

## Ministry of Justice, Finland

### NB: Unofficial translation

# The Constitution of Finland 11 June 1999 (731/1999, amendments up to 1112 / 2011 included)

## Chapter 4 - Parliamentary activity

### *Section 33 - Parliamentary session*

The Parliament convenes in session every year at a time decided by the Parliament, after which the President of the Republic shall declare the parliamentary session open.

The parliamentary session continues until the time when the Parliament convenes for the following parliamentary session. However, the last parliamentary session of an electoral term shall continue until the Parliament decides to conclude its work. Thereafter, the President shall declare the work of the Parliament finished for that electoral term. However, the Speaker of the Parliament has the right to reconvene the Parliament, when necessary, before new elections have been held.

### *Section 34 - The Speaker and the Speaker's Council*

The Parliament elects from among its members a Speaker and two Deputy Speakers for each parliamentary session.

The election of the Speaker and the Deputy Speakers is conducted by secret ballot. The Representative receiving more than one half of the votes cast is deemed elected. If no one has received the required majority of the votes cast in the first two ballots, the Representative receiving the most votes in the third ballot is deemed elected.

The Speaker, the Deputy Speakers and the chairpersons of parliamentary Committees form the Speaker's Council. The Speaker's Council issues instructions on the organisation of parliamentary work and decides, as specifically provided in this Constitution or in the Parliament's Rules of Procedure, on the procedures to be followed in the consideration of matters in the Parliament. The Speaker's Council may put forward initiatives for the enactment or amendment of Acts governing parliamentary officials or the Parliament's Rules of Procedure, as well as proposals for other provisions governing the work of the Parliament.

### *Section 35 - Committees of the Parliament*

For each electoral term, the Parliament appoints the Grand Committee, the Constitutional Law Committee, the Foreign

Affairs Committee, the Finance Committee, the Audit Committee and the other standing Committees provided in the Parliament's Rules of Procedure. In addition, the Parliament appoints Committees ad hoc for the preparation of, or inquiry into, a given matter. (596/2007, entry into force 1.6.2007)

The Grand Committee shall have twenty-five members. The Constitutional Law Committee, the Foreign Affairs Committee and the Finance Committee shall have at least seventeen members each. The other standing Committees shall have at least eleven members each. In addition, each Committee shall have the necessary number of alternate members.

A Committee has a quorum when at least two thirds of its members are present, unless a higher quorum has been specifically required for a given matter.

#### *Section 36 - Other bodies and delegates to be elected by the Parliament*

The Parliament elects the trustees for monitoring the administration and operations of the Social Insurance Institution, as provided in more detail by an Act.

The Parliament elects the other necessary bodies, as provided in this Constitution, in another Act or in the Parliament's Rules of Procedure.

The election of the parliamentary delegates in a body established under an international agreement or in another international body shall be governed by an Act or by the Parliament's Rules of Procedure.

#### *Section 37 - Election of the parliamentary organs*

The Committees and the other parliamentary organs are appointed during the first parliamentary session of an electoral term for the duration of that term, unless otherwise provided in this Constitution, or in the Parliament's Rules of Procedure or in the specific rules of procedure laid down by the Parliament for a given parliamentary organ. However, on the proposal of the Speaker's Council, the Parliament may agree to the reappointment of a committee or organ during the electoral term.

The Parliament elects the members of the Committees and the other organs. Unless the election is by consensus, it is held by proportional vote.

#### *Section 38 - Parliamentary Ombudsman*

The Parliament appoints for a term of four years a Parliamentary Ombudsman and two Deputy Ombudsmen, who shall have outstanding knowledge of law. A Deputy Ombudsman may have a substitute as provided in more detail by an Act. The provisions on the Ombudsman apply, in so far as appropriate, to a Deputy Ombudsman and Deputy Ombudsman's substitute. (802/2007, entry into force 1.10.2007)

The Parliament, after having obtained the opinion of the Constitutional Law Committee, may, for extremely weighty reasons, dismiss the Ombudsman before the end of his or her term by a decision supported by at least two thirds of the votes cast.

#### *Section 39 - How matters are initiated for consideration in the Parliament*

Matters are initiated for consideration in the Parliament on the basis of a Government proposal or a motion submitted by the Government or a motion submitted by a Representative, or in another manner provided in this Constitution or in the Parliament's Rules of Procedure.

Representatives may put forward:

- (1) Legislative motions, containing a proposal for the enactment of an Act;
- (2) Budgetary motions, containing a proposal for an appropriation to be included in the budget or a supplementary budget, or for another budgetary decision; and
- (3) Petitionary motions, containing a proposal for the drafting of a law or for taking other measures.

#### *Section 40 - Preparation of matters*

Government proposals, motions by Representatives, reports submitted to the Parliament and other matters, as provided for in this Constitution or in the Parliament's Rules of Procedure, shall be prepared in Committees before their final consideration in a plenary session of the Parliament.

#### *Section 41 - Consideration of matters in plenary session*

A legislative proposal and a proposal on the Parliament's Rules of Procedure are considered in plenary session in two readings. However, a legislative proposal left in abeyance and an Act left unconfirmed are considered in one reading only. Other matters are considered in the plenary session in a single reading.

Decisions in plenary session are made by a simple majority of the votes cast, unless specifically otherwise provided in this Constitution. In the event of a tie, the decision is made by drawing lots, except where a qualified majority is required for the adoption of a motion. More detailed provisions on voting procedure are laid down in the Parliament's Rules of Procedure.

#### *Section 42 - Duties of the Speaker in a plenary session*

The Speaker convenes the plenary sessions, presents the matters on the agenda, oversees the debate and ensures that the Constitution is complied with in the consideration of matters in plenary session.

The Speaker shall not refuse to include a matter on the agenda or a motion in a vote, unless he or she considers it to be contrary to the Constitution, another Act or a prior decision of the Parliament. In this event, the Speaker shall explain the reasons for the refusal. If the Parliament does not accept the decision of the Speaker, the matter is referred to the Constitutional Law Committee, which shall without delay rule whether the action of the Speaker has been correct.

The Speaker does not participate in debates or votes in plenary sessions.

#### *Section 43 - Interpellations*

A group of at least twenty Representatives may address an interpellation to the Government or to an

individual

Minister on a matter within the competence of the Government or the Minister. The interpellation shall be replied to in a plenary session of the Parliament within fifteen days of the date when the interpellation was brought to the attention of the Government.

At the conclusion of the consideration of the interpellation, a vote of confidence shall be taken by the Parliament, provided that a motion of no confidence in the Government or the Minister has been put forward during the debate.

#### *Section 44 - Statements and reports of the Government*

The Government may present a statement or report to the Parliament on a matter relating to the governance of the country or its international relations.

At the conclusion of the consideration of a statement, a vote of confidence in the Government or a Minister shall be taken, provided that a motion of no confidence in the Government or the Minister has been put forward during the debate. No decision on confidence in the Government or its Member shall be made in the consideration of a report.

#### *Section 45 - Questions, announcements and debates*

Each Representative has the right to address questions to a Minister on matters within the Minister's competence. Provisions on the questions and the answers are laid down in the Parliament's Rules of Procedure.

The Prime Minister or a Minister designated by the Prime Minister may present an announcement to the Parliament on any topical issue.

A debate on any topical issue may be held in a plenary session, as provided in more detail in the Parliament's Rules of Procedure.

The Parliament makes no decisions on matters referred to in this section. In the consideration of these matters, exceptions may be made to the provision in section 31(1) on the right to speak.

#### *Section 46 - Reports to be submitted to the Parliament*

The Government shall submit to the Parliament annual reports on governmental activities and on the measures undertaken in response to parliamentary decisions, as well as annual reports on State finances and adherence to the budget. (1112/2011, entry into force 1.3.2012)

Other reports shall be submitted to the Parliament, as provided in this Constitution, or in another Act or in the Parliament's Rules of Procedure.

#### *Section 47 - Parliamentary right to receive information*

The Parliament has the right to receive from the Government the information it needs in the consideration of matters.

The appropriate Minister shall ensure that Committees and other parliamentary organs receive without delay the necessary documents and other information in the possession of the authorities.

A Committee has the right to receive information from the Government or the appropriate Ministry on a matter within its competence. The Committee may issue a statement to the Government or the Ministry on the basis of the information.

A Representative has the right to information which is in the possession of authorities and which is necessary for the performance of the duties of the Representative, in so far as the information is not secret or it does not pertain to a State budget proposal under preparation.

In addition, the right of the Parliament to information on international affairs is governed by the provisions included elsewhere in this Constitution.

#### *Section 48 - Right of attendance of Ministers, the Ombudsman and the Chancellor of Justice*

Minister has the right to attend and to participate in debates in plenary sessions of the Parliament even if the Minister is not a Representative. A Minister may not be a member of a Committee of the Parliament. When performing the duties of the President of the Republic under section 59, a Minister may not participate in parliamentary work.

The Parliamentary Ombudsman and the Chancellor of Justice of the Government may attend and participate in debates in plenary sessions of the Parliament when their reports or other matters taken up on their initiative are being considered.

#### *Section 49 - Continuity of consideration*

Consideration of matters unfinished in one parliamentary session continues in the following parliamentary session, unless parliamentary elections have been held in the meantime. When necessary, the consideration of an international matter pending in the Parliament may continue in the parliamentary session following parliamentary elections. (1112/2011, entry into force 1.3.2012)

#### *Section 50 - Public nature of parliamentary activity*

The plenary sessions of the Parliament are open to the public, unless the Parliament for a very weighty reason decides otherwise for a given matter. The Parliament publishes its papers, as provided in more detail in the Parliament's Rules of Procedure.

The meetings of Committees are not open to the public. However, a Committee may open its meeting to the public during the time when it is gathering information for the preparation of a matter. The minutes and other related documents of the Committees shall be made available to the public, unless a Committee for a compelling reason decides otherwise for a given matter.

The members of a Committee shall observe the level of confidentiality considered necessary by the Committee.

However, when considering matters relating to Finland's international relations or European Union affairs, the members of a Committee shall observe the level of confidentiality considered necessary by the Foreign Affairs Committee or the Grand Committee after having heard the opinion of the Government.

#### *Section 51 - Languages used in parliamentary work*

The Finnish or Swedish languages are used in parliamentary work.

The Government and the other authorities shall submit the documents necessary for a matter to be taken up for consideration in the Parliament both in Finnish and Swedish. Likewise, the parliamentary replies and communications, the reports and statements of the Committees, as well as the written proposals of the Speaker's Council, shall be written in Finnish and Swedish.

#### *Section 52 - Parliament's Rules of Procedure and other instructions and rules of procedure*

More detailed provisions on the procedures to be followed in the Parliament, as well as on parliamentary organs and parliamentary work are issued in the Parliament's Rules of Procedure. The Parliament's Rules of Procedure shall be adopted in plenary session following the procedure for the consideration of legislative proposals and published in the Statutes of Finland.

The Parliament may issue instructions for the detailed arrangement of internal administration, for elections to be carried out by the Parliament and for other parliamentary work. In addition, the Parliament may issue rules of procedure for the organs appointed by it.

#### *Section 53 – Referendum and citizens' initiative (new title, 1112/2011, entry into force 1.3.2012)*

The decision to organise a consultative referendum is made by an Act, which shall contain provisions on the time of the referendum and on the choices to be presented to the voters.

Provisions concerning the conduct of a referendum are laid down by an Act.

At least fifty thousand Finnish citizens entitled to vote have the right to submit an initiative for the enactment of an Act to the Parliament, as provided by an Act. (1112/2011, entry into force 1.3.2012)

## **Chapter 6 - Legislation**

#### *Section 70 - Legislative initiative*

The proposal for the enactment of an Act is initiated in the Parliament through a government proposal submitted by the Government or through a legislative motion submitted by a Representative. Legislative motions can be submitted when the Parliament is in session.

#### *Section 71 - Supplementation and withdrawal of a government proposal*

A government proposal may be supplemented through a new complementary proposal or it may be withdrawn. A complementary proposal cannot be submitted once the Committee preparing the matter has issued its report.

#### *Section 72 - Consideration of a legislative proposal in the Parliament*

Once the relevant report of the Committee preparing the matter has been issued, a legislative proposal is considered in two readings in a plenary session of the Parliament.

In the first reading of the legislative proposal, the report of the Committee is presented and debated, and a decision on the contents of the legislative proposal is made. In the second reading, which at the earliest takes place on the third day after the conclusion of the first reading, the Parliament decides whether the legislative proposal is accepted or rejected.

While the first reading is in progress, the legislative proposal may be referred to the Grand Committee for consideration.

More detailed provisions on the consideration of a legislative proposal are laid down in the Parliament's Rules of Procedure.

### *Section 73 - Procedure for constitutional enactment*

A proposal on the enactment, amendment or repeal of the Constitution or on the enactment of a limited derogation of the Constitution shall in the second reading be left in abeyance, by a majority of the votes cast, until the first parliamentary session following parliamentary elections. The proposal shall then, once the Committee has issued its report, be adopted without material alterations in one reading in a plenary session by a decision supported by at least two thirds of the votes cast.

However, the proposal may be declared urgent by a decision that has been supported by at least five sixths of the votes cast. In this event, the proposal is not left in abeyance and it can be adopted by a decision supported by at least two thirds of the votes cast.

### *Section 74 - Supervision of constitutionality*

The Constitutional Law Committee shall issue statements on the constitutionality of legislative proposals and other matters brought for its consideration, as well as on their relation to international human rights treaties.

### *Section 75 - Special legislation for the Åland Islands*

The legislative procedure for the Act on the Autonomy of the Åland Islands and the Act on the Right to Acquire Real Estate in the Åland Islands is governed by the specific provisions in those Acts.

The right of the Legislative Assembly of the Åland Islands to submit proposals and the enactment of Acts passed by the Legislative Assembly of Åland are governed by the provisions in the Act on the Autonomy of the Åland Islands.

### *Section 76 - The Church Act*

Provisions on the organisation and administration of the Evangelic Lutheran Church are laid down in the Church Act.

The legislative procedure for enactment of the Church Act and the right to submit legislative proposals relating to the Church Act are governed by the specific provisions in that Code.

#### *Section 77 - Confirmation of Acts*

An Act adopted by the Parliament shall be submitted to the President of the Republic for confirmation. The President shall decide on the confirmation within three months of the submission of the Act. The President may obtain a statement on the Act from the Supreme Court or the Supreme Administrative Court.

If the President does not confirm the Act, it is returned for the consideration of the Parliament. If the Parliament readopts the Act without material alterations, it enters into force without confirmation. If the Parliament does not readopt the Act, it shall be deemed to have lapsed.

#### *Section 78 - Consideration of an unconfirmed Act*

If the President of the Republic has not confirmed an Act within the time provided, it shall without delay be taken up for reconsideration in the Parliament. Once the pertinent report of the Committee has been issued, the Act shall be adopted without material alterations or rejected. The decision is made in plenary session in one reading with the majority of the votes cast.

#### *Section 79 - Publication and entry into force of Acts*

If an Act has been enacted in accordance with the procedure for constitutional enactment, this is indicated in the Act.

An Act which has been confirmed or which enters into force without confirmation shall be signed by the President of the Republic and countersigned by the appropriate Minister. The Government shall thereafter without delay publish the Act in the Statutes of Finland.

The Act shall indicate the date when it enters into force. For a special reason, it may be stated in an Act that it is to enter into force by means of a Decree. If the Act has not been published by the date provided for its entry into force, it shall enter into force on the date of its publication.

Acts are enacted and published in Finnish and Swedish.

#### *Section 80 - Issuance of Decrees and delegation of legislative powers*

The President of the Republic, the Government and a Ministry may issue Decrees on the basis of authorisation given to them in this Constitution or in another Act. However, the principles governing the rights and obligations of private individuals and the other matters that under this Constitution are of a legislative nature shall be governed by Acts. If there is no specific provision on who shall issue a Decree, it is issued by the Government.

Moreover, other authorities may be authorised by an Act to lay down legal rules on given matters, if there is a special reason pertinent to the subject matter and if the material significance of the rules does not require that they be laid down by an Act or a Decree. The scope of such an authorisation shall be precisely circumscribed.

General provisions on the publication and entry into force of Decrees and other legal norms are laid down by an Act.