

Kurdistan Parliament Publications

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**The Kurdistan Parliament – Iraq**

**Rules of Procedure**

**2018**

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**In the name of God, the Most Gracious, the Most Merciful**

**In the name of the People**

**The Kurdistan Parliament - Iraq**

**Issue Date:** 17/07/2018

Based on the provisions of Article 56 (8) of the Election Law of the Kurdistan Parliament (Amended Law No 1 of 1992), and Resolution No 10 of 2014, the Kurdistan Parliament adopted in its regular sitting No 8, convened on 17/07/2018, the following Rules of Procedure:

**The Kurdistan Parliament-Iraq**

**Rules of Procedure\***

\*Per the first amendment of the Kurdistan Parliament Rules of Procedure in the year 2019, each instance of the word 'presidency' changes to 'board of the presidency', 'berwar' changes to 'reykawt' [meaning date] and 'Second Deputy Speaker of Parliament' changes to 'Secretary of the Parliament'.

# Chapter I

## Definitions

### Article 1:

The following terms shall have the meanings set out below:

“Region” means the Kurdistan Region - Iraq.

“Parliament” means the Kurdistan Parliament – Iraq.

“Speaker” means the Speaker of the Kurdistan Parliament – Iraq.

“Presidency Board” means the Presidency Board of the Kurdistan Parliament – Iraq.

“MP” refers to a Member of the Kurdistan Parliament.

“Sitting” means all the meetings held in a single day.

“Parliamentary Term” is the term of office of the Kurdistan Parliament - Iraq.

“Rules” means the Rules of Procedure of the Kurdistan Parliament – Iraq.

“Prime Minister” is The Prime Minister of the Kurdistan Region – Iraq.

“Members of the Council of Ministers [the Cabinet]” include the Deputy Prime Minister and the Ministers of the Kurdistan Region – Iraq.

“Draft Law and Resolution” refers to the bills and draft resolutions submitted to the Parliament either by the President of Kurdistan Region, the Council of Ministers, the Judiciary in its areas of specialization, the independent boards and commissions, and any institution that has the authority to submit bills under the laws in force.<sup>1</sup>

“Draft Legislative Proposal and Resolution” refers to the draft laws and resolutions proposed to the Parliament by at least ten (10) MPs

“Absolute majority” means more than half (50% + 1) of the number of Members of Parliament.

“Simple majority” means more than half (50% + 1) of the number of present Members of Parliament.

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<sup>1</sup> Prior to the 2019 first amendment to Kurdistan Parliament’s Rules of Procedure, the definition of “Draft Law and Resolution” was the bills and draft resolutions submitted to the Parliament either by ten (10) MPs, by the Executive or by the Judiciary for enactment.

“Special majority” refers to all majorities that are determined by a special ratio.<sup>2</sup>

## **Chapter II**

### **Composition and Sittings of the Parliament**

#### **Article 2:**

First: The Parliament shall be the supreme legislative and monitoring body in the Region, as well as its political and legal authority. It shall have the powers set out in the present rules and in the relevant applicable laws.

Second: The Parliament shall consist of a number of MPs as specified in the Kurdistan Parliament’s Election Law (Amended Law No 1 of 1992). The electoral law shall determine the manner used to elect the members of the Kurdistan Parliament – Iraq. The elected MPs shall represent the various components that make up the people of Kurdistan – Iraq.

#### **Article 3:**

The Parliament shall hold its first sitting following an invitation sent by the President of the Kurdistan Region within ten (10) days of the date of validation of the final election results. In the absence of such an invitation, the Parliament shall convene automatically at 12 pm of the day following this said period.

#### **Article 4:**

The sittings shall be held in Erbil, but they may also be held at any other place if necessary, based on a request from either the Speaker, the Presidency Board, or ten (10) MPs as approved by the Parliament.

#### **Article 5:**

First: The sittings shall be legal if the absolute majority of the MPs are present. All laws and resolutions shall be passed with a simple majority, except for those that require a special majority. If there is an equality of votes, the Speaker of the Parliament shall cast the deciding vote.

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<sup>2</sup> The definitions of “Draft Legislative Proposal and Resolution”, “Absolute majority” “Simple majority” and “Special majority” were added to Kurdistan Parliament’s Rules of Procedure in its first amendment of 2019.

Second: In the absence of a quorum, the Speaker shall postpone the start of the sitting for a certain period. If there is still no quorum after that time, the sitting shall be rescheduled for a later date.

Third: A quorum shall be required for the vote to be valid, but it shall not affect the continuation of the meeting.

## **Article 6:**

The Parliament shall be elected for a term of four years, starting from the first sitting and ending with the last sitting of the fourth year.

## **Article 7:**

First: The Parliamentary sittings shall be divided into two annual sessions:

The first session shall last from the beginning of March until the end of June and shall be referred to as the “spring session”.

The second session, the “fall session”, shall cover the period from the beginning of September until the end of December.

Second: The MPs and the committees shall continue to exercise their duties in the period between two legislative sessions.

Third: The legislative session during which the general budget is debated shall not be concluded until the budget is approved.

Fourth: At the request of either the President of the Kurdistan Region, or the Speaker of the Kurdistan Parliament, the Prime Minister, or twenty-five (25) MPs, the Parliament may decide, by an absolute majority of its MPs, to extend a parliamentary session. The extension period may not exceed thirty (30) days and must serve to complete other tasks whose importance requires such an extension

## **Article 8:**

First: An extraordinary sitting may be convened at the invitation of either the Speaker or one-third (1/3) of the MPs. Such sitting should be limited to discussing the issues specified in the invitation.

Second: The Speaker may convene the Parliament for an extraordinary sitting, as necessary, and based on a request from the President of the Region or the Prime Minister.

## **Article 9:**

First: All Parliamentary sittings shall be held in public.

Second: Parliamentary closed sittings may be convened at the request of either the Speaker or one-fourth (1/4) of the MPs and upon approval of the Parliament.

Third: Parliamentary sittings may be held in camera when necessary at the request of either the President of the Region or the Prime Minister and upon approval of the Parliament.

## **Chapter III**

### **Election of the Parliament Presidency Board**

#### **Article 10:**

The Parliament Presidency Board shall consist of the Speaker, the Deputy Speaker and the Secretary of Parliament, and at least one of the members of the Parliament Presidency Board must be a woman.<sup>3</sup>

#### **Article 11:**

First: The Parliament shall hold its first sitting referred to in article 3 of the present rules. The first sitting shall be presided by the oldest of the winning candidates present.

Second: The oldest of the elected candidates present shall be invited by the Chief Executive of the Parliament Office to preside over the first sitting. His task shall be limited to managing the first sitting and electing the Presidency Board.

#### **Article 12:**

First: The President of the first sitting shall take the oath in front of the Parliament.

Second: The elected candidates shall then take the oath in front of the Parliament.

Third: The oath of office for the President of the first sitting and the elected candidates shall be as follows:

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<sup>3</sup> Article 10 was amended in the 2019 first amendment to Kurdistan Parliament's Rules of Procedure. Prior to the amendment, Article 10 was: The Parliament Presidency Board shall consist of the Speaker, the First Deputy Speaker and the Second Deputy Speaker, and at least one of the members of the Parliament Presidency Board must be a woman.

“I swear by Almighty God to protect the interests of the people of the Kurdistan Region, to safeguard the Region's and the people's unity, to protect the dignity, the rights and freedoms of its citizens, and to protect public funds. I swear by Almighty God to perform the duties of a member faithfully and loyally.”

Fourth: Any elected candidate who does not abide by the exact content of the oath as declared in the present article shall have to retake the oath.

### **Article 13:**

First: An elected candidate shall be considered as a Member of Parliament as soon as he takes the oath. He shall then enjoy all the rights and obligations of an MP.

Second: If an elected candidate does not take the oath neither during the first sitting nor at any other time for a period of thirty (30) days without a legitimate reason, he shall lose his right to take the oath.

### **Article 14:**

The Parliament shall elect the Presidency Board by an absolute majority vote of its members, through direct and secret ballot, according to the following procedures:

First: The President of the first sitting shall open the candidate nomination process for the Presidency Board positions.

Second: The candidates shall be asked to announce their candidacies, then the nomination process shall be closed and the election process shall begin.

Third: Voting by roll call shall proceed in the Kurdish alphabetical order of the MPs. Votes shall be cast for the candidates of each seat separately.

Fourth: The MP shall write the name of the candidate of his choice on a ballot paper before inserting the ballot paper by hand into the ballot box relevant to each seat.

Fifth: The President of the first sitting shall announce the end of the voting process. Two of the youngest MPs present shall then be asked to count the votes under the supervision of the President of the first sitting.

Sixth: If there is equality of vote between two or more competing candidates, the voting process shall be repeated. If the votes remain equal, the seat holder shall be chosen by lot.

Seventh: When one candidate is elected for a seat without competitors, he will be automatically declared winner by the President of the first sitting.

Eighth: The President of the first sitting shall announce the election results and call on the Presidency Board members to take office.

### **Article 15:**

The members of the Presidency Board shall lose their positions in one of the following cases:

First: In case of resignation, by approval of the majority of the MPs present.

Second: In case of withdrawal of confidence, based on a motion of no confidence by one-third (1/3) of the MPs and the approval of two-thirds (2/3) of the MPs.

Third: When the position of the member of the Presidency Board becomes vacant for one of the reasons mentioned in paragraphs 1 and 2 of this article, the said member shall continue to exercise his duties until a new member fills the vacant position.

Fourth: When the position of a member of the Presidency Board becomes vacant for any reason, the Parliament shall fill the position in the first sitting following the vacancy and according to the same procedures applied in these rules.

### **Article 16:**

The Powers and Duties of the Presidency Board:

The Presidency Board shall exercise the following powers and duties:

First: Create and organize the agendas of the parliamentary sittings as per the provisions set out in the present rules.

Second: Read and approve the minutes of the previous parliamentary sitting.

Third: Develop the rules relevant to the organization of the minutes and sign the meeting record.

Fourth: Settle the conflicts of jurisdiction between the standing committees.

Fifth: Form the specific committees tasked with the examination of specific issues.

Sixth: Adopt and amend the organizational structure of the Parliament, develop the Parliament's financial and administrative policies.

Seventh: Develop the annual budget and the final accounts of the Parliament in collaboration with the Parliament Office and the relevant committees; submit the budget to the Parliament for approval, supervision and execution.

Eighth: Approve the assignment and pensioning of Parliamentary staff, advisors, and general directors as per the legal rules and procedures.

Ninth: Manage the Parliament relations with all the institutions and centers that take part in the Parliamentary work in and outside the Region.

Tenth: Issue briefs and positions statements on any topics, news events and developments.

Eleventh: Oversee the financial and administrative affairs of all the Presidency Board offices.

Twelfth: Exercise any other powers or duties delegated to it as per the present rules.

### **Article 17:**

The Presidency Board shall hold meetings on a weekly basis. It may also convene at any other time if necessary at the request of the Speaker.

### **Article 18:**

The Powers and Duties of the Speaker:

First: Represent the Parliament and speak on its behalf.

Second: Implement the law, the rules of procedure and the resolutions issued by the Parliament.

Third: Open, preside, end, postpone and set the dates of the parliament terms and sittings.

Fourth: Monitor and maintain the regularity of the debates and preserve the authority of the Parliament.

Fifth: Take the necessary measures to maintain the order and security inside the Parliament.

Sixth: Propose the issues that need to be decided upon by voting and declare the voting results.

Seventh: Represent the Parliament in national events and celebrations. The Speaker may however delegate one of his deputies for that purpose.

Eighth: Exercise all legal, administrative and financial duties related to the Parliament provided they do not constitute a violation of article 16 (6) of the present rules.

Ninth: Submit the laws and resolutions adopted by the Parliament to the Region's Presidency in order to be passed.

Tenth: When the Region's President does not issue the laws and resolutions in the specified deadline, the Speaker shall consider them passed.

Eleventh: Sign all formal communications with the Executive and the other authorities in and outside the Region.

Twelfth: Sign all communications issued by the Parliament or one of the parliamentary committees that fall within his prerogatives.

Thirteenth: Issue the decision to refer MPs to retirement.

Fourteenth: Execute any other powers delegated to him as the present rules and the applicable laws.

## **Article 19:**

The Powers of the Deputy Speaker shall be the following:

First: Exercise all the powers of the Speaker in his absence.

Second: Assist the Speaker in the performance of his duties.

Third: Supervise and follow up on the work performed by the committees and report to the Speaker in that regard.

Fourth: Preside over the joint meetings of the standing committees.

Fifth: Participate in the Presidency Board's activities, as he is one of its members.

Sixth: Exercise any other powers delegated to him by the Speaker or the applicable laws.

## **Article 20:**

The Powers of the Secretary of Parliament shall be the following:

First: Read out the agenda of the parliamentary sitting.

Second: Supervise the drafting and printing processes of the minutes and agendas of the sittings and oversee their distribution once approved by the Presidency Board.

Third: Register the names of the MPs who are willing to participate in the debates, and sort their names in chronological order according to the date of requests.

Fourth: Verify the presence of a quorum and register the names of the absent MPs whether or not they submitted valid excuses for missing the sitting.

Fifth: Monitor the voting process, count the votes and verify the voting results.

Sixth: Follow up the MPs' affairs, and submit to the Presidency Board any problems, requests or proposals that could not be resolved.

Seventh: Oversee, print and follow up on the laws and resolutions that are subject to voting in parliament, and compare between them and the texts that the Parliament already voted on.

Eighth: Oversee the translation from Kurdish to Arabic and vice versa of the bill or proposed law, with the assistance of the language experts and specialists.

Ninth: Develop the endnotes of the bills or proposed laws and resolutions and follow up on their submission to the President of the Region within the specified deadline.

Tenth: Participate in the Presidency Board's activities, as he is one of its members.

Sixth: Exercise any other powers delegated to him by the Speaker or the applicable laws.

## **Chapter IV**

### **Membership**

#### **Article 21:**

The validity of membership

First: The validity of membership is the verification of the legal status of an MP from the moment he submits his candidacy and up until the declaration of results and the assumption of duty, in accordance with the provisions set out in article 21 of the Election Law of the Kurdistan Parliament (Amended Law No 1 of 1992).

Second: In the beginning of an election, The Parliament shall elect an ad hoc committee tasked with the revision of any claims submitted to challenge the validity of membership of MPs. The committee shall consist of a minimum of five (5) and a maximum of seven (7) MPs. None of the committee members may be neither the applicant nor the respondent of the validity challenge. The committee shall elect, in its first sitting a chair and a rapporteur, and shall perform its tasks in accordance with the provisions applicable to the parliamentary committees and stipulated in the present rules.

Third: Every MP shall have the right to challenge the membership of another MP, and every candidate on the winning list shall have the right to challenge the membership of another winning member of the same list and request the annulation of his election and the validity of his membership.

Fourth: The challenges shall be submitted in writing to the Speaker during the first legislative session that follows the election. The Speaker shall refer these challenges to the committee tasked with determining the validity of membership.

Fifth: The committee shall send a copy of the challenge to the MP whose membership is challenged in order for him to prepare his defense on the specified date. The respondent shall have the right to be informed of any documents submitted against him.

Sixth: The committee shall review the challenge while having access to all the documents related to the election of the MP whose membership is challenged. The committee shall then summon the witnesses and experts in order to uncover the truth. The committee shall finally submit its report within a period of thirty (30) days starting from the date of referral of the challenge. The Parliament shall settle the validity of membership by a majority vote of two-thirds (2/3) of the MPs present.

Seventh: If the challenge is deemed unserious or if it contains faulty information with the mere intent of subjecting the respondent to abuse, the committee shall report the issue to the Speaker. The Speaker may in turn refer the report to the competent investigative court that shall take the necessary legal procedures against the applicant. It is worth mentioning that the respondent shall have the right to recourse to this procedure right away.

## **Article 22:**

### The Duties of an MP

First: MPs shall attend the parliamentary sittings and when they fail to attend without a valid excuse, they shall receive a written warning from the Speaker. In the event of recurrent absence, a percentage of five percent (5%) of the MP's salary shall be

deducted for every sitting he misses. In the event of recurrent absence for three (3) consecutive sittings or five (5) intermittent sittings in the same legislative session, this shall be posted on the Parliament's website and the MP shall suffer a salary deduction. If the MP's absence still recurs after that, the Speaker shall report it to the Parliament. The MP may even lose his membership should the Parliament decide so by an absolute majority vote of its members.

Second: If an MP is unable to attend parliamentary sittings and committee meetings because he has been assigned a parliamentary task, he shall not be considered absent but rather on a mission.

Third: An MP shall be considered to have resigned from his position as soon as he takes the oath. He shall discontinue any relationship with this past position and dedicate his time fully to parliamentary work.

Fourth: An MP may not enter in any contractual relationship with the Parliament or the Government either personally or through another person during elections. Furthermore, he may not use his capacity as a member or allow it to be used in any commercial or financial activity.

Fifth: The performance of tasks and activities that relate to political parties, unions or NGOs shall not be considered vocational or professional.

Sixth: An MP may not intervene in the work of the Executive or the Judiciary unless this intervention falls within the prerogatives of legislation and oversight.

Seventh: An MP is not allowed to combine between his membership in parliament and his membership in any other elected council and he shall choose one of the two councils within a period of eight (8) days starting from the day of the election results announcement. If the MP is unable or unwilling to choose one council over the other, he shall be considered solely as an MP.

Eighth: When an MP takes up office in a ministerial position, he shall be considered to have resigned from his membership in Parliament.

## **Article 23:**

### **The Rights of an MP**

First: An MP shall have the right to return to his position at the end of his term in Parliament if he does not lose one of its requirements. He shall have to choose between earning a pension or his other salary. Such right shall apply to former MPs as well.

Second: The length of the term served as an MP shall be taken into account for purposes of promotion, advancement, seniority and retirement.

Third: An MP shall be entitled to a sick leave in accordance with the applicable procedures.

Fourth: The Speaker may decide to grant an MP a regular leave, if so required by the circumstances, for a period not exceeding fifteen (15) days, whether consecutive or intermittent, during each legislative session.

Fifth: The MPs and the Presidency Board members shall be entitled to a basic monthly salary and fixed monthly allowances, which shall be regulated by law.

Sixth: If an MP is deceased in service or due to it, or because of it, his inheritors shall receive a pension in accordance with the applicable laws.

Seventh: When an MP or a Parliamentary bloc boycotts a parliamentary sitting inside the Parliament because of a certain position, their boycott shall not be considered as a regular absence.

Eighth: MPs shall have the right to be informed, through the parliamentary bloc and the committees, of all internal work performed by the committees and during parliamentary sittings.

## **Article 24:<sup>4</sup>**

### **Parliamentary Immunity**

First: MPs shall enjoy parliamentary immunity from the moment they take the oath. MPs may not waive their immunity without the approval of the Parliament.

Second: MPs shall have the right to full freedom of speech and opinion during the performance of parliamentary work, in a manner that is respectful of the constitutional institutions in the Region, in accordance with the applicable laws.

Third: Except in cases of flagrante delicto, MPs may not be prosecuted or interrogated, their residences and offices may not be searched. MPs may not be arrested without prior authorization from the Parliament.

Fourth: A decision to lift the MP's immunity shall be made by a majority vote of the MPs present. Outside the legislative session, the decision to lift the immunity shall be made by the Presidency Board.

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<sup>4</sup> In the 2019 first amendment to Kurdistan Parliament's Rules of Procedure, the Seventh Paragraph of Article 24 becomes the First Paragraph, and the subsequent paragraphs proceed in their original sequence.

Fifth: The decision to lift the immunity shall be limited to the crime mentioned in the judicial request and shall not apply on any other acts.

Sixth: When an MP commits a crime classified as a felony inside the Parliament, the Speaker shall issue an order to arrest him and detain him in a specific detention place before surrendering him to the Judiciary. If the crime is classified as a misdemeanor however, the Speaker shall inform the Judiciary and the necessary legal procedures shall be taken against the MP.

Seventh: The MP whose immunity has been lifted and has not been arrested shall continue to participate in the parliamentary sittings and the committee meetings. He may also participate in debates and exercise his right to vote.

Eighth: If the Parliament refuses to lift the immunity, it shall be prohibited to submit a new request in that regard without submitting new evidence on the matter.

## **Article 25:**

### **Loss of membership**

First: Termination of membership

The membership of an MP shall be terminated in the following cases:

1. The parliamentary term has ended or the parliament has been dissolved.
2. The MP is deceased.
3. The MP has proven his incapacity to perform parliamentary work, based on a report issued by a competent medical committee.

Second: Resignation

1. An MP may freely resign from his office by submitting a written request to the Speaker.
2. The Speaker shall include the request in the agenda of the soonest possible parliamentary sitting in order to settle the issue of resignation. In any case, the settlement shall be done within thirty (30) days from the date of submission of the request, by a majority vote of the MPs present.<sup>5</sup>
3. The MP requesting to resign may revoke his request of resignation by submitting a written request to the Speaker before the voting on his resignation takes place.

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<sup>5</sup> Prior to the 2019 first amendment to Kurdistan Parliament's Rules of Procedure, point 2 of the Second Paragraph of Article 25 was: The Speaker shall include the request in the agenda of the soonest possible parliamentary sitting in order to settle the issue of resignation. In any case, the settlement shall be done within a period of thirty (30) days by a majority vote of the MPs present.

Third: Cessation of membership

The membership shall cease in the following cases:

1. The MP loses his legal capacity.
2. The MP loses one of the membership requirements as set out in the Election Law of the Kurdistan Parliament (Amended law No 1 of 1992).
3. The MP has been convicted either of a felony committed deliberately or of a misdemeanor involving a breach of honor.
4. In the event of recurrent absence as set out in article 22 (1) of the present rules.

#### **Article 26:**

Votes on the loss of membership shall be cast by secret ballot.

#### **Article 27:**

In case the seat of an MP becomes vacant, another candidate of the same list shall fill it, as per the applicable laws.

## **Chapter V**

### **Standing and Ad hoc Committees**

#### **First: Standing Committees**

##### **Article 28:**

First: Standing committees shall be elected by a majority vote of those present in the Parliament, within a period of twenty five (25) days, starting from the end of the first parliamentary sitting.

Second: Standing committees shall consist of a number of MPs that shall be equal to a minimum of five (5) members and a maximum of eleven (11) representing the parliamentary blocs, according to the percentage of representation in parliament.

Third: Parliamentary committees shall elect, based on a request from the Speaker, and within a week following the appointment of its members a chair, a vice chair and a rapporteur. One or more of the Parliament staff shall become the committee secretaries.

Fourth: When distributing the MPs in committees, the Presidency Board shall take into consideration the capacities, the qualifications and the willingness of the MPs as well as the needs of the committees.

Fifth: Every MP shall be a member of at least one standing committee. MPs may not combine between the memberships of more than two committees. An MP may not be either a chair, a vice chair, or a rapporteur for more than one committee.

### **Article 29:<sup>6</sup>**

The Parliament shall include the following standing committees:

First: the Committee of Legislative Affairs

Second: the Committee of Finance and Economic Affairs

Third: the Committee of Peshmerga Affairs

Fourth: the Committee of Interior, Security and Local Councils

Fifth: the Committee of Agriculture and Irrigation

Sixth: the Committee of General and Higher Education and Scientific Research

Seventh: the Committee of Health, Environment and Consumer Rights

Eighth: the Committee of Martyrs, Genocide and Political Detainees

Ninth: the Committee of Relations and Kurdish Diaspora

Tenth: the Committee of Kurdistan Areas outside the Region.

Eleventh: the Committee of Energy, Natural Resources, Industry and Commerce.

Twelfth: the Committee of Municipalities, Transport, Communication and Tourism.

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<sup>6</sup> This article was amended in the 2019 first amendment to Kurdistan Parliament's Rules of Procedure. Prior to the amendment, the article was as follows: The Parliament shall include the following standing committees: **First:** the Committee of Legal Affairs; **Second:** the Committee of Finance and Economic Affairs; **Third:** the Committee of Peshmerga, Interior, Security and Local Councils; **Fourth:** the Committee of Agriculture and Irrigation; **Fifth:** the Committee of General and Higher Education and Scientific Research; **Sixth:** the Committee of Health, Environment and Consumer Rights; **Seventh:** the Committee of Martyrs, Genocide and Political Detainees; **Eighth:** the Committee of Relations and Kurdish Diaspora; **Ninth:** the Committee of Kurdistan Areas outside the Region; **Tenth:** the Committee of Energy, Natural Resources, Industry and Commerce; **Eleventh:** the Committee of Municipalities, Transport, Communication, Tourism, Construction and Investment; **Twelfth:** the Committee of Culture, Civil Society, Sports and Youth; **Thirteenth:** the Committee of Integrity, Parliament Affairs and Complaints; **Fourteenth:** the Committee of Endowments and Religious Affairs; **Fifteenth:** the Committee of Social Affairs, and Advocacy of Women's Rights and of Human Rights.

Thirteenth: the Committee of Construction and Investment.

Fourteenth: the Committee of Culture, Civil Society, Sports and Youth.

Fifteenth: the Integrity Committee.

Sixteenth: the Committee of Parliament Affairs and Complaints.

Seventeenth: the Committee of Endowments and Religious Affairs.

Eighteenth: the Committee of Social Affairs and Human Rights.

Nineteenth: the Committee of Advocacy of Women's Rights.

### **Article 30:**

First: Each standing committee shall establish a subcommittee consisting of some of its members that shall be charged with specific tasks, based on a proposition by one-third of the committee members. The subcommittee's work shall end whenever these tasks are completed.

Second: Each committee shall convene at least twice a month. This provision shall not apply to the committee meetings held between two legislative sessions.

Third: The standing committees shall convene, as may be necessary, based on a request from the Speaker, the Deputy Speaker, the committee chair, or one-third (1/3) of the committee members. The rapporteur of the committee shall inform the committee members of the date and place, as well as the agenda of the meeting, within a period of twenty-four (24) hours prior to the meeting.

Fourth: The quorum for the committee meeting shall be met when the majority of the members are present. The decisions shall be taken by a majority vote of the members present. If there is equality of votes, the Speaker of the Parliament shall cast the deciding vote.

Fifth: A record of the committee meetings shall be kept which shall include the names and signatures of those present as well as a summary of the members' views and the decisions taken during the meeting.

### **Article 31:**

The Speaker may bring any issue to the attention of the standing committees, based on his own views or on a request from at least five (5) MPs.

**Article 32:**

First: Any MP may inform the chair of a committee of his wish to attend the committee meetings. He shall then attend the meetings, and shall have the freedom to express his opinion and the right to voice his remarks but not the right to vote.

Second: The Parliament advisors, according to their qualifications, shall have the right to participate in the committee meetings but not the right to vote.

**Article 33:**

The provisions applicable to the attendees of the parliamentary sittings, as set out in the present rules, shall also apply to the attendees of the committee meetings.

**Article 34:**

When one of the committee members' seats becomes vacant, another member shall be nominated to fill the seat, according to the method set out in the present rules.

**Article 35:**

The standing committee, upon approval from the Speaker, may ask another parliamentary committee to state its opinion regarding a specific issue.

**Article 36:**

Forty-five (45) days after referring a certain project to a competent committee, ten (10) MPs or any Parliamentary Bloc may request a clarification from the committee about the project.

**Article 37:**

When the Presidency Board becomes aware that one of the standing committees is failing in the discharge of its functions, it shall investigate the matter and urge the committee to perform its work. If this is not possible, the Presidency Board shall nominate new members for the committees as per the procedures set out in the present rules, and shall submit the proposal to the Parliament for approval.

**Article 38:**

If a standing committee discussed a proposed law submitted by a number of MPs constituting a quorum, the first MP who signed on the proposal shall have the right to attend the committee meeting to take part in the debate, provided he is not a member of that committee. If he is unable to attend, another MP from those who signed the proposed law shall attend the meeting.

### **Article 39:**

Each standing committee shall determine the names of the specialists and experts whose fields of expertise are associated with the committee's work. The Presidency Board shall seek their advice and benefit from their expertise when necessary, on a contractual basis if need be.

### **Article 40:**

Each standing committee shall hold a hearing based on a request from one-third (1/3) of its members, in order to hear the views of government officials, key staff from both the public and the private sectors, experts and NGO representatives or any other actors whose opinion is valuable to the committee's work. Any MP may attend this sitting and take part in the debate. Following the hearing, the committee shall submit to the Presidency Board a report including the summary of the sitting and the conclusions of the debate.

### **Article 41:**

Each standing committee shall be responsible, within its powers, for the follow up, investigation and necessary field visits related to the implementation of the laws conducive to the interests of the citizens. The standing committees shall also monitor the compliance of the directives and the regulations issued for facilitating the implementation of a specific law with the main purpose of the said law. The standing committee shall also submit to the Presidency Board a report containing the conclusions of the follow up process and any suggestions it may have. The Presidency Board shall act appropriately, as it sees fit in light of the report.

### **Article 42:**

First: The committees may ask the Speaker to invite the competent minister to attend the committee meeting and make any necessary clarifications about the issue at stake within a period not exceeding three days, starting from the date of the invitation.

Second: The committees may ask the Secretary of the Parliament to invite those of a lower rank than minister to participate in the committee meeting.<sup>7</sup>

Third: The committees may submit a request to the official departments and the civil society organizations (NGOs) to provide them with necessary information and to send participants to attend the committee meetings. Such request shall be submitted through the Deputy Speaker.

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<sup>7</sup> The second paragraph of Article 42 was amended in the 2019 first amendment to Kurdistan Parliament's Rules of Procedure, and the order of the paragraphs was changed. Prior to the amendment, the second paragraph was as follows: The competent minister shall attend the committee meetings when the debate tackles a subject relating to his ministry. His ministry board members may accompany him and their opinions shall be included in a report. However, the ministry board members shall have no right to vote.

Fourth: When the above-mentioned invitees are unable to provide the committee with information or to attend its meetings, the Speaker shall inform the Prime Minister. If the Speaker receives no answer seven days later, he shall bring the issue to the attention of the Parliament.

Fifth: The competent minister shall attend the committee meetings at a specified time, either at his own request and with the consent of the Speaker, or at the request of the committee, when an issue relevant to his ministry is discussed. The staff of the ministry may accompany him, and their opinions on the committee's decisions shall be included in a report. However they shall have no right to vote on the report.

## **Second: Special committees**

### **Article 43:**

First: Based on a request from the Presidency Board or one-fourth (1/4) of MPs, and by a majority vote of those present, the Parliament shall form, as may be necessary, ad hoc committees tasked with drafting a report about a specific issue.

Second: The Presidency Board shall have the power to establish a special committee outside the legislative session.

Third: The special committees may not investigate criminal matters or any other issues dealt with in courts.

Fourth: If an MP reveals a secret relating to the committee's work at any time during the committee's service, he shall lose his capacity as a member of that committee.

### **Article 44:**

First: The Executive shall facilitate the tasks of the special committees and provide them with any needed documents and information.

Second: The special committees shall follow up, and conduct any investigations or fact-finding efforts needed to gather all the details relevant to its tasks within all the institutions involved. To that end, the committees may seek the assistance of the competent experts and advisors.

Third:

1. The special committees may request, in writing, the attendance of any person or party to hear their views and opinions, in accordance with the procedures set out in the present rules.

2. When the invited person or party fails to attend at the appointed time without a valid reason, the committee can inform the Executive through the Presidency Board, in order to summon the person in accordance with the applicable laws.<sup>8</sup>

#### **Article 45:**

First: The special committee shall submit its report along with its recommendations to the Speaker. The report and the recommendations shall be distributed to the Members, then submitted to the Parliament for debate and settlement.

Second: If the report is sent to the Speaker in between two legislative sessions, the Presidency Board shall decide either to postpone the submission of the report until the beginning of the new legislative session, or to convene an extraordinary sitting to raise the issue and decide about it. The decision of the Presidency Board shall depend on the importance of the issue.

#### **Article 46:**

The work of the special committees ends when the deadline ends or when the task is accomplished.

## **Chapter VI**

### **The Mode of Work of the Parliament**

#### **First: The Parliamentary Sitzings Agenda**

#### **Article 47:**

First: The Presidency Board shall set the agenda for the Parliamentary sittings.

Second: The agenda for each sitting shall be set in advance. The Secretary of Parliament shall inform all the members of the parliamentary sitting's agenda, forty-eight hours prior to the sitting.

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<sup>8</sup> The second point of the third paragraph of Article 44 was amended in the 2019 first amendment to Kurdistan Parliament's Rules of Procedure. Prior to the amendment, the second point was as follows: When the invited person or party fails to show up without a valid excuse, the ad hoc committee shall inform the Executive, through the Presidency Board in order to summon the person in accordance with the code of criminal procedure applicable in the Region.

## **Article 48:**

First: The scheduled items shall be discussed one by one, in the order of their appearance on the agenda. Discussing one item before or after the other may be possible based on a request from the Speaker or from three (3) MPs, with the approval of the majority of those present.

Second: The discussion of any item shall not begin until the item before it is done. If it proves impossible to end the discussion of one item, for whatever reason, the Presidency Board shall keep it pending and postpone it until the next sitting, with the approval of the majority of the MPs present, then move to the following items on the agenda.

Third: The discussion of an issue not listed on the agenda shall not be allowed.

Fourth: The chair of a parliamentary bloc, the representative of a component, or at least ten (10) MPs shall have the right to request adding an item to the agenda. This request shall be sent twenty-four (24) hours prior to the sitting, provided the item is of a general nature and urgent, and the postponement may cause it to lose importance.

## **Article 49:**

First:

1. Any standing or temporary committee may request from the Presidency Board to include in the agenda the discussion of a phenomenon, an event, or a general happening, forty-eight (48) hours prior to the parliamentary sitting.
2. Every MP shall have the right to raise an idea during ten (10) minutes as per the following requirements:
  - a. The MP must have sent a request in that regard to the Presidency Board, forty-eight (48) hours in advance of the parliamentary sitting.
  - b. The idea must be set down in writing.
  - c. The MP must respect the content of the letter he submitted.
  - d. The idea must discuss a public issue and include possible solutions to resolve it.

Second:

When necessary, the discussion of the issue mentioned in the first paragraph shall be held in the presence of either the Prime Minister or the competent minister, or both of them, based on a request from the committee or the MPs.

Third:

If the Presidency Board rejects the request of the committee or the MPs, and in case they insist on their request, the Speaker shall permit them to present their views in that regard,

as in whether they are with or against it, during a period of three (3) minutes. The Parliament shall then settle the matter decisively.

## **Second: the Order and the Seating Plan of the MPs**

### **Article 50:**

The seating places of the members inside the Parliament shall be determined according to the list in the Kurdish alphabetical order, and taking into consideration the order of the same parliamentary blocs.

### **Article 51:**

The weekly schedule of the parliament shall be set as follows:

First: The MPs shall follow up on citizens' affairs on Sunday.

Second: The committee meetings shall take place on Monday. It is possible to hold meetings on any other day as the committee sees fit.

Third: Tuesday and Wednesday shall be dedicated to parliamentary sittings.

Fourth: Debates with the government shall take place on Thursday, as may be necessary.

Fifth: The Presidency Board may amend the weekly schedule of the Parliament if need be.

## **Third: Parliamentary Sittings**

### **Article 52:**

First: The Speaker shall begin the sitting with the following: "In the name of God, the Most Gracious, the Most Merciful... In the name of the people of Kurdistan". He then shall state the sitting number and date and the legislative session and parliamentary term.

Second: Following the opening, the summary of the record of the previous sitting is presented. It shall be after incorporating the corrections suggested by the Presidency Board or at the request of the MPs.

Third: The summary read out by the Secretary of Parliament must include the following:

- 1- The names of the MPs that did not attend the parliamentary sitting and the committee meeting whether or not they were on leave. The names shall be published on the official page of the parliament.
- 2- The names of the government representatives who attended the previous sitting.
- 3- The main issues discussed during the sitting.
- 4- Any laws or resolutions passed by the parliament during the previous sitting.

- 5- If the sitting is not convened because the parliamentary term ended, the Presidency Board shall approve the record on the parliament's behalf.

#### **Fourth: Attendance at the Parliamentary sittings**

##### **Article 53:**

First:

1. The Prime Minister and the Cabinet Members may request to attend the parliamentary sittings and take part in the debates, but they shall have no right to vote.
2. Ministry staff members may accompany the ministers to the parliamentary sittings in order to provide them with guidance and advice, if allowed by the Speaker, but they shall have no right to speak.

Second:

1. Guests and Media professionals may attend the Parliamentary sittings upon approval of the Presidency Board.
2. The number of those present in the open sitting may not exceed the number of guest seats determined by the Presidency Board.

#### **Fifth: the form and style of debate during parliamentary sittings**

##### **Article 54:**

First: MPs shall speak when granted the permission to do so by the Speaker. They may speak from their seating place or from the podium.

Second: The Speaker shall ask the Secretary to register the names of those who bid the permission to speak when presenting any item on the agenda.

Third: The Speaker shall give the MPs the permission to speak in the order in which their names were registered.

Fourth: MPs must address the Speaker and they must adhere to the following:

1. They may not speak for more than three (3) minutes. They may speak for longer periods during the budget debates and during the sittings accorded a certain privacy by the Presidency Board.
2. They may not answer other MPs' questions or comment on what they have to say. They may not repeat their statements or those of the other MPs. They shall only have the right to approve.

3. They shall focus on the issue subject to debate and may not discuss again any other issue which was subject to vote or which debate was closed.
4. They may discuss a specific issue only once.

Fifth: The Speaker shall not permit the MP to continue speak in the following cases:

1. The MP has spoken without permission.
2. The MP has used improper or defamatory language against a constitutional or legal entity in the Region or against another MP or Parliamentary Bloc, or against any other person.
3. The MP has revealed private information about another MP or any other person.
4. The MP has revealed the secrets of a case debated in courts, or any case that are not meant to be revealed.
5. The MP's speaking time has ended
6. The MP's statements are not relevant to the debate.

#### **Article 55:**

First: The Speaker may order to delete an MP's statements, in all or in part, from the protocol if they constitute a breach of the style of the debate and the conditions set out in the present rules. If the MP objects, the Presidency Board shall settle the matter with no further discussion.

Second: An MP may propose to delete the statements of another MP if the latter has breached the order or adopted a style that contradicts the style and conditions of the debate. The Speaker shall take the decision in that regard.

#### **Article 56:**

First: At any time during the parliamentary sitting, and in accordance with a paragraph or an article either of the constitution or any applicable law, or of the present rules, an MP may ask the permission of the Speaker to speak about a point of order. He shall be allowed to speak for one minute only without consideration of the order of speaking.

Second: A point of order shall strictly cover the following cases:

1. When there is a breach of an article or a paragraph of either the constitution or an applicable law, or of the present rules.
2. When the debates become irrelevant.

3. When it is requested to postpone the discussion of a specific issue, and to decide to discuss a different issue or replace the agenda with a new one.

Third: When an MP asks to speak about a point of order, and he starts however to speak about an issue that is not a point of order, the Speaker may not allow him to continue. If this recurs, the MP shall not be allowed to speak about a point of order anymore.

## **Sixth: Discipline**

### **Article 57:**

The Speaker shall take the following measures against an MP who commits a violation during a parliamentary sitting that may influence the course of the sitting, or who refers to the parliament, the Presidency Board or any other MP by using improper language:

First: Remind the MP to maintain the order of the sitting.

Second: If the MP does not show respect, the Speaker shall warn him.

Third: If the MP uses improper language, his statements shall be deleted from the protocol, in addition to the warning.

Fourth: If the MP takes it too far, the Speaker may forbid him from attending the rest of the sitting.

Fifth: If necessary, the Speaker may end or postpone the sitting.

## **Chapter VII**

### **Oversight**

#### **First: Question time**

##### **Article 58:**

An MP may address written or oral questions to the Prime Minister or the Cabinet Members, through the Presidency Board, in order to enquire about a specific issue that falls within their prerogatives, or about a subject area unknown to the MP or which he wanted to gather more information about. MPs may also seek the opinion of the government regarding a specific issue.

##### **Article 59:**

The written questions shall meet the following requirements:

First: The question must be presented by one or more MPs; it must also be dated, signed and addressed through the Speaker.

Second: The question must be clear, concise, with a specific purpose, devoid of comments and opinions; it must also be respectful of the persons, institutions and bodies of the Kurdistan Region.

Third: The question must tackle an issue pending before the courts.

Fourth: The question must not fall within the jurisdiction of the ministry for which it is addressed.

Fifth: The question must be in compliance with the constitution, the law and the public interest. It must also be unanswered.

Sixth: Questions relating to the issues already submitted to the ad hoc committees shall not be allowed unless the committees have already submitted their report in that regard. In addition, the committees must have drafted their report within a period not exceeding fifteen (15) days.

Seventh: The questions addressed to the Prime Minister and his deputy must cover the government's action program and general policy and the execution of the laws in force.

#### **Article 60:**

First: The Presidency Board shall reject the questions that do not meet the requirements set out in article 59 of the present rules.

Second: The Speaker shall address the question to the Prime Minister or the minister to whom the question is intended, through the office of the Prime Minister, in a period not exceeding seven (7) days, starting from the date the question is delivered.

Third: The person to whom the question is addressed must answer it within a period of seven (7) days. In all cases, postponing the answer for a period exceeding twenty-one (21) days is not be possible.

#### **Article 61:**

First: The question is not dropped by the end of the session. In fact, the deadline for providing the answer shall end then resume with the beginning of the next session.

Second: MPs shall have the right to withdraw their questions.

Third: If the same question is addressed by more than one MP, it shall be presented in the names of all the MPs who addressed it. A copy of the answer shall also be delivered to all.

## **Article 62:**

First: The Prime Minister or the Cabinet Member shall answer the oral question directly or postpone the answer for a period not exceeding fifteen (15) days.

Second: It shall be possible to answer the oral question in writing during the specified deadline.

## **Article 63:**

First: In any sitting allocated for oral questions, every MP shall have the right to address the question only once.

Second: Only the MP who asks the question may comment briefly on the answer given.

Third: The person to whom the question is posed shall answer the comment briefly and for one time only.

Fourth: The MP who is asking the oral question shall provide the Secretary of Parliament with his name and a summary form of the question forty-eight (48) hours prior to the sitting allocated for oral questions.

Fifth: It is forbidden during the oral question time to change the question to interpellation in the same sitting.

## **Article 64:**

The time allocated for oral questions and answers shall be as follows:

First: Two (2) minutes for the question.

Second: Three (3) minutes for the answer.

Third: Three (3) minutes for the comment of the MP who asked the question.

Fourth: Three (3) minutes for the answer to the comment.

## **Article 65:**

The question time criteria shall not apply to the Prime Minister and Cabinet Members during the budget debate and the discussions of bills.

## **Second: Deliberations**

### **Article 66:**

First: Ten (10) MPs shall submit a request to the Presidency Board for deliberation between the parliament and the government, for ensuring the public interest.

Second: The Prime Minister shall ask the Parliament to open the deliberations in his presence or in the presence of one of the Cabinet Members.

Third: The Presidency Board shall set a date for this sitting within a period not exceeding fourteen (14) days.

Fourth: The interpellation and the motion of no confidence shall not take place during deliberations.

Fifth: All MPs may take part in the deliberations.

Sixth: The government may request to postpone this sitting for a period not exceeding seven (7) days and it shall set a later date, in coordination with the Presidency Board.

Seventh: The signatory MPs shall attend the deliberation and be given the right to speak.

### **Article 67:**

First: If all the MPs or a majority of them withdraw the request before the sitting's date has been set, the Speaker shall disregard the request altogether.

Second: In case the Presidency Board does not approve the deliberation, and the signatory MPs insist on their request, the issue shall be brought to the Parliament for settlement.

Third: Following deliberations, the Presidency Board may refer the issue to the competent committee in order to draft a report in that concern. The parliament shall then take the decision and the appropriate measures, or it shall issue its recommendations in that regard.

## **Third: Interpellation**

### **Article 68:**

Interpellation means requesting that the Prime Minister or one of the Cabinet Members to state the government program and the reasons that justify decisions and actions within their prerogatives.

### **Article 69:**

First: Every MP may gather the signatures of one-fifth (1/5) of the MPs to submit an interpellation request against the Prime Minister.

Second: Every MP may gather the signatures of one-sixth (1/6) of the MPs to submit an interpellation request against the Cabinet Members.

Third: The interpellation debate shall not take place until seven (7) days after the date when the interpellation request is delivered to the Prime Minister's office.

### **Article 70:**

The criteria for interpellation are the same as for the question time, in addition to the following:

First: The interpellation request shall be submitted in writing to the Speaker, along with the subject, the evidence, the information and the relevant documents.

Second: The person interrogated shall answer the interpellation within a period not exceeding fourteen (14) days starting from the date of the request.

Third: When the interpellation requires investigations and gathering of information that may prevent the person interrogated from presenting the answer within the specified deadline, he shall ask the Speaker to postpone the interpellation for a period not exceeding seven (7) days. Postponing the interpellation for more than that shall require the approval of the parliament.

Fourth: The Presidency Board shall include the interpellation and the answer in the agenda of the soonest possible sitting. In the event where the answer does not reach the parliament in time, the interpellation alone shall be debated during the sitting.

### **Article 71:**

First: Once the interpellation and answer have been read out, the interpellation process shall take place as follows:

1. The MP who requested the interpellation shall be allowed to speak for fifteen (15) minutes after which the person interrogated shall speak for an equal period of time.
2. Each one of them shall have the right to respond only once for a period of three (3) minutes.
3. The MPs who registered their names will then speak for two (2) minutes.

Second:

1. If the person interrogated fails to attend with no justified reason, the interpellation shall continue in his absence.
2. If the absence is justified, the Presidency Board shall set another date for the interpellation within a period not exceeding thirty (30) days. If the person interrogated

fails to attend during that period as well, the provision set out in article 1 of this paragraph shall apply.

### **Article 72:**

The interpellations scheduled for the previous legislative session shall be included in the agenda of the next session.

### **Article 73:**

The interpellations shall end in the following cases:

First: The MP who requested the interpellation withdraws the interpellation request at any stage of the interpellation process, after getting the approval of the signatory members.

Second: The minister subject to interpellation has resigned.

Third: The MP who requested the interpellation has resigned.

Fourth: The response provided was convincing, or did not gather enough votes of no confidence.

### **Fourth: Motion of No Confidence**

### **Article 74:**

First: A motion of no confidence shall not be considered valid without an interpellation process, whether the person interrogated was present or absent during the interpellation sitting.

Second: If the response is not convincing, the MP who requested the interpellation shall have the right to propose a motion of no confidence by approval of the majority of those present.

Third: Before the vote takes place, the Speaker shall allow two MPs supporting the motion of no confidence and two MPs opposing it to speak about the issue.

Fourth: The Prime Minister shall lose the vote of confidence if a majority of two-thirds (2/3) votes in support of the motion of no confidence.

Fifth: The Cabinet Member shall lose the vote of confidence if an absolute majority of members votes in support of the motion of no confidence.

Sixth: The motion shall be passed within a period not exceeding five (5) days, starting from the date of interpellation.

## **Article 75:**

If the Prime Minister loses the vote of confidence, the Cabinet shall resign and be considered as a caretaker government until a new Cabinet is formed in accordance with laws in force.

## **Article 76:**

The Parliament Oversight procedures shall include the Prime Minister, the Cabinet Members, the presidents of Commissions as well as the independent bodies.

## **Chapter VIII**

### **Legislation**

## **Article 77:**

Legislation means the following:

First: Passing laws and resolutions.

Second: Amending the laws and resolutions already in force.

Third: Enforcing or amending the implementation of the federal laws.

## **Article 78:<sup>9</sup>**

The legislation process involves debating and approving the following:

First: Bills and draft resolutions can be submitted that are related to the Presidency of the Kurdistan Region and to its areas of authority.

Second: Bills and draft resolutions submitted by the Council of Ministers.

Third: Bills and draft resolutions submitted by the Judiciary about issues of relevance to it.

Fourth: Bills and draft resolutions submitted by the independent commissions and boards and any institution that has the right to submit them according to the applicable laws.

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<sup>9</sup> Article 78 was amended in the 2019 first amendment to Kurdistan Parliament's Rules of Procedure. Prior to the amendment, the article was as follows: The legislation process involves debating and approving the following: **First:** A bill or a draft resolution submitted by the Executive. **Second:** A proposed law or a proposed resolution submitted by a minimum of ten (10) MPs. **Third:** Bills and draft resolutions submitted by the Judiciary about issues of relevance to it. **Fourth:** Proposed laws and proposed resolutions submitted by public institutions in accordance with the applicable laws.

Fifth: Legislative proposals or draft resolutions submitted by a minimum of ten (10) MPs.

## **Article 79:** <sup>10</sup>

### **Proposed laws and resolutions**

First: Proposed laws and resolutions must meet the criteria for legislation style and substance.

Second: The Committee of Legal Affairs, in coordination with the Presidency Board, shall decide about holding the first reading of the proposals within a period of fourteen (14) days from the date of submission, and based on the following criteria:

1. Either an issue or legal vacuum or deficiencies in the texts of a law or resolution, for which the enactment of a law or resolution is required.
2. If the proposal would place financial consequences on the Government, before the proposal's first reading it shall be sent to the Government to obtain its consent to bear the financial consequences of the enactment of the legislation.

## **Article 80:**

First: Upon consideration of the proposed law or resolution, and if it is deemed non-compliant with the criteria set out in Article 79 of the present rules, the proposal shall be rejected without a first reading.

Second: When the MPs who submitted the proposed law or resolution are not persuaded by the opinion of the Presidency Board and the Committee of Legal Affairs, the issue shall be brought to the Parliament for settlement.

Third: If the proposed law or resolution is not rejected as a whole and in case the Committee of Legal Affairs and the Presidency Board have made a few remarks about it, the proposed law or resolution shall be returned to the MPs to incorporate the suggested changes and resubmit their proposal.

Fourth: When the proposed law or resolution is approved, it shall be included in the agenda of the soonest possible sitting.

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<sup>10</sup> Article 79 was amended in the 2019 first amendment to Kurdistan Parliament's Rules of Procedure. Prior to the amendment, the article was as follows: **Proposed laws and resolutions.** Proposed laws and resolutions submitted by the required number of MPs must be formulated in the legislation style. The Committee of Legal Affairs, in coordination with the Presidency Board, shall decide about the proposals within a period of fourteen (14) days, starting from the date of submission, and based on the following criteria: **First:** A rising issue that requires a new law or resolution. **Second:** The presence of a legal vacuum. **Third:** A problem in the implementation of a law that calls for amendments. **Fourth:** Special attention must be given to possible financial burdens that the enactment of these laws and resolutions could place on the government.

## **Article 81:**

First: No bill shall be accepted if its content is the same as another proposed law that is being examined by the competent committee responsible for developing a report about it.

Second: If the committee finds a discrepancy between the bill and the proposed law in terms of fundamental points, it shall submit a report in that regard to the parliament. When one of these is adopted by the parliament based on its fundamental points, the other is considered rejected and the committee shall take the appropriate legal measures.

Third: A bill is considered fundamental if it is similar, in its fundamental points, to another proposed law that is already submitted but has not reached the stage of report drafting.

Fourth: When a proposed law is rejected, it may not be resubmitted during the same legislative session.

## **Article 82:**

MPs shall present their proposed laws during the first month of each legislative session only unless special circumstances arise that require the enactment of an urgent law or resolution. To that effect, the Presidency Board shall evaluate the necessity and urgency of the law or resolution.

## **Article 83:**

First: The first reading of the bills and draft resolutions submitted by the government takes place directly during the sitting that directly follows their submission to the parliament.

Second: bill or the proposed law falls within the jurisdiction of more than one committee, the Presidency Board shall decide, in coordination with the Committee of Legal Affairs to divide it into sections and submit each section to the competent committee. Each committee shall then develop a report about the section relevant to its work.

## **Article 84:**

First: The competent committee shall develop its report regarding the bill or the proposed law or resolution within a period of twenty-one (21) days.

Second: The competent committee shall submit its report regarding the urgent bills or proposed laws or resolutions within a period of seven (7) days.

Third: The competent committee shall coordinate with the relevant parties when developing its report.

Fourth: If the committee fails to develop its report within the specified deadline, the Deputy Speaker shall notify the committee chair and the committee shall submit its report along with

the reasons for its delay within a period of four (4) days starting from the day the notice was received. The decision taken by the Presidency Board in that regard shall be decisive.

#### **Article 85:**

First: The competent committee shall submit its report to the Committee of Legal Affairs to review it. The review by the Committee of Legal Affairs, which shall be submitted within a period of ten (10) days, shall cover the legal formulation and style of writing as well as the compliance of the texts with the constitution and applicable laws.

Second: The review period shall be reduced to five (5) days when the bill or the proposed law or resolution that need to be urgently addressed.

Third: The second reading of the committee report shall take place after the approval of the Committee of Legal Affairs in terms of compliance with the constitution and the applicable laws.

#### **Article 86:**

The Secretary of Parliament shall make the approved report available to the MPs within a period of forty-eight (48) hours prior to the second reading.

#### **Article 87:**

First: The second reading shall begin with the reading of the text of the bill or the proposed law followed by the report of the competent committee.

Second: If the report of the competent committee suggests a new drafting for the bill or the proposed law, the decision as to adopting the new draft shall be made by voting.

#### **Article 88:**

First: The MP who registered his name shall speak about any article included in the bill or proposed law only once and for no longer than two (2) minutes.

Second: If the competent minister is present during the debate of the bill or the proposed law, he shall speak about any article during two (2) minutes.

#### **Article 89:**

First: The voting on the bill or the proposed law shall not take place during the sitting dedicated to the second reading.

Second: The competent committee shall take into consideration, in coordination with the Committee of Legal Affairs, all the suggestions and points of view, and shall redraft the articles that need redrafting and clarify them when needed.

## **Article 90:**

First: The voting sitting on the bill or proposed law shall take place no more than one week following the second reading.

Second: During this period, the MP may ask the Secretary of Parliament, the Committee of Legal Affairs and the competent committee to look into the final drafting.

Third: It shall not allowed to debate or present new suggestions during the voting sitting.

## **Article 91:**

First: Voting on the proposed law or resolution shall begin with voting on the title, followed by the articles, one by one, then the explanatory statement and finally the proposed law or resolution as a whole.

Second: If there is more than one suggestion, the MPs shall vote on them all, and the one that wins the most votes shall be passed.

Third: When voting on the views, the view that is submitted for voting by at least three (3) MPs other than the two MPs whose names appear at the end of the speakers' list shall be supported.

Fourth: In addition to the suggestions that can be put to vote in accordance with the Second Paragraph of this article, the Legal Affairs Committee, in coordination with the competent committee, collectively can prepare other options and submit them for voting.<sup>11</sup>

## **Article 92:**

The Parliament shall urgently address the bills and draft resolutions that relate to the budget, as well as the final accounts and any additional appropriations. He shall also decide to consider any other issue as needing urgent attention.

## **Article 93:**

First: Laws and resolutions shall be passed by a majority vote of those present, unless a special majority is required for particular cases.

Second: The Speaker shall declare the parliament's decision to approve or to reject the laws and the resolutions, based on the voting results.

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<sup>11</sup> The Fourth Paragraph was added to Article 91 in the 2019 first amendment to Kurdistan Parliament's Rules of Procedure.

#### **Article 94:**

Laws and resolutions shall be sent to the Office of the President of the Region to be passed within a period of fifteen (15) days, starting from the day they were passed.

#### **Article 95:**

First: If the President of the Region rejects the law or the resolution, in part or as a whole, based on the amended law No 1 of 2005, and within the mentioned period of fifteen (15) days, the competent committee shall draft its report within the fifteen (15) days' period. The report shall then be submitted to the parliament in the first sitting following its finalization; the Parliament's decision shall be final in that regard whether it has taken into account the President's opinion and the discussion of the competent committee's report or it has insisted on its own view, by a majority vote of the MPs present. In this final case, the Parliament's view may not be refuted.

Second: The head of the Office of the Region's President shall have the right to attend the sitting.

#### **Article 96:**

The voting process should be repeated if there are any doubts as to its validity and if at least five (5) MPs have so requested.

#### **Article 97:**

When there is a disagreement regarding the passing of any bill or proposed law or resolution, voting shall take place according to the following order of priority:

First: Voting on the rejection of the bill or the proposed law.

Second: Voting on the referral of the bill or the proposed law back to the government.

Third: Voting on sending the bill or the proposed law back to the competent committee that drafted the report.

Fourth: Voting on the postponement of the debate to a later sitting.

### **Chapter IX**

#### **Budget**

#### **Article 98:**

First: The Cabinet shall submit the budget proposal to the Parliament for debate in the beginning of October of each year and before the start of the fiscal year.

Second: The Cabinet shall submit the final accounts of the previous year to the parliament in the beginning of April of each year.

Third: If the budget proposal and the final accounts are not submitted to the parliament within the deadline specified in paragraphs 1 and 2 of the present article, the Parliament shall ask for clarification from the Minister of Finance. When there are justified reasons for the delay, an extension period not exceeding fifteen (15) days shall be accorded.

#### **Article 99:**

The Presidency Board shall present the budget proposal to the Committee of Finance and Economic Affairs and to the MPs during the soonest possible parliamentary sitting.

#### **Article 100:**

Through the Presidency Board, each committee shall submit to the Committee of Finance and Economic Affairs, within a period of ten (10) days, its remarks on the section of the budget proposal and final accounts that relates to its prerogatives.

#### **Article 101:**

First: The Committee of Finance and Economic Affairs shall submit the report on the budget and final accounts to the Presidency Board within a period of twenty-one (21) days starting from the day of submission of the committee reports.

Second: The Presidency Board shall include the report in the agenda of the soonest sitting after its submission.

Third: If this deadline passes and the committee has not submitted its report, the Presidency Board may accord it another deadline that shall not exceed ten (10) days. If the committee does not submit its report even after this extension, the Committee of Legal shall discuss the report, based on the parliamentary committee reports.

#### **Article 102:**

First: The Committee of Finance and Economic Affairs' report shall be distributed to the MPs and its debate shall start forty-eight (48) hours following its distribution.

Second: The Committee of Finance and Economic Affairs' report shall be inclusive of all the competent committees' reports and the final views of the Committee of Finance and Economic Affairs.

#### **Article 103:**

First: The Parliament may cancel or cut down appropriations or transfer them from one article of the proposal to another, or from one chapter or section to another.

Second: The suggestion to add appropriations, create new expenses or cut down revenues shall be approved only in those circumstances where the Parliament succeeds in persuading the government of the benefit.

#### **Article 104:**

First: The competent minister shall present the government report about the budget. Then, the Committee of Finance and Economic Affairs shall submit the parliamentary committees' joint report.

Second: The reports shall be debated in their general terms, then the sections of the draft budget shall be discussed and the budget items shall be approved. Every MP shall have the right to debate the budget in its general terms for no longer than ten (10) minutes.

#### **Article 105:**

First: The committee shall present the chapters of the budget proposal to be discussed and passed one by one.

Second: Every MP shall have the right to discuss any article during a three (3) minute time.

#### **Article 106:**

Voting shall take place in accordance with article 91 of the present rules.

#### **Article 107:**

The Parliament shall have its own budget as developed by the Parliament Office Chief Executive in coordination with the Committee of Integrity and the Committee of Parliament Affairs and Complaints. The parliament budget shall be included in the general budget once approved by the Presidency Board.

#### **Article 108:**

The Parliament accounts directorate shall prepare the final accounts at the end of each financial year. The final accounts shall be submitted to the Presidency Board for approval as per the administrative procedures. They shall then be sent to the Committee of Finance and Economic Affairs to review them and submit a report about them to the parliament.

#### **Article 109:**

In the event where the development or the submission of the budget proposal is delayed for any reason outside the will of the government, a percentage of 1/12 of the appropriations for the previous financial year shall be disbursed for each month of delay.

## Chapter X

### Parliamentary Blocs and Opposition

#### First: Parliamentary Blocs

##### Article 110:<sup>12</sup>

First: Any political party or institution that has an electoral list and platform, that has participated in the elections of the Parliament of Kurdistan, and that has won seats in the parliament shall constitute a Parliamentary Bloc.

Second: The Presidency Board shall determine, based on the requirement of the parliamentary seats, a budget to be allocate to the Parliamentary Bloc for the effective discharge of its duties. This budget shall be subject to financial procedures.

#### Second: Opposition

##### Article 111:

The Parliamentary Blocs that did not participate in the Cabinet formation or withdrew from the process shall exercise parliamentary work and opposition.

## Chapter XI

### The Parliament Office and the Presidency Board Offices

#### First: the Parliament Office

##### Article 112:

The Parliament shall have an office to manage its affairs under the direction of a Chief Executive of a special rank.

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<sup>12</sup> In the 2019 first amendment to Kurdistan Parliament's Rules of Procedure, the Second Paragraph of Article 110 was deleted, and the Third Paragraph became the Second Paragraph. Prior to the amendment, the Second Paragraph of Article 110 was as follows: **Second:** Parliamentarians shall be free in the exercise of their parliamentary work. However, if a member of any Parliamentary Bloc splits from his bloc and joins another one, he shall lose his membership in the Parliament and shall be replaced by another member of the Bloc according to the list and as approved by the Parliament.

**Article 113:**

First: The Parliament Office Chief Executive shall be appointed by an order from the Speaker and he shall be accountable to him.

Second: The Parliament Office Chief Executive shall perform his tasks in accordance with the applicable laws and the powers granted to him by the Speaker.

Third: The Presidency Board shall regulate the administrative divisions and formations of the Parliament Office.

**Article 114:**

The Parliament Office shall consist of the following general directorates:

First: The General Directorate of Parliamentary and Committee Affairs.

Second: The General Directorate of Administration and Finance.

Third: The General Directorate of Media and Public Relations.

**Article 115:**

The Center for Parliamentary Research and the Directorate for Protocols and International Cooperation shall also be responsible before the Speaker.

**Second: The Presidency Board Offices****Article 116:**

The Presidency Board shall open offices in the centers of the governorates and any other place as may be necessary.

**Article 117:**

First: The office shall receive and hand the citizens' claims and requests to the MPs in that office so they can be referred to the competent committees to examine them, answer them and send the responses back to the requesters.

Second: Claims must not be subject to pleading and must have passed through the stages of examination by the competent committees.

Third: Each office shall have a number of employees and an office manager who shall be responsible for managing the workflow. The Parliament Office Chief Executive shall determine the number of employees needed and their mode of work.

Fourth: The Parliament shall provide the offices with the appropriate needs and expenses.

## **Chapter XII**

### **Final Provisions**

#### **Article 118:**

First: The Parliament shall have security guards who shall follow the Speaker's Orders.

Second: The Speaker shall determine the magnitude of these forces as well as the number of agents.

Third: Weapons and firearms shall be strictly forbidden inside the Parliament building.

Fourth: Armed men or forces, except for the parliament guards, shall not be allowed to enter the parliament building or reside in the proximity of its entrance

#### **Article 119:**

The Parliament shall send delegations from among its MPs abroad and shall invite delegations to visit.

#### **Article 120:**

The Presidency Board shall assist any MP who comes down with an illness and shall facilitate his treatment in or outside the Region, based on a medical report issued by a competent medical committee.

#### **Article 121:**

The Presidency Board shall appoint parliament advisors as set out in the job descriptions. Their rights, obligations, salaries and benefits shall be regulated by the laws in force.

#### **Article 122:**

The Presidency Board shall develop a manual for the retired MPs to facilitate the management of their affairs in the official departments and institutions.

#### **Article 123:**

The Presidency Board shall determine special allocations to the parliament.

#### **Article 124:**

The Parliament shall form coordination pools with the parliamentarians in Iraq and abroad.

**Article 125:**

The provisions set out in these rules may be amended, in part, as a whole, or article by article based on a request from one-fourth (1/4) of the MPs with the approval of a majority of those present, and as per the same legislative procedures.

**Article 126:**

These rules shall take effect starting from the date of their issuance and they shall be published in the official gazette “Waqai'i Kurdistan”. No other rules shall be applicable.

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**In the name of God, the Most Gracious, the Most Merciful**

**In the name of the People**

**The Kurdistan Parliament – Iraq**

**Resolution Number 12**

**Date of Resolution: 13/10/2019**

**Resolution**

Under Paragraph 8 of Article 56 of the Kurdistan Parliament – Iraq Election Law, the amended Law No. 1 of 1992, and under the legal measures that were taken by the Kurdistan Parliament at the third ordinary sitting of 29/9/2019, the following resolution was passed:

First: The First Amendment to the Kurdistan Parliament Rules of Procedure of 2018, which is attached to this resolution.

Second: This amendment shall take effect from the date of its passage and shall be published in the official gazette, “Waqai'i Kurdistan”.

**Dr. Rewaz Faiq Hussein**

**Speaker of the Kurdistan Parliament - Iraq**