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OPTION REPORTS

STANDING COMMITTEE

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The following report is one of a series produced by the Constitutional Design Group, a group of scholars dedicated to distributing data and analysis useful to those engaged in constitutional design. The primary intent of the reports is to provide current and historical information about design options in written constitutions as well as representative and illustrative text for important constitutional provisions. Most of the information in these reports comes from data from the Comparative Constitutions Project (CCP), a project sponsored by the National Science Foundation. Interested readers are encouraged to visit constitutionmaking.org for further resources for scholars and practitioners of constitutional design.

Note that the dates provided herein for constitutional texts reflect either the year of initial promulgation *or* of a subsequent amendment, depending on the version used for analysis. For example, Brazil 2005 refers to the Brazilian Constitution of 1988, as amended through 2005.

1. INTRODUCTION

Standing committees are special legislative committees that act on behalf of the legislature when it is not in session, or otherwise assume special legislative roles. We describe below the range of constitutional provisions for standing committees.

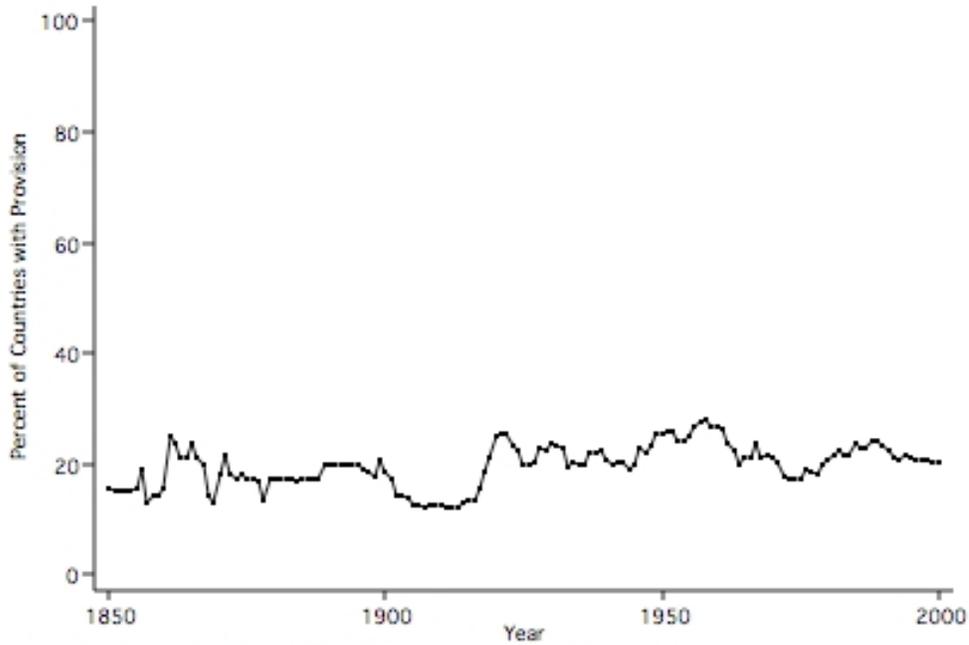
2. DATA SOURCE(S)

The analysis reported below is based on data the Comparative Constitutions Project (please see the appendix for more information on this resource). As of this writing, the project sample includes 550 of the roughly 800 constitutions put in force since 1789, including more than 90% of constitutions written since World War II.

3. CLASSIFICATION AND HISTORICAL TRENDS

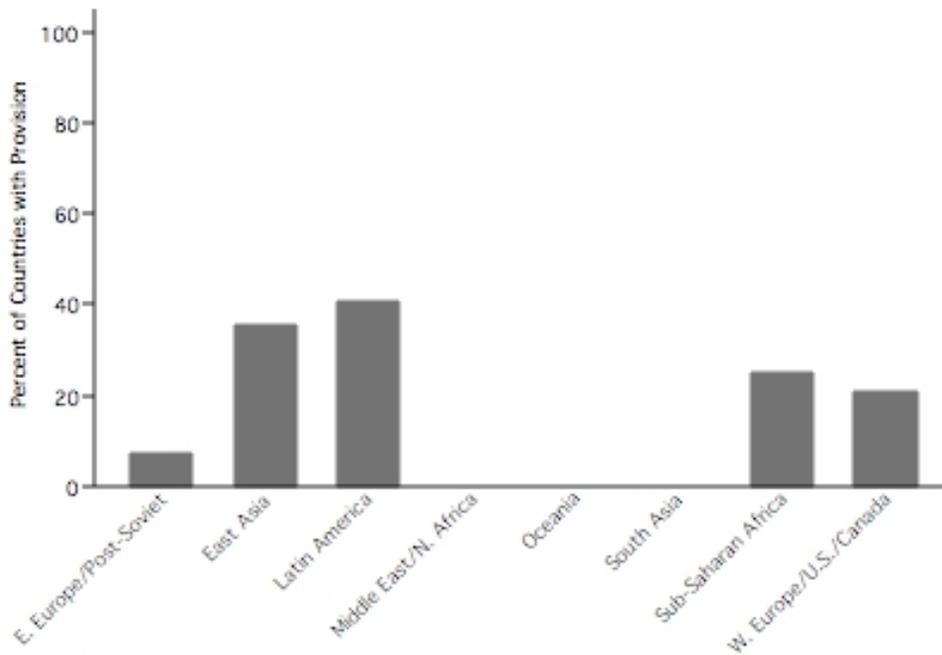
Overall, 20% of constitutions in the sample have provided for a standing committee. As Figure 1 suggests, incorporation of a standing committee in constitutional texts has been constant over time. In 2000, 20 % of constitutions in force provided for a standing committee. Figure 2 shows regional variation among these constitutions. The figure indicates that standing committees are most common in Latin America, East Asia, and Sub-Saharan Africa, and absent in the Middle East, Oceania, and South Asia.

Figure 1. Percent of Constitutions That Provide for a Standing Committee by Year (N=550)



Data from the Comparative Constitutions Project - www.comparativeconstitutionsproject.org

Figure 2. Percent of Constitutions That Provide for a Standing Committee in 2000 by Region (N=191)



Data from the Comparative Constitutions Project - www.comparativeconstitutionsproject.org

4. NOTES ON ATYPICAL CASES

We have coded as standing committees legislative bodies that: 1. play a central role in the overall legislative operation; 2. are permanent (meaning they continue to meet regardless of whether or not the legislature is in session); and 3. usually exercise legislative authority when the legislature is not in session.

Because of the idiosyncrasies of communist systems, we have coded the presidium of the national assembly as both a standing committee and head of state.

In many cases ordinary legislative committees that deal with particular areas of legislation are identified as “standing committees.” We have not coded such bodies as standing committees, but recorded them as ordinary legislative committees.

5. SAMPLE CONSTITUTIONAL PROVISIONS

(Note: dates provided reflect the version of the constitution used to obtain sample provisions, and represent either initial year of promulgation or year through which subsequent amendments are included.)

The set of sample provisions is divided into sections on:

1. Presidium of the National Assembly
2. Standing Committee

5.1. Presidium of the National Assembly

The Revolutionary Council forms its Presidium from among its members.

The Presidium consists of:

President of the Revolutionary Council as the chairman of the Presidium.

Deputy or deputies to the chairman of the Presidium.

Secretary and members.

The Presidium of the Revolutionary Council of the DRA is the ever-active organ of the Revolutionary Council.

- *Afghanistan 1980, Article 42*

The People's Assembly elects its Presidential Council.

The activity of the People's Assembly is carried out according to the rules approved by it.

- *Albania 1976, Article 69*

Art. 33. The National Assembly by a majority of more than half of the total number of deputies elects the presidium of the National Assembly consisting of a president, two vice presidents, a secretary, and fifteen members.

Art. 34. The presidium of the National Assembly is responsible to the Assembly for all its activity.

The National Assembly may at any time change the presidium or its individual members.

Art. 35. The presidium of the National Assembly has the following functions:

- (1) Summons the National Assembly;
- (2) Fixes the date of elections for the National Assembly;
- (3) Publishes the laws passed by the National Assembly;
- (4) Interprets the laws, which are binding on all;
- (5) Issues edicts;
- (6) Exercises the right of pardon and amnesty;
- (7) Institutes orders and decorations and awards them;
- (8) Represents the People's Republic in its international relations; appoints and recalls diplomatic and consular representatives of the country abroad on the recommendation of the government; and receives foreign representatives accredited to it;
- (9) Ratifies and denounces international treaties concluded by the government;
- (10) When the National Assembly is not in session the presidium can, on the recommendation of the government, declare a state of war in the event of an armed aggression against the People's Republic, or in the event of an urgent necessity of fulfilling international obligations relating to common defence against aggression; in such a case the presidium immediately summons the National Assembly to pronounce on the measure taken;
- (11) Proclaims, on the recommendation of the government, a general or partial mobilization and a state of siege;
- (12) When the National Assembly is not in session, the presidium may, on the recommendation of the Prime Minister, relieve of duty and appoint individual members of the government; the presidium is obliged to submit this to the ratification of the National Assembly at its earliest session;
- (13) Repeals the decisions and directives of the government which do not conform to the Constitution or the laws of the country;
- (14) Fixes the date of a referendum on the decision of the National Assembly;
- (15) Appoints or discharges the staff of the high command of the armed forces of the People's Republic on the recommendation of the government;

- (16) Appoints and discharges the commander-in-chief of the armed forces on the recommendation of the government;
- (17) Remits uncollectable debts;
- (18) Decides questions with which the National Assembly has entrusted it;
- (19) Discharges all functions which have been assigned to it by law.
 - *Bulgaria 1947, Articles 33-35*

At its first sitting the People's Chamber elects the Presidium and agrees on the standing orders of the Chamber.
Every parliamentary group is represented in the Presidium provided it has a minimum of forty members.

The Presidium consists of the President, his deputies and the assessors. The President conducts the business of the Presidium and presides over the People's Chamber. He exercises full authority in the People's Chamber.

- *German Democratic Republic 1960, Article 57*

Art. 47. The Presidium of the Supreme People's Assembly is the highest organ of state power when the Supreme People's Assembly is not in session.

Art. 48. The Presidium of the Supreme People's Assembly is elected by the Supreme People's Assembly and composed of a chairman, vice-chairmen, a secretary-general and its members.

Art. 49. The Presidium of the Supreme People's Assembly exercises the following functions:

- 1) To convene the Supreme People's Assembly;
- 2) To supervise the execution of the Constitution and laws, and interpret the laws in operation and issue decrees;
- 3) To annul decisions and orders of the Cabinet where these contravene the Constitution or laws;
- 4) To promulgate laws adopted by the Supreme People's Assembly;
- 5) To exercise the right of pardon;
- 6) To appoint and remove ministers upon recommendation by the Premier when the Supreme People's Assembly is not in session, subject to subsequent confirmation by the Supreme People's Assembly;
- 7) To award orders and medals and confer titles of honor;
- 8) To ratify or annul treaties concluded with foreign states;
- 9) To appoint or recall ambassadors and ministers to foreign states;
- 10) To receive the letters of credence and recall of diplomatic representatives accredited to it by foreign states.

- *People's Republic of Korea 1948, Articles 47-49*

Art. 30. In the periods between the convocation of the Congresses, the All-Russian Central Executive Committee is the supreme power of the

Republic.

Art. 31. The All-Russian Central Executive Committee is the supreme legislative, executive, and controlling organ of the Russian Socialist Federated Soviet Republic.

Art. 32. The All-Russian Central Executive Committee directs in a general way the activity of the Workers' and Peasants' government and of all organs of the Soviet authority in the country, and it coordinates and regulates the operation of the Soviet constitution and of the resolutions of the All-Russian Congresses and of the central organs of the Soviet power.

Art. 33. The All-Russian Central Executive Committee considers and enacts all measures and proposals introduced by the Soviet of People's Commissars or by the various departments, and it also issues its own decrees and regulations.

Art. 34. The All-Russian Central Executive Committee convokes the All-Russian Congress of Soviets, at which time the Executive Committee reports on its activity and on general questions.

Art. 35. The All-Russian Central Executive Committee forms a Council of People's Commissars for the purpose of general management of the affairs of the Russian Socialist Federated Soviet Republic, and it also forms departments (People's Commissariats) for the purpose of conducting various branches.

Art. 36. The members of the All-Russian Central Executive Committee work in the various departments (People's Commissariats) or execute special orders of the All-Russian Central Executive Committee.

- *Russia 1918, Articles 30-36*

5.2. Standing Committee

The Consell General appoints a Comissió Permanent to safeguard the powers of the Chamber while it is dissolved or in the period of recession. The Comissió Permanent, under the presidency of the Síndic General, shall be formed in a way that will represent the apportioned composition of the Chamber.

- *Andorra 1993, Article 56.3*

1. The National Assembly shall, outside the period when it is effectively functioning, during the provided when it is dissolved and in other cases provided for in the Constitutional Law, be substituted by a Standing Commission.

2. The Standing Commission shall be composed as follows:

(a) The President of the National Assembly, who shall preside over it, appointed by the party or coalition of parties that obtains a majority in the elections;

(b) Two vice-presidents appointed by political parties or coalitions of

parties in proportion to the number of seats they have in the National Assembly;

(c) Twelve Members appointed by parties and coalitions of parties in proportion to the number of seats they have in the National Assembly.

3. The Standing Commission shall:

(a) Accompany the work of the Government and administration;

(b) Convene the National Assembly in special session;

(c) Discharge the Assembly's duties in respect of the office of Members;

(d) Authorize the President of the Republic to declare a state of siege or state of emergency;

(e) Exceptionally authorize the President of the Republic to declare war and make peace, when the National Assembly is not in normal session and in the event of the pressing urgency to convene a special meeting;

(f) Prepare the opening of the legislative session.

- *Angola 1992, Article 102*

Art. 82. During the adjournment of the chambers a congressional committee shall function composed of nine Senators and eighteen Deputies, who, with their respective alternates, shall be elected by each chamber in a way that insofar as possible will reflect the territorial composition of Congress. It shall be presided over by the Vice-President of the Republic and shall include the elective President of the Senate and the President of the Chamber of Deputies, acting as first and second Vice-Presidents, respectively.

Appropriate regulations shall establish the time and manner of electing the congressional committee and its internal regime.

Art. 83. The powers of the congressional committee are:

1. To see that the Constitution is complied with and that citizen guarantees are respected, and to this end, to adopt such measures as are deemed appropriate.

2. To exercise functions of investigation and general supervision of the public administration, directing to the executive power such representations as are deemed pertinent.

3. To request the executive, by a two-thirds vote of all its members, to convoke a special session of Congress whenever the importance and urgency of a matter so demands.

4. To acquaint itself with all pending matters in order that action thereon shall be taken up at the next period of sessions.

5. To prepare bills for consideration by the chambers.

Art. 84. The congressional committee shall report on its activities at the first regular sessions of the chambers.

- *Bolivia 1967, Article 82-84*

Art. 57. The National Congress shall meet in the Federal Capital, from February 15th to June 30th and from August 1st to December 15th.

...

§ 4°. Each Chamber shall meet in preparatory sessions, starting on February 1st of the first year of the legislature, for seating its members and election of its respective Executive Committee for a two-year term, prohibiting reelection to the same position in the next election.

§ 5°. The President of the Senate shall preside over the Executive Committee of the National Congress, and the other positions shall be held, alternately, by the occupants of equivalent positions in the Chamber of Deputies and Federal Senate.

Art. 58. The National Congress and both its Chambers shall have permanent and temporary committees, constituted in the form and with the powers provided for in the respective by-laws or in the act of their creation.

§ 1°. In forming the Executive Committees and each Committee, proportional representation of political parties or parliamentary groups that participate in the respective Chamber shall be assured to the extent possible.

§ 2°. Committees, based upon subjects over which they have competence, shall have the power to:

I - discuss and vote on bills which, in accordance with the by-laws, the authority of the entire body is unnecessary, unless an objection is made by one-tenth of the members of the Chamber;

II - hold public hearings with entities of civil society;

III - summon Ministers of the Federal Government to provide information on matters inherent to their duties;

IV - receive petitions, claims, representations or complaints from any person against acts or omissions of government authorities or public entities;

V - request the deposition of any authority or citizen;

VI - examine construction programs and national, regional and sectorial development plans and to issue opinions upon them.

§ 3°. Parliamentary investigative committees, which shall have the same investigative powers as judicial authorities, in addition to other powers set forth in the by-laws of their respective Chambers, shall be created by the Chamber of Deputies and the Federal Senate, either jointly or separately, upon the request of one-third of its members, to investigate certain facts for a determined period of time. If appropriate, their conclusions shall be forwarded to the Public Ministry to determine whether to pursue civil or criminal liability of the offenders.

§ 4°. During recess, the National Congress shall be represented by a Committee elected by its two Chambers at the last ordinary session of the legislative term, with powers defined in common by-laws, and whose composition shall reflect the proportional representation of the political parties to the extent possible.

- *Brazil 2005, Articles 57.4; 57.5; 58*

Art. 49/1. During the recess of the National Assembly, the Standing Committee of the National Assembly takes care of business. The Standing Committee of the National Assembly consists of the chairman of the National Assembly, the vice chairman, the general secretary, and the chairmen of various National Assembly commissions.

Art. 49/2. The Standing Committee of the National Assembly has the following duties:

1. Organize National Assembly sessions.
2. Convene ordinary or extraordinary sessions.
3. Interpret laws.
4. Initiate draft laws.

- *Cambodia 1989, Articles 49/1; 49/2*

(1) The Permanent Commission shall function during the period in which the National Assembly is dissolved, between sessions, and in other cases provided in the Constitution.

(2) The Permanent Commission shall be composed of the President of the National Assembly, who shall preside, Vice Presidents and Secretaries of the Executive Board, and one representative of each parliamentary group.

(3) In the event that a party or political force with a seat in the Assembly does not have a constituent parliamentary group, one of its representatives will be a member of the Permanent Commission.

(4) The representatives referred to in the previous paragraphs shall have a number of votes on the Permanent Commission equal to the number of deputies whom they represent.

(5) The Permanent Commission shall have the following responsibilities:

- (a) To exercise the powers of the National Assembly regarding the terms of deputies;
- (b) To assist in the activities of the Government and the Administration;
- (c) To give consent to the President of the Republic's absence from the national territory;
- (d) To authorize the President of the Republic to declare martial law or a state of emergency, to declare war, and make peace.

(6) At the end of the legislature or in the event of dissolution of the National Assembly, the Permanent Commission shall remain in office until the opening of the constituent session of the newly-elected Assembly.

- *Cape Verde 1992, Article 160*

Art. 48. Before the close of the regular sessions of Congress, each house shall annually elect seven of its members, who shall together as a single body constitute the Executive Committee, and whose functions shall expire de facto on the thirty-first day of the following May.

Art. 49. The Executive Committee as the representative of Congress shall exercise the supervision belonging to that body over all of the branches of the public administration.

It shall therefore be its duty :

1) To watch over the observance of the constitution and of the laws, and to aid in the protection of individual rights.

2) To address representations to the President of the Republic that conduce to the above-mentioned objects, and to repeat the representations if the first do not appear sufficient.

When such representations relate to abuses or offenses committed by authorities responsible to the President of the Republic, and he does not adopt measures within his power to put an end to the abuses and to punish the guilty officer, it shall be understood that the President of the Republic and the minister of the proper department accept the responsibility for the acts of the subordinate authority as if such acts had been executed by their order or with their consent.

3) To give or refuse its consent to such acts of the President of the Republic as, according to the provisions of this constitution, require the concurrence of the Executive Committee.

4) To convene Congress in extraordinary session, whenever in its judgment such action is proper, or when a majority of the two houses request it in writing.

5) To report to Congress at its first meeting the measures which it has taken in the discharge of its duties.

The Committee is responsible to Congress for any failure to discharge the duties imposed upon it by the preceding clauses.

- *Chile 1833, Articles 48; 49*

Art. 30. The Standing Committee of the National People's Congress is a permanently acting body of the National People's Congress.

The Standing Committee is composed of the following members, elected by the National People's Congress :

the Chairman;

the Vice-Chairmen;

the Secretary General; and

other members.

Art. 31. The Standing Committee of the National People's Congress exercises the following functions and powers:

(1) to conduct the election of deputies to the National People's Congress;

(2) to convene the National People's Congress;

(3) to interpret the laws;

(4) to adopt decrees;

(5) to supervise the work of the State Council, the Supreme People's Court and the Supreme People's Procuratorate;

(6) to annul decisions and orders of the State Council which contravene the Constitution, laws or decrees;

- (7) to revise or annul inappropriate decisions issued by the government authorities of provinces, autonomous regions, and municipalities directly under the central authority;
- (8) to decide on the appointment or removal of any Vice-Premier, Minister, Head of Commission or the Secretary General of the State Council when the National People's Congress is not in session;
- (9) to appoint or remove the Vice-Presidents, judges, and other members of the Judicial Committee of the Supreme People's Court;
- (10) to appoint or remove the Deputy Chief Procurators, procurators, and other members of the Procuratorial Committee of the Supreme People's Procuratorate;
- (11) to decide on the appointment or recall of plenipotentiary representatives to foreign states;
- (12) to decide on the ratification or abrogation of treaties concluded with foreign states;
- (13) to institute military, diplomatic and other special titles and ranks;
- (14) to institute and decide on the award of state orders, medals and titles of honor;
- (15) to decide on the granting of pardons;
- (16) to decide, when the National People's Congress is not in session, on the proclamation of a state of war in the event of armed attack on the country or in fulfilment of international treaty obligations concerning common defence against aggression;
- (17) to decide on general or partial mobilization;
- (18) to decide on the enforcement of martial law throughout the country or in certain areas; and
- (19) to exercise such other functions and powers as are vested in it by the National People's Congress.

Art. 32. The Standing Committee of the National People's Congress exercises its functions and powers until a new Standing Committee is elected by the succeeding National People's Congress.

- *China 1954, Articles 30; 31*

Art. 89. The Council of State is the organ of the National Assembly of People's Power that represents it in the period between sessions, puts its resolutions into effect and complies with all the other duties assigned by the Constitution.

It is collegiate; and, for national and international purposes, it is the highest representative of the Cuban State.

Art. 90. The Council of State is invested with the power to:

- a) summon special sessions of the National Assembly of People's Power;
- b) set the date for the elections for the periodic renovation of the National Assembly of People's Power;
- c) issue decree-laws in the period between the sessions of the National Assembly of People's Power;
- ch) give existing laws a general and obligatory interpretation whenever

necessary;

d) exercise legislative initiative;

e) make all the necessary arrangements for the holding of referenda called for by the National Assembly of People's Power;

f) decree general mobilizations whenever the defense of the country makes it necessary and assume the authority to declare war in the event of aggression or to approve peace treaties—duties which the Constitution assigns to the National Assembly of People's Power—when the Assembly is in recess and cannot be called to session with the necessary security and urgency;

g) replace, at the initiative of its President, the members of the Council of Ministers in the period between the sessions of the National Assembly of People's Power;

h) issue general instructions to the courts through the Council of Government of the People's Supreme Court;

i) issue instructions to the Office of the Attorney General of the Republic;

j) appoint and remove, at the initiative of its President, the diplomatic representatives of Cuba in other states;

k) grant decorations and honorary titles;

l) name commissions;

ll) grant pardons;

m) ratify or denounce international treaties;

n) grant or refuse recognition to diplomatic representatives of other states;

ñ) suspend those provisions of the Council of Ministers and the resolutions and provisions of the Local Assemblies of People's Power which run counter to the Constitution or the law or which run counter to the interests of other localities or to the general interests of the country, reporting on this action to the National Assembly of People's Power in the first session held following the suspension agreed upon;

o) revoke those resolutions and provisions of the Executive Committees of the local organs of People's Power which infringe the Constitution, the laws, the decree-laws, the decrees and other provisions issued by a higher organ or when they are detrimental to the interests of other localities or to the general interests of the nation;

p) approve its rules and regulations; and

q) exercise all other powers conferred by the Constitution and laws or granted by the National Assembly of People's Power.

- *Cuba 2002, Articles 89; 90*

Art. 127. Congress, before closing each period of ordinary sessions, will appoint the permanent commission composed of nine members to function during its recess. Of these, eight will be elected and the president of congress will complete it and preside. Three substitutes will be elected in case there are defaults.

Art. 128. The permanent commission will meet when convoked by the presiding officer, or when the majority of its members agree to do so.

The following are powers of the permanent commission:

- (a) To declare whether or not there are grounds for the formation of a case against the functionaries referred to in Articles 107 and 116, with the exception of the president of congress, the President of the Republic, and the president of the judicial organ, respecting whom Congress alone may thus declare;
- (b) To carry through matters which have been pending in Congress;
- (c) To convoke Congress in extraordinary sessions when national interest so requires and when agreed to by two-thirds of the members of the commission;
- (d) To present a detailed report to Congress of the work it has completed;
- (e) To convoke elections during a recess to fill vacancies which occur by the death of any deputy or his acceptance of public offices incompatible with that of deputy;
- (f) Others expressly indicated in the Constitution.

- *Guatemala 1945, Articles 127; 128*

The Senate' shall, before adjourning, appoint a permanent committee. This committee shall consist of seven senators, and shall have no other power than that of calling the National Assembly to convene in the case set forth in article 64.

- *Haiti 1889, Article 56*

Art. 78. During the recess of the Congress of the Union, there shall be a Permanent Commission composed of thirty-seven (37) members, of whom nineteen (19) shall be Deputies and eighteen (18) Senators appointed by their respective Chambers on the eve of the closing of the period of ordinary sessions. For each titular member that the Chambers appoint there shall be an alternate.

The Permanent Commission, in addition to the attributes that this Constitution expressly confers upon it, shall have the following [powers]:

- I. To grant its consent for the use of the National Guard in the instances referred to in Article 76, section IV;
- II. To receive, as the case may be, the oath of the President of the Republic;
- III. To decide on matters within its competence; to receive, during the recess of the Congress of the Union, all bills introduced and proposals directed to the Chambers and schedule them for review of the committees of the Chamber to which they are directed so that they may be acted upon during the next period of sessions;
- IV. To issue on its own or by request of the Executive the convocation of the Congress or of a single Chamber to extraordinary sessions, in both instances two-thirds of votes of the present individuals being necessary.

The call shall provide the purpose or purposes of the extraordinary sessions;

V. To grant or deny its ratification of the appointment of the Procurator General of the Republic as submitted by the head [titular] of the Federal Executive;

VI. To grant a leave of absence of up to thirty (30) days to the President of the Republic and to appoint the acting President during such absence;

VII. To ratify the appointments made by the President of the Republic of ministers, diplomatic agents, consuls general, senior employees of the Treasury, colonels, and other superior officers of the National Army, Navy, and Air Force under terms provided by the law, and

VIII. To assess and settle requests for leave presented to it by legislators.

- *Mexico 2003, Article 78*

Art. 147. 1. The Standing Commission of the Assembly of the Republic shall be the governing board of the Assembly of the Republic.

2. The Standing Commission of the Assembly of the Republic shall be composed of the President of the Assembly and deputies elected by the Assembly of the Republic from among its members.

3. The composition of the Standing Commission of the Assembly of the Republic shall be established by law.

Art. 148. The Standing Commission of the Assembly of the Republic shall have power to:

a) coordinate the activities of the commissions of the Assembly of the Republic;

b) conduct the relations between the Assembly of the Republic and assemblies and equivalent institutions in other countries;

c) prepare and organise sessions of the Assembly of the Republic.

- *Mozambique 1990, Articles 147; 148*

Art. 78. Each chamber before adjourning shall appoint by absolute majority a permanent committee, consisting of two senators and four deputies. The Chamber of Deputies shall also appoint two substitutes and the Senate one.

Art. 79. Upon the meeting of the members of the committee they shall elect their chairman and vice-chairman, giving notice thereof to the Executive.

Art. 80. If it becomes necessary to call a substitute, his designation shall be made by lot.

Art. 81. The permanent committee shall sit until the opening of the next ordinary session of Congress.

Art. 82. It shall be the duty of the permanent committee to watch over the faithful compliance with the Constitution and the laws and its failure to do so shall render it responsible before the chambers.

Art. 83. To receive the certificates of election of deputies and senators,

and cause them to be referred to the respective committees.

Art. 84. It shall use the power granted to each chamber in article 67, chapter VII, of the present Constitution.

Art. 85. It shall hold preparatory meetings to examine the certificates of election, in order that the opening of the ordinary session of Congress may take effect on the day appointed by the Constitution.

Art. 86. The permanent -committee shall take no action without a quorum consisting of four of its members. When consisting votes are equally divided the chairman shall decide.

- *Paraguay 1870, Articles 78-86*

The members of the Standing Committee of Congress are elected by the latter. Their number must be proportional to that of the representatives of each parliamentary group and must not exceed 25 percent of the total number of members of Congress.

The rights and duties of the Standing Committee are as follows:

1. To appoint the Comptroller General on the recommendation of the President of the Republic.
2. To ratify the nomination of the President of the Central Reserve Bank and of the Superintendent of Banking, Insurance and Privately Administered Pension Funds.[10]
3. To approve the supplementary credits and the budgetary transfers and authorizations during parliamentary recess.
4. To exercise the delegated legislative powers that Congress may grant it. Matters relating to constitutional reform may not be delegated to the Standing Committee nor those relating to the approval of international treaties, organic laws, the budget law, and the Republic's General Accounts law.
5. Any other matters assigned to it by the Constitution and those specified in the Congressional Rules of Procedure.

- *Peru 2005, Article 101*

Art. 54. The Assembly, before adjournment, shall elect seven of its members to form the Permanent Commission during the period of adjournment, which shall designate at its first session, the President and the Secretary.

Art. 55. The Permanent Commission, during the adjournment of the Assembly, shall have the following attributes:

1. Declare if there is sufficient cause to proceed against the President of the Republic, the Representatives, Department secretaries, the Chief Justice of the Supreme Court, and the Solicitor-General in the cases provided by this Constitution.
2. Convoke the Assembly to a special session in the cases where the latter should constitute itself into a Tribunal of Justice.
3. To act upon pending matters which require proper action.

4. Convoke the Assembly in special sessions when the exigencies of the situation so demand.

5. Supplement the powers of the Assembly in accordance with the Constitution, excepting the act of voting and approving laws.

The Permanent Commission shall meet in session whenever convoked by the presiding officer, in accordance with this Constitution.

- *Philippines 1899, Articles 54; 55*

1. The Standing Committee of the Assembly of the Republic functions when the Assembly of the Republic is not in session, when it is dissolved and in the other cases provided for in this Constitution.

2. The Standing Committee is chaired by the President of the Assembly and is composed of the Vice-Presidents and Deputies appointed by all the parties in proportion to the number of their Deputies.

3. The Standing Committee is competent:

a. To ensure observance of the constitution and of the laws and to follow the activities of the Government and the Public Service;

b. To exercise the powers of the Assembly with respect to the term of office of Deputies;

c. To take steps for the convening of the Assembly when necessary;

d. To prepare the opening of the legislative session;

e. To consent to the absence of the President of the Republic from the national territory;

f. To authorize the President of the Republic to declare a state of siege or a state of emergency, or to declare war and to make peace.

4. In the case specified in paragraph 3(f), the Standing Committee shall see to it that the Assembly is convened as soon as possible.

- *Portugal 2004, Article 179*

Art. 76. Functions and Powers of the Standing Committee

The Standing Committee shall be the organ which shall direct the business of the Assembly and shall discharge the functions of the Assembly between recesses and shall have with the exclusion of its powers those mentioned in article 67, paragraphs 1, 3, 7 and 8 and article 82 paragraphs 3 and 12 of the Constitution.

Art. 77. Membership of the Standing Committee

1. The Standing Committee shall comprise the following members: chairman, vice- chairman, secretary, and ten members.

2. The chairman and vice-chairman of the Assembly shall become the chairman and vice- chairman of the Standing Committee.

Art. 78. The Powers of the Standing Committee

The Standing Committee shall have the following powers:

1. Legislation and amendment of laws during recesses, subject to subsequent approval by the Assembly.

2. Interpretation of laws and resolutions of the Assembly.

3. The convening of ordinary and extraordinary sessions of the Assembly.
4. Supervision of election of deputies to the Assembly.
5. Any other powers granted by the Constitution or the People's Assembly.

- *Somalia 1980, Articles 76-78*

Art. 157. The Cortes, before closing its sessions, shall appoint a committee called the Permanent Committee of the Cortes, composed of seven of its own members, three from the peninsula, three from the overseas provinces; the seventh shall be chosen by lot between a European Deputy and an overseas Deputy.

Art. 158. At the same time the Cortes shall appoint two alternates to this committee, one from Europe and the other from overseas.

Art. 159. The Permanent Committee shall continue in its function from the end of one session to the beginning of the next session of the Cortes.

Art. 160. The Committee shall have the following powers:

- 1) To watch over the observance of the constitution and the laws in order to render an account to the Cortes of the infractions which they have noticed;
- 2) To convoke extraordinary Cortes in the cases prescribed by this constitution;
- 3) To discharge the functions prescribed in articles III and 112;
- 4) To give notice to alternate Deputies to fill the positions vacated by Deputies; and in case of the death or absolute incapacity of the Deputies and alternates of a province, to transmit the proper orders for a new election in the province.

- *Spain 1812, Articles 157-160*

1. In each Chamber there shall be a Permanent Deputation composed of a minimum of twenty-one members who shall represent the parliamentary groups in proportion to their numerical importance.

2. The Permanent Deputations shall be presided over by the President of the respective Chamber and shall have those functions listed in Article 73, of assuming the authority pertaining to the Chambers in accordance with Articles 86 and 116, in the case that they have been dissolved or their term expired and to maintain a watch over the powers of the Chambers when they are not in session.

3. On the expiration of the mandate or in case of dissolution, the Permanent Deputations shall continue to exercise its functions until the constitution of new Cortes Generales.

4. When the pertinent Chamber meets, the Permanent Deputation shall give an account of the matters dealt with and of its decisions.

- *Spain 1992, Article 78*

The House of Representatives and the Senate have the power to select and appoint members of each house to constitute a standing committee and have the power to select and appoint persons, being or not being its members, to constitute an ad hoc committee in order to perform any act, inquire into or study any matter within the powers and duties of the House and report its findings to the House. The resolution appointing such ad hoc committee must specify the activity or the matter concerned clearly and without repetition or duplication.

The committees under Paragraph One have the power to demand documents from any person or summon any person to give statements of fact or opinions on the act or the matter under its inquiry or study.

In the case where the person under Paragraph Two is a Government official, official or an employee of a Government agency, State agency, State enterprise or local administration, the Chairman of the committee shall notify the Minister who supervises and controls the agency to which such person is attached in order to instruct him or her to act as prescribed in Paragraph Two, except that, in the case of the safety or benefit of importance to the State, it shall be deemed as a ground of an exemption to the compliance with Paragraph Two.

The privileges provided in Section 157 and Section 158 shall also extend to the persons performing their duties under this section.

The number of members of a standing committee appointed solely from members of the House of Representatives shall be in proportion to or in close proportion to the number of members of the House of Representatives of each political party or group of political parties in the House of Representatives.

In the absence of the rules of procedure of the House of Representatives under Section 191, the President of the House of Representatives shall determine the proportion under Paragraph Five.

- *Thailand 1997, Section 189*

Art. 195. During the recess of the Assembly the Delegated Commission, composed of the President, the Vice Presidents and the Presidents of the Permanent Commissions will function.

Art. 196. Attributions of the Delegated Commission are:

1. To convoke the National Assembly to extraordinary sessions, when the importance of an issue so requires.
2. To authorize the President of the Republic to leave the national territory.
3. To authorize the National Executive to decree additional credits.
4. To designate temporary Commissions composed of the members of the Assembly.
5. To exercise the functions of investigation attributed to the Assembly.
6. To authorize the National Executive by the favorable vote of two-thirds of its members to create, modify or suspend public services in case of proved urgency.

7. The others that the Constitution and the law establish.
- *Venezuela 1999, Articles 195; 196*

6. APPENDIX

This report is based on the following question(s) from the Comparative Constitution Project's "survey instrument":

[STDCOM] – Does the Constitution specify a "standing committee"?
(Asked only if LEGISL is answered 1)

1. Yes
96. other, please specify in the comments section
97. Unable to Determine
98. Not Specified
99. Not Applicable

Instructions: By standing committee we understand a legislative committee that plays a central role in the overall legislative process, meets regardless of whether the legislature is in session or not, and most commonly exercise legislative authority during parliamentary recess. Do not qualify as standing committees bureaus or secretariats of the assembly (if it is not expressly specified that they perform the above functions). Sometimes, regular committees are called standing committees and should be coded "yes" only in 307. In communist systems, the Presidium is a standing committee (as well as head of state).

For additional documentation on the Comparative Constitutions Project, (including the full codebook, the sample, the sources of constitutional texts and translation issues related to those texts, coding procedures, publicly available data, etc.) please visit the project website at www.comparativeconstitutionsproject.org.