

(g) o n s t i t u t i o n a l
a n d P a r l i a m e n t a r y
I n f o r m a t i o n
A S G P



**The election of the President
or Speaker of Parliaments**

**Time limits on
speeches and debates**

INTER-PARLIAMENTARY UNION

Aims

The Inter-Parliamentary Union whose international Statute is outlined in a Headquarters Agreement drawn up with the Swiss federal authorities, is the only world-wide organization of Parliaments.

The aim of the Inter-Parliamentary Union is to promote personal contacts between members of all Parliaments and to unite them in common action to secure and maintain the full participation of their respective States in the firm establishment and development of representative institutions and in the advancement of the work of international peace and co-operation, particularly by supporting the objectives of the United Nations.

In pursuance of this objective, the Union makes known its views on all international problems suitable for settlement by parliamentary action and puts forward suggestions for the development of parliamentary assemblies so as to improve the working of those institutions and increase their prestige.

Membership of the Union as of 12 November 1988

Albania, Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Belgium, Benin, Bolivia, Brazil, Bulgaria, Cameroon, Canada, Cape Verde, Central African Republic, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Greece, Guatemala, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mexico, Monaco, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, USSR, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Associated member: European Parliament.

Structure

The organs of the Union are:

1. *The Inter-Parliamentary Conference* which meets twice a year.
2. *The Inter-Parliamentary Council*, composed of two members from each affiliated Group.
President: Mr. Baouda Sow (Sénégal).
3. *The Executive Committee*, composed of twelve members elected by the Conference, as well as of the Council President acting as *ex officio* President. At present, it has the following composition:

President: Mr. B. Sow (Sénégal)

Members: Mr. R. Bitat (Algeria); Mr. B. Friesen (Canada); Mr. Huan Xiang (China), Mr. S. Khunkitti (Thailand), Mr. J. Maciszewski (Poland), Mr. N.C. Makombe (Zimbabwe), Mrs. M. Molina Rubio (Guatemala), Mr. L.N. Tolkunov (USSR), Mr. M. Marshall (United Kingdom), Mr. M.A. Martinez (Spain), Mr. I. Noergaard (Denmark), Mr. C. Nunez Tellez (Nicaragua), Mrs. L. Takla (Egypt).

4. *Secretariat of the Union*, which is the international secretariat of the Organization, the headquarters being located at: Place du Petit-Saconnex, CP 99, 1211 Geneva, Switzerland.

Secretary general: Mr. Pierre Cornillon.

Official publication

The Union's official organ is the *Inter-Parliamentary Bulletin*, which appears quarterly in both English and French. This publication is indispensable in keeping posted on the activities of the Organization. Subscription can be placed with the Union's Secretariat in Geneva.

Constitutional and Parliamentary Information

Association of Secretaries General
of Parliaments

1st Series - No. 157 / 1st Half-year 1989

First series - Thirty-ninth year

Contents

Election of the speaker/president of Parliaments

Report adopted by the Association in September 1988 and prepared by M. Charpin, Secretary General of the Questure of the French Senate. 163

Time limits on speeches and debates

Topical discussion held at Bangkok session — (*Autumn 1987*). 179

The parliamentary experience of newly-independent countries

Topical discussion held at the Ottawa session — (*Autumn 1985*). 196

Public funding of election expenditure

Topical discussion held at Geneva session — (*Autumn 1984*). 209

Role of parliaments in the validation or disqualification of Members after election

Topical discussion held at Geneva session — (*Autumn 84*). 218

Inter-Parliamentary Union

Report on the methods of election of the Speaker or President of Parliaments

Rapporteur: Mr. Charpin, Secretary General of the Questure of the French Senate

This report on the methods of election of the Presidents or Speakers of parliamentary assemblies started as a topical discussion in the Association of Secretaries General of Parliaments and was developed into a questionnaire adopted at the autumn session 1987 (Annex No. 1). On the basis of the replies received a draft report was considered at the spring session 1988 when a number of amendments were made and new replies included. This final report is a result of further discussion of the revised draft at the autumn session 1988.

The replies to the questionnaire cover 40 countries of which 14 have bicameral parliaments, making a total of 54 parliamentary assemblies to which should be added 3 international parliamentary bodies (the Council of Europe, the European Parliament and the Western European Union) making a total of 57 assemblies. This list of assemblies appears in Annex No. 2.

This report attempts to analyse as accurately and fully as possible the replies received in the order of subjects contained in the original questionnaire. It then tries, with some caution, to draw several conclusions from the different rules or practices followed in the parliaments in which members of the Association work.

I. Appointment

Only 4 replies referred to the President of an assembly being appointed by an authority other than the parliament itself.

Three of these concerned a second or upper Chamber, that is to say the Senate in Canada and the Senate in Jordan, as well as the House of Lords in the United Kingdom. The fourth is the (unicameral) Assembly of Malawi, but some other Commonwealth countries may have similar arrangements.

These four cases have in common the fact that the President who is appointed is not required (prior to appointment) to be a Member of the Assembly concerned, although in Canada and in the United Kingdom, (if he is not already a Member of that assembly) he has to become one in accordance with the normal procedure.

It should be pointed out that if the Presidency of a Chamber is tied to another position (such as the Lord Chancellor automatically being Speaker of the House of Lords in the United Kingdom) then someone will cease to be the President if he loses the other post.

There are two particular instances which fall between appointment and election. In Nepal the National Assembly submits to the King the names of three of its members who have received the greatest number of votes. The King appoints one of them as Chairman though this is usually the person who received the greatest number of votes.

In Zaire the procedure is the reverse with the President of the Republic nominating a candidate who is then confirmed by a vote in the Assembly.

II. Election

a) Election by an authority other than the assembly or parliament concerned:

There was only one example in the replies of election of the President by a body other than the assembly concerned although it is well known that in the Senate of the United States of America, the Presiding Officer is the Vice-President of the United States elected at the same time as the President in the nationwide election. The single example in the replies was Austria, where the Presidency of the Bundesrat is held for a period of six months, starting either on the 1st January or on the 1st July each year in turn by the first on the list of each delegation from the Lander elected by each land parliament. Thus the Presidency is rotated to ensure equality between the different regions (Lander).

b) Election by the assembly concerned:

Apart from the specific cases given above, it appears that the overwhelming majority of parliamentary assemblies elect their own President chosen from among their own Members.

1. Status of assembly before election of Speaker

It is the case, either explicitly or implicitly, in all parliaments that no legislative work of any kind can be undertaken before the election of the President. The only problem which arises, and which is treated differently in different countries, is whether the credentials are checked and, if so, if this takes place before or after the election of the President.

In some countries, such as Greece, for example, newly-elected deputies have to take the oath. Some countries specify the time at which the oath has to be taken: in Belgium, the oath has to be taken before the election of the Speaker; in the United States House of Representatives on the other hand, election of the Speaker takes place before oaths are taken.

2. Date of the election:

A distinction should be drawn between those assemblies which elect their President only after each full or partial re-election of their Members, and those which elect the President periodically during the parliamentary term.

— *After each full or partial election of the assembly*

In this first case, few parliaments have a fixed date for the election of the Speaker, which is usually determined in relation to the day of the election to the assembly itself. Nonetheless, the United States House of Representatives elects its Speaker on the 3 January on odd years, after the election of Representatives has taken place in the month of November in even years. In other parliaments, the election takes place at the beginning of the session following the elections with a certain delay depending on whether or not the election takes place after the verification of credentials (often an operation which may take an indefinite time). It should be stated that, if this election takes place before the verification of credentials, it must happen right at the beginning of the session: in Cameroon on the second Tuesday following the date of the elections, and in Denmark, the twelfth day after those elections.

In countries where it is possible for one Chamber to be dissolved, the rules could be different after the re-election following such a dissolution. This is particularly the case in Belgium (Chamber of Representatives), where the election takes place immediately after the verification of credentials or later in the following fortnight; in Jordan; and in France (National Assembly) on the second Thursday after the election.

— *Periodic election during the parliamentary term*

In this second case, the election takes place each year at the beginning of each session. The following are examples: in Belgium, on the second Tuesday in October for the Chamber of Representatives; in Brazil, on the 1 February for the Senate and the 2 February for the Chamber; in Denmark, on the first Tuesday of October; in Finland, at the beginning of the month of February; in Jordan, and in Norway, on the 1 October; and in the Federal Republic of Germany (Bundesrat), in the second fortnight of October; and in Yugoslavia on the 15 May. Formerly in France and Portugal the election took place each year at the beginning of the ordinary session.

3. *Procedure:*

— *Candidates:*

One point of unanimity: *all* Members of the assembly or parliament concerned *can* be candidates.

One point of difference: in almost all cases, *only* Members of the assembly or parliament concerned can be candidates. But in Malaysia and Zimbabwe (and also possibly in other Commonwealth countries) a former Member of the assembly or even a non-Member can be a candidate for the Presidency of that assembly.

An exception applies to certain countries: Canada, Israel, United Kingdom, where it is stated that ministers or party leaders cannot in practice be candidates for Speaker.

There are few specific regulations governing who can be a candidate, but generally this matter is covered by well-established customs which make the position quite clear. Thus in the Federal Republic of Germany, the candidate proposed by the numerically-largest party is, in effect, the sole candidate.

The greatest diversity occurs over the nomination of candidates, the official announcement of candidacies, and the date for nomination of candidates. Certain parliaments make no provision for this. (In Canada those Members who do not wish to be candidates have to make a written declaration accordingly). Others provide expressly that there should be no restrictions on candidates and others set out exactly the procedure to be followed in this instance. Generally when candidacies are formally declared, they are with the support of political parties and parliamentary groups.

In countries with a one-party system it is the party which nominates the candidate who, in those circumstances, is assured of election because all the Members of the assembly are also members of the party.

Date for nomination of candidates:

Few replies gave information on a deadline for nomination of candidates except that, obviously, candidacies must be declared before the time of the vote. Parliamentary practice and a large number of informal meetings which precede such a vote account for the absence of specific rules on this subject.

Undoubtedly one of the most interesting aspects of this matter is whether, in successive ballots, new candidates can enter the election and, on the other hand, if some candidates are eliminated as a result of the votes received in previous ballots. In so far as provision is made for these points, the practice varies greatly between countries.

To the countries which allow new candidates to stand in subsequent ballots (namely, Belgium, Finland, France and the European Parliament), can be added Austria and Norway where new candidates can join in the second ballot but not in the third. On the other hand, in Australia, Brazil, Cameroon, Canada, Jordan, Malaysia, New Zealand, Portugal, United Kingdom and the Western European Union, new candidates cannot enter the election after the first ballot and although there is not a specific rule in the Council of Europe, custom dictates the same there.

Many parliaments recognise the need for candidates to withdraw in the light of the results obtained in previous ballots. Some recognise this practice without making precise rules for it. Most often the practice is for the third ballot to contain only the two candidates who obtain the highest results at the second ballot. This is the case in Austria, Jordan, Norway, Federal Republic of Germany, Sweden, and the European Parliament. In Cameroon and Portugal this applies for the second ballot.

No other country appeared to have rules covering this point. It would be interesting to know if custom and practice are sufficient to regulate this problem in the countries concerned. Some of the replies indicated that there was usually only a single candidate for the election. This should be taken into account when addressing the issue of voting methods.

*— Vote:**Is there a formal vote?*

The general principle is that a vote is taken even if there is only one candidate. Some assemblies, however, regard a vote as unnecessary in uncontested elections, or the vote takes place by acclamation. This is the case in

Belgium, the Council of Europe, Denmark, Spain, United States of America, Malaysia, United Kingdom and Sweden.

Who has the right to vote?

There is unanimity among all respondents that all Members of an assembly without exception have the right to vote.

Ballots: a single, or several ballots?

When there is only one candidate or in parliaments which do not have more than one party, a single ballot is the rule. But in Zaire and Poland, it is expressly provided that there shall be only one ballot. It is true that these are countries with a one-party system. All other countries envisage the possibility of several ballots, sometimes only two, the majority three at the most, and a few accept the possibility of a higher number of ballots.

Two means are used to reduce the number of ballot:

1. To restrict the second or the third ballot to just the two candidates who had the highest number of votes at the previous ballot and to elect whoever then gets a majority. This is the case in Brazil, Cameroon, Spain, Greece, Jordan, Malaysia, Portugal and Sweden.

2. To alter (for subsequent ballots) the requirements for a majority. For example, an absolute majority (either of all Members or of Members voting), may be required for the first and sometimes for the second ballot, but a relative majority may be sufficient at the third or even the second ballot. This is the system most frequently used. Three ballots can be held in Austria, Belgium (in the Senate an absolute majority is required in all ballots), Cyprus, Council of Europe, Republic of Korea, Denmark, Finland, France, Sweden, Western European Union. Several parliaments provide for the possibility of candidates getting an equal number of votes on the third ballot with, in general, the older of the two being elected. Alternatively, the one with the longest service in parliament may be elected. In Austria, the election is resolved by drawing lots.

Some countries, however, can have higher numbers of ballots: Italy (4 ballots in both Chambers), United Kingdom (House of Commons) (potentially indefinite) and Rwanda (unspecified).

Procedure for elimination of candidates:

It has already been stated that the procedure for eliminating candidates consists of dropping the one or ones who received the least votes. Elimination

of candidates is provided for in Spain, Greece, Italy, Malaysia, New Zealand, the European Parliament, and Portugal. The UK House of Commons has a procedure for the successive elimination of alternative candidates proposed as amendments to the motion proposing the election of one individual as Speaker.

Majority required for election:

In all cases a majority is required, but the problem is to define the nature of that majority and whether it should be a simple one or a qualified majority; a majority plus one of the number of the Members of the assembly or of those voting, including or not including abstentions; qualified two-thirds majority: (i) in the Chamber of Deputies in Italy, a majority of two-thirds of the Members is required on the first ballot; two-thirds of those voting, including abstentions, on the second and third ballots; and an absolute majority on the fourth ballot; in the Senate for the first two ballots, a majority of Members of the Senate is required; on the third ballot, a majority of those present is needed; and the fourth ballot, involving only two candidates, demands only a simple majority, (ii) Belgium: Senate—majority of Members present at all ballots; (iii) Belgium: Chamber of Representatives—relative majority on the third ballot (provided in both Chambers that a quorum is present for all ballots), (iv) In Cyprus an absolute majority of those voting is required for the first ballot, and on the second ballot, two-fifths of recorded votes are required with a relative majority needed for the third ballot.

Method of voting:

The usual method of voting is by secret ballot, using a ballot paper or roll call even if that is not the normal way of voting. Some parliaments use an ordinary vote. In Cyprus, Israel and Somalia, the voting is by show of hands.

—*Supervision*

Who presides over the assembly during the vote?

Usually the oldest Member presides over the assembly during the election. Sometimes it is the Member with the longest service and more rarely the Secretary General or Clerk. In a few cases, the President of the Assembly during the previous legislative term remains in office to preside over the election of his successor.

Whosupervisestheballot?

This supervision is usually exercised by whoever presides over the assembly during the election. When the latter is the oldest Member (the most frequent case) the scrutineers are drawn from the most recently elected Members. When the Secretary General or Clerk presides, it is usually parliamentary officials who conduct the ballots or even the Clerk himself. When the President of the previous assembly presides, he often chooses the secretaries or tellers himself. It can equally be the case that the secretaries or tellers are drawn by lot or are chosen from among the main political parties.

—Declarationofresults

Although few details have been given on this, it seems that all results of votes are announced by the presiding officer immediately after the ballot. This is a practice to which there cannot be many exceptions. It is worth noting, however, the practice in Canada (House of Commons) where the Clerk supervises the ballots: he is required to keep secret the number of votes received by each candidate; and he only announces the name of the successful candidate if someone has been elected. He is obliged to destroy all the ballot papers and all documents which could give information on the number of votes obtained by different candidates, including the one elected.

—Challengingtheresult

In general, no challenge is possible to another authority than the assembly concerned (probably as a result of the separation of powers). Some assemblies provide only for an appeal to the assembly itself on the number of votes counted for each candidate. It seems that this could arise if there was a difference between the secretaries or tellers on counting the votes, but it would be interesting to know in what circumstances such an appeal could occur.

III. Term of office of the President/Speaker

1) Start of the term of office:

— Whendoesitstart?

All the procedure involved in electing the President of the parliamentary assembly as soon as the assembly itself has been elected is based on the idea that it is necessary to have a President before starting to pass laws. As a result, all rules and practice point to the President's term of office starting immediately on his appointment or election. The assumption of office is usually

very simple with the presiding officer merely handing his chair over to the newly-elected President.

— *Formalities carried out by the new President*

In just a few cases, some simple formalities have to be carried out. In the Federal Republic of Germany the newly-elected President has formally to accept his office. The most frequent custom is for the new President to make a speech of thanks to the assembly and sometimes to follow it with an announcement of the order of business. In some assemblies, the new Speaker or President has to take the oath. This is the case in Canada when the appointed Speaker was not previously a Senator. In fact the oath he takes is the same as the one any new Senator has to take. In Spain, the new President has to take an oath to support the constitution as is the case also in the United States. In New Zealand, the election has to be confirmed by the Governor General. In the United Kingdom, in the House of Lords, the Lord Chancellor has to be introduced in the same way as an ordinary Peer if he was not already a Peer, but the ceremony itself is more elaborate than it would normally be. In the United Kingdom House of Commons, the new Speaker has to go to the House of Lords to receive royal approval for his election, though this has not been refused since 1678. He then takes the Chair of the House as Speaker at the next sitting, claims the privileges of the House and takes the oath. A particularly interesting case is Zimbabwe where the new President has to resign as a Member of Parliament, thus making his seat vacant.

Another formality which has to be carried out by the new Speaker, but which does not derive directly from his Presidency, is to arrange the election of the bureau of the assembly if that did not take place at the same time as his own election. This procedure applies in a great number of assemblies particularly in France, where the President waits until the full bureau has been elected before making his own speech at the beginning of his term of office.

2) End of term of office:

— *Normal end of term of office:*

Generally, the term of office of the President lasts until the next full or partial elections of the Assembly, but in some parliaments, the President is elected more frequently. This is the case particularly in Belgium (where an election is held each year at the start of the session), Brazil (election every 2 years), Cameroon, Council of Europe (each year, but according to tradition a sitting President is re-elected to carry out a three-year term of office),

Republic of Korea (2 years), Denmark (each year until the first Tuesday in October), Finland (1 year), Jordan (2 years for the Senate and 1 year for the Assembly), Portugal (each year until 15th October), Western European Union (each year at the beginning of the session), Senegal (each year but before 1984 the President was elected for the full term of the Legislature). On the contrary in France, since 1958, the Presidents have been re-elected following each full or partial election to the Assemblies; previously, the election of the President was held each year at the beginning of the ordinary session. This is now the case in Portugal, following the changes made in June 1988.

— *Premature end of term of office:*

Reasons for premature end:

The Standing Orders of most assemblies specify the grounds for a premature end of the President's term of office, including death and resignation. Differences only arise between assemblies about the other reasons which can lead to the President leaving office nearly. For example, in some countries appointment as a Minister or election to another Assembly brings the term of office to an end.

In some parliaments such as in Federal Republic of Germany, the President cannot be dismissed, but in others there is the possibility of a vote against him in the Assembly. This is the case in Italy, although it has never in fact happened. It is also the case in Denmark, where 60 Members can call for a motion of no confidence in the President. In Norway, a fifth of the Members can call for such a motion in writing (although this has never happened). In Greece, a motion of censure can remove the President. In Yugoslavia, such a vote can revoke his mandate. In Zimbabwe, the President can be removed by the President of the Republic or by a motion of no confidence with two-thirds of the Members voting in favour. In other countries, such as New Zealand, specific situations such as conviction of a criminal offence, insanity, loss of nationality, corruption or acceptance of a public paid appointment can all bring his term of office to an end.

When does the new appointment or election take place and what is the procedure?

When the Speaker or President leaves office, most parliaments replace him immediately in accordance with the same idea that the parliamentary assembly cannot function normally without its President. If he leaves office completely, then an election has to be held as soon as possible. This usually takes places at the next sitting or at the opening of the next session. The

procedure used for electing a successor is the same as for the departing President, with the exception that the new Speaker may only serve out the remainder of the term of office of his predecessor and therefore will have to stand again for re-election when his predecessor's term of office would normally have come to an end.

The Council of Europe provides that if the President gives up his position completely he is represented by a Vice-President until the end of the annual session. The same is the case in Brazil, if there is less than three months still to run of the original mandate.

If there is a vacancy, even for a short period how, and by whom, are the duties of the President/Speaker carried out?

If the Speaker is temporarily absent, most assemblies provide for his place to be taken by a Member of the bureau (or the Chairman of Ways and Means in Anglo-Saxon countries). Usually the place is taken by one or other of the Vice-Presidents, depending on their seniority of election or in the order of importance of the groups which they represent (Federal Republic of Germany). In some parliaments, if the Vice-Presidents are also absent, the oldest Member presides. In the Canadian Senate, any Senator can take the Speaker's place with the consent of the Senate.

The position in the French Senate for substituting for an absent President is as follows: if there is a vacancy in the Presidency of the French Republic, the President of the Senate has to assume those duties and the Bureau of the Senate appoints one of the Vice-Presidents to replace the President of the Senate temporarily. These provisions, established under the Fifth Republic, have been applied twice: following the resignation of General de Gaulle and following the death of President Pompidou.

* * *

IV. Conclusions

After this analysis of the replies received, which may be too long and, I fear, still incomplete, I would like to renew my thanks to all our colleagues who have been kind enough to take the trouble to reply to the questionnaire even at a late stage, and those who took part in the discussions and brought me orally or in writing their comments and suggestions, which have all been taken into account. I ask them again to be kind to excuse any errors of interpretation that I have put on the subject.

Secondly, after all the conditions and exceptions which have been made, one can try to draw from this work, some general conclusions about parliamentary assemblies.

The first conclusion can be made about the appointment or election of a President by a body other than the Assembly concerned. The few cases given concern Upper Chambers and are the result either of a survival from history, or a federal or confederal regime. This statement is not a value judgement, but only a way of putting these practices in their proper context. The exceptions stated can doubtless be explained by the particular circumstances in the countries concerned and, especially, their political and parliamentary history.

Secondly, it follows that all assemblies elected by universal suffrage elect their own President themselves from among their Members, even if the actual methods of election vary greatly from one assembly to another, and between one country and another. These differences take into account the customs and practices which are themselves a consequence of past and present political conditions. Thus one-party systems, traditionally bi-partisan societies and assemblies which have known a large number of groups or political parties cannot have either in law or even less in practice, the same methods of election.

On this point, can one not discover certain characteristics of the political system of a country from the rules and practices which it uses in the election of the President of its parliament or parliamentary assemblies?

Thirdly, it is noteworthy that many of the replies to the questions on this subject include both precise information on the rules governing the election, and immediately afterwards an indication that the rules have not actually applied in any particular case, or that practical usage, without being contrary to the rules, has modified their application. Among many examples, which have been given, it is interesting to know that in the Bundestag of the Federal Republic of Germany, the President comes from the largest party even if that is a party not in the majority making up the government (which could comprise a coalition of smaller parties) and even in this case the President is generally elected with a very large majority.

Finally, one can conclude that no assembly can consider any matter (apart possibly from the checking of credentials) before it has elected not only its President or Speaker but also its main directing body—usually the bureau, sometimes comprising just one or more Vice-Presidents but usually wider in membership.

ANNEX I

Questionnaire on the election of the President/Speaker of Parliaments

Prepared by Bernard Charpin
(Secretary General of the Questure of the Senate
of France)

The Presidents or Speakers of Parliamentary Assemblies are chosen either by appointment or by election. This questionnaire deals with both methods and, in a third section, asks about the term of office of the President irrespective of the way in which he is chosen.

I. Appointment

1. Who makes the appointment and on what occasion?
2. Who can be appointed?
 - a member of the Assembly
 - or some outside person
3. What are the details of the appointment:
 - Date
 - Procedure
 - Announcement
 - Possibility of appeal against appointment.

II. Election

- a) Election by an authority other than the Assembly concerned
 1. What is the body that elects the President?
 2. Who can be a candidate?
 3. Details of the election:
 - Date
 - Electors

- Voting methods
- Announcement of result

4. Possibility of appeal against the election

b) Election by the Assembly concerned

[In the case of bicameral parliaments, if the method of election is identical for both Chambers, only one reply is needed; otherwise a reply is requested from each Chamber.]

1. Status or position of the Assembly before the election of its Speaker/President.

2. Date of election:

- Fixed date? When?
- After each full or partial election to the Assembly:
 - before the checking of credentials,
 - after the checking of credentials,
 - when?

3. Procedure:

- Candidates:
 - Who can be a candidate?
 - Do the candidates have to declare themselves?
 - Do the names of the candidates have to be announced officially?
 - Is there a deadline for nomination of candidates?
 - In case of a series of votes:
 - are new candidacies allowed after the first ballot?
 - are certain candidates eliminated from subsequent ballots as a result of the votes achieved in earlier ballots?
 - What is the practice followed:
- Votes:
 - Is there a formal vote?
 - Who has the right to vote?
 - Ballots:
 - one single ballot
 - several ballots, and if so, how many?

- Procedure for elimination of candidates
 - Majority required for election:
 - on the first ballot?
 - on subsequent ballots?
 - Method of voting
- Supervision:
- Who presides over the Assembly during the vote?
 - Who supervises the ballot or ballots?
- Declaration of results:
- How the results are declared?
 - Who declares the results?
 - After what period?
- Can the result be challenged in any way?

III. Term of office of the President/Speaker

1. Start of the term of office:
 - When does it start?
 - What formalities have to be carried out by the new President/Speaker
2. End of term of office:
 - Normal end of term of office.
 - Premature end of term of office.
 - Reasons for term of office ending prematurely
 - death
 - resignation
 - other reasons?
 - When does the new appointment or election take place and what procedure is followed?
 - If there is a vacancy, even for a short period; how and by whom are the duties of the President/Speaker carried out?

* * *

ANNEX II

List of countries whose Parliaments replied to the questionnaire

Australia	Japan
Austria	Jordan
Belgium	Malawi
Benin	Malaysia
Brazil	Netherlands
Cameroon	New Zealand
Canada	Norway
China	Poland
Council of Europe	Portugal
Cyprus	Republic of Korea
Denmark	Rwanda
Egypt	Somalia
European Parliament	Senegal
Federal Republic of Germany	Spain
Finland	Sweden
France	Thailand
Greece	United Kingdom
Iceland	United States
Ireland	Western European Union
Israel	Yugoslavia
Italy	Zaire
	Zimbabwe

March, 1989