shall be set up following a vote on a draft resolution that has been tabled, sent to the competent standing committee, examined and discussed under the provisions of these Standing Orders. This draft resolution must accurately determine either the facts that have given rise to the inquiry or the

public services or national companies whose management the inquiry committee shall examine. If a draft resolution relating to the setting up of an inquiry committee is not referred to the Committee for Constitutional Acts, Legislation, Universal Suffrage, Standing Orders and General Administration, the latter committee shall be invited to publish an opinion stating whether the proposal complies with the provisions in Article 6 of the amended Ordinance 58-1100 of November 17, 1958 relating to the functioning of parliamentary assemblies. The draft resolution shall set out the number of members of the inquiry committee which may not exceed 21.

2. – For the appointment of members to inquiry committees whose setting-up is decided by the Senate, a list of candidates shall be drawn up in accordance with the rules on proportionality by the chairpersons of political groups and the Delegate of Senators not belonging to any group. The appointment shall then proceed in accordance with the rules set out in Article 8 paragraphs 3 to 11.d) Joint Committees

Article 12

1. – By an agreement between the Senate and the National Assembly, the number of representatives of each assembly on joint committees provided for in Article 45 paragraph 2 of the Constitution shall be fixed at seven.

2. – Senate representatives on these committees shall be appointed under conditions set out below.

3. – A list of candidates shall be drawn up by the competent committee after the consultation of the chairpersons of political groups. The committee chairperson shall then send this list to the President of the Senate, who shall give instruction for the list to be posted and inform the Senate thereof during a public sitting.

4. – The appointment shall then proceed in accordance with the rules set out in Article 9 paragraphs 5 to 9.

5. – Substitutes shall be appointed in the same way. They are only required to vote insofar as it is necessary to maintain parity between the two assemblies. Substitutes shall be called to serve in the order they are elected.

II. – Work of the Committees

Article 13

1. – After each three yearly renewal and as soon as appointed, committees convened by the President of the Senate shall appoint their respective *Bureaux* in which every political group must be represented.

2. – The *Bureau* of standing committees shall consist, in addition to a chairperson and eight deputy chairpersons, of one secretary for every ten members.

2a. – The deputy chairpersons may substitute for, and represent the chairperson of the standing committee.

2b. – The election of the chairperson shall take place by secret ballot under the presidency of the oldest member of the committee, who shall announce the outcome. The votes shall be counted by the two youngest committee members present. The provisions of Article 3 paragraph 6 shall apply.

2c. – For the appointment of the deputy chairpersons, groups shall set up a list of candidates in accordance with the rules on proportional representation, and taking into account the representation of a group in the office of chairperson. If necessary, the number of deputy chairpersons is increased so as to ensure that every group gets at least one office of chairperson or deputy chairperson.

3. – After the appointment of deputy chairpersons, groups shall set up a list of candidates for the offices of secretaries in accordance with the rules on proportional representation and taking into account their representation in other offices in the *Bureau*.

4. – *Repealed by the Resolution of June 2, 2009.*

5. – Provisions of this article may be applied to the *Bureau* of a special committee.

6. – The Finance Committee and the Social Affairs Committee shall each appoint a General *Rapporteur*, who shall thus be a member '*ex officio*' of the *Bureau* of the committee.

Article 14

The Senate normally devotes Wednesday morning to the committees work and possibly Tuesday morning before the meetings of political groups and, when required, another half day work depending on the agenda of the public sitting.

Article 15

1. – Attendance at the meetings of committees shall be mandatory.

2. – A committee member who finds himself/herself in one of the situations listed in Article 1 of the Ordinance of November 7, 1958 on the Organic Law exceptionally giving members of Parliament the right to vote by proxy, may delegate his/her right to vote to another committee member. The committee chairperson shall be notified of this delegation. A committee member may only exercise one proxy vote at a time.

2a – Senators belonging to international assemblies and those who are members of a special committee may, at their own request and for the duration of the work of these assemblies, of their committee or special committee, be granted exemption from attendance to the meetings of the standing committee that they belong to. In these cases, they may be substituted by another member of the committee.

3. – If a committee member on a standing committee is absent without justification on three consecutive occasions, the committee's *Bureau* shall inform the President of the Senate, who shall in turn record that the committee member has resigned. The committee member may not be replaced during the parliamentary session, and his/her allowance shall be reduced by half until the beginning of the next ordinary session.

Article 16

1. – Standing committees shall be notified through the good offices of the President of the Senate of all government and members' bills that fall within their competence, together with papers and documents relating to them, except in cases where the Government calls for the matters to be remitted to a committee specially appointed to examine them.

2. – The decision to remit to a special committee may also be taken by the Senate on the proposal of the President.

2a – The decision to establish a special committee may also be taken by the Senate on the proposal of the chairperson of a standing committee or the chairperson of a political group. Such a request must be submitted within two working days of the bill being published, or within one working day in case of an accelerated procedure decided by the Government prior to publication. The request shall also be posted up and notified to the Government and to the chairpersons of political groups and the chairpersons of standing committees.

The request shall be deemed to have been accepted if, after the second sitting following the display notice, no objection has been referred to the President of the Senate by the Government or by the chairperson of a political group.

2b – If an objection to a request seeking the establishment of a special committee has been formulated in accordance with the conditions set out in paragraph 2a of this Article, a debate on the request shall be automatically placed on the agenda for the first sitting day following the announcement of the objection to the Senate. Permission to speak during the debate shall be restricted to the Government and, for a period not exceeding five minutes, to the author of the objection, the author or first signatory of the request, and the chairpersons of the standing committees.

3. – In cases where a standing committee states that it does not have competence, and in cases of conflicts of competence between two or more standing committees, a special committee shall be established.

3a – Finance bills must be sent to the Finance Committee.

3b – Social security financing bills must be sent to the Social Affairs Committee.

4. – Renewed standing committees shall, after the renewal has taken place, remain in charge of the matters previously remitted to them. Special committees shall cease to exist when the texts they were established to examine are promulgated.

5. – Each committee shall produce a report of its deliberations. This report shall be confidential. Senators may get communication of committee reports.
6. – These reports and documents relating to them shall be transferred in the Senate Archives after each partial renewal of the Senate.
7. – By decision of its chairperson, a committee's work may be the subject to a communication to the press.
8. – A committee may decide to publicise all or part of its proceedings using whatever means it chooses.
9. – When a committee is asked to examine a government or a members' bill which will be voted on without debate, all of the committee's debates on the draft legislation shall be published in the *Journal officiel*. The vote may not take place until the fifth day after it has been published.
10. – The provisions of the preceding paragraph shall not be applicable when the vote without debate is turned into a vote after restricted debate.
11. – The committee may decide to sit in camera at the request of the Prime Minister, of its chairperson or of a tenth of its members. It shall then decide on publishing a report of its debates in the *Journal officiel*.

Article 17

1. – Any committee that considers itself competent to publish an opinion on a government or a members' bill, an article in a bill, or a budget appropriation remitted to another standing committee shall inform the President of the Senate that it wishes to do so. If the President receives only one request for an opinion, he/she shall send the document back to the standing committee that drew it up, and shall inform the Senate accordingly. The President shall otherwise inform the Chairpersons' conference, which may order either the request to be remitted to the various committees that drew up the request for opinions, or propose that the Senate establish a special committee.
2. – If a provision of a government bill or a members' bill is retro-active or interpretative, the committee concerned, as long as it is not a special committee, may seek for the opinion of the committee for Constitutional Acts, Legislation, Universal Suffrage, Standing Orders and General Administration on that matter.
3. – When a government or a members' bill has been remitted for an opinion, the committee to which it has been referred shall appoint a *Rapporteur* who shall have the right to participate on a consultative basis in the work of the referral committee. Conversely, the *Rapporteur* of the referral committee has the right to participate in the work of the committee asked for an opinion.
4. – Opinions shall be published. However, under extreme circumstances, the committee which has asked to give an opinion may also give it verbally on the day fixed for the discussion in a public sitting.

Article 18

1. – Members of Government shall have access to committees. They must be heard when they wish. Members of Government may attend the meeting during which votes will be taken on government or members' bills to be further examined in public sitting.
2. – In cases where, under Article 69 of the Constitution, the Economic, Social and Environmental Council appoints one of its members to state the Council's opinion on a government or a members' bill before the Senate, that member shall be heard under the same conditions.
3. – Authors of members' bills, draft resolutions and amendments who are not members of the committee shall be heard following a decision of the committee. They shall retire when the vote is taken.
4. – Each of the standing committees may appoint one or more of its members who shall have a statutory right to participate on a consultative basis in the Finance Committee work, while the articles of a bill or budget appropriations for which it has competence are being examined. These members shall receive the same notifications to attend meetings and documents as titular members of the Finance Committee.
5. – Special *Rapporteurs* of the Finance Committee shall participate as a matter of right on a consultative basis in the work of the standing committees whose competences match the appropriations for which they have responsibility.

Article 19

1. – Committees shall appoint a *Rapporteur* when each government or members' bill is being examined.
2. – During recesses and during intervals between sittings, reports adopted by committees may, in urgent cases, be immediately published.

Article 19a

1. – When the Constitution or the law provides for the consultation of a committee on an appointment, the relevant committee shall be requested to give its opinion on the proposed nomination by the President of the Senate. This opinion is given on a secret ballot. The chairperson of the committee shall inform the President of the Senate about both the committee's opinion and the result of the vote.
2. – For proposed appointments made by the President of the Republic, the President of the Senate shall communicate the committee's opinion and the result of the vote to the President of the Republic and to the Prime Minister.

Article 20

1. – Committees are summoned, through the good offices of their chairperson, in principle forty-eight hours before they are due to meet, or, when the Senate is not sitting, with one week's notice, except in case of emergencies. Letters of notification to the members of the committee must include the agenda and are also sent to the secretariat of each political group.

1a. – *Repealed by the Resolution of June 2, 2009.*

2. – On all committees, an absolute majority of members holding office, taking into account the provisions of Article 15, shall be necessary for the votes to be valid, if a third of the members present so request.

3. – A nominal vote is as a matter of right on all matters if requested by five members. The results of votes and the names of the voters shall be published in the *Bulletin des commissions*.

4. – If there has been no vote because of the absence of a quorum, the ballot shall take place legitimately, notwithstanding the number of present members, during the next sitting, which may not be held less than an hour later.

5. – The chairperson of a committee shall not have a casting vote; in the event of a tied vote, the question put to the vote shall not be adopted.

6. – On the day after every sitting of a committee, the names of the members who were present, substituted for, excused or on leave shall be inserted in the *Journal officiel*. Postponement of any vote for lack of a quorum shall also be noted.

Article 21

1. – The Senate may, at their request, grant standing and special committees authorisation to appoint fact finding missions on all questions relating to their competence. These missions may not take place outside of the french territory during the ordinary session except during weeks when the Senate is not sitting, or unless special permission is granted by the *Bureau*.

2. – A request for a fact finding mission must precisely set out the objective, the duration, and the names of the members of the projected mission. This shall be sent to the President, who shall inform the Senate during the next public sitting.

3. – The debate on the request shall be included in the agenda if the *Bureau* has issued a favourable opinion on the expenditure to be incurred by the fact finding mission.

4. – Unless the *Bureau* takes a contrary decision, information reports must be published within a period determined by the *Bureau* at the suggestion of the committee. This period may be extended by the *Bureau* at the committee's request.

Article 22

1. – In addition to other provisions that concern them, standing committees shall provide the Senate with information and conduct in their respective fields of competence, the monitoring of the government's action, the assessment of public policies and the follow-up of the implementation of legislation.

2. - The Finance Committee shall monitor and oversee implementation of finance laws and shall evaluate all matters relating to public finances.

3. – The Social Affairs Committee shall monitor and oversee implementation of social security financing laws and shall evaluate all matters relating to social security financing.

Article 22a

In line with their respective competences, and in accordance with the provisions of Article 164 of Ordinance 58-1374 of December 30, 1958 on the finance law for 1959, the various committees shall appoint Senators to oversee and evaluate the management of national companies and semi-public companies.

Article 22b

1. – Standing and special committees may, under Article 5b of Ordinance 58-1100 of November 17, 1958 relating to the functioning of parliamentary assemblies, ask the Senate to grant them the prerogatives given to inquiry committees. The request must precisely define the objective of the mission, and its duration, which may not exceed six months.

2. – The request shall be forwarded to the President of the Senate, who will inform the Senate during the next public sitting. The request shall appear on the Senate's agenda on the proposal of the Chairpersons' conference.

3. - The Committee for Constitutional Acts, Legislation, Universal Suffrage, Standing Orders and General Administration shall be asked, as long as the request does not emanate from the committee itself, to issue an opinion setting out whether the request complies with the provisions of Article 6 of the aforementioned Ordinance.

Article 23

A weekly *Bulletin des commissions* shall be published. It shall contain a report of the activities referred to in Article 20, together with any other information relating to the work of the committees that the *Bureaux* of the committees see fit to publish.

CHAPTER III A

Parliamentary office, delegations and other bodies

Article 23a

Authorities other than standing or special committees, the Committee on European Affairs, and the delegation on equal rights and chances between men and women shall in principle meet when the Senate is not sitting.

CHAPTER IV

Tabling government and members' bills

Article 24

1. – The tabling of government bills, of members' bills forwarded by the National Assembly, and of members' bills and draft resolutions submitted by Senators is registered at the President's office. It shall be reported in the *Journal officiel* and announced at the first sitting thereafter. Government and members' bills shall be remitted to the competent committee or to a special committee (subject to the constitution of a special committee). Government and members' bills shall be published. Their distribution shall be announced in the *Journal officiel*.

2. – Members' bills shall be linked to matters determined by the Constitution and Institutional Acts. If they are introduced by Senators, they shall not be admissible if their adoption could result either in a decrease of a public resource not compensated by another resource, or in the establishment of, or increase in, a charge on public funds.

3. – Draft resolutions shall be associated with decisions deriving from the exclusive competence of the Senate. They are inadmissible in all other cases except for those provided for in constitutional and institutional regulations.

4. – The *Bureau* of the Senate, or certain members especially appointed by the *Bureau* for that purpose, shall rule on the admissibility of members' bills and draft resolutions.

Article 24a

When a government bill is tabled, the President of the Senate shall be informed if the Government intends to apply the accelerated procedure set out in Article 45 paragraph 2 of the Constitution. In case of a members' bill, the Government shall inform of its decision to apply the accelerated procedure no later than when the members' bill is inserted in the agenda.

Article 25

Bills tabled by the Government may also be withdrawn by the Government at any stage of the procedure before they are finally adopted.

Article 26

The author or first signatory of a members' bill or a draft resolution may withdraw it at any time, even when a debate has been opened on it. If another Senator takes the bill up, the debate shall continue.

Article 27

1. – When the President of the Republic has asked that a bill be reconsidered, the President of the Senate shall inform the Senate of that demand either by announcing that the bill concerned has been returned to the National Assembly for consideration, or that it has been transmitted to the Senate in the first instance for another deliberation.

2. – The draft of this bill shall be sent back for examination by the committee that examined it previously.

3. – The request for further deliberation shall be printed together with the draft of the bill to which it applies.

Article 28

1. – Members' bills and draft resolutions that have been tabled by Senators and rejected by the Senate may not be re-introduced within a period of three months.

2. – Those members' bills and draft resolutions on which the Senate has not given a ruling shall be deemed to have lapsed at the opening of the third ordinary session following the one during which they were tabled. Government bills and draft resolutions tabled in the period between ordinary sessions, shall, for the purposes of calculating the date when they lapse, be moved to the first day of the ordinary session following the date when they were tabled.

3. – *Repealed by the Resolution of November 21, 1995.*

CHAPTER IV A

Examination of government and members' bills

Article 28b

1. – At least two weeks before the debate on a government or a members' bill, unless so decided by the Chairpersons' conference, the relevant committee shall meet.
2. – The committee report shall set out the text that it proposes to the Senate and the opinions of political groups. The text adopted by the committee is published separately.
3. – The committee shall determine its opinion on the amendments on the text it has proposed before the beginning of their discussion by the Senate. The referral committee shall have jurisdiction to rule on their admissibility, without prejudice to the application of Articles 40 and 41 of the Constitution and Article 45 of the present Standing Orders.

Article 28c

This chapter does not concern constitutional amendments, finance bills nor social security financing bills.

CHAPTER V

Placing items on the Senate agenda

Immediate discussion

Article 29

1. – Chaired by the President of the Senate, the Chairpersons' conference is made up of the deputy chairpersons of the Senate, the chairpersons of political groups, the chairpersons of standing committees, the chairpersons of special committees concerned, the chairperson of the Committee on European Affairs, the general *Rapporteurs* of the Finance Committee and of the Social Affairs Committee.
2. – The Chairpersons' conference shall be summoned by the President of the Senate. The meeting of the Chairpersons' conference may also be requested by at least two political groups on a defined agenda.
3. – The Government which shall be notified by the President of the Senate of the day and time of the meeting of the Chairpersons' conference may attend the meeting of the Chairpersons' conference.

4. – The Chairpersons’ conference shall set the Senate’s agenda and shall consider questions dealing with legislative procedure or information works and assessment on public policies.

5. – Within a time limit of ten days after the tabling of a government bill, the Chairpersons’ conference may observe the non compliance with the rules set for tabling such a bill in the Institutional law; in this case the government bill cannot be put on the Senate agenda. In case of disagreement between the Chairpersons’ conference and the Government, the President of the Senate or the Prime Minister may refer the matter to the Constitutionnal Council which has to decide within eight days.

6. – When the Government has decided to apply the accelerated procedure under the provisions of Article 45 paragraph 2 of the Constitution, the Chairpersons’ conference may oppose this decision. If informed of an opposition decided by the Chairpersons’ conference of the National Assembly, the Chairpersons’ conference of the Senate is without any delay convened by the President of the Senate.

7. – For votes taken at the Chairpersons’ conference, each chairperson of a political group is allocated a number of votes equal to the number of Senators belonging to the group not counting those who are members of the Chairpersons’ conference.

Article 29a

1. – Within the framework of weeks and days of sitting, the agenda is set by the Senate according to the proposals made by the Chairpersons’ conference.

2. – At the beginning of each ordinary session, the Chairpersons’ conference shall determine the weeks of sittings and share them between the Senate and the Government with its approval.

3. – The Chairpersons’ conference shall decide which weeks will be reserved by priority to the monitoring of the Government’s action or the assessment on public policies.

4. – At the beginning of each ordinary session, and at the latest on the following March 1, or after the composition of the Government, the latter shall inform the Chairpersons’ conference of the subjects which it plans to put on the agenda of the Senate and of the date planned for their discussion.

5. – The Chairpersons’ conference shall schedule days reserved with priority to the agenda proposed by opposition and minority groups and shall draw up the procedures for such an agenda.

6. – The Chairpersons’ conference duly records the requests for priority inclusion on the agenda made by the Government and shall propose to the Senate its priority agenda or in addition to the priority agenda, the requests of the Government or of the agenda drawn up for monitoring of the Government’s action or the assessment on public policies.

7. – The agenda may be modified at the request of the Government, of a political group or of the competent committee.

8. – Conclusions of the Chairpersons' conference as well as modifications of the agenda are immediately brought to the knowledge of Senators.

Article 29b

1. – The organization of general debates on bills submitted to the Senate and of debates placed on the agenda may be decided by the Chairpersons' conference which shall set the total amount of speaking time allotted to the different political groups and to Senators not belonging to any group.

2. – This time shall be allocated by the President of the Senate in a manner guaranteeing each group an identical minimum amount of time according to the general length of the debate and a specific amount of time to Senators not belonging to any group. The remaining time available is then shared between political groups according to the number of their members.

3. – In the absence of a decision made by the Chairpersons' conference and subject to special provisions of the Standing Orders, a two hour speaking time is allotted for any general discussion on any bill or for any debate set on the agenda. This speaking time is divided according to the proportional representation of political groups with a minimum of ten minutes for each group and of five minutes for Senators not belonging to any group.

4. – Registration to speak shall take place at the latest on the day before the debate starts. This registration shall be carried out by the chairpersons of groups or by the Delegate of the Senators not belonging to any group, who shall in turn indicate to the President of the Senate the order in which they want these speakers to be called, as well as the duration of their interventions.

5. – Groups other than those to which belong the representatives of the relevant committees shall each indicate their first speaker; such speakers will speak after the committees by drawing lots.

6. – An opportunity to speak shall be given to all registered speakers by calling successively one from each group and one of the Senators not belonging to any group and in an order determined as follows:

7. – At the beginning of each ordinary session, the chairpersons of groups and the Delegate of the Senators not belonging to any group shall determine the order in which their speakers will follow one another by drawing lots. In each subsequent general debate, this order shall be modified by one place in such a way that each group shall be placed at the level immediately above, while the group that was previously at the top shall move to the last place.

Article 30

1. – Immediate discussion of a government or a members' bill may be requested at any time by the competent committee or, in the case of a text introduced by a Senator, by its author.

2. – The request shall be communicated to the Senate and posted. The Government shall also be informed. No ruling may be given on the request for an hour, but after the second reading, this waiting period shall not apply to matters relating to a request for immediate discussion from the committee.

3. – A committee may request immediate discussion without the one hour delay of a matter that comes within its competence, providing that the request was formulated at least twenty-four hours before the Senate has to give a ruling on it, and that it has been published in the *Journal officiel* after the agenda previously drawn up.

4. – When immediate discussion is requested by the author of a members' bill without the prior agreement of the competent committee, the request shall only be communicated to the Senate if it has been signed by thirty Senators whose presence must be established by a roll call.

5. – A ruling shall only be given on the request for immediate discussion after the government and members' bills placed on the agenda as matters of priority have been examined during the public sitting.

6. – Debate on a request for immediate discussion on a government or members' bill or on a draft resolution must never deal with the substance of the matter: only the author of the request, one speaker 'against' and the chairperson of the committee or the *Rapporteur* and the Government may be heard. No explanation of the vote shall be allowed.

7. – When a decision has been reached on an immediate discussion, deliberation may take place on a verbal report: under Article 42, deliberation includes a general discussion, an examination of the articles, and a vote on the whole text.

8. – Provisions on coordination shall apply to immediate discussion.

Article 31

1. – Except in cases of a new deliberation or of an immediate discussion, and when discussion has been placed on the agenda by the Government as a matter of priority, a government or members' bill may only be placed on the agenda for a date after distribution or publication of the report.

2. – However, when a finance bill is referred to the Senate under the conditions provided for in Article 47 paragraph 2 of the Constitution, a debate shall be scheduled automatically if a request is made to do so by a Senator after ten days of the bill being tabled with the Senate *Bureau*.

CHAPTER VI

Conduct of meetings in plenary sittings

Article 32

1. – The sittings of the Senate shall be held in public.
2. – The Senate shall normally meet in public sittings every week on Tuesday, Wednesday and Thursday. The Senate may also decide to hold meetings on other days within the limitations mentioned in Article 28 paragraph 2 of the Constitution, and at the request of either the Chairpersons' conference, the Government or the referral committee.
3. – The Senate shall hold meetings on Tuesday morning subject to political groups meetings and without prejudice to Article 77, on Tuesday afternoon, on Wednesday afternoon and on Thursday morning and afternoon.

The Senate may decide to hold sittings at night following a proposal made by the Chairpersons' conference, the Government or the referral committee.

4. – *Repealed by the Resolution of November 21, 1995.*
5. – At the request of the Prime Minister or of a tenth of the members holding office whose presence must be established by a roll call, the Senate may decide to meet in secret session by a vote expressly to that effect and without debate.
6. – When the reason that has given rise to a meeting being held in secret session no longer applies, the President shall consult the Senate on reverting to meet in public sitting.
7. – The Senate shall subsequently decide whether the full report of the debates that took place in secret session should be published.

Article 32a

1. – At the beginning of each ordinary session, the Senate shall, on the proposal of the Chairpersons' conference, determine the weeks when sittings shall take place. The Senate may subsequently decide to modify these weeks on the proposal of the Chairpersons' conference.
2. – Under Article 28 of the Constitution, sitting days shall be those on which a sitting has been opened.
3. – Under the conditions mentioned in of Article 28 paragraph 3 of the Constitution, the Senate may, following a decision taken by the Prime Minister after consultation with the President of the Senate or on the basis of a decision taken by a majority of the members of the Senate, hold additional sitting days over

and above the limit fixed in paragraph 2 of the same article or apart from sitting weeks previously set.

4. – When the decision emanates from the Prime Minister, the President of the Senate shall inform the Senate, if it is sitting. At all events, the chairpersons of political groups and the chairpersons of committees shall be informed of any additional sitting days; all Senators shall also be notified in writing.

5. – A majority of the Senate may also decide to hold additional sitting days. The request, accompanied by a list of the signatories and their signatures, shall be sent to the President of the Senate. The President shall then inform the Government, the political group chairpersons and the committee chairpersons of the additional sitting days. The President shall also inform all Senators of the additional sitting days in writing.

6. – Additionally, following the proposal of the President of the Senate, the Chairpersons' conference, a chairperson of a political group or a chairperson of a standing or special committee, the Senate may, by a public ballot and by a majority of its members, decide to hold additional sitting days. This decision shall be covered under information measures set out in paragraph 5.

Article 33

1. – The Senate shall always be quorate when discussing and organising its agenda.

2. – The President shall open the sitting, control deliberations, ensure compliance with the Standing Orders and maintain order. He/she may adjourn or close sittings at any time.

3. – The Secretaries shall oversee the editing of the reporting, the monitoring, the registering of roll calls and votes held by show of hands or by a sitting and standing vote, and the counting of the votes. At least two Secretaries must always be present in the *Bureau*. In their absence, the President may call on the youngest members of the Senate to fulfill their duties.

4. – At the beginning of every sitting, the President shall submit the report from the previous sitting to the Senate for its adoption.

5. – The opportunity to speak for a maximum of five minutes shall be given to any Senator who so requests in order to comment on the report.

6. – If the report gives rise to an objection, the sitting shall be adjourned to enable the *Bureau* to examine the proposed modifications to the report. When the sitting reconvenes, the President shall announce the *Bureau's* decision. Then the report shall be adopted by a vote without debate and by an ordinary public ballot.

7. – After the report has been adopted, it shall be signed by the President or the Deputy Chairperson who chaired the sitting, and by two Secretaries.

8. – If the report is rejected, discussion on this item will be placed on the agenda of the next sitting after the examination of matters having a precedence under the provisions of Article 48 of the Constitution.

9. – If that is the case, the verbatim report, signed by the President and countersigned by two Secretaries, shall vouch for the validity of texts adopted during the sitting.

Article 34

1. – Senators may present their apologies for not attending a particular sitting. Senators may also request leave from the Senate: applications must take the form of a written, reasoned declaration sent to the President.

2. – The *Bureau* of the Senate shall give an opinion on the request for leave; the opinion shall be submitted to the Senate.

3. – The leave shall terminate by means of a written, personal declaration from the Senator.

4. – Leave shall not confer the entitlement to proxy votes.

Article 35

1. – Before moving on to the agenda, the President shall inform the Senate of any communications which concern the Senate; the Senate may, if it sees fit, order that they be printed.

2. – No motion, address or bill may be submitted to the Senate for a vote without first being the subject of a report of a standing or special committee; this shall not apply to motions presented at the conclusion of an open debate in the conditions set out in Article 39 paragraph 2.

Article 36

1. – No Senator may speak unless he/she has asked the President for permission, and received it, even if he/she is exceptionally authorised by a speaker to interrupt. In the latter case, the interruption may not exceed two minutes.

2. – No Senator may speak in a public sitting for more than forty-five minutes, even if he/she does so on behalf of a committee.

3. – An opportunity to speak shall be given immediately to any Senator who seeks to do so for a point of order. However, the author of the request must refer to a precise provision of the Standing Orders other than those in this paragraph; the opportunity to speak shall otherwise be withdrawn. The right to speak shall be given, although only at the end of the sitting, to Senators who request to do so for a matter of personal concern. In either case, Senators may not speak for more than five minutes.

4. – Senators who ask to speak may not do so on behalf of one of their colleagues. They are listed in the order that they express their requests, except under provisions set out in Article 29b.
5. – Speakers shall address the Chamber from the rostrum or from their seats. The President may invite them to speak from the rostrum.
6. – If the President believes that it is necessary to do so for the Senate to be properly informed, he/she may exceptionally authorise a speaker to continue his speech beyond the maximum amount of time provided for in the Standing Orders.
7. – If a speaker addresses the Chamber without permission, or attempts to continue to speak after the President has withdrawn permission, the President may declare that his/her words shall not appear in the report.
8. – A speaker may not stray from the subject, as the President will otherwise make him/her return to the point.
9. – If a speaker who has been made to return to the question twice in the same speech continues to stray from the subject, the President must consult the Senate as to whether the speaker might have his/her right to speak on that subject withdrawn for the remaining time of the sitting. The Senate shall decide on the matter without debate and by a show of hands; in the event of any doubt, the speaker shall not be banned from speaking.
10. – It is forbidden for members to address one another personally.

Article 37

1. – The right to speak shall be given to members of government, to chairpersons and *rapporteurs* of the committees concerned when they request it.
2. – *Commissaires du Gouvernement* may also intervene at the Government's request.
3. – A Senator may always have permission to speak for a period not exceeding five minutes, and immediately after a member of the Government or the representative of a committee when no speaker is previously enrolled in the debate or when no intervention is otherwise expressly provided for in the Standing Orders. However, an opportunity to speak may not be given to a Senator in order to reply to the Government or a committee in an amendment debate or on a motion referred to in Article 44.
4. – The chairpersons and *rapporteurs* of committees may be assisted in discussions in a public sitting by civil servants of the Senate of their choosing, whose names have been notified in writing to the President of the Senate.

Article 38

1. – When at least two speakers with different opinions have intervened in the general discussion on a bill except under provision set out in Article 29b, on the whole of an article or in explanations of vote on an amendment, an article or the whole of the text under discussion, the President, a chairperson of a political group or the chairperson of the referral committee may propose that the discussion be closed.
2. – The President shall ask the Senate to vote on a show of hands. The approval of this proposal shall lead to an immediate suspension of the sitting and to the convening of the Chairpersons' conference.
3. – The Chairpersons' conference shall vote on the organization of the continuation of the debate. A majority of three fifth is required.
4. – If there is any disagreement, the closure shall take place immediately after a speaker for each group has been able to speak, on their request, for five minutes each.
5. – In case of a renewed request for closure, the President shall consult the Senate by a show of hands. If closure is accepted, provisions of the previous paragraph shall apply to the sitting.

Article 39

1. – A reading at the Senate's rostrum by a member of the Government of the Government's program and possibly the general policy statement, in relation to which the Government engages its responsibility before the National Assembly, under Article 49 paragraph 1 of the Constitution, but for which it does not seek the Senate's approval, may not be the subject of any debate, and does not give the right of reply provided for in Article 37 paragraph 3 of the Standing Orders.
2. – When the Government, using its powers under the final paragraph of Article 49 of the Constitution, asks the Senate to approve a general policy statement, this statement shall be the subject of a debate, at the end of which, in the absence of any other proposal, the President shall consult the Senate on approval by public ballot. However, this debate may not take place at the same time as any debate possibly opened in the National Assembly on the same statement.
- 2a. – When, on the proposal of the Government, the President of the Republic has decided to submit a Government bill to a referendum, the Government's statement referred to in Article 11 paragraph 2 of the Constitution shall be the subject of a debate. If discussion on the Government bill has already started, it shall be adjourned immediately.

2b. – When on the proposal of the Government, the President of the Republic has decided to consult the electorate in an overseas territorial unit over a change of institutional regulation as provided for in Article 72-4 paragraph 1 or in the final paragraph of Article 73 of the Constitution, the Government's statement shall be the subject of a debate.

3. – Under circumstances other than those referred to in paragraphs 2, 2a and 2b, in which the Government makes a statement to the Senate, this statement may, on a decision of the Chairpersons' conference, be the subject of a debate. If the statement is not the subject of a debate, this gives one Senator from each group the right of reply provided for in Article 37 paragraph 3 of the Standing Orders. The order of speaking shall be determined by a drawing of lots, as provided for in Article 29b.

3a. – When the Government, using its powers under Article 50-1 of the Constitution makes a statement to the Senate on a particular issue, this statement may be the subject of a debate. If this statement is made at the request of a political group, the chairperson of the group, author of the request or its representative, shall speak after the Government. If the Government asks for a vote, the President shall consult the Senate on the approval of the statement by an ordinary public ballot. No explanation of vote is allowed.

4. – Debates begun under the provisions of this Article shall be organised according to provisions set out in Article 29b, with a specific time also being fixed, if appropriate, for the chairpersons of the special and standing committees concerned. Except for cases set out in paragraph 2 and in the last two sentences of paragraph 3a of this Article, these debates shall be closed after listed speakers and any response from the Government have been heard.

Article 40

1. – Any personal attack, demonstration or interruption creating disorder are forbidden.

2. – If circumstances so demand, the President may announce that he/she will adjourn the sitting. If order is not restored, he/she will do so. When the meeting resumes, and if the circumstances remain the same, he/she shall close the sitting.

Article 41

1. – Before closing the sitting, the President shall inform the Senate of the date and the agenda for the next sitting.

2. – Official minutes shall be produced for each public sitting, and a comprehensive report shall be published in the *Journal officiel*.

CHAPTER VII

Discussion of government bills and members' bills

Article 42

1. – Bills submitted on behalf of the Government and tabled with the Senate *Bureau*, government and members' bills transmitted by the National Assembly, and members' bills or draft resolutions tabled by Senators shall be debated in a public sitting as follows:

2. – Government bills and members' bills transmitted by the National Assembly and accepted by the Government shall be the subject of a discussion opened by the Government, and continued through the presentation of the referral committee's report. For the first reading of a members' bill tabled with the Senate, the discussion shall be opened by the author for a maximum of twenty minutes and shall go on with the presentation of the committee's report.

3. – When the report has been published, the *Rapporteur* shall complete and comment on it; a formal reading being excluded. Except where a contrary decision has been made by the Chairpersons' conference, the *Rapporteur's* presentation shall not exceed twenty minutes. When the procedure goes on to a discussion of the articles, the *Rapporteur* must inform the Senate of the current state of the committee's work after the examination of the amendments and sub-amendments that it has been working on, when it results in a substantial change to the committee's final report.

4. – When, in accordance with Article 69 of the Constitution, the Economic, Social and Environmental Council has chosen one of its members to provide the Senate with the Council's opinion on a government bill or members' bill submitted to it, the appointment shall be notified to the President of the Senate by the President of the Economic, Social and Environmental Council. The Economic, Social and Environmental Council representative shall have access to the Chamber for the entire duration of the discussion in a public sitting. The President shall give the representative an opportunity to speak before the report from the referral committee has been presented. The opinion shall be given in the form set out in Article 50 of the Standing Orders of the Economic, Social and Environmental Council. In particular, it must report on the positions taken during a session of the Council by groups, and particularly by minorities, on the whole of the text and on its main provisions. At the request of the chairperson of the referral committee, and in the ensuing discussion, an opportunity to speak shall be given to the representative of the Economic, Social and Environmental Council to present the Council's point of view.

5. – After the general discussion has ended, the Senate shall move on to the discussion of the articles.

6. – Discussion of the articles in government bills or members' bills shall focus on the text adopted by the committee.

If the committee does not present any text or if the committee opposes a preliminary motion, an inadmissibility exception or a motion to refer back to the committee that the Senate rejects, the debate shall focus on the text of the government bill or members' bill as it has been tabled or transmitted or, in case of a rejection by the National Assembly after transmission by the Senate, on the text previously adopted by the latter. The same procedure applies to amendments to the Constitution, to finance bills and to social security financing bill.

If the Senate examines the conclusions drawn up by a joint committee the discussion shall focus on the draft made up by the joint committee.

7. – The discussion shall focus on each article, and then on associated amendments. However, under Article 44 of the Constitution, and if the Government so requests, the Senate shall express a view on the whole or on part of the text under discussion, retaining only the amendments proposed or accepted by the Government. Therefore opportunities to speak on each amendment shall only be given to one speaker 'in favour', one speaker 'against', the committee and the Government.

8. – Each speaker has only one opportunity to speak on the whole of an article, except in the exercise of the right of reply to members of Government and *Rapporteurs*, and subject to explanations of votes; interventions and explanations of votes may not exceed five minutes.

9. – In complex matters, the text must be divided if a request to do so is made. The President may decide such a division.

10 to 11a. – *Repealed by the Resolution of June 2, 2009.*

12. – When the Senate examines a text drawn up by a joint committee, no amendment will be admissible, except with the Government's agreement. When the Senate is invited to express its view prior to the National Assembly, it shall first give a ruling on the amendments and then, on a single vote, on the whole of the text. On the contrary, it shall have a single vote on the whole text, only retaining the amendments agreed by the Government.

13. – After a vote has been taken on all the articles, there shall be a vote on the whole of the text.

14. – When no additional article has been proposed prior to the vote on the single article of a government or a members' bills, this vote is tantamount to a vote on the whole text. No additional article shall be admissible after this vote.

15. – General considerations may not be presented on the whole of the text; only brief explanations not exceeding five minutes shall be allowed before a vote is taken on the whole text.

Article 43

1. – Before a vote is taken on the whole of a government bill or members' bill, the Senate may decide, at the request of one of its members, that the text should be remitted to the committee for coordination. In the debate on this request, an opportunity to speak shall only be given to the author of the request or his/her representative, a speaker with a contrary view with a maximum of five minutes each, the chairperson or *Rapporteur* of the referral committee and the Government. No explanation of vote is allowed.

2. – Remittance for coordination shall be as a matter of right if the committee so requests.

3. – If there are grounds for remitting the text for coordination, the sitting shall be suspended if the referral committee so requests: the committee's work shall be submitted to the Senate as soon as possible; the debate may only focus on the wording.

4. – Before a vote is taken on the whole of a text, all or part of it may, on the decision of the Senate, be remitted to the committee for a second deliberation as long as the request to remit has been formulated or accepted by the Government. In the debate on that request, an opportunity to speak shall only be given to the author of the request or his/her representative, a speaker with a contrary view with a maximum of five minutes each, the chairperson or *Rapporteur* of the referral committee of the bill and the Government. No explanation of vote is allowed.

5. – If there are grounds for a second deliberation, the texts adopted during the first deliberation shall be remitted to the referral committee which shall present a new report.

6. – In its second deliberation, the Senate shall give rulings only on the Government's or the committee's new proposals presented in the form of amendments, and on sub-amendments that apply to the amendments.

7. – Before a vote is taken on the whole text, no vote that has already been taken may be returned to without prior remittance to the referral committee either for coordination or for a second deliberation.

Article 44

1. – During the discussion, objections, questions, motions and priority requests shall be proposed and discussed in the order set out below:

2. – An inadmissibility objection aiming at demonstrating that, unless it is covered by Article 45 below, the text under discussion is contrary to constitutional, legal or regulatory provisions, and whose effect, if it were to be adopted, would be the rejection of the text against which it was raised. Unless it emanates from the Government or the referral committee, only one inadmissibility objection may be raised in the course of a given debate before the discussion of the articles. The

vote on inadmissibility shall take place immediately after the limited debate referred to in paragraph 8 below;

3. – The preliminary question, aiming at deciding either that the Senate opposes the whole text or that there are no grounds for continuing the deliberation. It may only be raised once in the course of a given debate before discussion of the articles or, if it emanates from the referral committee or the Government, either after the Government and *Rapporteurs* have been heard, or before discussion of the articles, and, at all events, after discussion of any inadmissibility objection relating to the whole of the text. A vote on the preliminary question shall take place immediately after the limited debate referred to in paragraph 8. Adoption shall cause the text to which it applies to be rejected;

4. – Incidental and prejudicial motions, aiming at governing a debate with one or more conditions relating to the text under discussion, and the effect of which, if adopted, is to defer the debate until the condition or conditions are complied with ;

5. – Motions remitting part or all of the text under discussion to the committee, aiming, if adopted, to suspending the debate until the committee presents a new report. When a text has been placed as a priority item on the agenda by a decision of the Government, the referral committee must present its conclusions during the same sitting, unless otherwise agreed with the Government A request to remit to the committee emanating neither from the Government nor from the referral committee is inadmissible if a vote on a request to remit the whole of text has already taken place;

6. – Requests for priority or reserve, the aim of which, if they are adopted, is to amend the order of discussion on the articles of a text or on the amendments. When the request emanates from the referral committee, priority or reserve are as a matter of right, unless this is opposed by the Government. In the latter case, the request shall be submitted to the Senate, which shall give a ruling without debate.

7. – The motions referred to in paragraph 4 may not be presented during discussion on Government and members' bills that have been placed as priority items on the agenda following a decision of the Government.

8. – In debates opened under the terms of this article, only the author of the initiative or his/her representative, a speaker with a contrary view, the chairperson or the *Rapporteur* of the referral committee and the Government may speak. Interventions by the author of the initiative or his/her representative and the speaker with a contrary view may not exceed five minutes on a request for priority or reserve, fifteen minutes in debates on the whole of the government or members' bill under discussion, and five minutes for all other debates. Prior to a vote on the motions referred to in paragraphs 2 to 4, an opportunity may be given to a representative of each group to speak on the explanation of the vote for a maximum of five minutes.

Article 45

1. – The Finance Committee shall check the admissibility of amendments regarding provisions of Article 40 of the Constitution. Inadmissible amendments shall not be distributed.

2. – Similar provisions shall apply to amendments contrary to provision of the Institutionnal Act relating to finance acts.

3. – The Social Affairs Committee shall examine the admissibility of amendments tabled according to Article L.O.111-3 of the Social Security Code.

4. – During a sitting, any Senator or the Government may raise a question of admissibility based on Article 40 of the Constitution, on one of the provisions of the Institutionnal Act relating to finance acts or on Article L.O.111-3 of the Social Security Code. Inadmissibility is mandatory without any debate, if it is confirmed by the Finance Committee or by the Social Affairs Committee.

5. – When the committee is unable to announce its conclusions on the admissibility of the amendment immediately, the article under discussion shall be reserved. When the committee believes that there is doubt, its representative may ask to hear the explanations of the Government, and of the author of the amendment, who may speak for five minutes. If the committee's representative believes that there is still doubt, the amendment and the corresponding article shall be reserved and remitted to the committee. In the cases referred to in this paragraph, if the committee has not announced its conclusions on admissibility before the end of the debate, inadmissibility shall be allowed tacitly.

6. – In the case mentioned under Article 29b paragraph 1, the Chairperson of the referral committee shall give a ruling on the admissibility of amendments and sub-amendments with regard to Article 40 of the Constitution and Article L.O.111-3 of the Social Security Code.

7. – Inadmissibility as set out in Article 41 paragraph 1 of the Constitution may be raised by the Government or by the President of the Senate against a members' bill or an amendment before plenary discussion on it begins. When it is opposed by the Government or by the President of the Senate in a public sitting, the sitting shall be suspended, if appropriate, until the President of the Senate or, as the case may be, the Government rule if the inadmissibility concerns a members' bill. Should it be opposed to an amendment, discussion on the amendment and, if appropriate, on the article attached to it shall be reserved until the President of the Senate or, as the case may be the Government has delivered a ruling.

8. – In any of the cases referred to in the preceding paragraph there are no grounds for a debate. The President of the Senate may consult the Chairperson of the Committee for Constitutional Acts, Legislation, Universal Suffrage, Standing Orders and General Administration or a member of the *Bureau* of this committee specially assigned to that task. Inadmissibility is mandatory when it is confirmed by the President of the Senate or as the case may be, by the Government. If the

President of the Senate and the Government disagree, the Constitutional Council shall be informed at the request of one or the other, and discussion shall be suspended until the Council's decision, which must be communicated to the Senate by the President immediately.

Article 46

1. – Amendments relating to expenditure may only refer to budget appropriations that are the subject of a vote under the provisions of Article 43 of the Institutional Act relating to finance acts.
2. – Amendments to increase a particular mission appropriation above the amount earmarked by the Government are inadmissible, and may not be put to the vote by the President.

Article 47

When a bill authorising ratification of a treaty concluded with a foreign power has been referred to the Senate, there shall be no vote on the articles of the treaty, but only on the bill authorising ratification.

Article 47a

1. – When applying the provisions of Article 42 of the Institutional Act relating to finance acts, a vote shall be taken on the whole of the first part of the year's finance bill under the same conditions as for the whole of a government bill as a whole. The second deliberation shall be as a matter of right if requested by the Government or the Finance Committee.
2. – When the Senate does not pass the first part of the finance bill, the whole of the government bill shall be deemed rejected.
3. – Before a vote is taken on the whole of the finance bill, the provisions in Article 43 paragraphs 4 to 6 may not be applied to articles in the first part of the bill, although coordination may take place at the request of the Government or of the Finance Committee.

Article 47a 1A

1. – When applying Article L.O-111-7-1 of the Social Security Code, a vote shall be taken on each of the four parts of the social security financing bill.

Before each vote, the second deliberation shall be as a matter of right, if requested by the Government or by the Social Affairs Committee.

2. – When the Senate does not pass the provisions of the Social security financing bill concerning income and the general balance for the year to come, the fourth part of the bill shall be deemed rejected.

3. – Before the vote on the whole of the social security financing bill is taken, coordination may take place under conditions provided for in Article 43.

Article 47a-1

When applying the provisions of the Institutionnal Act relating to finance acts, the Chairpersons' conference, on the proposal of the Finance Committee, shall determine precisely how discussion on the year's finance bill will take place.

Article 47a-2

When applying the provisions of the Institutionnal Act relating to social security financing bills, the Chairpersons' conference, on the proposal of the Social Affairs Committee, shall determine precisely how discussion on the year's social security financing bill will take place.

CHAPTER VII A

Foreshortened procedures

Article 47b

1. – At the request of the President of the Senate, of the chairperson of the referral committee, of the group chairperson or of the Government, the Chairpersons' conference may decide on a vote without debate or a vote after limited debate on a government or members' bill. The Chairpersons' conference shall fix a deadline for the tabling of amendments.

2. – A decision on a vote without debate or on a vote after limited debate may only be taken with the agreement of all the chairpersons of political groups.

Article 47c

1. – When there are grounds for a vote without debate, the committee may not meet to examine the text and associated amendments before seventy-two hours after the deadline for the tabling of amendments has lapsed. Each Senator and the Government shall be informed immediately about the date, venue and purpose of the meeting.

2. – The signatory, or one of the signatories, to each amendment may participate in the committee's debate. Government participation is a matter of right.

Contrary to the provisions of Article 18 paragraph 1, members of Government may attend votes taken at this meeting.

3. – When, in the course of this sitting, the Government raises a question of admissibility based on Article 41 of the Constitution, debate shall be suspended

and the President of the Senate shall be informed immediately. Inadmissibility shall be a matter of right if it is confirmed by the President of the Senate.

4. – When the President of the Senate and the Government disagree, the procedure set out in Article 45 paragraph 6 of the Standing Orders shall apply.

5. – When an inadmissibility objection is based on the provisions of Article 40 of the Constitution or on the provisions of the Institutional Act relating to finance acts, inadmissibility shall be decided by the Finance Committee.

Article 47d

1. – When there are grounds for a vote without debate in a public sitting, any amendment rejected by the committee may be raised again before the end of the general discussion by the author, who is given five minutes to present them. This shall be followed by a vote on these amendments, on those adopted by the referral committee if any, and on the article to which they refer. The same procedure shall apply to sub-amendments on which the committee has not given a ruling.

2. – The President shall put the whole of the text to the vote, and in the case of articles other than those adopted under the terms of the paragraph above, the amendments adopted by the committee. Before the vote, the opportunity to speak for five minutes shall be given to a representative of each group.

3. – The committee's report shall include the rejected amendments in an annex.

Article 47e

1. – If there are grounds for limited debate, an opportunity to speak will only be given to the Government, to the chairman and *Rapporteur* of the referral committee, to the authors of the amendments and, on each amendment, to a speaker with a contrary view. Interventions other than those of the Government may not exceed five minutes.

2. – Subject to the provisions Article 44 paragraph 3 of the Constitution, the President shall only put amendments, articles and the whole of the government or members' bill to the vote.

3. – Before a vote on the whole of the government or members' bill, an opportunity to speak for five minutes may be given to a representative of each group.

Article 47f

1. – A vote without debate shall automatically become a vote after limited debate if the Government so requests. This request must be formulated no later than four days before the date scheduled for the vote on the text in a public sitting.

2. – In such cases, a vote after limited debate is a matter of right, if the Government has tabled one or more amendments after the committee's opinion is expressed.

Article 47g

Government and members' bill submitted to a vote without debate or to a vote after limited debate may only fall within the provisions of Article 44 of the Standing Orders if issued at the meeting of the committee, or in a public sitting if they emanate from the relevant committee or the Government.

Article 47h

There shall be no vote without debate nor vote after limited debate on government and members' bills on the revision of the Constitution or Institutional Acts, government and members' bills granting amnesty, Finance bills, government bills under Article 38 of the Constitution, government bills authorising the extension of a state of siege, government and members' bills relating to the electoral system of parliamentary and local assemblies, government and members' bills concerning the fundamental principles underlying the free administration of local authorities, their competences and resources, government and members' bills concerning the fundamental guarantees provided to citizens in the exercise of public freedoms, or laws presented to the Parliament under the terms of Article 10 paragraph 2 of the Constitution.

CHAPTER VII B

Simplified examination procedure

Concerning international or fiscal conventions

Article 47g

At the request of the President of the Senate, the chairperson of the referral committee, a chairperson of a political group or of the Government unless one of those oppose the decision, the Chairpersons' conference may decide on a vote without a debate on a government bill authorizing the ratification or the approval of an international convention or tax treaty. In case of emergency, the Senate may take the same decision.

Within a delay determined by the Chairpersons' conference or as it is by the Senate, the reimplementation of the usual procedure may be requested by a group chairperson.

During the public sitting, the President shall put the whole of the text to the vote directly.

CHAPTER VIII

Amendments

Article 48

1. – The Government and Senators shall be empowered to propose amendments and sub-amendments to texts submitted for discussion before the Senate, or which are to be voted on without a debate.

2. – Amendments and sub-amendments shall be restricted to those made in writing, signed by one of the authors and tabled with the Senate *Bureau*. A Senator, as an individual or as a member of a political group, may not be the signatory or a co-signatory of several identical amendments or sub-amendments. Amendments and sub-amendments must include a brief reasoning. They shall be communicated by the President to the competent committee, and published. However, failure to print and distribute an amendment or a sub-amendment shall not prevent it from being discussed in a public sitting.

3. – Amendments are admissible if they actually relate directly to the text with which they are associated or during the first reading, if they have an even indirect link with the purpose of the text being discussed.

4. – Subject to specific provisions, sub-amendments shall be governed by the same rules of admissibility and discussion as amendments. Sub-amendments are only admissible if they do not have the effect of contradicting the meaning of the amendments to which they refer.

5. – From the second reading onwards, the discussion on articles or budget appropriation shall be limited to those where no identical text or amount has been adopted by both assemblies.

6. – As a consequence, during the second and the subsequent readings no amendment nor additional article with the effect of challenging either directly or with incompatible additions, articles or budgetary credits already passed in an identical writing by both assemblies, shall be accepted. Similarly, no change or adjunction without any direct relation with a provision under discussion is admissible. 7. – Exception to the previous rules shall be accepted in order to comply with the Constitution, to ensure a coordination with other texts in discussion or to correct an error.

8. – The referral committee is competent to examine the admissibility of amendments or sub-amendments in any cases mentioned in the present article.

9. – Based on the present article and at any time of the discussion in a public sitting, the referral committee, any Senator or the Government may raise an inadmissibility objection concerning one or several amendments. Such an inadmissibility shall be as a matter of right and with no debate if confirmed by the relevant committee.

10. – In cases other than those referred to in the present article and in Article 45, the issue of the admissibility of amendments and sub-amendments shall be presented before they are discussed, for a decision by the Senate. An opportunity to speak shall be given only to the author of the issue of admissibility, a speaker with a contrary view and the committee (for five minutes each) and the Government. No explanation of the vote shall be allowed.

Article 49

1. – Amendments shall be discussed after the text that they seek to modify has been discussed, and shall be voted on before a vote is taken on this text.

2. – Amendments shall be voted on in the following order: deletion amendments followed by other amendments starting with those that depart furthest from the proposed text, and in the order that they oppose, overlap and complement this text. However, if the Senate has adopted a motion of precedence or a reserve, under the conditions set out in Article 44 paragraphs 6 and 8, the order of voting shall be modified accordingly. When they contradict one another, and in the absence of a contrary decision by the Chairpersons' conference or by decision of the Senate made on the proposal of the referral committee, amendments shall be the subject of a joint debate, except for amendments deleting the article.

3. If the Senate discusses a committee's report and if its conclusions raise a preliminary question, they shall take priority over amendments dealing with the substance of the issue under discussion.

4. – The President shall only submit amendments and sub-amendments tabled with the Senate *Bureau* for discussion in a public sitting.

5. – The Senate shall not discuss an amendment unless it is defended during the debate. After the debate has opened, the Government may oppose the examination of any amendment that has not previously been submitted to the committee.

6. – Opportunities to speak on each amendment, other than explanations of the vote, may only be offered to one of the signatories, the Government, the chairperson or *Rapporteur* of the committee and a Senator with a contrary view. The signatory of the amendment shall have three minutes to describe the grounds of the amendment. The speaker with a contrary view shall have the same amount of time. Explanations of the vote shall be allowed for a period not exceeding five minutes.

6a. – An amendment withdrawn by its author after discussion has commenced may be taken up by a Senator who was not a signatory. Discussion shall resume from the point it had reached.

7. – When the committee believes that certain amendments could, if they were adopted, have the effect of profoundly changing the whole of the text being discussed by the Senate, it may request them to be remitted to it for new examination. In these circumstances, remittance is a matter of right. The committee must present its conclusions during the same sitting, except by agreement with the Government.

Article 50

At the request of the committee concerned, the Chairpersons' conference may decide to set a deadline for the tabling of amendments. The decision of the Chairpersons' conference shall appear on the agenda. This deadline shall not concern amendments from the referral committee or the Government, or sub-amendments. It shall be postponed to the beginning of the general debate when the report of the referral committee is not published the day before the beginning of the general debate in the public sitting.

CHAPTER VIII A

Resolutions under Article 34-1 of the Constitution

Article 50a

1. – Subject to provisions of this chapter, draft resolutions tabled under Article 34-1 of the Constitution shall be subject to the same rules provided for other resolutions by these Standing Orders.

2. – Draft resolutions may be tabled on behalf of a political group by its chairperson.

3. – Draft resolutions shall not be sent to a standing or a special committee.

4. – Upon their tabling, draft resolutions shall be transmitted to the Prime Minister. The Government shall inform the President of the Senate if it considers that a draft resolution, before it is included on the agenda, is inadmissible, considering that its adoption or rejection should challenge its responsibility, or considering that it contains injunctions towards the Government.

No inadmissibility may be raised at a later stage, except in the case mentioned in the following paragraph.

5. – Until they are put on the agenda, draft resolutions may be modified by their authors. The Government shall be immediately advised of all modified draft

resolutions, then it shall inform the President of the Senate if it considers the correction inadmissible.

Article 50b

1. – No draft resolution may be put on the agenda fewer than six working days after being tabled.
2. – Any request to include a draft resolution on the agenda shall be sent to the President of the Senate at least forty-eight hours before its inclusion is decided. The Prime Minister shall be informed immediately. The Senate is informed. Provisions set out in Article 31 paragraph 1 and Article 35 paragraph 2 shall not apply.
3. – A draft resolution on the same subject than a draft resolution already discussed by the Senate can not be placed on the agenda by the Chairperson's Conference or the Senate during the same ordinary session.

Article 50c

1. – During a public sitting, the Senate deliberates and votes on the draft resolution initially tabled or, if need be, modified.
2. – No amendment shall be admissible on draft resolutions.

CHAPTER IX

Modes / Ways of voting

Article 51

1. – An absolute majority of members of the Senate must be present within the premises of the *Palais du Luxembourg* for any vote to be deemed valid, except when it concerns fixing the agenda.
2. – A vote shall be valid, irrespective of the number taking part, if, before it takes place, the *Bureau* has not been asked to record the number present or, after being asked to do so or after drawing up such a record, it has announced that the Senate is quorate for voting.
 - 2a. – The *Bureau* may only be asked to draw up a register of the number present following a written request from thirty Senators whose presence must be established by a roll call.
3. – If a vote cannot be taken because of the absence of a quorum, it shall be put back on the agenda for the same day of sitting or the following sitting and may not take place for at least one hour. The vote shall then be valid irrespective of the number taking part.

Article 52

1. – Votes in the Senate must be passed by an absolute majority of votes cast.
2. – However, if the Senate votes on personal appointments in a plenary sitting, and if an absolute majority of votes cast has not been achieved in the first or the second ballot, a relative majority shall suffice on the third ballot. In the event of a tied vote, the oldest shall be appointed.
3. – The provisions set out in paragraph 2 of this Article shall apply to personal appointments made on committees.

Article 53

The Senate shall vote by show of hands, by sitting or standing vote, by an ordinary public ballot or by a public ballot at the rostrum.

Article 54

1. – Voting by show of hands shall be as a matter of right on all questions other than personal appointments and for matters where a public ballot is as a matter of right.
2. – It shall be recorded by the Secretaries and announced by the President.
3. – If the Secretaries believe there is doubt, or if they disagree, the vote shall be repeated by sitting or standing. If the doubt or disagreement remains, an ordinary public ballot shall be taken.

Article 55

No one may speak between the different stages of voting.

Article 56

1. – Ordinary public ballots shall take place in accordance with the following rules:
2. – The President shall announce that the vote has commenced when the Secretaries are ready to gather up the ballot papers.
3. – Senators voting '*for*' shall hand a white ballot paper to the Secretary standing at the entrance to the right-hand corridor of the Chamber.
4. – Senators voting '*against*' shall hand a blue ballot paper to the Secretary standing at the entrance to the left-hand corridor of the Chamber.
5. – Senators who abstain shall hand a red ballot paper to the Secretary standing in the centre of the Chamber.

6. – In all three cases, the Secretaries shall place the ballot papers in the ballot box next to them.

7. – The President shall announce that the voting exercise has been completed when he/she sees that all the Senators who indicated that they would take part have done so.

Article 56a

1. – In the event of a public ballot at the rostrum, all Senators shall be called by their names by the ushers. Senators whose names begin with a letter that has been previously drawn by lots by the President and published shall be invited to proceed first.

2. – This initial roll call shall be followed by another call of Senators who have not responded to their names being called.

3. – Senators shall hand their ballot papers to the Secretary standing by the rostrum; the Secretary shall place the ballot paper in one of the three urns next to him/her.

4. – Secretaries shall then mark off the names of those voting.

Article 57

Senators who have been delegated to vote by one of their colleagues must hand the Secretary standing next to the ballot box a receipt of the notification whereby the President of the Senate shall notify the *Bureau's* agreement on the reasons for the impediment.

Article 58

1. – After consulting the Secretaries, it shall be the President's responsibility to decide whether there are grounds for checking the ballot papers.

2. – Senators who have handed in ballot papers of different colours shall be deemed not to have taken part in the vote.

Article 59

Ordinary public ballots are mandatory for the whole of:

1. – The first part of the year's finance bill;

2. – Finance bills, subject to the provisions of Article 60a paragraph 3;

2a. – Provisions concerning income and the general balance for the year to come (third part) in the social security financing bill;

2b. – Social security financing bills;

3. – Institutional Acts;
4. – Government and members' bills revising the Constitution;
5. – Proposals referred to in Article 11 of the Constitution.

Article 60

An ordinary public ballot, if it is not mandatory, or if it arises from the provisions of Article 54, may only be requested by the Government, the President, one or more chairpersons of political groups, the referral committee, or thirty Senators whose presence must be established by a roll call.

Article 60a

1. – A public ballot at the rostrum shall take place if the Chairpersons' conference decides that this way of voting will be applicable to a vote on the whole of a government or members' bill.
2. – The decision of the Chairpersons' conference must be announced in a public sitting and communicated to every Senator. It must appear on the agenda.
3. – Public ballot at the rostrum shall also be mandatory for votes on the first reading of the whole of the year's finance bill and on approval of a general policy statement requested by the Government under the final paragraph of Article 49 of the Constitution.

Article 61

1. – Subject to the provisions of Article 3 dealing with the appointment of Secretaries, appointments in plenary sitting and on committees shall take place in secret ballot.
2. – In the case of appointments made in plenary sitting, the Senate shall decide that the vote should take place as follows:
3. – After consulting the Senate, the President shall announce the time at which the vote will commence, and how long it will last;
4. – A ballot box shall be placed in one of the rooms adjacent to the Chamber under the supervision of one of the Secretaries assisted by two tellers;
5. – Each Senator shall place his/her ballot paper in the ballot box during the sitting, which shall not be suspended for the vote. The tellers shall mark off the name of those voting;
6. – The Secretaries shall count the votes, and the President shall announce the result.

Article 62

1. – Items subject to a vote shall only be declared adopted if they have obtained an absolute majority of votes cast. In the event of a tied vote, the item that has been put to the vote shall not be adopted.
2. – The result of the Senate’s deliberations shall be announced by the President as follows: ‘The Senate has adopted’ or ‘The Senate has not adopted’.

CHAPTER X

Proxy voting

Article 63

Senators may only delegate their right to vote in the following circumstances:

1. – Illness, an accident or a serious family misfortune preventing a Senator from attending;
2. – A temporary mission entrusted to him by the Government;
3. – Military service in peacetime or wartime;
4. – Participation in the work of an international assembly in accordance with a Senate appointment;
5. – Absence from the mainland of France, in the event of an extraordinary session;
6. – In cases of *force majeure* by order of the *Bureau* of the Senate.

Article 64

1. – The signed proxy must be written and addressed by the delegator to the delegate. This document will be valid for votes both in a public sitting and on committees.
2. – For a proxy to be valid, it must be notified to the President of the Senate before the beginning of the vote, or before the beginning of the first of the votes in which the Senator concerned cannot participate. The notification must indicate the name of the Senator called to vote on behalf of the delegator and the reason for the impediment, which shall be assessed by the *Bureau*. In addition, both the proxy and the notification must indicate the duration of the impediment: if they do not, the proxy shall be deemed to be of eight days’ duration. Unless it is renewed within this period of time, it shall lapse at the end of it.
3. – The delegate shall be informed by the President that the notification has been received and that the *Bureau* has agreed to it.

4. – Voting proxy may be withdrawn following the same procedure while the application period is in progress.

5. – The voting proxy vote may not be transferred by the delegate to another Senator.

6. – In an emergency, the voting proxy and notification may be carried out by telegram, subject to immediate confirmation following the procedure set out above. In these circumstances, the proxy shall cease to have effect after five clear days from the day that the telegram is received if a letter of confirmation signed by the delegator is not received by the President of the Senate during this period.

7. – The provisions of paragraphs 2 to 6 above shall apply in all cases, whether they relate to proxy voting in ballots in a public sitting or to votes in committees.

CHAPTER XI

Relationships between the Senate and the Government or the National Assembly

Article 65

1. – Any government bill that is voted on by the Senate, but which is not yet final, shall be transmitted immediately to the Government by the President of the Senate. If a government bill is rejected, the President shall inform the Government accordingly.

2. – Any member bill that is voted on by the Senate, but which does not become final, shall be transmitted immediately by the President of the Senate to the President of the National Assembly. The Government shall be informed that this has been done. In the event of the rejection of a members' bill transmitted by the National Assembly, the President of the Senate shall inform the President of the National Assembly and the Government.

3. – If the Senate adopts a government or members' bill voted on by the National Assembly without amendment, the President of the Senate shall send the final text to the President of the Republic for promulgation by the Government's General Secretariat. The President of the National Assembly shall be informed that this has been done.

Article 66

Communications from the Senate to the Government shall be sent by the President of the Senate to the Prime Minister.

Article 67

1. – Any motion seeking to submit to a referendum a government bill dealing with issues defined in Article 11 of the Constitution must be signed by at least thirty Senators whose presence must be established by a roll call. It may neither be subject to any condition nor include any amendment to the bill.
2. – In a departure from the provisions of Article 29, such a motion shall be discussed during the first public sitting after it has been tabled.
3. – Closure of the discussion may be announced under the procedure defined in Article 38 of the Standing Orders.

Article 68

1. – Adoption by the Senate of a motion leading to a referendum shall suspend the discussion of the government bill if it has already started.
2. – The adopted motion shall be transmitted immediately to the President of the National Assembly together with the text to which it refers.
3. – By agreement between the two Assemblies, the deadline for adoption of the motion shall be fixed at thirty days. If the National Assembly does not adopt the motion within this deadline, discussion shall resume before the Senate at the point where it was interrupted. No further motion on the same government bill shall be admissible thereafter.
4. – The thirty-day deadline shall be suspended outside ordinary sessions. It shall also be curtailed if the insertion on the agenda of the discussion of the motion in the National Assembly is prevented due to the procedure under Article 48 of the Constitution.

Article 69

1. – If a motion leading to a referendum is referred to the Senate by the National Assembly, it shall be remitted to the referral committee immediately.
2. – Discussion on this motion shall be placed on the agenda of the next sitting available. The Senate shall give a ruling under the deadline procedure set out in Article 68.

Article 69a

1. – Subject to the provisions of this Article, any motion under Article 72-4 of the Constitution calling on the President of the Republic to call a vote in an overseas territory shall be subject to the same rules as those set out in these Standing Orders for draft resolutions.

2. – If the Senate adopts a motion tabled by one or more Senators, or amends a motion transmitted by the National Assembly, the President of the Senate shall transmit it to the President of the National Assembly.

3. – If the Senate adopts a motion from the National Assembly without amendment, the President of the Senate shall send the final text to the President of the Republic through the Government's General Secretariat. The President of the National Assembly shall be informed that this has been done.

Article 69b

Senators and the Government shall be informed of the decision jointly taken by the Presidents of both assemblies to convene a joint committee meeting.

Article 70

1. – Joint committees shall meet when convened by the oldest member of the committee, on the premises either of the National Assembly or the Senate, alternately and case-by-case.

2. – They shall themselves decide on the composition of their *Bureau*.

3. – In their proceedings, they shall follow the ordinary rules that apply to committees. If the Standing Orders of the two assemblies differ, those of the assembly where the joint committee sits shall prevail.

4. – The conclusions of joint committees proceedings are published in reports in each assembly, and officially communicated to the Prime Minister via their Presidents.

Article 71

The examination of a text that has been referred to the Senate shall be immediately suspended if the Government or the Presidents of both assemblies jointly announce that they intend to call a joint committee meeting on this matter.

Article 72

1. – If a text drawn up by a joint committee is submitted to the Senate by the Government, the Senate shall examine it under the ordinary procedure subject to the provisions of Article 45, paragraph 3 of the Constitution and Article 42, paragraph 12 of these Standing Orders.

2. – The referral committee on a government or members’ bill has authority to give an opinion on amendments admissible under this Article, paragraph 1, or to call for an ordinary public ballot under Article 60.

Article 73

The Senate shall issue the authorisation referred to in Article 35 paragraph 1 of Constitution by a public ballot at the rostrum and the one referred to in Article 36 of the Constitution by an ordinary public ballot.

Article 73-1

The information of the Senate provided for in Article 35 paragraph 2 of the Constitution consists of a Government communication brought to the knowledge of Senators. This information may be subject to a debate without a vote.

Where asked to rule on an authorization to extend beyond four months an intervention by the armed forces abroad, the Senate, after debating the issue, shall proceed to an ordinary public ballot. No explanation of vote is allowed.

CHAPTER XI A

European resolutions

Article 73a

The European Affairs Committee has 36 members. After each partial renewal, the Senate, in a public sitting, shall appoint this committee so as to ensure a proportionnal representation of political groups and a balanced representation of standing committees. After the appointment of members of standing committees, group *Bureaux* and the Delegate of Senators not belonging to any group shall send the President a list of candidates especially drawn for this purpose. Article 8 paragraphs 3 to 11 shall apply. The provisions set for in Article 13 apply to the *Bureau* of the European Affairs Committee.

Article 73b

The European Affairs Committee normally meets every Thursday morning.

Article 73c

1. – The European Affairs Committee is in charge of publishing and sending to all Senators, groups and committees, all drafts or proposals submitted to the Senate under Article 88-4 of the Constitution as soon as they are transmitted by the Government. It shall examine these texts and informs the Senate of other documents issued by European Institutions. This may lead to the tabling of a draft resolution.

2. – The chairperson of the referral committee may appoint a representative to take part in the meeting of the European Affairs Committee during which it reviews drafts or proposals or any document issued by an European Union institution.

3. – Proceedings of the European Affairs Committee shall be published in a special brochure.

Article 73d

1. – European resolutions are adopted under the provisions set up in this article.

2. – Within fifteen days of the publication of an act submitted to the Senate under Article 88-4 of the Constitution, the referral committee shall decide to examine the text. It shall give a ruling within a month. When adopting a draft resolution it shall inform the Senate and set a deadline within fifteen days for amendments to be tabled by Senators. The amendments when signed by several Senators, shall be presented to the committee by one of the signatories member of the committee, or, if there is none, by the first signatory. Past this deadline, the committee shall come to a decision on the draft resolution possibly modified by adopted amendments. The committee's report including when necessary the proposed resolution adopted, as the case may be, is published and distributed.

3. – Any senator may table a draft resolution. The draft resolution is sent to the referral committee when referred to under conditions provided for in paragraph 2. In others situations, the draft resolution is send for a preliminary examination by the European Affairs Committee which shall decide within a month either to reject or to adopt the resolution with or without amendment. The draft resolution shall then be examined by the referral committee on the basis of the text adopted by the European Affairs Committee or on the text of the draft resolution. Once the deadline for tabling amendments has lapsed, the relevant committee shall examine the draft resolution as well as any amendment by Senators. When signed by several senators, amendments shall be presented to the committee by one signatory, member of the committee, or, if there is none, by the first signatory. The committee's report including when necessary the draft resolution adopted, is published and distributed.

4. If within a month of the transmission of the text adopted by the European Affairs Committee, the referral committee has not tabled its report, the text adopted by the European Affairs Committee is deemed to be adopted by the referral committee.

5. The draft resolution adopted under provisions set up in paragraphs 2 and 3 shall become the resolution of the Senate after three working days following the date of publication of the report or or the deadline for the adoption period when the text adopted by the European Affairs Committee is considered to be adopted by the relevant committee except if within this period, the President of the Senate, the chairperson of a political group, the chairperson of a standing committee, the chairperson of the European Affairs Committee or the Government request that the draft resolution be examined by the Senate. If during the seven working days

of this request, no proposal is made by the Chairpersons' conference or the Senate to put it on the agenda, the draft resolution becomes the Senate's resolution.

6. – If the decision is put on the agenda, the European Affairs Committee may act as a committee asked for expressing an opinion.

7. – European resolutions shall be transmitted to the Government and to the National Assembly.

Article 73e

Oral questions with debate dealing with European matters shall be tabled under provisions of Article 79; they shall be addressed to the competent member of Government. The date for their discussion shall be fixed under provisions set up in Article 80 paragraphs 1, 3 and 4.

During the debate, the author of the question shall be given twenty minutes. Provisions of Article 82 shall apply. A Senator, member of the European Affairs Committee and a Senator representing the referral committee may also speak for fifteen minutes each.

Article 73f

1. – Any motion authorizing the adoption, under provisions set up in Article 89 paragraph 3 of the Constitution, of a government bill pertaining to the joining of the European Communities and of the European Union by a State must be tabled within fifteen days of the deliberation of the bill in the council of members of government. This motion shall not include any condition, or any amendment to the bill or the treaty.

2. – This motion shall be referred to the Foreign Affairs, Defence and Armed Forces Committee. The European Affairs Committee may be asked for an opinion. The motion shall be discussed within three months of its tabling.

3. – When adopted according to the provisions of Article 88-5, paragraph 2 of the Constitution, this motion is immediately transmitted to the President of the National Assembly.

4. – When the National Assembly refers to the Senate a motion such as mentioned in paragraph 1, this motion shall be discussed within three months of its transmission. If it is adopted under Article 88-5 paragraph 2 of the Constitution, the President of the Senate shall transmit the text to the President of the Republic. The President of the National Assembly shall be informed of this transmission.

5. – Time limits under this article shall be suspended outside ordinary sessions.

Article 73g

1. – Draft resolutions delivering a reasoned opinion on the conformity of a draft European bill to the subsidiarity principle and those on cases to be brought before the Court of Justice of the European Union against a European bill on the basis of a violation of the principle of subsidiarity tabled on the basis of Article 88-6 of the Constitution shall be adopted according to the conditions defined in this article.
2. – Any Senator may table a draft resolution. The draft resolution shall be sent to the European Affairs Committee. This committee may adopt such a resolution *proprio motu*.
3. – A draft resolution adopted by the European Affairs Committee shall be referred to the referral committee which, in turn, shall decide either to reject or adopt the resolution. If the referral committee has made no decision, the text adopted by the European Affairs Committee is deemed adopted by the referral committee.
4. – The text adopted under paragraph 3 is considered to be a Senate resolution.
5. – At any time during the proceedings, the chairperson of a political group may request an examination in a public sitting under Article 73d paragraph 5.
6. – The President of the Senate shall communicate to the chairperson of the European Parliament, the chairperson of the European Council and the chairperson of the European Commission, the Senate resolutions delivering a reasoned opinion on the conformity of a draft European bill with the subsidiarity principle. He shall inform the Government.
7. – The President of the Senate shall transmit to the Government the Senate resolution on cases against a European bill for a violation of the subsidiarity principle so that the case may be brought before the Court of Justice of the European Union.
8. – At the end of a time limit of eight weeks after the transmission of a draft European bill in the official languages of the Union or of the publication of the draft, the examination procedure is suspended.

Article 73h

1. – The President of the Senate shall transmit to the Government, in order to seize the Court of Justice of the European Union, any case against a European bill for the violation of the subsidiarity principle tabled by at least sixty Senators within eight weeks after the publication of the bill.
2. – Any such action interrupts, if necessary, the review of draft resolutions referred to under Article 73g concerning the same bill.

Article 73i

1. – Any Senator may table a motion opposing a modification of rules concerning the adoption of European acts under article 88-7 of the Constitution.

2. – A motion opposing an initiative mentioned in the penultimate paragraph of Article 48 section 7 of the European Union Treaty or a proposed decision mentioned in Article 81 section 3 paragraph 2 of the Treaty on the functioning of the European Union must be tabled within four months after the transmission of the initiative or of the proposed decision that opposes and must refer to the said initiative or proposed decision. Such motion may not be amended.

3. – The motion shall be sent to the Foreign Affairs, Defence and Armed Forces Committee which will report within a month. The report shall conclude to the adoption or the rejection of the motion.

4. – The motion shall be discussed at the first public sitting following the publication of the report, except for priorities set up in Article 48 of the Constitution.

In case of rejection, no other motion dealing on the same initiative or proposed decision may be tabled.

5. – The adopted motion is immediately transmitted to the President of the National Assembly.

6. – When the Senate receives a motion from the National Assembly opposing a modification of rules concerning the adoption of a European act, the motion shall be referred to the Foreign Affairs, Defence and Armed Forces Committee. The motion shall be discussed within six months of the transmission of the initiative or of the proposed act.

7. – In case of an adoption by the Senate of the motion sent by the National Assembly, the President of the Senate shall so inform the President of the National Assembly. He shall notify the text of the motion opposing a proposed act. He shall inform the Government.

8. – In case of a rejection of the motion sent by the National Assembly, the President of the Senate shall inform the President of the National Assembly. No motion opposing the same initiative or proposed act may be tabled again.

9. – Any motion tabled under this Article that is not adopted within six months of the transmission of the initiative or of the proposed act shall lapse.

CHAPTER XI B

Debates resulting from a Senate's initiative

Article 73j

1. – At the request of a political group, of a committee, of the European Affairs Committee, or of a delegation, the Chairpersons' conference may put a debate resulting from a Senate's initiative on the agenda.
2. – The debate shall begin is opened by the author of the request or his/her representative.

CHAPTER XII

Written and oral questions

A. – WRITTEN QUESTIONS

Article 74

1. – Any Senator wishing to table a written question for the Government shall send the text to the President of the Senate, who shall then forward it to the Government.
2. – Written questions must be briefly drafted, and to the point and must contain no personal allegation relating to third parties identified by their name. They may be tabled by one Senator only, and addressed to one member of Government only. The admissibility of written questions with regard to the previous conditions shall be assessed according to Article 24 paragraph 4.

Article 75

1. – Written questions shall be published in the *Journal officiel*, whether the Senate is in session or not; member's of Government answers must also be published in the *Journal officiel* within a month after the tabling of the question.
2. – However, members of Government may state in writing the general interest does not allow them to reply. Exceptionally, they may request an extension of deadline to put together their answer. Such extension may not exceed one month.
3. – Any written question remaining unanswered within the deadlines set out above shall be converted into an oral question if its author so requests. It shall also be placed on the list of questions on the date of the conversion request.

**B. – QUESTIONS TO THE GOVERNMENT ON CURRENT ISSUES
ADDRESSED TO THE GOVERNMENT AND SCRUTINY THEMATIC
QUESTIONS**

Article 75a

Twice a month, the Senate agenda shall include questions to the Government on current issues. The Chairpersons' conference shall allocate the number of these questions to the political groups and to the grouping of Senators not belonging to any group, on the basis of their respective numbers, and shall determine how they are to be tabled as well as the procedure to be followed during a sitting.

Article 75b

Twice a month, the Senate agenda shall include scrutiny thematic questions. The Chairpersons' conference shall determine the nature of these questions, the procedures to be followed in a public sitting, and shall allocate the number of these questions among to political groups on the basis of their respective numbers and in such a way that any group has at least one question to raise at each sitting.

C. – ORAL QUESTIONS

Article 76

1. – Any Senator wishing to table an oral question for a member of Government shall send the text to the President of the Senate, who shall forward it in turn to the Government.

2. – Oral questions must be briefly drafted and to the point, and must contain no personal allegation relating to third parties identified by their name. They may be tabled by one Senator only and addressed to one member of Government only; those dealing with the Government's general policy shall be addressed to the Prime Minister. The admissibility of oral questions with regard to the previous conditions shall be assessed according to Article 24 paragraph 4.

3. – Oral questions shall be placed on a special list in the order in which they were tabled, and shall be published under the conditions under Article 75.

Article 77

1. – The Tuesday morning sitting shall be reserved as a matter of priority for oral questions. The Chairpersons' conference may defer application of the priority provisions of the last paragraph of Article 48 of the Constitution to another sitting day.

2. – A decision on placing oral questions on the agenda for the day of the sitting shall be made by the Chairpersons' conference in the light of the list set out in Article 76, paragraph 3 .

3. – Only questions tabled at least eight days before this sitting may be placed on the agenda.

Article 78

1. – The President shall call for questions in the order determined by the Chairpersons' conference. He/she shall announce the number of the question tabled, the name of the author, the title of the question and shall identify the member of the Government to whom it is addressed.

2. – The author of the question, or one of his/her colleagues appointed by him/her to substitute for him/her, shall have three minutes to develop their argument. He/she may also speak for a period not exceeding two minutes to answer the Government.

3. – If the author of the question and his/her substitute are absent when the question is called, the question shall automatically be placed further down the list.

4. – If the member of Government concerned is absent, the question shall be placed on the agenda of the next sitting when oral questions will be called.

5. – At the request of thirty Senators, whose presence must be established by a roll call, an oral question that has been given an answer may, on a decision of the Senate, be transformed into an oral question with debate: this question shall be automatically placed at the top of the agenda of the next possible sitting of the Senate.

D. – ORAL QUESTIONS WITH DEBATE

Article 79

1. – Any Senator wishing to table an oral question followed by a debate for the Government shall send the text to the President of the Senate together with a request for debate.

2. – Oral questions followed by a debate must be briefly drafted and to the point and must contain no personal allegation relating to third parties identified by their name. The admissibility of these questions with regard to the previous conditions shall be assessed according to Article 24 paragraph 4.

3. – The President shall inform the Government of this request immediately. He/she shall inform the Senate of the text of the question and of the request for a debate on the first sitting day after the request has been tabled.

4. – Oral questions with debate may only be tabled by one Senator only and addressed to one member of Government only. Those dealing with the Government's general policy shall be addressed to the Prime Minister.

Article 80

1. – The date for the discussion of oral questions with debate shall, on the proposal of the Chairpersons' conference, be determined by the Senate either for the same sitting as for oral questions or for another sitting.

2. – However, upon a written request from the author of the question submitted at the same time as the question and countersigned by thirty members whose presence must be established by roll call, the Senate may, if informed of the question at once by the President, decide by a sitting or standing vote, and without debate, to fix the date of discussion immediately after government and members' bills placed on the agenda of the sitting as priority issues have been examined.

3. – Without debate on the substance, the Senate shall determine the date of discussion, after hearing the Government, if appropriate.

4. – When fixing dates, no intervention may exceed five minutes. The opportunity to speak may only be extended to the author of the question or a colleague appointed by him/her to substitute, each group chairperson or his/her representative, and the Government.

5. – If the Senate decides to defer the debate on an oral question, the author of the question shall retain the right to table it in the form of an oral question without debate.

Article 81

(Repealed by the Resolution of November 21, 1995)

Article 82

1. – The author of the question may speak for twenty minutes in the debate on an oral question with debate:

The provisions of Article 29-b shall apply to subsequent speakers. The author of the question as well as any speaker may use some of their allotted time to reply to the Government.

2. – The author of the question may appoint one of his/her colleagues as substitute should he/she be unable to attend.

Article 83

After the last speaker has been heard, the President shall proceed with the following agenda.

E. – ORAL QUESTIONS WITH DEBATE ON EUROPEAN MATTERS

(Repealed by the Resolution of June 2, 2009)

See article 73e

CHAPTER XIII

Election of Community Senators

Article 84

(Repealed by the Resolution of April 22th, 1971)

CHAPTER XIV

High Court of Justice and Court of Justice of the Republic

Article 85 and Article 86

(Repealed by the Resolution of June 2, 2009)

Article 86a

1. – After each partial renewal, the Senate shall elect six principal judges and six substitute judges to the Court of Justice of the Republic. The Chairpersons' conference shall determine the date of the vote.
2. – Applications are made in a declaration to the President by a deadline determined by the Chairpersons' conference.
3. – The election shall be held by a single, secret, plurinominal vote. The name of a substitute candidate is stated together with that of each principal candidate.
4. – In each round of voting, and in the order of votes, candidates who have obtained a number of votes at least equal to the absolute majority of votes cast shall be elected. There shall be as many ballots as necessary to fill all the seats. Only votes cast for the same principal and substitute candidate are valid.
5. - In the event of a tied vote, candidates shall be proclaimed elected in order of age, starting with the oldest, until all the seats have been allotted.

CHAPTER XV

Petitions

Article 87

1. – Petitions must be addressed to the President of the Senate. They may also be tabled by a Senator who shall notify the tabling of the petition, and sign the notification.
2. – A petition brought to the Senate or delivered by members of the general public may not be accepted by the President nor tabled with the *Bureau*.
3. – Every petition must specify the petitioner's home address and be signed by him/her.

Article 88

1. – Petitions shall be placed on a general list by order of arrival.
2. – The President shall refer them on to the Committee for Constitutional Acts, Legislation, Universal Suffrage, Standing Orders and General Administration.
3. – The committee shall, depending on the circumstances, decide whether to remit them to a member of Government or to another committee of the Senate, or to submit them to the Senate, or to ask the President of the Senate to forward them to the Mediator, or simply to take no further action on them.
4. – Petitions on which the Committee for Constitutional Acts, Legislation, Universal Suffrage, Standing Orders and General Administration has not given a ruling shall lapse automatically at the beginning of the ordinary session following the one during which they were tabled. Petitions tabled between ordinary sessions, for the purposes of calculating deadlines shall be put back to the first day of the ordinary session after the day of their tabling.
5. – The petitioner shall be informed of the order number of his petition and, if appropriate, of the decision taken on it.

Article 89

1. – A bulletin containing summaries of petitions and relevant decisions shall be periodically distributed to the Senate members.
2. – Any Senator may request that the report on a petition shall be considered in a public sitting within two weeks of its distribution.
3. – After this deadline has lapsed, the committee's decisions shall be deemed definitive, and they shall be published in the *Journal officiel*.

4. – Members’ of the Government replies to petitions addressed to them under Article 88 paragraph 3 as well as the Mediator’ replies shall be included in the petition bulletin and published in the *Journal officiel*.

Article 89a

1. – If the committee decides to submit a petition to the Senate under of Article 88 paragraph 3 or if the Chairpersons’ conference ratifies a request presented under Article 89 paragraph 2 , the committee shall draw up a report containing the entire text of the petition and setting out the reasons for the conclusions reached on the matter. The report shall be published.

2. – Committee’s report shall be placed on the agenda as provided for by Article 29.

3. – The debate shall open with the *Rapporteur*’s presentation followed by contributions from the speakers on the list.

4. – In the course of the debate, the Senate may receive a request, from any committee, from the representative of a committee or from any Senator for the petition to be remitted to the competent standing committee. Once the debate is over, the President shall put it to the vote after a discussion where only the author of the initiative or his/her representative, relevant committee’s representatives, speakers with a contrary view and , as the case may be, the Government shall be allowed to speak. Vote explanations, if any, shall not exceed five minutes.

5. – If no request for remittance is submitted, the President shall declare the debate closed once the last speaker has been heard.

6. – The committee to which a petition has been remitted under paragraph 4 above may decide, after the end of the examination, either send it to a member of Government, file it, or ask the President of the Senate to forward it to the Mediator.

CHAPTER XVI

The Senate’s internal and external policing

Article 90

1. – The President shall be responsible for overseeing the Senate’s internal and external security. To this effect, he/she shall determine the manning of the military forces he/she deems required. They shall be placed under his/her orders.

2. – Policing powers at the Senate are vested in its President.

Article 91

1. – Except for those carrying passes issued to this effect by the President and for staff performing their duties, no one may enter the Chamber for any reason.
2. – Members of the public admitted to the galleries shall be seated and bare-headed, and shall remain silent.
3. – Any person giving indications of approval or disapproval shall be removed immediately by the ushers in charge of peace keeping.
4. – Any person disturbing the course of debates shall, be brought before the competent authority, as the case may be.

CHAPTER XVII

Discipline

Article 92

The following disciplinary penalties are applicable to Senate members:

- a call to order;
- a call to order registered in the record ;
- a censure ;
- a censure with temporary exclusion.

Article 93

1. – Only the President may call a member to order.
2. – A call to order may be issued to any speaker who disrupts it either by breaching one of the rules set up under Article 40 of the Standing Orders or in any other way.
3. – Any Senator who is called to order for speaking without an authorisation may only speak to justify his/her act at the end of the sitting, unless the President decides otherwise.
4. – Any Senator who has already been called to order during the same sitting shall receive a call to order registered in the record.

Article 94

A censure is issued to any Senator who does not comply:

1. – with the injunctions of the President after a call to order registered in the record;
2. – has created a disorderly incident in the Senate;
3. – has proffered insults, provocations or threats to one or more colleagues;
4. – has committed a breach of the rules under Article 99 of the Standing Orders.

Article 95

1. – A censure with temporary exclusion from the Senate's premises in the the *Palais du Luxembourg* shall be issued against any Senator who:

1. ignores an ordinary censure or has been issued such punishment twice;
 2. has resorted to violence in a public sitting;
 3. has been found in contempt of the Senate or its President;
 4. has proffered insults, provocations or threats against the President of the Republic, the Prime Minister, members of the Government or assemblies set up under the Constitution;
 5. after being censured for a breach to the rules under Article 99 of the Standing Orders, has committed a further breach of these rules.
2. – Censure with temporary exclusion shall ban a Senator from taking part in the Senate's work, and from entering the Senate's premises in the *Palais du Luxembourg* for fifteen sitting days after the ban has been ordered.
3. – Should the Senators refuse to comply with the President's injunction to leave the Senate, the sitting shall be suspended. In these circumstances, and in the case of a censure with temporary exclusion applied to a Senator for the second time, the exclusion shall cover thirty sitting days.

Article 96

1. – Ordinary censure and censure with temporary exclusion shall be ordered by the Senate, by voting by sitting or standing procedure, and without debate, on the President's proposal.

2. – A Senator against whom one of these disciplinary sanctions has been sought shall retain the right to be heard, either directly or through one of his/her colleagues.

Article 97

1. – Ordinary censure entails de jure loss of one third of the Senator's parliamentary pay and of his/her entire allowance for one month.

2. – Censure with temporary exclusion de jure entails de jure loss of one third of the Senator's parliamentary pay and of his/her entire allowance for two months.

Article 98

1. – If an offence is committed by a Senator on the *Palais du Luxembourg* premises while the Senate is sitting, the deliberation shall be suspended. When the sitting reconvenes, the President shall immediately inform the Senate as soon as the Senate reconvenes.

2. – If the offensive act referred to in paragraph 1 occurs while the sitting is suspended, or adjourned, the President shall inform the Senate when the sitting reconvenes or at the beginning of the next sitting.

3. – The Senator is allowed to give explanation if he/she so requests. On the President's request, he/she shall be forced to leave the Chamber and to be held in the *Palais du Luxembourg*.

4. – Should the Senator fail to comply, or have an unruly behaviour in the Senate, the President shall adjourn the sitting immediately.

5. – The *Bureau* shall inform the Chief Public Prosecutor immediately (*Procureur général*) that an offence has been committed on the Senate's precincts.

Article 99

Any Senator who uses his/her title for reasons other than the exercise of his/her mandate shall incur the penalties under Articles 94 and 95. Such disciplinary sanctions differ from the provisions under Article L.O. 151 of the Electoral Code, which are applicable to Senators under Article L.O. 297 of the said code.

Article 100

1. – Any member of an inquiry committee who shall not comply with the provisions of Article 6 paragraph IV of Ordinance 58-1100 of November 17, 1958 relating to the non-public part of an inquiry committee's work may be excluded from the committee by a decision taken by the Senate without debate on the committee's report after hearing the individual concerned.

2. – An exclusion issued under paragraph 1 of this Article entails the relevant Senator's incapacity to be a member of any inquiry committee for the remaining part of his/her mandate.

CHAPTER XVIII

Senate Departments

Article 101

1. – As far as legislative matters are concerned, the President is ultimately responsible for the management and oversight of all departments.

2. – As far as administrative matters are concerned, authority over departments lies with the *Bureau*. *Questeurs* are in charge of department management under the *Bureau's* supervision.

Article 102

The *Bureau* shall determine the organisation and functioning of Senate departments in an internal regulation that also provides for the way departments shall implement the duties laid down in the Standing Orders, staff status as well as relations between the Senate administration and organisations representing the staff.

CHAPTER XVIII A

Senate Budget and accounts

Article 103

1. - The Senate shall be financially independent, according to the separation of powers principle under Article 7 of November 17, 1958 Ordinance 58-1100 on the functioning of parliamentary assemblies.

2. - The Senate's expenditure shall be set for a financial year.

3. - The *Bureau* shall determine the budgetary and accounting procedures applicable to the Senate in its Budget and Accounting rules. Such rules shall specify terms under which a third party is entrusted with the scrutiny of the Senate's account, so that the *Cour des Comptes* [French national audit office] is reasonably satisfied that they are true, sincere and accurate as required by Article 58 paragraph 5 of the Institutional Act of August 1, 2001 on finance bills.

Article 103a

1. – A special committee shall review the accounts and internal evaluation. It shall scrutinize the Senate's accounts according to the budgetary and accounting rules and shall investigate as it sees it fit. It shall submit its findings to the President and the *Questeurs*. A report of the committee's work is submitted once a year to the Senate's *Bureau* by the special committee's chairperson and its *rapporteur*. The Senate's account shall be made public by the special committee.

2. – At the opening of each ordinary session, the Senate shall appoint the special committee consisting of ten members, according to the rule of proportional representation of political groups. If necessary the number of its members may be increased so that all political groups are represented. Before the public sitting during which the committee shall be appointed, the *Bureaux* of the political groups shall confer with each other and send a list of candidates to the President. The list shall be adopted according to Article 8.

3. – No Member of the *Bureau* of the Senate may be a member of the special committee.

CHAPTER XIX

Miscellaneous provisions

Article 104

1. – At the first sitting of the Senate after each partial renewal, seats in the Chamber shall be allocated on a temporary basis.

2. – As soon as the lists of members of political groups have been published according to Article 5, the President shall summon group representatives in order to proceed to the final seat allocation.

3. – Twenty-four hours prior to this meeting, members of the Senate not belonging to any group or relating to any political group must inform the President of which group they would like to sit with.

Article 105

1. – A committee consisting of thirty members shall be appointed whenever the Senate has grounds to examine a draft resolution tabled with a view for requesting the suspension of a Senator's arrest, of his/her deprivation of liberty, or of legal proceedings against him/her.

When such a committee is being appointed, the President of the Senate shall determine the period wherein candidacies must be presented according to deadline of submission of applications on the basis of proportional representation. When this period of time has elapsed, the President of the Senate, the political group chairpersons and the Delegate of Senators not belonging to any group shall meet to draw up the list of members of this committee. The list shall be published in the *Journal officiel*. The appointment shall be effective as from the publication in the *Journal officiel*.

2. – The committee shall elect a *Bureau* consisting of a Chairperson, a deputy chairperson and a secretary, and shall appoint a *rapporteur*.

3. – The committee's conclusions must be tabled within three weeks of the committee member's appointment: they shall be put on the Senate's agenda by the Chairpersons' conference immediately after the committee's report distribution.

4. – When asked to stay legal proceedings against a Senator who has been arrested or deprived of his/her freedom, the Senate may decide only to suspend detention or some of the measures decided against him/her.

Article 106

Senate deputations shall be appointed by drawing of lots. Deputation membership is determined by the Senate.

Article 107

1. – Insignia shall be worn by Senators when travelling on official business, at public ceremonies and in any other circumstances where their status must be known.

2. – The nature of the insignia shall be determined by the *Bureau* of the Senate.

Article 108

1. – Senators elected to represent France in the Consultative Assembly provided for in the Statute of the Council of Europe shall submit a written report on their work in the Assembly, every year as well as a written report on their work in the Assembly of the Western European Union.

2. – These reports shall be sent to the President of the Senate. Should they not be accepted unanimously, minority opinions shall be appended.

3. – Reports and annexes shall be published.

Article 109

1. – Senators appointed to sit in extra-parliamentary bodies referred to in Article 9 shall submit report on their work within the said bodies to the committee by whom they were appointed or suggested as candidates, at least once a year.

2. – Such reports may be published if the committee so requests.

Article 110

1. – When the rules establishing a body mandates that appointments be made on the basis of political groups proportional representation, the President of the Senate shall inform the groups of the resulting membership allocation, as provided for by Article 6 paragraph 5, he/she shall set the deadline by which groups chairpersons must notify him/her the names of their candidate's names.
2. – Nominations shall then be made in accordance with Article 8 paragraphs 2 to 11.