



Sejm bodies

The Marshal of the Sejm

In the Polish parliamentary tradition, the rule that debates of the house of deputies are chaired by a Marshal of the Sejm (Speaker) elected from among the deputies goes back to the 16th c. In today's Sejm, the Marshal is elected at the first sitting of the Sejm, from among candidates proposed by a group of at least 15 deputies. The Sejm elects the Marshal by an absolute majority vote in the presence of at least half of the statutory number of deputies. The election of the Marshal of the Sejm is conducted by the Senior Marshal appointed by the President of the Republic from among the most senior deputies. The symbol of power and office of the Marshal of the Sejm is the Marshal's mace. By striking it three times against the floor, the Marshal opens and closes the debates. The Marshal of the Sejm is replaced, to the extent specified by him/her, by Deputy Marshals of the Sejm. However, unlike the Marshal, they are not bodies of the Sejm, as they do not have any competence of their own.

The areas of competence of the Marshal of the Sejm are defined by the Constitution of the Republic, the Standing Orders of the Sejm and statutes.

The Marshal's constitutional powers include, among other things:

- presiding over the debates of the Sejm;
- safeguarding its rights and representing the Sejm in external relations;
- referring a passed bill to the Senate and submitting it to the President of the Republic for signature;
- replacing the President of the Republic on a temporary basis, and in the event the office is vacated – until the office is assumed by a new President or if the President is temporarily unable to hold the office;
- ordering elections for the office of the President of the Republic and chairing joint debates of the Sejm and the Senate acting as National Assembly, e.g. to take the oath from the President of the Republic;
- safeguarding the compliance by judicial bodies with the principles of parliamentary immunity, which means that the Marshal of the Sejm is informed of each detention of a deputy;
- referring proposals to the Constitutional Tribunal on the conformity of normative acts with the Constitution and initiating proceedings to hold deputies who breach the ban on the conduct of any business activity involving any benefit derived from the property of the State Treasury accountable before the Tribunal of State.



The procedural powers include, among other things:

- reconvening sittings of the Sejm and presiding over its debates;
- safeguarding the progress and timely completion of the work of the Sejm and its bodies, which includes endorsing legislative and resolution-making initiatives and proposals submitted by state bodies to the Sejm;

- heading the work of the Presidium of the Sejm, convening the Council of Elders and presiding over their debates;
- handling matters concerning relations with the Senate, parliaments of other countries, as well as institutions and other bodies of the European Union;
- providing necessary assistance to deputies in their parliamentary work;
- administration of the Sejm, e.g. by taking care of peace and order throughout the premises of the Sejm;
- appointment, after having consulted the Rules and Deputies' Affairs Committee, of the Head of the Chancellery of the Sejm.

The statutory powers include e.g. the appointment of the Chief Labour Inspector and his/her deputies, Vice Presidents of the Supreme Chamber of Control and the Manager of the National Electoral Office.

Presidium of the Sejm

The Presidium of the Sejm is composed of the Marshal and Deputy Marshals of the Sejm. Traditionally, the composition of this collective body of the Sejm reflects the political diversity of the House – the members of the Presidium are deputies representing both the groups supporting the government and the political opposition. Sitzings of the Presidium of the Sejm are attended by the Head of the Chancellery of the Sejm in an advisory capacity. The Marshal of the Sejm may also invite other persons to a sitting of the Presidium of the Sejm. Beside the Marshal of the Sejm, the Presidium of the Sejm is another governing body of the Sejm.

The competence of the Presidium of the Sejm, defined by the Standing Orders of the Sejm and by statutes, includes the setting of the Sejm's work plans by appointing what are called "sitting weeks", organizing cooperation between the committees of the Sejm, coordinating their activities and giving opinions on matters brought by the Marshal of the Sejm. A highly important power held by the Presidium of the Sejm is its right to interpret the Standing Orders of the Sejm (after having consulted the Rules and Deputies' Affairs Committee), as an interpretation provided becomes binding on all the addressees of the provision concerned. The Presidium of the Sejm also sets the rules for arranging scientific consultancy services for the Sejm and its bodies, the rules for the appointment of the Sejm's consultants and the procedure governing the use of opinions and expert advice. Besides, the Presidium of the Sejm has the right of resolution-making initiative with regard to the modification of the Standing Orders of the Sejm or the holding of national referendums.

Committees of the Sejm

The committees are auxiliary bodies of the Sejm. They deal with the examination and preparation of matters falling within the remit of the Sejm's work and give opinions on matters referred to them for deliberation by the Sejm, the Marshal of the Sejm or the Presidium of the Sejm. In particular, this concerns legislative work on bills and work on proposals referred to the Sejm. Owing to the fact that some of the problems cannot be



discussed and analyzed fully and effectively in the plenary, specific solutions are worked out and prepared in committees.

The committees also exercise scrutiny over the activities of various state bodies, local government bodies and other organizations with regard to the implementation and enforcement of statutes and resolutions of the Sejm. This is closely related to the scrutiny function of the Sejm.

A committee of the Sejm is composed of groups of deputies elected by the Sejm by resolution. The composition of a committee is determined by the Sejm at the beginning of its term. In practice, the distribution of seats in committees is based on the principle of representation of all deputies' clubs in proportions based on their size. Work of each committee is managed by its presidium (composed of the chairperson and deputy chairpersons) elected by the committee itself from among its members. In order to streamline their work on specific matters, committees may appoint their internal bodies (subcommittees) and seek opinions of invited specialists in the field concerned, i.e. committee experts.

The committees can be classified as:

- standing committees, the establishment of which is provided for by the Standing Orders of the Sejm; these include branch committees, whose responsibilities usually concern matters falling within the remit of a ministry, e.g. the Foreign Affairs Committee, and non-branch committees, whose terms of reference involve the Sejm's functions which are unrelated to an administrative structure, e.g. the Deputies' Ethics Committee;
- extraordinary committees, which are set up by the Sejm to deal with a specific important matter and are dissolved once it has been considered (e.g. after the adoption of amendments to the Constitution or to codes);
- investigative committees, which are of special importance to the exercise of the scrutiny function of the Sejm. The mode of operation of investigative committees is defined in a statute which vests them with powers not only vis á vis state authorities, but also in relation to natural persons and other parties, which means that the committees may e.g. call those persons to testify and interrogate them on pain of criminal liability, or demand that public prosecutors furnish information and case files. The committee has guaranteed access to documents and cooperates with bodies in charge of proceedings, e.g. the prosecutor's office, on defined terms.

Council of Elders

The Council of Elders is a guidance body of the Sejm of a consultative nature and its decisions are not legally binding. The main responsibilities of the Council include giving opinions on: draft work plans of the Sejm, draft agendas and scheduling of the Sejm's sittings, proposals on how to discuss individual items on the agenda of the Sejm and proposals on the election by the Sejm of its bodies. Within its remit, the Council also provides opinions on the tasks and progress of work of the Chancellery of the Sejm and other matters as may be referred to the Council by the Marshal or the Presidium of the Sejm.

The Council of Elders ensures cooperation between clubs in matters related to the Sejm's activities and workflow. It is composed of the Marshal of the Sejm, Deputy Marshals of the Sejm, and chairpersons or deputy chairpersons of deputies' clubs and groups. Sittings of the

Council of Elders are attended by the Head of the Chancellery of the Sejm, in a consulting capacity, and they may also be attended by other invited persons. Sittings are convened by the Marshal of the Sejm on his/her own initiative, on the initiative of the Presidium of the Sejm, at the request of a club represented in the Council of Elders or a group of at least 15 deputies.

Internet: <http://opis.sejm.gov.pl/en/organysejmu.php>

EXERCISES

I. Read the above text and answer the following questions.

- 1. How is the Marshal of the Sejm elected?**
- 2. Who is the Presidium of the Sejm composed of?**
- 3. What does the competence of the Presidium of the Sejm include?**
- 4. What do the committees of the Sejm deal with?**
- 5. What is the distribution of seats in committees based on?**
- 6. What are the main responsibilities of the Council of Elders?**

II. Read the following statements related to the Sejm bodies and answer whether they are true or false.

- 1. The Marshal's constitutional powers include, among others:**
 - a) referring a passed bill to the Sejm, (T/F)**
 - b) chairing joint debates of the Sejm and the Senate, (T/F)**
 - c) presiding over the debates of the Sejm, (T/F)**
 - d) replacing the President of the Republic on a regular basis. (T/F)**
- 2. Committees of the Sejm exercise scrutiny over the activities of various state bodies. (T/F)**
- 3. Work of each committee is managed by the Marshal. (T/F)**
- 4. Subcommittees are appointed to streamline the work of committees. (T/F)**
- 5. The committees can be classed as standing, ordinary and investigative ones. (T/F)**
- 6. The Council of Elders ensures cooperation between clubs in matters related to the Sejm's activities. (T/F)**

III. Match the following words or phrases with their Polish equivalents.

1) deputy	a) odpowiedzialny
2) sitting	b) nadzór/kontrola
3) initiative	c) poseł
4) at the request	d) inicjatywa
5) scrutiny	e) pozbawienie wolności
6) auxiliary	f) zgodność
7) statute	g) posiedzenie
8) safeguarding	h) na prośbę
9) legislative	i) pomocniczy
10) accountable	j) ustawa
11) conformity	k) ustawodawczy
12) detention	l) zabezpieczenie

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