

I visited Paris to attend a training programme on 'Organisation of Parliamentary Work' organised by ENA, Paris from 23 June to 4 July, 2014.

A feedback report is placed below. Delay in submission is due to Session work which is very sincerely regretted.

I also place below the materials and CDs provided to me in the training so that this Secretariat may consider to bring out the publications based on those materials.

**(V.K. Pathak)**  
**Deputy Director (Q)**

**Training Cell**

**A feedback report on Training Programme on Organisation of Parliamentary work from 23 June to 4 July 2014 at Ecole National d' Administration, Paris.**

Following subjects were discussed in the training programme:-

1. The executive of French Republic : organs and functions.
2. The role of the National Assembly and Senate and its Legislative procedure.
3. Control and evaluation by the Parliament.
4. The Constitutional Council.
5. Committee system in both the Houses.
6. Status of the French Members of Parliament : Political aspects, rights of political opposition.
7. Scrutiny and control of the State budget by the Parliament.

**Executive of French Republic**

The President of the Republic is elected by universal suffrage, is the head of state as well as the executive for a 5 years term and can serve for 2 terms only.

The President appoints a Prime Minister who forms the Government. Ministers are chosen by Prime Minister but must be approved by the President. The Cabinet (Council of Ministers) meets on a weekly basis and is presided by the President.

The Prime Minister has to prove majority in the Lower House.

**The role of National Assembly and Senate its legislative procedure**

The French Parliament consists of the National Assembly and the Senate. The National Assembly consists of 577 Deputies (Members of Parliament) elected for a term of five years. They are elected by direct universal suffrage. It can be dissolved before 5 years. The Senate consists of 348 Senates elected for six years. They are elected by indirect universal suffrage by electors who are representatives of local bodies. Half of the Senate is renewed every three years.

The President of the National Assembly is elected by Members of National Assembly. He represents the National Assembly and chairs its debates. He is provided with significant institutional power such as the right to appoint three of the nine members of the Constitutional Council which is a third body after National Assembly and Senate entrusted with the task of monitoring the constitutionality of laws. The President of the National Assembly presides over the main internal bodies of the Assembly such as the Bureau whose task is to take the major decisions concerning the running of the Assembly and which, in addition to the President, is made up of six Vice Presidents, three Questeurs and twelve Secretaries. Three Questeurs are elected by all MPs to deal along with the President, with all financial and logistical matters concerning the Assembly, staff, premises, transport etc. Two Questeurs should be from the ruling majority and the third from the opposition.

The Senate guarantees the stability of the institutions: unlike the National Assembly, it cannot be dissolved. Additionally, the President or Speaker of the Senate takes over as acting President of the Republic in the event of vacancy or in capacity. The President of the Senate, also known as the Speaker, represents the upper assembly, is elected from amongst Senators. He leads the debate in Senate and presides the meeting of the Senate Bureau.

The most well-known task of the National Assembly and the Senate is to make laws. There are four stages for a Bill to become the law. Bills can be sponsored either by MP/Senator or the Government. Before consideration in the Chamber, Bills are examined in the Committees. In the chamber, the Bill, as amended by the Committee, is first debated upon in a general discussion. Then, each article is discussed and amendments, i.e., changes or additions to the Bill under discussion, are considered. MPs/Senators then vote on the entire Bill. In order to become law a Bill must also be debated and passed in exactly the same terms by the other House of Parliament. The to- and-fro journey of the Bill between the Senate and the National Assembly is called the 'Shuttle'. If the two chambers do not reach agreement, the Government may decide to give the final say to the National Assembly whose version of the Bill thus takes precedence. The Act is promulgated by the President of the Republic and is published in the 'journal officiel' i.e. official publication of the Republic.

## **Control and evaluation by the Parliament**

One of the important tasks of the legislature is to scrutinize Government action. The aim of the control or monitoring is to guarantee the freedom of citizens.

Questions to Government are the important instrument to scrutinize the Government actions.

Every Tuesday and Wednesday afternoon MPs have one hour during which they may question Ministers and Prime Ministers concerning their decisions and their policies. Half of such questions are asked by Members of the opposition. The time given to each question is 2 minutes for questioner and 2 minutes for Minister. For Prime Minister, there is no such time limit. During the sitting the President calls out the questioners in such a way as to have questions alternate between those coming from the governing majority and those asked by an opposition group. The first question is from the opposition. Questions to the Government are not published in advance. Only the names of Questioners are transmitted one hour before the sitting. In addition to the oral questions, MPs table their written questions electronically. Written questions and their answers are published in journal officiel.

## **The Constitutional Council**

The Constitutional Council exists to determine the constitutionality of new legislation. It has powers to strike down a bill before it passes into law, if it is deemed unconstitutional or on demand of the withdrawal of decrees even after promulgation. The Council is made up of nine members, appointed (three each) by the President of the Republic, the President of the National Assembly and the President of Senate. In addition all surviving former Presidents of the Republic are Members of the Constitutional Council. The President of the Constitutional Council enjoys financial autonomy and this guarantees the separation of powers.

The Constitutional Council, upon referral of a bill by the Government may receive the observations of the President of the Republic, of the Prime Minister and also of the Presidents of both the chambers regarding the examination of the constitutionality of the Bill as a whole or a part thereof, passes its decree.

### **Committee system in both the Chambers**

Each member in both the chambers is a member of the eight Standing Committees in National Assembly and seven Committees in Senate. In addition to it one Committee namely European Affairs Committee plays informative role in European activities and it is different from the standing Committees. The Committees are reconstituted every year.

Almost all bills are sent to a Standing Committee. In order that the consideration of each bill is as thorough as possible, the relevant Committee appoints a rapporteur amongst its members for that bill to initiate the proceedings on the subject. The rapporteur of the Finance Committee is called the General Rapporteur. This rapporteur is an MP with the task of examining the strengths and weaknesses of the Bill as well as ways in which it may be improved. In the chamber, the Bill as amended by the Committee, is first debated upon in a general discussion. The Chairman of the Committee and the rapporteur of the Bill defend the opinions of the Committee.

In addition to it, the Chamber may decide to setup a Committee of Enquiry on any important question which it considers to be of public interest. This may concern not only Government policy but also all public bodies dealing with the rights, freedom or health of citizens. These Committees have special investigative powers as well as the possibility of interviewing anyone who might help the truth brought to light.

The minutes of the Committee proceedings are drawn up by a specific department i.e. the Committee Report Department of Secretariats of the Parliament.

### **Status of the French Members of Parliament : Political aspects, rights of political opposition.**

MPs' first task is to represent the people of France in all their political diversity and to ensure that free democratic debate takes place. Thus an MP does, not only represent the constituency, but in fact all of France. Each MP may become a member of, or aligned to, a political group. By choosing to support the Government within the ruling majority, or on the contrary by opting to defend the positions of the opposition and by leading political debate in the constituency, MPs help keep democracy alive every day.

As per amendments in the Constitution of France in July 2008, the chambers have recognized the rights of Parliamentary groups, in general, and also, in particular, recognized the specific rights of opposition and minority groups. The Bureau of each chamber include at least one Vice President from the opposition. The rights of the opposition are expressed in the following activities:-

1. The sharing of monitoring and assessment activities continues in the chamber
2. The sharing of speaking time is provided for during the main debates
3. One day of sitting per month is reserved for opposition and minority groups.
4. The right to speak of all groups is guaranteed during legislative debates.

### **The Scrutiny and control of the State Budget by the Parliament.**

Every year MPs pass the Finance Bill which sets the budget of the State, i.e. all its revenue and expenditure. The Bill is examined by the Finance Committee which publishes a 'General Report' supplemented by 'special reports' on the budget of each Ministry. These budgets are divided into 47 missions, each with its own targets and performance indicators.

A budget is a specific text of law with two parts (taxation and expenditure) articulated around the budgetary balance. The preparation of the Budget by the executive begins early in the year before the budget takes effect. Parliament debates it for up to 70 days.

The Budget is examined by the Finance Committee which is chaired by the opposition group. After presentation of the report on the Budget it is passed by the Chambers. In case of differences on the Finance Bill between both the Chambers, the primacy is given to the National Assembly.

