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## **Introductory provision**

### Article 1

The terms below shall have the following meanings throughout these Rules:

- a) «the President», the President of the Senate;
- b) «the Vice Presidents», the Vice Presidents of the Senate;
- c) «the Minister», the responsible Ministers and State Secretaries. The provisions in these Rules that are applicable to a Minister shall also apply, by analogy, to a member or members of the House of Representatives to whom the House of Representatives has assigned the task of defending a bill passed there;
- d) «the session», the period starting on the date referred to in Article 65 of the Constitution in any year and ending on the same date in the following year;
- e) «the credentials», the credentials within the meaning of the Elections Act (*Kieswet*) along with other documents to be submitted in accordance with the law;
- f) a «proposal», a bill or any other proposal which the Senate wishes to examine or deliberate on;
- g) a «joint committee», a committee consisting of members of the Senate and the House of Representatives;
- h) a committee meeting is «public»; the public may attend committee meetings, provided there is sufficient space, and/or may watch the proceedings on a livestream.

## **Chapter I Admission of members and end of membership**

### *Admission of members*

### Article 2

1. Each newly appointed member shall provide evidence of his election by submitting the documents prescribed by the Elections Act.
2. The credentials and documents relating thereto shall be deposited at the Secretariat for inspection by the members.

### Article 3

The decision regarding the admission of members declared as appointed after periodic retirement or dissolution shall be taken, insofar as possible, by the Senate in its composition at the sitting on the date of appointment.

### Article 4

1. The President shall entrust the task of examining the credentials to a committee of three members, designated by him for this purpose. One of them shall be appointed by him as chairman.
2. In the event of periodic retirement or dissolution of the Senate, the President shall designate a second committee, as referred to in the previous paragraph. He shall divide the task of examining the credentials among the two committees. If one of the persons designated is a newly elected member, his credentials shall be examined by the committee of which he is not a member.
3. The designation of a member of a committee, as referred to in the previous paragraph, shall not be considered a decision within the meaning of Article 19, paragraph 1.

### *End of membership*

#### Article 5

1. A member who has been informed, pursuant to the relevant article of the Elections Act<sup>1</sup>, that his membership has ceased to exist, may request the opinion of the Senate on this within a period of eight days.
2. In the event of a situation as referred to in paragraph 1, the Senate shall appoint a Committee of Inquiry from among its members and shall not express an opinion until this committee has issued a report. If the member concerned requests this, he shall be heard by the committee.

## **Chapter II Organisation of the Senate**

### *Temporary presidency*

#### Article 6

1. Until such time as a President is appointed, a former President shall act as the Temporary President; in this case, the last President to have retired shall have precedence. In the absence of a former President, the last Vice President to have retired shall act as the Temporary President. If there are multiple former Vice Presidents who have retired simultaneously, the former Vice President who has held a seat in the Senate for the longest period of time shall act as the Temporary President. In case of seats held for the same length of time, the eldest in age shall have precedence. In the absence of a former Vice President, a member who has held a seat in the Senate for the longest period of time shall act as the Temporary President; in case of seats held for the same length of time, the eldest in age shall have precedence.
2. The Temporary President shall take the oath or make a solemn affirmation in the presence of the meeting.

### *Appointment of the President and Vice Presidents*

#### Article 7

1. The Senate shall proceed to appoint a President as soon as possible after the start of a new sitting and if the post of the President becomes vacant during a term of office.
2. If the President no longer enjoys the confidence of the Senate, the Senate shall dismiss him and appoint a new President.

#### Article 8

After the Senate has appointed a President, it shall appoint a first and second Vice President.

#### Article 9

1. The President may temporarily transfer the presidency to one of the Vice Presidents. If this does not occur, the first or second Vice President shall deputise by law on behalf the President, both in the case referred to in Article

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<sup>1</sup> Pursuant to Section X3, paragraph 2 and 3 of the Elections Act

- 90 as well as in the absence of the President.
2. If neither the President, nor either of the Vice Presidents is available, then the President shall be replaced in accordance with the arrangement referred to in Article 6, paragraph 1.

#### *Duties of the President*

##### Article 10

The President shall preside, with due regard for these Rules, over the business of the Senate.

##### Article 11

1. The President is a member and Chairman of the Internal Committee.
2. He shall preside over the meetings of the Committee of Senior Members.

##### Article 12

The President shall maintain order during the meetings of the Senate. He shall ensure the correct submission of the items on which the Senate must decide. He shall determine the outcome of the votes held.

##### Article 13

The President is responsible for implementing all decisions taken by or on behalf of the Senate. He shall represent the Senate in external matters.

#### *Internal Committee*

##### Article 14

1. The Senate has an Internal Committee.
2. The President and the two Vice Presidents are members of the Internal Committee.

##### Article 15

The Internal Committee is responsible for supervising the work of the Secretariat and all other matters related to the internal administration of the Senate.

##### Article 16

1. The Internal Committee shall prepare an estimate of the expenditures required in the following year.
2. The Senate shall handle the estimate in the manner prescribed for deliberating on modifications to the Rules, as regulated in Chapter XIII, provided that the preliminary examination is entrusted to a standing or special committee designated for this purpose by the Senate.
3. After the estimate has been approved by Senate, it shall be sent, before 1 July, to the Minister responsible for the chapter of the National Budget that specifies the items for the High Councils of State.

### *Committee of Senior Members*

#### Article 17

1. The Senate has a Committee of Senior Members.
2. The Committee of Senior Members consists of the chairmen of the parliamentary parties referred to in Articles 23 and 24. They may arrange to be replaced by deputies.
3. The Vice Presidents of the Senate shall be invited to the meetings of the committee.

#### Article 18

The President shall convene the committee as often as he deems necessary. He shall also convene the committee at the request of at least four of its members.

### *Consultation of the Committee of Senior Members and the taking of decisions*

#### Article 19

1. The Committee of Senior Members shall assist the President in managing the business of the Senate. For this, the President shall consult the committee with regard to the decisions and proposals he makes pursuant to these Rules.
2. The decisions and proposals referred to in the previous paragraph shall exclude those decisions and proposals made by the President that are expressly stated in these Rules as being excluded as well as the decisions he makes during a meeting in relation to the maintenance of order.
3. The President may hear the committee on all decisions and proposals and the committee may submit its opinion to the President of its own volition.

#### Article 20

If, in the view of the President, it is not possible to obtain an opinion owing to the urgency of the matter, the President shall decide without having first obtained the opinion of the committee.

#### Article 21

1. After taking a decision within the meaning of Article 19, paragraph 1 or Article 20, the President shall announce this at the next meeting of the Senate. If the Committee of Senior Members has not been heard with regard to a proposal or decision, as a result of the circumstances referred to in Article 20, the President shall communicate this when he announces his decision or proposal.
2. He may also announce his decision in writing.

#### Article 22

1. At the meeting of the Senate at which the announcement referred to in Article 21, paragraph 1 is made or, if the announcement was made in writing, at the next public meeting after this announcement, any member may submit a motion of order for derogating from the decision.
2. A proposal shall be dealt with by the Senate only if it is supported by at least four other members of the Senate.
3. If the Senate adopts the proposal, this shall replace the decision of the President.

## *Parliamentary parties*

### Article 23

1. Members who have been elected from lists bearing the same name or designation of a political group at the top of the list shall be deemed to constitute a parliamentary party from the start of the sitting.
2. If only one member has been elected under a name or a number, this member shall be deemed to constitute a separate parliamentary party.

### Article 24

Members who are no longer part of the parliamentary parties referred to in the previous Article must notify the President regarding this. They may jointly or individually form separate, new parliamentary parties. The President must be notified of this. Article 25 shall apply by analogy to these newly formed parliamentary parties.

### Article 25

1. After the start of a sitting, the parliamentary parties shall inform the President of the composition of their executive body.
2. In the event of interim changes in the composition of a parliamentary party or the executive body of a parliamentary party, the President shall be immediately notified of this.

## *Personnel of the Senate*

### Article 26

1. The Senate shall appoint and dismiss the Secretary General.
2. The Internal Committee shall appoint and dismiss the Deputy Secretary (Secretaries) General. Other officials shall be appointed or engaged under an employment contract subject to civil law or dismissed by or on behalf of the Internal Committee.

### Article 27

Deliberations on the persons referred to in Article 26, paragraph 1 shall take place behind closed doors.

### Article 28

1. The Internal Committee is responsible for exercising the powers pursuant to the States General Civil Service Regulations (*Ambtenarenreglement Staten-Generaal*) and the Civil Servants' Pay Decree 1984 (*Bezoldingsbesluit Burgerlijke Rijksambtenaren*), in respect of the Secretary General and the Deputy Secretary (Secretaries) General.
2. The Internal Committee shall determine the duties and powers of the Secretary General and the Deputy Secretary (Secretaries) General.

### Article 29

The Secretary General is responsible for managing the civil servants. The Internal Committee shall supervise this.

#### Article 30

1. The establishment of an office of the Clerk for Interparliamentary Relations at the House of Representatives shall be arranged for by a separate set of rules, to be adopted by the two Chambers of the States General.
2. A joint committee, to be instituted under the above-mentioned rules, shall manage the services of the two Chambers and various delegations. The joint committee shall advise the Presidents and members of both Chambers with regard to interparliamentary matters.

#### Article 31

1. The Parliamentary Reporting Office, exercise of duties, publication of the report of matters handled at the meetings of the States General and retention periods shall be arranged for by a separate set of rules<sup>2</sup>, to be adopted by both Chambers of the States General.
2. The power to make or undo changes in the report provided by the Parliamentary Reporting Office shall be exercised by a joint committee of appeal for the Parliamentary Reporting Office, which shall be instituted under the above-mentioned rules.

### **Chapter III Standing and special committees**

#### *Responsibility*

#### Article 32

1. The written or oral preparation of proposals, which are sent to and dealt with by the Senate, shall be done by the standing and special committees instituted and designated for this purpose in accordance with the following provisions.
2. The above-mentioned committees shall promote an exchange of ideas with the government on other topics as well, insofar as these topics are related to them and for which they consider such an exchange of ideas desirable.

#### Article 33

1. In performing the task assigned to them in Article 32, the committees may invite the government to an oral or written consultation. The government may also contact the committees to bring about an exchange of ideas on a particular proposal.
2. A committee may hear certain persons and/or representatives of certain institutions with regard to proposals and other matters, insofar as these fall within the scope of its work.
3. If the organisation of the exchange of ideas, as referred to in paragraph 1, or the hearing, as referred to in paragraph 2, takes place in connection with the preparation of a proposal entrusted to the committee, this shall be regulated in Articles 51 to 53.

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<sup>2</sup> Regulations for the Parliamentary Reporting Office adopted at the Senate meeting of 20 April 2004, Proceedings I 2003-2004, no. 25, page 1249. Parliamentary Documents I 2003-2004, no. IX, A and C.

### *Manner of composition and functioning*

#### Article 34

1. The Senate shall institute at least one standing committee for each Ministry.
2. The Senate may institute special committees to prepare proposals of a special nature.

#### Article 35

The Senate shall decide on the dissolution of a standing or special committee. A special committee that has fulfilled its task shall cease to exist without any special decision to this effect, unless the Senate has decided otherwise.

#### Article 36

1. The President shall determine the number of members of a committee.
2. With due regard for the proportionate numerical strength of the parliamentary parties and subject to the provision that each of the parliamentary parties must be represented in each committee, unless the Senate has expressly decided otherwise in an individual case, the President shall appoint the members and, if possible, the deputy members of the committee.
3. The designation and appointment shall take place, if possible, at the start of the sitting and shall apply for the duration thereof, unless expressly decided otherwise.

#### Article 37

1. The President shall appoint a Chairman and Vice Chairman for the committee.
2. If neither the Chairman nor Vice Chairman of a committee is able to attend, the member of the committee who has held a seat in the Senate for the longest period of time or, in case of seats held for the same length of time, the member who is the eldest in age shall act as Chairman.

#### Article 38

Members and deputy members shall have equal access to the meeting of a committee and shall be given notice of the meeting in the same manner. Decisions shall be taken by the members of the committee with the understanding that, in the absence of a member, his deputy shall exercise his powers.

#### Article 39

A committee may delegate its activities to sub-committees appointed from among its members. The President shall be informed of this. A sub-committee shall consist of at least three members.

#### Article 40

1. The committee shall be convened by its Chairman. The Chairman may also convene a meeting at the request of one or more members of the committee.
2. The President shall determine, if possible at the suggestion of the relevant committee(s), the date and time of the submission meetings referred to in Articles 44 to 50, with due regard for the provisions of Article 71, paragraph 4.

#### Article 41

1. The President shall decide which committee is to be entrusted with the task of examining a proposal.
2. The President may also entrust the examination of a proposal to more than one committee; such committees shall then act in accordance with the provisions of Articles 47 to 50.
3. The President may decide that the examination of a proposal should be carried out jointly if:
  - a) the proposal, in his view, lies within the scope of the work of more than one standing or special committee of the Senate;
  - b) two or more proposals originating from different Ministries are, in his view, interrelated in such a manner that a joint examination would be desirable and efficient.

#### Confidentiality

#### Article 42

In addition to that which is disclosed in an official written or oral report, the decisions taken at the meeting of the committees shall be disclosed in a summarised form.

#### *Access to committee meetings*

#### Article 43

1. All members of the Senate are entitled to be present during submission meetings. At these meetings, they shall be given the opportunity to put forward questions and make comments concerning the proposal for which the meeting has been convened.
2. All members, non-members or deputy members of a committee shall be admitted to the other committee meetings insofar as the nature of the meeting does not preclude the presence of persons other than members or deputy members of the committee in question.
3. The President shall have access to all meetings of the committees. Insofar as he is not a part of these committees, he shall attend the meetings in an advisory capacity.

#### *Submission meetings*

#### Article 44

After the President has entrusted a proposal to a committee, he shall convene a submission meeting on this matter, as provided for in Article 40, paragraph 2, unless Article 55 is applicable.

#### Article 45

During a submission meeting, the committee members shall raise the matters that they wish to see included in the report. Any comments made must, at the discretion of the committee, be clearly related to the proposal under consideration. The other members may also make comments on the same basis.

#### Article 46

During a submission meeting, each person is free to submit concise, signed memoranda which, at the discretion of the committee, are related to the proposal. Such memoranda shall be appended to the report of the committee, unless the

committee has strong objections to the wording of any of the memoranda.

### *Joint submission meetings*

#### Article 47

1. If, pursuant to Article 41, paragraphs 2 and 3, two or more committees hold a joint submission meeting, the meeting shall be presided over by the Chairman who has held a seat in the Senate for the longest period of time. In case of seats held for the same length of time, the eldest in age shall have precedence.
2. In the absence of the Chairman referred to in paragraph 1, one of the other Chairmen, to be designated in the manner indicated in paragraph 1, shall act as Chairman.
3. If no Chairmen are present, a Vice Chairman, to be designated in the manner indicated in paragraphs 1 and 2, shall act as Chairman.
4. Article 37, paragraph 2 shall apply by analogy.

#### Article 48

1. After the joint submission meeting, an integrated report shall be prepared.
2. The committees shall decide jointly on the content of the report. They shall also consult jointly on the Memorandum of Reply and further subsequent documents and shall always issue an integrated report.
3. The articles regarding separate committees shall, wherever possible, apply by analogy to the committees that act jointly in accordance with the above-mentioned articles.

#### Article 49

1. If a committee has serious objections to the issue of an integrated report, it may make a reasoned request to the President to be allowed to draw up a separate report.
2. Even if it has been decided, based on the provisions of Article 41, paragraph 3(b), that the proposal must be examined jointly, the committees, to which the joint examination has been entrusted, may together request the President to entrust the examination of the proposals separately to the standing or special committee within whose area of work the individual proposals lie. A request as referred to here shall be deemed to constitute a request as referred to in paragraph 1 of this Article, unless the committees expressly state otherwise.
3. A decision to make a request, as referred to in the previous two paragraphs, may be taken during a joint submission meeting or during a separate or joint committee meeting convened for this purpose as quickly as possible thereafter. The latter meeting must be announced within one week after the submission meeting.

#### Article 50

If the President consents to the request referred to in paragraph 1 of the previous Article, the reports shall be appended one after the other and included in a Parliamentary Document relating to the proposal or proposals, along with a statement of the above-mentioned consent. The President shall decide regarding the order of the reports in the Parliamentary Document.

*Consultation with the government and the hearing of persons in relation to the preparation of a proposal*

Article 51

A committee to which the examination of a proposal has been entrusted may engage in a written or oral consultation with the Minister responsible for the submitted proposal. Oral consultations shall be public, unless the committee decides otherwise.

Article 52

A committee to which the examination of a proposal has been entrusted may hear persons whose views it wishes to consult. Such a meeting shall be public, unless the committee decides otherwise. The committee may also ask persons and institutions to provide written comments.

Article 53

1. A committee to which the examination of a proposal has been entrusted may hold a hearing in order to hear the views of people on subjects related to the proposal.
2. Notice of the hearing to be held shall be sent to the members of the Senate. Notice shall also be given publicly.
3. A hearing shall be public, unless the committee decides otherwise.
4. The committee may make an appeal for written comments to be submitted regarding the proposal.

*Simplified treatment of budget chapters*

Article 54

1. After the President has obtained advice on this subject from the standing committee(s), instituted for a particular Ministry pursuant to Article 34, paragraph 1, he may propose to the Senate that the chapter of the National Budget of a particular budgetary year for the Ministry in question be dealt with without written preparation and without public deliberation.
2. In all cases, the Senate shall decide on this matter subject to the provision that it retains its freedom to deliberate on subjects related to these budget chapters at a later date.
3. Before bringing a budget chapter to vote, the President shall ascertain whether the Minister(s) is (are) willing to participate in the deliberation referred to in paragraph 2.

*Simplified procedure for the examination of a proposal*

Article 55

1. If a proposal has been accepted in the House of Representatives without deliberation and without a vote, the committee to which the proposal is entrusted may issue a final report even without holding a submission meeting.

2. The Secretary of the Committee shall inform the committee as well as all members of the Senate that a proposal, as referred to in paragraph 1, has been assigned to the committee. At the same time, he shall also indicate how the proposal was dealt with in the House of Representatives. If no committee members or other members send a request for a submission meeting within the period specified for this purpose by the Secretary General, which must be a period of at least ten days, a final report, as referred to in Article 58, paragraph 3 and Article 62, shall be issued. If the proposal is such that it must be dealt with as a matter of urgency, the period of at least ten days may be shortened by the Secretary General, with the prior authorisation of the President.

#### *Proposals of an urgent nature*

##### Article 56

1. If a proposal cannot, in the view of the President, be prepared in writing owing to its urgency, the committee to which the proposal has been entrusted shall issue an oral final report, as referred to in Article 58, paragraph 3 and Article 62, paragraph 1.
2. For preparing the oral final report, the committee shall be convened on the day of the meeting at a time, to be determined by the Senate, before the start time of this meeting.

## **Chapter IV Committee report**

#### *Manner of reporting*

##### Article 57

During the submission meeting, a note shall be kept of all questions and comments put forward.

##### Article 58

1. The committee shall issue a provisional report if it wants to keep open the option of responding to the reply of the Minister after receipt of the Memorandum of Reply.
2. If the committee is of the opinion that the public deliberation has been adequately prepared for, after its questions and comments related to the public deliberation have been answered by the responsible Minister through a memorandum, it shall issue a report indicating this.
3. If no questions and comments are submitted in respect of which the committee expects a reply from the Minister, it shall adopt its final report.

##### Article 59

1. After the Memorandum of Reply has been received by the Senate and sent to the members, a final report shall be drawn up without the further intervention of the committee, unless one or more members of the committee request a meeting of the committee within a period to be specified by the Secretary of the Committee, which must be a period of at least ten days. The committee, and in urgent cases, even the Chairman of the

- committee, may shorten this period.
2. If one or more members of the committee have requested a meeting of the committee based on the provisions of the previous paragraph, the committee shall deliberate on whether to adopt a final report, a report or a further provisional report. It shall adopt a further provisional report if it wishes to retain the opportunity of responding in writing to the replies of the Minister.

#### Article 60

A report or a further provisional report, as referred to in Article 59, paragraph 2, shall contain the questions and comments arising from the Memorandum of Reply. The committee may touch upon new subjects if, in its view, new facts have occurred since the drawing up of the provisional report.

#### Article 61

After receiving the Minister's reply to a further provisional report, the committee may issue only a final report or a report, unless it has obtained leave from the Senate to issue another further provisional report.

#### Article 62

1. In the final report, the committee may indicate that it reserves the right to go into the content of the proposal during the public deliberation.
2. By issuing a final report, the committee expressly indicates that it considers the proposal to be ready for public deliberation.

#### Article 63

A committee shall issue a report or final report on a proposal, other than a bill that is under consideration by the Senate.

#### *Form of the report*

#### Article 64

1. The reports referred to in the previous articles shall be drawn up as concisely and clearly as possible. Questions and comments of a similar nature shall be combined, if possible. A report shall take account of comments already made in the House of Representatives with regard to the proposal.
2. After the report has been prepared and adopted in the manner indicated in the following articles, it shall be signed by the Chairman and Secretary of the Committee or by the Secretary of the Committee for the report, after which the report shall be sent to the relevant Ministers.
3. An oral final report, as referred to in Article 56, paragraph 1, shall be drawn up in writing and signed by the Chairman and Secretary of the Committee.
4. The reports shall be printed and circulated.

#### *Adoption of a report*

#### Article 65

1. Final reports, as referred to in Article 58, paragraph 3, Article 59, paragraph 2, and Article 62, shall be adopted and issued during the meeting itself.
2. A final report, as referred to in paragraph 1, may relate to various proposals.
3. In all other cases, the Secretary of the committee shall draw up a draft report,

which shall be sent to the members of the committee, deputy members and other members who were present at the submission meeting. The committee may also entrust one of its members with the task of writing a draft report.

#### Article 66

1. The members to whom the draft has been sent, pursuant to Article 65, paragraph 3, may send their comments to the Secretariat within a period stated on the draft sent to them, which must be a period at least five days including a Saturday and Sunday. During the submission meeting, the committee may specify a period shorter than that mentioned in the previous sentence.
2. If, after the submission meeting, it appears that the report has to be issued with greater speed than anticipated during the submission meeting, the Chairman of the committee may, on the advice of the Secretary of the committee, shorten the period referred to in paragraph 1. In this case, he shall inform all members to whom the draft has been sent pursuant to Article 65, paragraph 3.

#### Article 67

1. If the comments of the members, to whom the draft has been sent pursuant to Article 65, paragraph 3, are solely related to changes in comments made or questions put forward by these members, the Secretary of the Committee shall be authorised to make the necessary changes to the draft report, unless other members have already endorsed the original text or have made comments or put forward questions relating to the parts to be changed.
2. In the latter cases, the Secretary of the Committee shall refer the changes to the Chairman of the committee, who shall determine whether these changes should be included or whether the committee must be re-convened to decide on the report.

#### Article 68

A discussion in the committee, as referred to in Article 67, paragraph 2, shall also take place if one or more members of the committee request that a consultation be arranged in connection with the inclusion of certain subjects or questions in the draft report.

#### Article 69

The Committee of Senior Members shall, if it expresses a wish to this effect or if one or more members of the committee request this, be called in to give its advice in the discussions referred to in Article 68.

#### Article 70

1. If no comments that necessitate a discussion in the committee have been received from the committee members within the period indicated in Article 66 and no request within the meaning of Article 68 has been made, the report shall be deemed as having been adopted and shall be signed by the Chairman and Secretary of the committee.
2. If comments have been made that necessitate a discussion or a meeting has been requested, the report or final report shall, if possible, be adopted and issued during this discussion.

## **Chapter V                    General provisions concerning the meetings**

### *Convocation and agenda*

#### Article 71

1. The President shall convene the meetings of the Senate. He shall decide on the agenda.
2. He shall also convene the Senate within 14 days on receipt of a written and reasoned request from at least seven members.
3. At least twenty-four hours before the start of the meeting, he shall notify the members of the agenda determined by him.
4. He shall also ensure that the notification, referred to in paragraph 3, includes the start time as well as the subjects of the submission meetings to be held on the day of the meeting. In the same manner, he shall notify the members of the dates and times set by him for submission meetings that are not held on the same day as a meeting of the Senate.

#### Article 72

1. The President shall place a proposal on the agenda of the Senate after the written preparations have been completed, either through the issue of a final report or through the receipt of a memorandum in response to the report.
2. The deliberation on a proposal shall not take place until two days after the final report has been published or the memorandum in response to the report has been brought to the knowledge of the members.
3. The President shall consult the committee to which the examination of a proposal has been entrusted with regard to the date to be set for the public deliberation.
4. The President may derogate from the provisions of paragraphs 2 and 3 or, by way of derogation from paragraph 1, may issue an oral final report as referred to in Article 56, if he is of the opinion that the deliberation cannot be delayed due to the urgency of the matter.

#### Article 73

1. Based on the proposal of the President, of a committee or of one or more members, the Senate may decide to deliberate on aspects of government policy or other matters that it considers appropriate. Such deliberations do not need to be preceded by written preparations.
2. If the proposal has been made by a committee, it shall be submitted to the President in writing before the start of the meeting. The Chairman of the committee or the Vice Chairman shall, if necessary, speak on behalf of the committee.

### *Quorum*

#### Article 74

1. On the days on which the Senate meets, the Secretary General shall provide for a list, which is to be signed by the members who wish to take part in the meeting.
2. This list shall be handed over to the President at the specified start time of

the meeting, unless the list has not yet been signed by more than half of the sitting members.

3. After receiving the list, the President shall immediately open the meeting. The list shall remain in the plenary hall until the end of the meeting for the signatures of members arriving later.

#### Article 75

1. If the list cannot be handed over to the President due to the absence of the required quorum, the start time of the meeting shall be postponed by half an hour.
2. If the required quorum is not attained within the extra half hour, the President shall call together all present members.
3. He may decide to postpone the start time of the meeting to a later hour on the same day. He shall inform the members present of this. If he considers such a postponement to be inadvisable or if it appears that a quorum has still not been attained when the postponed meeting is due to start, he shall arrange for the names of the absent members and the reasons for their absence to be read out to the meeting. These names, as well as those of the members present, shall be included in the official report.
4. After such a reading out of the names and reasons, the President shall postpone the meeting to a date to be determined later.

#### *Seats*

#### Article 76

1. Each member shall be allocated a seat in the plenary hall. The President shall allocate these seats. When the President so requests, the members shall take their seats.
2. The President shall arrange for seats to be available for the Ministers and if necessary, for those persons designated pursuant to Article 69, paragraph 3 of the Constitution.
3. Furthermore, the President shall arrange for seats to be available for those persons, in particular the Ministers Plenipotentiary of the Netherlands Antilles<sup>3</sup> and/or special delegates, upon whom any special power has been conferred by the Charter for the Kingdom of the Netherlands (*Statuut voor het Koninkrijk der Nederlanden*), law or treaty during the meetings of the two Chambers of the States General.

#### *Public nature of meetings*

#### Article 77

Observers may not, in any way, disrupt the progress and the order of a meeting. They shall observe in silence and refrain from showing any signs of approval or disapproval.

#### Article 78

The making of video and audio recordings is prohibited, except with the prior consent of the President.

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<sup>3</sup> The Netherlands Antilles was an autonomous country of the Kingdom of the Netherlands, which was dissolved in 2010. Currently, Aruba, Curaçao and Sint Maarten are constituent countries in the Kingdom of the Netherlands. Bonaire, Saba en Sint Eustatius are special municipalities of the Netherlands.

#### Article 79

1. The President shall supervise the conduct of the observers and in case of an infringement of the above-mentioned rules of conduct, he may order the persons responsible or for all persons seated in a given section of the gallery to vacate the gallery.
2. The President shall suspend the meeting if he considers this necessary for the maintenance of order.

#### Article 80

If he deems this necessary, the President is authorised to take measures to ensure that all persons present at the premises of the Senate vacate the premises.

#### Article 81

[Repealed on 09/06/2015]

#### *Incoming documents*

#### Article 82

1. All documents received by the Senate since the last meeting shall be entered on a list, with the understanding that the President may set aside any unsigned, incomprehensible and offensive documents. With respect to the documents entered on the list, he shall move proposals to the Senate as he considers effective.
2. The said list, together with the proposals of the President, shall be deposited at the start of the meeting in the plenary hall for inspection by the members. The proposals of the President shall be decided upon by the Senate before the closure of the meeting. The list with the proposals of the President shall be included in the official report.
3. At the start of the meeting, the President may notify the meeting regarding the documents he considers of sufficient importance.

#### Article 83

The Secretary General shall arrange for the printing of relevant documents received from the government or those issued by the Senate. This may be done even before their receipt is notified to the meeting.

### **Chapter VI Speaking at meetings**

#### *Floor and list of speakers*

#### Article 84

1. The members shall speak at meetings from the area designated as the floor, unless the President has given them leave to speak from another place in the plenary hall.
2. When speaking, the members shall address the President.

#### Article 85

1. No one shall speak without having been given the floor by the President.
2. The President may permit brief interruptions.
3. Interruptions may be made from the areas designated for this purpose.

#### Article 86

As soon as the President has given notice of any particular subject or has indicated to the members his intention to do so, the members may arrange for their names to be entered on the list of speakers at the Secretariat.

#### Article 87

1. The President shall grant permission to the members to take the floor in the order of the list of speakers and thereafter to those requesting the floor.
2. He may decide to deviate from the list of speakers, if this is required due to the nature of the deliberation.
3. He may also decide, in advance, the order in which speakers from various parliamentary parties will have the floor.

#### Article 88

1. Each member shall be given the floor immediately for personal business or for a motion of order. If possible, a motion of order shall be made at the start of the meeting.
2. A motion of order, including a request for leave to hold an interpellation, shall be dealt with in accordance with the provisions of Article 99 and Articles 105 to 112.

#### Article 89

1. If a final report is issued, without reservation, in respect of a proposal based on Article 55 or Article 58, paragraph 3, the proposal shall be placed on the agenda and dealt with without deliberation, subject to the provisions of paragraphs 2 and 3.
2. The Senate may decide to refer the proposal back for a resumption of the written preparation to the committee which has issued the final report, if new facts and circumstances have occurred between the issue of the final report and the day of the meeting which, in its view, make it desirable to refer back the proposal.
3. The committee, the President or at least five members may make a proposal for a referral back, as referred to in paragraph 2, at the start of the meeting at which the public deliberation shall take place. The Senate shall decide on this forthwith.

#### *President speaking at meetings*

#### Article 90

1. During deliberations not related to motions of order made by the President, by a committee or by one or more members, the President shall take the floor only for the purpose of indicating the correct position on the point of dispute or to bring the deliberation back on track.
2. If the President wishes to take the floor with respect to a proposal under

consideration, he shall leave the President's chair to do so, unless what he has to say is necessary for the performance of the duties assigned to him.

He shall not return to this seat as long as the subject is still under discussion.

3. During this period, he shall be replaced in accordance with the provisions of Article 9.

#### *Ministers and members speaking at meetings*

##### Article 91

The President shall give the floor to Ministers, persons designated by Ministers to assist them during the meeting, the Ministers Plenipotentiary and the special delegates if they so request, but only after the speaker who has the floor has finished his speech.

##### Article 92

1. A member shall not take the floor more than twice on the same subject or address the Senate on the same subject after the end of the statement of the Minister, unless the Senate has given him leave to do so.
2. When determining the number of times a member has taken the floor on the same subject, the making of a short statement on the subject, as referred to in Article 107, shall not be taken into account.

#### *Motions*

##### Article 93

1. A member who has the floor may also call for motions on the proposal under consideration. Such a motion shall be called for in writing and signed by the person calling for the motion. A motion may be taken into consideration only if it has been countersigned or is supported by at least four other members. Motions may also be called for on behalf of the committee entrusted with the preparation of a proposal, provided that these represent the views of the majority of the members. Such motions shall be signed by the members of the committee who have declared themselves in favour of it.
2. Motions shall be dealt with at the same time as the deliberation on the proposal under consideration, unless the Senate decides otherwise.
3. Voting on motions may be postponed. If it has not occurred at the latest in the first meeting to be held six months after the postponement decision – not including recesses – the motion shall be deemed to have lapsed, unless the Senate decides otherwise.

#### *Deviating from the subject and breach of peace*

##### Article 94

1. If a person who has the floor deviates from the subject under deliberation, the President shall draw this to his attention and call on him to return to the subject in hand.
2. If a member uses offensive language, breaches the peace or incites, even if merely by signifying his assent, the commission of unlawful acts, the President shall warn him and give him the opportunity to withdraw the words that have occasioned the warning.
3. If the person who has the floor does not avail himself of this opportunity and/or continues to act in a manner described in the previous paragraphs, the President may order him to yield the floor.

#### Article 95

If the person who has the floor violates his duty of confidentiality, the President may immediately order him to yield the floor. If, despite being warned by the President in the manner referred to in Article 94, paragraph 1, the person having the floor continues to violate his duty of confidentiality, this person shall be ordered to immediately yield the floor.

#### Article 96

1. A member who has been ordered to yield the floor, pursuant to the provisions of Articles 94 or 95, may no longer take part in the deliberations on the proposal being held at this meeting.
2. The President may also exclude him and any other member who has been guilty of acts, as referred to in Article 94, paragraph 2, from attending the meeting further as well as from other meetings that start on the day on which the exclusion occurs.

#### Article 97

Decisions of the President, as referred to in Articles 94 to 96, are decisions regarding the maintenance of order, as referred to in Article 19, paragraph 2.

#### *Further penalty measures*

#### Article 98

1. A member who has been excluded from attending a meeting shall be obliged to immediately leave the premises of the Senate and he may not re-enter these premises before the end of the period of exclusion.
2. The President shall, if necessary, arrange for the excluded member to be ejected from the premises by force.

#### *Limitation of floor time*

#### Article 99

1. The President shall determine the amount of time for which the person is allowed to have the floor with respect to a motion of order and an interpellation.
2. He may also determine, in advance, the length of time available for the Senate's contributions to deliberations on aspects of general government policy and in particular, the chapters of the National Budget and other subjects referred to in Article 73.

#### Article 100

1. He shall divide the available time for holding the floor fairly among those persons who have indicated that they wish to have the floor, for which he shall take into account the size of the parliamentary parties to which they belong.
2. In the statement of reply, the members shall have at most half of the floor time allocated to them for the first stage.
3. The President shall inform the Senate in advance of his decision regarding the limitation of floor time. The decision shall include an overall division of the floor time among the parliamentary parties.

#### Article 101

If a member exceeds the floor time available to his parliamentary party, the President may order him to yield the floor.

#### Article 102

1. During deliberations on proposals other than those referred to in Article 99, the President may propose to the Senate that its further deliberations should be closed at a specified time. Such a proposal may also be made to the Senate by at least five members acting jointly, through a motion of order called for by them.
2. If the Senate agrees to this proposal, the President shall divide the remaining floor time of the Senate in accordance with the principle specified in Article 99, paragraph 2.

#### *Adjournment of deliberations*

#### Article 103

The Senate shall decide on an adjournment of deliberations based on the proposal of either the President or at least five members who are present and who propose this by calling for a motion of order in accordance with Article 88, paragraph 1. The proposal shall indicate the duration of the adjournment, and shall not be accompanied by any explanation by the members making the proposal.

#### *Closure of deliberations*

#### Article 104

The President shall close the deliberations when no one else requests to have the floor or at the time fixed in accordance with Article 102. Explanations of votes, as referred to in Article 107, shall take place after the closure.

### **Chapter VII Voting on business and on persons**

#### *Voting on business*

#### Article 105

1. After closing the deliberations, the President shall put the proposal to vote.
2. If none of the members requests a vote, the President shall conclude that the proposal has been carried without a vote.
3. The President shall determine the time at which the vote will take place. A motion of order shall be put to vote immediately, unless the Senate decides otherwise.

#### Article 106

If motions are called for during deliberations on a proposal, these motions shall be put to the vote after the vote on the proposal, unless the Senate decides otherwise.

#### Article 107

Before the vote takes place, the President shall offer the members the opportunity to issue brief statements to explain their vote.

#### Article 108

Voting shall take place by means of a standing vote, unless the Senate decides to hold a roll call vote at the request of one of the members. If, in the opinion of the President or of one of the members, the outcome of a standing vote is unclear, a roll call vote shall be held.

#### Article 109

1. In the case of a roll call vote, the number on the attendance list at which the roll call will begin shall be decided by drawing lots. The President shall cast his vote last.
2. Each member shall cast his vote by saying «voor» ('for') or «tegen» ('against'), without any addition.

#### Article 110

1. Except in the cases provided for in the Constitution, all decisions on business shall be taken by an absolute majority of votes.
2. In the event of a tie, the decision shall be postponed to a subsequent meeting. In the event of a tie at a subsequent meeting, the proposal shall be deemed to have been rejected.

#### Article 111

During the vote, if it appears that the quorum, as referred to in Article 74, is no longer present, the vote shall be deemed to be without result. The vote shall be deemed to have not been cast. After establishing that the requisite quorum is absent, the President shall close the meeting.

#### Article 112

If a proposal is carried without a vote, members who express a wish to this effect may request that a note be included in the official report indicating that they have not been able to reconcile themselves with the proposal. Such a note shall not need to be accompanied by reasons.

#### *Voting on persons*

#### Article 113

1. Voting on persons shall be done in writing.
2. For each vote, the President shall appoint a committee of four members who, as tellers, shall be responsible for ensuring that the number of ballot papers does not exceed the number of members present, for opening the ballot papers, determining the outcome of the vote and announcing the outcome through the first member appointed.

#### Article 114

Ballot papers that are incomplete, not properly or clearly completed shall be deemed invalid.

#### Article 115

For a valid outcome of the voting on persons, as referred to in Article 113, an absolute majority of those who have voted by submitting a properly completed ballot paper shall be required.

#### Article 116

1. If no absolute majority is obtained in the first vote, a second - also entirely free - vote shall be held.
2. If no absolute majority is obtained in the second vote, a third vote shall be held between the two persons who have received the most number of votes in the second vote.
3. If the provisions of the previous paragraph cannot be applied because two or more persons have received an equal number of votes, a separate vote shall first be held to determine which of the persons may stand in the third vote.

#### Article 117

If the votes are tied in the separate vote held to determine which of the persons may stand in the third vote, or in the third vote as well, the matter shall be decided by drawing lots.

#### *Notification of the outcome of the votes*

#### Article 118

1. If the Senate has adopted a bill, it shall give notice of this to the King and to the House of Representatives.
2. If the bill has been introduced by the King, the Senate shall give notice:
  - a) to the King in the following form: «To the King, The States General have adopted the bill in the form in which it lies before us».
  - b) to the House of Representatives in the following form: «To the House of Representatives, The Senate hereby gives notice to the House of Representatives of the fact that it has adopted the bill concerning..... , sent to it by the House of Representatives on.....»
3. If the bill has been introduced by the House of Representatives, the Senate shall give notice:
  - a) to the King in the following form: «To the King, The States General have adopted the bill displayed alongside. They request the confirmation of the King for this bill.»
  - b) to the House of Representatives in the following form: «The Senate hereby gives notice to the House of Representatives of the fact that it has adopted the bill concerning ..... received by it on ..... and has, on behalf of the States General, requested the confirmation of the King for this bill.»

#### Article 119

1. If the Senate has defeated a bill, it shall give notice of this in the manner indicated in paragraphs 2 and 3.
2. If the bill has been introduced by the King, the Senate shall give notice:
  - a) to the King in the following form: «To the King, The Senate has defeated the bill displayed alongside.»
  - b) To the House of Representatives in the following form: «To the House of

Representatives, The Senate hereby gives notice to the House of Representatives of the fact that it has defeated the bill concerning....., sent to it on ..... »

3. If the bill has been introduced by the House of Representatives, the Senate shall give notice to the House of Representatives in the following form:  
«To the House of Representatives, The Senate has found insufficient reason to request the King to confirm the bill returned herewith.»

#### Article 120

1. The President is responsible for ensuring that the forms referred to in the above articles are prepared, signed and sent to the King and to the House of Representatives.
2. The forms shall be prepared, signed and sent as soon as possible once the Senate has decided whether or not to accept a bill.

### **Chapter VIII Official report**

#### *Form of the official report*

#### Article 121

An official report shall be prepared of each meeting, as referred to in Article 71, and of each gathering, as referred to in Article 75.

#### Article 122

The official report shall contain:

- a) a verbatim record of the deliberations held; rules regarding this shall be included in a set of rules<sup>4</sup> to be adopted by both Chambers;
- b) the names of the members who were present at the meeting;
- c) the names of the members who were absent with prior notice;
- d) the names of the members who declared themselves for or against during a vote;
- e) a note if one or more members have made use of the option referred to in Article 112;
- f) a statement of the summarised content of all incoming documents and all decisions taken by the Senate or by the President.

#### Article 123

The parts of the official report, referred to in the previous Article under (b) to (f), shall be collectively described as the 'minutes'.

#### Article 124

1. The minutes shall be adopted by the President and the Secretary General and signed by them in confirmation thereof.
2. These adopted minutes shall be deposited for inspection by the members at the Secretariat on the day of the next meeting.
3. During the said meeting, any member may raise an objection to the contents of the minutes and ask for a ruling of the Senate on this. Such a ruling by the

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<sup>4</sup> Regulations for the Parliamentary Reporting Office, see Article 31 and the accompanying note.

- Senate shall be attached to the minutes and shall be deemed to replace or supplement the parts to which the objection was raised.
4. The minutes shall be kept at the Secretariat.

#### *Private meetings*

##### Article 125

1. The official report of meetings that are held in private, in accordance with the provisions of Article 66 of the Constitution, shall be prepared and kept separately.
2. The Senate shall decide whether or not the stenographers are entrusted with the task of preparing this report.
3. The minutes from this report shall be deposited at the Secretariat for confidential inspection by the members and shall be treated in accordance with the provisions of Article 124, paragraph 3. If the Senate is requested to make a ruling, in accordance with this Article, the minutes shall be consulted only after the meeting is closed.
4. The minutes shall be maintained separately and kept at the Secretariat.
5. The Senate shall decide whether and if so, under what conditions, persons other than members of the Senate shall be permitted to inspect the minutes.

#### *Omissions*

##### Article 126

With the exception of the note, referred to in Article 112, to the effect that a member wishes to record his objection to the proposal, no other objections or notes shall be included in the official report.

##### Article 127

If a member withdraws the words that have led to a warning issued in accordance with Article 94, paragraph 2 or Article 95, these words and the subsequent reactions shall not be included in the official report of the meeting.

## **Chapter IX Right of inquiry, right of interpellation and right to ask questions**

#### *Inquiry*

##### Article 128

Rules on decision-making and on other subjects relating to a parliamentary inquiry and other parliamentary investigations shall be laid down by separate regulation adopted by the Senate.

##### Article 129

A parliamentary inquiry shall be conducted by a committee appointed for this purpose from among the members of the Senate and known as the parliamentary committee of inquiry.

#### Article 130

A parliamentary investigation other than as referred to in the previous article shall be conducted by a committee appointed for this purpose from among the members of the Senate and known as the parliamentary committee of investigation.

#### Article 131

[Repealed on 12/12/2017]

#### Article 132

[Repealed on 12/12/2017]

#### Article 133

[Repealed on 12/12/2017]

#### Article 134

[Repealed on 12/12/2017]

#### Article 135

[Repealed on 12/12/2017]

#### Article 136

[Repealed on 12/12/2017]

#### Article 137

[Repealed on 12/12/2017]

#### Article 138

[Repealed on 12/12/2017]

#### *Interpellation*

#### Article 139

1. If a member requires information from one or more Ministers on a subject not included under the order of the day, he may seek the leave of the Senate to hold an interpellation, with an indication of the main points on which he wishes to ask questions. Such leave shall be requested orally at the start of the meeting. The member shall inform the President of his intention before the start of the meeting. The President may also permit a request for an interpellation to be made at another time.
2. If the Senate grants the requested leave, the President shall decide, either immediately or at a later time, the day of which the interpellation shall be held. The Minister concerned shall be invited to be present on the specified day at the meeting. If the matter is very urgent and the Minister is present, the President

may decide that the interpellation shall be held immediately. In this case, the Minister shall, if possible, provide the requested information immediately. If this is not possible, the President shall postpone the further proceedings to a later time.

3. Unless the interpellation is held immediately, the interpellant shall notify the President, as soon as possible and in writing, of the questions he intends to put forward during the interpellation. The President shall send these questions to the Minister concerned, unless he has a serious objection to the questions on account of their form or content. The President shall notify the members of the questions that have been forwarded.
4. During an interpellation, the interpellant shall not speak more than twice and other members not more than once, unless the Senate grants leave for this.

#### *Written questions*

#### Article 140

1. The member who wishes to put forward written questions to one or more Ministers shall submit these questions to the President. The questions should be brief and clearly formulated.
2. The President shall send these questions to the Minister concerned, unless he has a serious objection to the questions on account of their form or content.
3. The President shall notify the members of the questions that have been forwarded and shall also publish them.
4. The decision of the President on whether or not to send the questions shall not be considered as a decision within the meaning of Article 19, paragraph 1.
5. The questions and written answers shall be included in the Appendix to the Proceedings.

### **Chapter X Petitions**

#### Article 141

A Petitions Committee shall be set up, whose composition, task and method of working shall be regulated in a separate set of rules<sup>5</sup>.

#### Article 142

The President shall hand over to this Petitions Committee the petitions received by the Senate, with the exception of those relating to bills pending before the States General or to subjects relating to general government policy. A petition that is not handed over to the Petitions Committee shall be passed on instead to the appropriate committee(s). Notice of this shall be given to the Senate.

### **Chapter XI Proceedings in relation to treaties**

#### Article 143

1. As soon as a treaty has been presented to the Senate for its tacit approval, the Secretary General shall make a note on the accompanying letter of the date of receipt and the latest date on which notice may be given of a request by or on behalf of the Senate or by at least fifteen of its members for presenting the treaty to the States General for its express approval.
2. The Secretary General shall ensure that a copy of the accompanying letter, containing the above-mentioned note, is sent to the members without delay.
3. The said notice must be given within thirty days of the date of receipt of the treaty presented for approval.
4. The notice may not be retracted other than with the consent of the Senate.

#### Article 144

1. Within the above-mentioned period, one or more members may request the President to be granted an opportunity to ask one or more Ministers for information regarding a treaty presented for approval.
2. The President shall then invite the Minister(s) concerned to provide the requested information either orally or in writing.

#### Article 145

1. A proposal for the Senate to give notice of a request, as referred to in Article 143, may be made by one or more members.
2. If the Senate decides to give notice of this request, the President shall give immediate notice of this to the Minister for Foreign Affairs and to the President of the House of Representatives.

#### Article 146

The request for the treaty to be presented to the States General for their express approval may be notified by the President, on behalf of the Senate. Before taking such a decision, the President shall hold consultations within the Senate as considered desirable. He shall give immediate notice of his decision on this matter to the Minister for Foreign Affairs, to the members and to the President of the House of Representatives.

#### Article 147

If fifteen or more members express their intent to make a request, they must do so by giving notice to the President, who shall give immediate notice of this to the Minister for Foreign Affairs, to the members and to the President of the House of Representatives.

#### Article 148

If the States General are informed of the intention to accede to or denounce a treaty, the provisions of the previous articles shall apply by analogy.

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<sup>5</sup> Regulations for the Petitions Committee, adopted at the meeting of the Senate on 19 March 1996, *Proceedings I 1995-1996, no. 22, page 1229. Parliamentary Documents I 1995-1996, nos. 160 to 160 d*

#### Article 149

The provisions in this Chapter shall, insofar as not provided otherwise by law or these Rules, apply by analogy to other documents submitted to the Senate for its tacit approval.

### **Chapter XII Management of the affairs of the Kingdom**

#### Article 150

The President shall give the Ministers Plenipotentiary and the special delegates the opportunity to exercise the powers conferred upon them, in particular pursuant to Articles 17 and 18 of the Charter for the Kingdom of the Netherlands (*Statuut voor het Koninkrijk der Nederlanden*).

#### Article 151

The President shall give the floor to the Ministers Plenipotentiary and the special delegates if they so request, but only after the speaker who has the floor has finished his speech.

#### Article 152

1. The committee, which is instructed to deal with a Kingdom Bill or which is instituted for such a bill, shall be entitled to request the Ministers Plenipotentiary and the special delegates for information and to accept such information that the above-mentioned parties wish to provide to the committee of their own volition.
2. Such a request shall be made through the intermediation of the President.

#### Article 153

If the Ministers Plenipotentiary or the special delegates designated thereto exercise the power, granted to them under Article 18 of the Charter of the Kingdom of the Netherlands, to request that the vote be deferred until the next meeting, such a request shall be granted.

#### Article 154

In other respects, Kingdom Bills shall be dealt with in the same manner as the proposals referred to in Article 32.

#### Article 155

If, in accordance with Article 139, the Senate has granted a member the opportunity to ask one or more Ministers for information regarding an affair of the Kingdom, the President shall give the Ministers Plenipotentiary the opportunity to attend the proceedings for this interpellation and to provide the Senate with such information in this regard as they consider desirable.

Article 156

1. When dealing with treaties that affect the Netherlands Antilles or Aruba<sup>6</sup> and for the application of Articles 143 to 148, the power granted to the Ministers Plenipotentiary under Article 24, paragraph 2 of the Charter for the Kingdom of the Netherlands shall be taken into account.
2. The Ministers Plenipotentiary shall, in particular, be granted the opportunity to attend the oral proceedings for dealing with questions and proposals, as referred to in Articles 144 and 145 of these Rules and to provide the Senate with such statements, comments and information in this regard as they consider desirable.

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<sup>6</sup> The Netherlands Antilles was an autonomous country of the Kingdom of the Netherlands, which was dissolved in 2010. Currently, Aruba, Curaçao and Sint Maarten are constituent countries in the Kingdom of the Netherlands. Bonaire, Saba en Sint Eustatius are special municipalities of the Netherlands.

## **Chapter XIIa Integrity**

### *Conflicts of interest*

#### Article 156a

The Senate shall adopt by separate regulation a Code of Conduct on Integrity containing rules governing the promotion of ethical conduct by members of the Senate. This separate regulation must also introduce instruments for compliance with and interpretation of this Code of Conduct.

### *Gifts*

#### Article 156b

[Repealed on 11/06/2019]

#### Foreign travel

#### Article 156c

[Repealed on 11/06/2019]

#### Activities other than membership of the Senate

#### Article 156d

[Repealed on 11/06/2019]

#### Secrecy of a plenary meeting held in private

#### Article 156e

[Repealed on 11/06/2019]

#### Secrecy of a committee meeting held in private

#### Article 156f

[Repealed on 11/06/2019]

#### Confidential documents

#### Article 156g

[Repealed on 11/06/2019]

#### Breach of secrecy

#### Article 156h

[Repealed on 11/06/2019]

## **Chapter XIII Modifications to the Rules of Procedure**

### *General*

#### Article 157

Any member may propose a modification to the Rules.

A proposal may also be made by a number of members jointly or by a committee as referred to in Article 32.

#### Article 158

1. The proposal shall be made in writing and shall contain the text of the intended modification as well as an explanation thereof.
2. If the proposal envisages a complete review of the Rules, it shall be sufficient for the member making the proposal to provide a written statement of the reasons why such a review is desirable.
3. Each proposal shall be printed and circulated immediately after it has been made.

#### Article 159

The Senate shall decide whether it wishes to deal with a proposal as referred to in Article 157.

#### Article 160

1. If the Senate decides to deal with the proposal, it shall institute a special committee to prepare the public deliberation or shall entrust an existing committee with the responsibility for making such preparations.
2. If the proposal is of a very simple nature, the Senate may decide to deliberate on the proposal without a prior examination.

### *Proposal for complete review*

#### Article 161

1. In case of a proposal for a complete review, as referred to in Article 158, paragraph 2, a committee instituted or designated for this purpose pursuant to Article 160, paragraph 1 shall, after written or oral consultation with the member making the proposal, issue a written opinion on the desirability of a complete review and a report of such a consultation.
2. As soon as the committee has issued its report, the President shall place the proposal on the agenda of the Senate.
3. After the member making the proposal and the spokesperson of the committees have, if desired, addressed the meeting, the Senate shall decide on the adoption of an explanatory note concerning the proposal and the report.

#### Article 162

If it has accepted the proposal as referred to in Article 161, paragraph 3, the Senate shall institute a special committee with the task of drawing up a proposal for a complete review. Wherever any reference is made to members making proposals in the following articles, this shall be deemed to include a committee as referred to under this Article.

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#### Article 163

1. After a proposal, except those referred to in Article 158, paragraph 2, has been printed and circulated, each member shall have the right to table amendments to it.
2. The same rules that are applicable to amendments shall also apply to proposals for modifications to amendments that have already been tabled by another member.

#### Article 164

The members making the proposal shall be entitled to make modifications to their proposal until the time of the final vote.

#### *Written preparations*

#### Article 165

1. A proposal for the modification of the Rules, except for a proposal referred to in Article 158, paragraph 2, shall be dealt with by a committee, as referred to in Article 160, paragraph 1, in the same way as a proposal entrusted to a standing or special committee, where the member making the proposal shall substitute for the Minister.
2. The committee may, with the agreement of a majority of its members, table amendments to the proposal.
3. If amendments are received by the Secretariat during the written preparations, the members making the proposals and committees shall express their opinion on these amendments in the documents that are exchanged.

#### Article 166

The members making the proposal shall not participate in the examination of a proposal tabled by them in the committee referred to in Article 160.

#### *Public deliberation*

#### Article 167

1. If an amendment has been tabled after the written preparations have been concluded, the Senate may still request the committee, as referred to in Articles 160 or 162, for its opinion on the amendment. The committee may report orally or in writing.
2. In the event that the Senate has requested the opinion referred to in paragraph 1, it may interrupt the deliberation on the part of the proposal to which an amendment has been tabled until the said opinion has been obtained or a report has been issued of the deliberations in the committee.

#### Article 168

Members, members making the proposal and spokespersons on behalf of the committees concerned shall address the meeting from the platform.

#### Article 169

1. The Senate may decide to subject a proposal to a general consideration.
2. After such a general consideration is concluded or after the Senate has decided not to allow such a consideration, the proposal shall be dealt with article by article.

#### Article 170

The President shall ensure that the amendments are deliberated on at the same time as the Article to which they relate. If necessary, the Article itself shall thereafter be deliberated on.

#### Article 171

Each amendment may be explained by the member tabling the amendment or by one of the members tabling the amendment.

#### Article 172

1. The member tabling the amendment shall be entitled to make changes to the amendment tabled by him.
2. The member tabling the amendment shall also be entitled to retract the amendment; however, if the deliberation has already been closed, this may be done only with the consent of the Senate.
3. If an amendment has been tabled by more than one member, the first signatory shall exercise the rights granted to the member tabling the amendment in the previous paragraphs.

#### Article 173

1. If a proposal has been made by more than one member, the first signatory shall exercise the rights granted to the member making the proposal under these Rules.
2. If a proposal has been made by a committee, the Chairman of this committee or the spokesperson designated by the committee thereto shall exercise, on behalf of the committee, the rights granted to the member making the proposal under these Rules.

#### *Order of decision-making*

#### Article 174

1. When decisions are taken on an Article and the proposed amendments to this Article, the following order of decision-making shall be observed:
  - a) decision on any sub-amendments;
  - b) decision on amendments;
  - c) decision on the Article, whether or not modified or replaced by another Article;
2. If more than one amendment has been tabled with respect to a specific part of a proposal, the most far-reaching amendment shall have precedence. Insofar as the previous sentence does not provide a definite answer, amendments shall be voted on in the order in which they have been tabled.

#### Article 175

The Senate may decide that amendments shall be deemed as being lapsed as a result of the other modifications made.

#### Article 176

After all the articles have been decided on, the Senate shall take a final decision regarding the proposal as a whole.

#### Article 177

1. If the proposal has been modified in the course of the deliberations, the Senate may decide to postpone the final decision until a following meeting. In the intervening period, the committee, as referred to in Article 160, paragraph 1, shall consult with the member making the proposal regarding suggestions for possible changes; but only those changes which have become necessary as a result of the modifications made or due to the rejection of articles, or those changes which are intended to rectify manifest errors.
2. The deliberations shall be re-opened to consider the modifications thus proposed and the articles to which they relate, unless the Senate decides to take an immediate decision on the proposed modifications.
3. Changes in the serial numbers of articles or parts thereof, which have become necessary as a result of modifications made to a proposal or due to the addition of a proposal to the Rules, and the resulting changes in the references to the number of the articles or parts thereof shall be made by the President.

### **Chapter XIV Final provisions**

#### Article 178

The articles contained in Chapter XIII of these Rules shall, as far as possible, apply by analogy in cases for which no other provision has been made.

#### Article 179

The Senate may decide, at any time, to derogate from the provisions of these Rules, if none of the members object to this and if the derogation is not contrary to the Charter for the Kingdom of the Netherlands, the Constitution or any other law.

#### Article 180

These Rules shall take effect on 6 June 1995.

#### Article 181

[Repealed on 06/06/1995]