



ASSEMBLY OF THE REPUBLIC OF MACEDONIA

The Assembly of the Republic of Macedonia is a unicameral representative body of citizens and a legislative branch of power in the Republic.

The term “assembly” adequately represents the essence of the legislature – a place where the representatives gather and adopt laws and other acts through an organized discussion.



Building of the Assembly of the Republic of Macedonia

The Assembly consists of 123 MPs. 120 MPs are elected according to the proportional representation model, whereby the territory of Republic of Macedonia is divided in six electoral districts laid down in the Electoral Code, each elects 20 MPs. The remaining three MPs are elected according to the majority model in one electoral round, i.e. one MP in each of the three electoral districts in Europe and Africa, in North and South America and in Australia and Asia, whereby citizens of the Republic of Macedonia who live or temporarily stay abroad are given the possibility to exercise their voting right and elect their own representatives in the Assembly.

The mandate of the MPs is four years without any limitations for reelection.

The election of MPs on general, direct and free elections with secret vote enables that the source of their legitimacy is the will of the citizens and represents the realization of the constitutional provision, according to which the sovereignty arises from the citizens and belongs to the citizens.

CONSTITUTION OF THE ASSEMBLY

The Assembly is constituted 20 days after the parliamentary elections, at the latest. The constitutional session is convened by the President of the Assembly from the previous composition. If the constitutional session is not held within this time, the MPs shall gather themselves and constitute the Assembly on the twenty first day after the elections. The mandate of the MPs is verified on this session upon a proposal of the verification committee.

At the same session, the Assembly elects a President of the Assembly from among the MPs.

As soon as the mandates are verified, MPs acquire rights and obligations as set forth in the Constitution, law and the Rules of procedure of the Assembly. MPs receive identification cards which include the right to immunity and other rights which are exercised on the basis of the MP function.

After the constitution, the Assembly can perform its most significant functions: legislative, elective and control-oversight function.

COMPETENCIES OF THE ASSEMBLY

The passage of laws that provide a legal regulation of societal relations and prescribe rights, obligations and responsibilities to societal entities is the primary competence of the Assembly.

Apart from passing laws, the Assembly is the only body that provides authentic interpretation of laws, which indicates the real meaning and

intention of the legislator and provides instructions for a consistent implementation.

Furthermore, the Assembly adopts and changes the highest legal act, the Constitution of the Republic of Macedonia, adopts the National Budget, the Annual Account of the Budget, as well as the Spatial Plan of the country, and as part of its competences, it passes declarations whereby the Assembly takes position about matters of general political importance; resolutions that define a particular situation, problems and measures which are to be taken in certain areas; recommendations that give directions to tackle the current situation in a given area.

Also, the Assembly has a competence to decide about the election of members of state bodies and to appoint the public office holders. Thus, the Assembly elects the Government of the Republic of Macedonia, elects the judges of the Constitutional court, elects the Ombudsman, elects and dismisses the Public Prosecutor of the Republic of Macedonia and also elects, appoints and dismisses the holders of other public and other offices as set forth in the Constitution (electoral competence).

The Constitution stipulates the instruments for control over other bodies and public office holders by the Assembly (MP questions, interpellation, and vote for no confidence in the Government, etc.).

Similarly to the latter, the Assembly has an oversight competence, which is conducted through oversight hearings carried out by the respective working bodies that deal with a particular subject matter. The hearings are held to obtain information and professional opinion regarding the implementation of policies, enforcement of laws and other activities of the Government and state administration bodies.

The Assembly also establishes the public charges, ratifies international agreements, decides about war and peace, decides about changing the borders of the country, decides about the accession and resigning from alliances or unions with other countries, issues a notice for referendum, decides about the reserves of the country, establishes council, proclaims amnesties and performs other works stipulated in the Constitution.

RELATIONS BETWEEN THE ASSEMBLY AND OTHER BRANCHES OF GOVERNMENT

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The separation of powers principle is one of the fundamental values of the constitutional order in the Republic of Macedonia. According to the Constitution of the Republic of

Macedonia, the state government is divided in legislative, judicial and executive branch.

The separation of powers also stipulates certain mechanisms that ensure the mutual "influence" of the legislative, executive and judicial branch.

Relations between the Assembly and the Government

The Government of Republic of Macedonia is the executive branch of power. It establishes the policy for law enforcement and other regulations of the Assembly and it is also responsible for their implementation.

The Government proposes most of the laws. The Government ensures the participation in the legislative process through the mechanism for giving opinions for laws it did not propose, through participation of its representatives in the work of the Assembly and its working bodies and the right to call for a plenary session of the Assembly.

The Assembly controls the work of the Government in three ways: through the right to adopt the Budget, through the instruments to control the work of the Government (MP questions, interpellation) and through initiation of a procedure for No Confidence Vote in the Government. When using last two instruments, the Assembly makes political control over the work of the Government as an executive body.

The Government enjoys the trust of the Assembly about its work, and accordingly from the majority of citizens. The Assembly can vote for no confidence in the Government.

The decision to vote no confidence in the government is reached with majority votes from the total number of MPs. The government is obligated to resign if no confidence vote is passed.

Relations between the Assembly and the President of the Republic of Macedonia

The President of the Republic of Macedonia represents the Republic of Macedonia. He is the supreme commander of the armed forces of Macedonia and holder of the executive branch along with the Government.

The President of the Republic of Macedonia participates in the legislative process through the right to impose a suspension veto on the laws passed by the Assembly. For all adopted laws, the President of the Republic of Macedonia signs a decree for law promulgation (along with the President of the Assembly). The President may decide not to sign the decree for law promulgation, if believed that that a particular law is not in compliance with the Constitution or it is contrary to the verified international agreements.

If the President does not sign the decree, the law is returned to the Assembly for reevaluation.

The Assembly has the right to initiate a procedure for accountability of the President of the Republic of Macedonia. If the initiative is supported by at least 2/3 of the MPs, it is referred to the Constitutional Court which is the only competent body to decide on this matter.

Relations between the Assembly and the Judicial Branch of Power

The judicial power is exercised by courts. Courts are independent and autonomous in their work. The law that regulates the types, competencies, foundation, cancelation, organization and composition of courts, as well as the procedure in front of the courts, is adopted by a two thirds majority vote of the total number of MPs in the Assembly.

Also, the Assembly establishes the Judicial Budget and elects three out of fifteen members of the Judicial Council.

HOW DOES THE ASSEMBLY WORK

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Sessions of the Assembly

The Assembly of Republic of Macedonia is in a continuous seating.

The sessions of the Assembly are convened by the president of the Assembly. The sessions are public, however; the Assembly may decide to work in a session which is closed for public, which requires two thirds majority of the total number of MPs.

The sessions are held from 11:00am to 6:00pm with one hour break, if the President of the Assembly does not decide otherwise for certain sessions.

The President of the Assembly may convene a session on a request by the President of the Republic Macedonia, the Government or at least 20 MPs.

Although the holiday of the Assembly is from August 1 to 31, the President of the Assembly may convene a session of the Assembly in that period, too.

The sessions of the Assembly are chaired by the President of the Assembly. During a session, the Assembly works according to a previously established agenda. No one can take the floor during the session before that is requested and approved by the President of the Assembly.

Quorum

The Assembly can reach decisions if the session is attended by a majority of the total number of

MPs. The Assembly decides with majority votes from the present MPs and at least with one third of the total number of MPs, if the Constitution does not stipulate a special majority.

The number of present MPs is announced by the President of the Assembly.

Working Bodies (Committees)

Standing and interim working bodies are established as part of the Assembly for the purpose of detailed consideration of proposal-laws and other matters under the competence of the Assembly. This contributes to its more efficient work.

Standing working bodies (committees) are established at the beginning of the mandate of the Assembly and operate throughout the whole mandate, while interim working bodies are established on the basis on the needs. Working bodies are established with a decision by the Assembly.

The working bodies are established for certain areas, so that proposal-laws and other acts are reviewed by the respective working body and the Legislative Committee. Each working body takes a position and submits report to the Assembly for each and every reviewed issue.

The composition of the working bodies and inquiry committees is established on the basis of the number of MPs in the parliamentary groups, MPs who are not organized in a parliamentary group and in accordance with the Law on Equal Opportunities among Women and Men.

The working bodies of the Assembly have a president, deputy president and a certain number of members and deputy member.

The working body may also have two external members – academics and experts who participate in the work without a decision-making right.

Also, the working body can invite academics, experts, representatives of local governments and associations, etc. at the sessions to express opinion about the matters reviewed on the session of the working body.

Publicity in the work

Publicity is the main principle of the work of the Assembly. The sessions of the Assembly are public and the live broadcast can be watched on the Parliamentary Channel of the Macedonian Radio Television and Internet through the Assembly's website (www.sobranie.mk).

The media inform about the work of the Assembly. Media representatives have the right to attend the sessions of the Assembly and the

sessions of the working bodies in order to inform the public about their work.

Citizens may follow the sessions of the Assembly and working bodies from the galleries.

The Assembly issues a newsletter and other publications to publish information about its work.

ELECTION, RIGHTS AND OBLIGATIONS OF MPS

MPs are elected on general, direct and free elections by a secret vote. Their mandate is a public function and incompatible with any other public function or profession.

Every citizen of Republic of Macedonia who is 18, and who has capacity to work can be elected as an MP. A citizen may be nominated as a candidate for MP through a political party or group of voters, if at least 1.000 signatures are collected.

MP's mandate is four years and starts from the Constitutional Session of the Assembly and may be continued only in case of war or emergency.

Parliamentary groups are established in the Assembly whereby a parliamentarian may be member of only one parliamentary group.

An MP has a right and duty to attend the sessions of the Assembly and to participate in the work and decision-making.

MPs enjoy immunity. An MP cannot be held criminally responsible or arrested for having stated an opinion or for the way s/he voted in the Assembly.

An MP decides upon his/her own conviction and their mandate cannot be revoked under any conditions. S/he is a representative of all citizens and makes decisions on behalf of all citizens of the Republic of Macedonia.

The last day of the working week (Friday) is foreseen for between the MPs and citizens in their constituencies. This is a possibility for the MPs to hear the opinions and problems of citizens and to make various initiatives.

