



ADOPTION OF LAWS IN THE ASSEMBLY OF REPUBLIC OF MACEDONIA

The Assembly is a representative body of citizens and the legislative branch of power in Republic of Macedonia is vested in it, i.e. it is the only state body with competence to adopt laws.

The required majority for adoption of laws is stipulated by the Constitution of the Republic of Macedonia and by law. According to the Constitution, the Assembly can make decisions if the session is attended by majority of the total number of MPs (quorum). The Assembly reaches the decisions with majority votes from the attending MPs and at least one third of the total number of MPs (simple or relative majority) unless the Constitution stipulates a special majority (absolute or qualified majority). The decision-making about laws that directly impact the culture, language use, education, personal documentation, and use of symbols requires the majority votes from the attending MPs that belong to the non-majority communities in the Republic of Macedonia (double or so-called Badinter majority).

Laws are adopted in a specified procedure (legislative procedure), which is stipulated in the Rules of Procedure of the Assembly of the Republic of Macedonia. The legislative procedure consists of a series of steps that the proposed law undergoes before it becomes a law. According to the Rules of Procedure, the procedure has three readings (regular procedure).

Laws are usually adopted in a regular procedure; however, in certain cases, laws can be adopted in a shortened procedure or in an emergency procedure in exceptional cases.

The right to propose a law is given to every MP, the Government of Republic of Macedonia and at least 10,000 voters. These are authorized proposers of laws. Every citizen, institution or association can give an initiative to pass a certain law.

According to the Rules of Procedure, the proposed law is submitted by the authorized proposers to the President of the Assembly, who then submits it to MPs in a written or electronic form, whereby the legislative procedure commences.

FIRST READING

As part of the first reading, the working bodies (committees) and the Assembly decide whether the proposed law is acceptable and whether it can be submitted for a further reading. The proposed law is first reviewed by the relevant commission and the legislative committee, as well as by the finances and budget committee. Then, the proposed law is discussed at a session of the Assembly.

The relevant working body and the legislative committee hold a general discussion about the proposed law and prepare reports that include the opinion whether the proposed law is acceptable and whether it should be submitted for a further reading.

The proposed law is then reviewed at a session of the Assembly on a general discussion. After the general discussion, the Assembly makes a decision whether it may be submitted for a second reading. If the Assembly decides that

the proposed law is acceptable and can be submitted for a further reading, it reaches a conclusion whereby the legislative procedure continues.

With the same conclusion about the proposed law of general interest, the Assembly can decide to hold a public debate and appoint the respective working body to organize the public hearing. The relevant working body that organizes the public debate should make the proposed law available to all the interested parties (citizens, public institutions, NGOs, trade unions, etc.), which can submit their opinion and proposals regarding the proposed law within a specified deadline. Based on their opinions and proposals, the relevant working body drafts the report on the debate, which is submitted along with the proposed law to the Assembly for a second reading.

If the Assembly decides that the proposed law is unacceptable, the legislative procedure ends. In that case, the same proposed law cannot be submitted within period of three months.

SECOND READING

During the second reading, the proposed law is again reviewed by the working bodies and at the session of the Assembly. Amendments can be submitted in this stage of the procedure. An amendment is a proposal for changes and amendments to the proposed law.

The second reading starts with the reviewing of the proposed law by the relevant committee and the legislative committee, which discuss the provisions of the proposed law and the submitted amendments by the MPs or parliamentary groups and then vote. In this stage, working bodies also have the possibility to submit amendments.

If an amendment is adopted at a session of the relevant working body and the legislative committee, after the completion of the discussion, these committees draft an amended proposed law (wording of the proposed law that includes the adopted amendments) and an explanation.

After the reviewing of the proposed law by the working bodies, the proposed law is discussed

at a session of the Assembly. During the second reading, a discussion is held on a session of the Assembly only for the articles of the proposed law which are altered by amendments; thereby amendments can be submitted only for those articles. Amendments may be submitted by every MP, parliamentary group and the proposer.

An amendment is adopted with majority votes from the attending MPs, and at least with one third of the total number of MPs, regardless of the majority votes required for the adoption of the law. The amendment of the initiator of the proposed law and the amendment that he/she agreed with are considered as constituent part of the proposed law.

If the Assembly adopts amendments to more than 1/3 of the articles of the amended proposed law, after the completed second reading, the wording of the law goes through technical review and it is prepared for the third reading.

If the amendments of less than 1/3 of the articles of the amended proposed law are adopted, the Assembly may decide that the third reading of the proposed law is held at the same session. The chairperson then decides if the third reading is held immediately after the adoption of the respective decision.

However, if none of the amendments are adopted at the session of the Assembly during the second reading, the third reading is not conducted and the complete proposed law is voted at the same session.

THIRD READING

The working bodies are not involved in the third reading and by rule, it is held on the next plenary session after the second reading.

In this phase, MPs and the proposer can submit amendments only to the articles to which amendments have been adopted during the second reading at session of the Assembly.

During the third reading, the Assembly discusses and decides only about the articles of the amended proposed law for which amendments were submitted and decides about the whole proposed law.

SHORTENED PROCEDURE

Shortened procedure for adoption of law may be applied on request by the proposer in the following cases: if the law is not complex and extensive; the law or some of the provisions of certain law are no longer valid, and if it is not a matter of complex and extensive harmonization with the EU legislation.

The Assembly decides if the proposed law is to be reviewed in a shortened procedure. If the decision is affirmative, the President of the Assembly immediately instructs the relevant working body and the legislative committee to discuss the proposed law.

The working bodies discuss it in a procedure as for the second reading. It means that the discussion is held about individual articles of the law and discussion and decisions are made about the submitted amendments. Amendments may be submitted until the beginning of the working bodies' sessions.

When the proposed law is reviewed in a shortened procedure, the Assembly also holds a general discussion. The second and the third reading are conducted during the same session of the Assembly. In that case, the second reading starts with discussion about the proposed law, in the same procedure as for the second reading for laws adopted in regular procedure. The difference is that amendments can be, also, submitted at the session, until the beginning of the third reading of the proposed law.

EMERGENCY PROCEDURE

As an exception, a law may be adopted in an emergency procedure, but only in the following cases: if that is necessary to prevent and eliminate major economic disturbances; when that is required for the interest of security and defense of the country, or in case of major natural catastrophes, epidemics or other extraordinary and urgent needs.

The proposer is obligated to provide the rationale about the proposal for adoption of the law in an emergency procedure and to submit the proposed law for which the adoption is

proposed. The Assembly decides about the justification of the proposal without debate. If the decision is affirmative, the Assembly obligates the relevant working body and the legislative committee to discuss the proposed law.

When the proposed law is reviewed in an emergency procedure, the general discussion is not held. The second and the third reading are conducted on the same session. In that case, the second reading starts with discussion about the proposed law in accordance with the provisions of the Rules of Procedure for the second reading. When the proposed law is reviewed in an emergency procedure, the time limitations which are stated in the Rules of Procedure are not valid.

PROCLAMATION AND PUBLICATION OF LAWS

Laws are proclaimed with a decree, which is signed by the President of the Republic and the President of the Assembly. After the adoption of the law, the President of the Assembly submits the law to the President of the Republic to sign the decree for law proclamation.

Before entering into force, the laws are published in the "Official Gazette of Republic of Macedonia", within seven days from the adoption at the latest, and enter into force on the eight day from the publication at earliest, except in cases decided by the Assembly, on the day of publication. The laws are published both in Macedonian and Albanian language.

RIGHT TO SUSPENSIVE VETO

The President of the Republic may decide not to sign the decree for proclamation of the law. In that case, the Assembly reviews the law again and if it is adopted with majority votes from the total number of MPs, the President of the Republic is obligated to sign the decree for proclamation. The President of the Republic is also obligated to sign the decree for proclamation if the law is adopted with two thirds majority votes from the total number of MPs.

REGULAR LEGISLATIVE PROCEDURE IN THE ASSEMBLY OF THE REPUBLIC OF MACEDONIA

