

Albanian

Part Three--The Assembly

Chapter I--Election and Term

Article 64

1. The Assembly consists of 140 deputies. One-hundred deputies are elected directly in single-member electoral zones with an approximate number of voters. Forty deputies are elected from the multi-name lists of parties or party coalitions according to their respective order.
2. The total number of deputies of a party or a party coalition shall be, to the closest possible extent, proportional to the valid votes won by them on the national scale in the first round of elections.
3. Parties that receive less than 2.5 per cent, and party coalitions that receive less than 4 per cent, of the valid votes on the national scale in the first round of elections do not benefit from their respective multi-name lists.

Article 65

1. The Assembly is elected for four years.
2. Elections for the Assembly are held within 60 to 30 days before the end of the mandate and not later than 45 days after its dissolution.
3. The mandate of the Assembly continues until the first meeting of the new Assembly. In this interval, the Assembly may not issue laws or take decisions, except when extraordinary measures have been established.

Article 66

The mandate of the Assembly is extended only in the case of war and for so long as it continues. When the Assembly is dissolved, it recalls itself.

Article 67

1. The newly elected Assembly is called to its first meeting by the President of the Republic no later than 20 days from the conclusion of the elections.
2. If the President of the Republic does not exercise this power, the Assembly must convene itself within 10 days from the end of the term provided in paragraph 1 of this article.

Chapter II--The Deputies

Article 68

1. Candidates for deputy may be presented only by political parties, coalitions of parties, and voters.
2. The rules for the designation of candidates for deputy, for the organization and conduct of the elections, as well as the definition of electoral zones and the conditions of validity for elections, are regulated by the electoral law.

Article 69

1. Without resigning from duty, the following may not run as candidates nor be elected deputies:

- a) judges, prosecutors;
- b) military servicemen on active duty;
- c) staff of the police and of National Security;
- d) diplomatic representatives;
- e) chairmen of municipalities and communes as well as prefects in the places where they carry out their duties;
- f) chairmen and members of the electoral commissions;
- g) the President of the Republic and the high officials of the state Administration contemplated by law.

2. A mandate gained in violation of paragraph 1 of this article is invalid.

Article 70

- 1. Deputies represent the people and are not bound by any obligatory mandate.
- 2. Deputies may not simultaneously exercise any other public duty with the exception of that of a member of the Council of Ministers. Other cases of incompatibility are specified by law.
- 3. Deputies may not carry out any profit-making activity that stems from the property of the state or of local government, nor may they acquire their property.
- 4. For every violation of paragraph 3 of this article, on the motion of the chairman of the Assembly or one-tenth of its members, the Assembly decides on sending the issue to the Constitutional Court, which determines the incompatibility.

Article 71

- 1. The mandate of the deputy begins on the day when he is declared elected by the respective electoral commission.
- 2. The mandate of the deputy ends or is invalid, as the case may be:
 - a) when he does not take the oath;
 - b) when he resigns from the mandate;
 - c) when one of the conditions of inelectability contemplated in articles 69, and 70, paragraphs 2 and 3 is ascertained;
 - d) when the mandate of the Assembly ends;
 - e) when he is absent for more than six consecutive months in the Assembly without reason.

f) when he is convicted by a final court decision for commitment of a crime.

Article 72

Before beginning the exercise of the mandate, the deputies take the oath in the Assembly.

Article 73

1. A deputy does not bear responsibility for opinions expressed in the Assembly and votes given. This provision is not applicable in the case of defamation.
2. A deputy may not be criminally prosecuted without the authorization of the Assembly. Authorization is also required when he is to be arrested.
3. A deputy may be detained or arrested without authorization when he is apprehended during or immediately after the commission of a serious crime. In these cases, the General Prosecutor immediately notifies the Assembly, which, when it determines that the proceeding is misplaced, decides to lift the measure.
4. For issues contemplated in paragraphs 2 and 3, the Assembly decides by secret vote.

Chapter III--Organization and Functioning

Article 74

1. The Assembly conducts its annual work in two sessions. The first session begins on the third Monday of January and the second session on the first Monday of September.
2. The Assembly meets in extraordinary session when it is requested by the President of the Republic, the Prime Minister or by one-fifth of all the deputies.
3. Extraordinary sessions are called by the Speaker of the Assembly on the basis of a defined agenda.

Article 75

1. The Assembly elects and discharges its chairman.
2. The Assembly is organized and functions according to regulations approved by the majority of all the members.

Article 76

1. The Chairman chairs debates, directs the work, assures respect for the rights of the Assembly and its members, as well as represents the Assembly in relations with others.
2. The highest civil employee of the Assembly is the General Secretary.
3. Other services necessary for the functioning of the Assembly are carried out by other employees, as is specified in the internal regulations.

Article 77

1. The Assembly elects standing committees from its ranks and may also establish special committees.
2. The Assembly has the right and, upon the request of one-fourth of its members is obliged, to designate investigatory committees to review a particular issue. Its conclusions are not binding on the courts, but they may be made known to the office of the prosecutor, which evaluates them according to legal procedures.
3. Investigatory committees operate according to the procedures set by law.

Article 78

1. The Assembly decides with a majority of votes, in the presence of more than half of its members, except for the cases where the Constitution provides for a qualified majority.
2. Meetings of the deputies, which are convened without being called in accordance to the regulations, do not have any effect.

Article 79

1. Meetings of the Assembly are open.
2. At the request of the President of the Republic, the Prime Minister or one-fifth of the deputies, meetings of the Assembly may be closed, when a majority of all its members have voted in favor of it.

Article 80

1. The Prime Minister and any other member of the Council of Ministers is obligated to answer interpellances and questions of the deputies within three weeks.
2. A member of the Council of Ministers has the right to take part in meetings of the Assembly or of its committees; he is given the floor whenever he requests it.
3. The heads of state institutions, on request of the parliamentary committees, give explanations and inform on specific issues of their activity to the extent that law permits.

Chapter IV--The Legislative Process

Article 81

1. The Council of Ministers, every deputy, and 20,000 electors each have the right to propose laws.
2. The following are approved by three-fifths of all members of the Assembly:
 - a) the laws for the organization and operation of the institutions provided for in the Constitution;
 - b) the law on citizenship;
 - c) the law on general and local elections;
 - d) the law on referenda;

- e) the codes;
- f) the law for the state of emergency;
- g) the law on the status of public functionaries;
- h) the law on amnesty;
- i) the law on administrative divisions of the Republic.

Article 82

1. The proposal of laws, when this is the case, must always be accompanied by a report that justifies the financial expenses for its implementation.
2. No non-governmental draft law that makes necessary an increase in the expenses of the state budget or diminishes income may be approved without taking the opinion of the Council of Ministers, which must be given within 30 days from the date of receiving the draft law.
3. If the Council of Ministers does not give an answer within the above term, the draft law passes for review according to the normal procedure.

Article 83

1. A draft law is voted on three times: in principle, article by article, and in its entirety.
2. The Assembly may, at the request of the Council of Ministers or one-fifth of all the deputies, review and approve a draft law with an expedited procedure, but not sooner than one week from the beginning of the procedure of review.
3. The expedited procedure is not permitted for the review of the draft laws contemplated in Article 81, paragraph 2, with the exception of subparagraph "f."

Article 84

1. President of the Republic promulgates the approved law within 20 days from its presentation.
2. A law is deemed promulgated if the President of the Republic does not exercise the rights provided for in paragraph 1 of this article and in paragraph 1 of article 85.
3. A law enters into force with the passage of not less than 15 days after its publication in the Official Journal.
4. In the case of extraordinary measures, as well as in cases of necessity and emergency, when the Assembly decides with a majority of all its members and the President of the Republic gives his consent, a law may enter into force immediately, but only after it is made known publicly. The law must be published in the first number of the Official Journal.

Article 85

1. The President of the Republic has the right to return a law for review only once.

2. The decree of the President for the review of a law loses its effect when a majority of all the members of the Assembly vote against it.