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Standing Orders of the Council of States (SO-CS)

of 20 June 2003 (Status as of 28 February 2022)

The Council of States,

on the basis of Article 36 of the Parliament Act of 13 December 2002¹ (ParlA),
and having considered the report of the Political Institutions Committee of the
Council of States of 31 March 2003²,

decrees:

Chapter 1 Accession to the Council

Art. 1 Notification by the Cantons

The Council acknowledges the notifications by the Cantons concerning the results of elections to the Council of States.

Art. 2 Swearing-in

¹ After the Council has acknowledged the notifications by the Cantons concerning elections to the Council of States, the newly-elected Council members shall swear the oath or make the solemn promise. Council members who have been directly re-elected are not sworn in again.

² All persons present in the chamber and in the gallery shall rise for the swearing-in.

³ The President shall request the Secretary-General to read out the solemn promise or oath.

⁴ Persons swearing the oath raise shall three fingers of their right hand and say the words «I swear»; persons making the solemn promise say the words «I solemnly promise».

AS 2003 3645

¹ SR 171.10

² BBl 2003 3508

Chapter 2 Organs

Section 1 Election of the Presiding College and of the Bureau

Art. 3

¹ The Council shall elect the members of the Presiding College and of the Bureau individually at the beginning of each winter session.

² Immediate re-election to the same office is not possible, apart from to the office in accordance with Article 5 paragraph 1 letter d.

³ If the office of a member of the Bureau becomes vacant during the term of office, the Council shall elect a substitute member for the remaining period; if the post of President becomes vacant, the Council shall hold a substitute election if the President leaves office before the start of the summer session.

Section 2 President and Presiding College

Art. 4

¹ The President shall fulfil the tasks conferred on him or her by law and:

- a. chair the Council meetings;
- b. establish the agenda, subject to Council decisions to the contrary, taking into consideration the programme of the parliamentary session established by the Bureau;
- c. chair the Presiding College and the Council Bureau;
- d. represent the Council in its external dealings.

² If the President is unable to chair the meeting, or wishes by way of exception to participate in a debate, he or she shall be replaced provisionally by the First Vice-President, or if need be by the Second Vice-President.

³ If neither Vice-President is able to chair the meeting, the presidency shall be assumed by the following persons:

- a. a predecessor; if more than one is present in the Council, the council member who more recently exercised the office shall take precedence;
- b. the council member who has served the most terms of office; if two or more council members have served the same term, the older member shall take precedence.

⁴ The Vice-Presidents:

- a. support the President;
- b. carry out with the President the tasks conferred on the Presiding College by law.

⁵ Decisions of the Presiding College require the approval of at least two of its members.

Section 3 The Bureau

Art. 5 Composition and procedure

¹ The Bureau comprises:

- a. the three members of the Presiding College;
- b. a Teller;
- c. a Deputy Teller;
- d. a further member from each group of the Federal Assembly with at least five members in the Council of States which is not represented among the members of the Bureau under letters a–c.

² The Bureau is subject to the procedural rules of the committees.

Art. 6 Tasks

¹ The Bureau:

- a. plans the activities of the Council and establishes the session programme, subject to decisions by the Council to modify the list of items of business, or to add or withdraw such items;
- b. sets the remit of the standing committees and institutes special committees;
- c. allocates business to the committees for preliminary debate, co-reporting or final examination and sets deadlines; it may delegate this task to the President;
- d. coordinates the activities of the committees;
- e. examines, at the request of the Finance Committee, whether a committee responsible for the preliminary examination of a matter should seek an opinion from the Finance Committee under Article 49 paragraph 5 ParLA;
- f. schedules the meetings of the committees for the year;
- g. elects the presidents, vice-presidents, and members of the committees, unless the law provides otherwise;
- h. ascertains the results of elections and votes; the President may call on other members of the council if the Tellers and their replacements are impeded;
- i. examines whether incompatibilities exist under Article 14 letters b–f ParLA, and, if necessary, requests the Council to confirm the existence of any incompatibility;
- j. handles all other issues of organisation and procedure in the Council.

² The Bureau shall consult the presidents of the committees before taking decisions on matters concerning paragraph 1 letters b, c, and f.

³ Council members have three days in which to contest an election under paragraph 1 letter g and propose the nomination of another member of the Council; the decision rests with the Council.

Section 4 Committees and Delegations

Art. 7 Standing Committees

¹ The following standing committees exist:

1. Finance Committee (FC);
2. Control Committee (CC);
3. Foreign Affairs Committee (FAC);
4. Science, Education and Culture Committee (SECC);
5. Social Security and Health Committee (SSHC);
6. Environment, Spatial Planning and Energy Committee (ESPEC);
7. Security Policy Committee (SPC);
8. Transport and Telecommunications Committee (TTC);
9. Economic Affairs and Taxation Committee (EATC);
10. Political Institutions Committee (PIC);
11. Legal Affairs Committee (LAC);
- 12.³ ...

² The standing committees have 13 members.⁴

Art. 8 Special committees

In exceptional cases, the Bureau may institute special committees. Prior to doing so, it shall consult the presidents of the standing committees whose area of competence may be affected.

Art. 9 Delegations

Unless otherwise provided in an act or ordinance of the Federal Assembly, the provisions on committees set out in the Parliament Act and in these Standing Orders apply mutatis mutandis to the standing and non-standing delegations.

Art. 10 Legislature Planning Committee

The Legislature Planning Committee is constituted in the first session of the legislative period of the National Council as the special committee for the preliminary examination of the Federal Council's report on the legislature plan.

³ Repealed by No I of the Decree of 20 March 2008, with effect from 1 April 2008 (AS **2008** 1215; BB1 **2008** 1861 1863).

⁴ Amended by No I of the Decree of 20 March 2008, in force since 1 April 2008 (AS **2008** 1215; BB1 **2008** 1861 1863).

Art. 11 Sub-committees

¹ Every committee may, with the approval of the Bureau, establish its own sub-committees.

² The committee shall issue the sub-committee with an assignment that specifies its task and sets a deadline for the submission of its reports.

Art. 12 Tasks of the President

¹ The President of the committee:

- a. plans the work of the committee;
- b. sets the agenda, subject to contrary decisions by the committee;
- c. chairs the meetings of the committee;
- d. represents the committee in its external dealings.

² If the President is unable to act, Article 4 paragraph 2 and 3 applies *mutatis mutandis*.

³ The President shall participate in votes held by the committee. In the event of a tie, he or she has the casting vote.

Art. 13 Term of office

¹ The term of office of all committee members is four years, subject to contrary provisions contained in the Parliament Act or in an ordinance of the Federal Assembly. It ends at the latest with the total renewal of the committees in the first session of the new legislative period. Re-election is possible.

² The term of office of presidents and vice-presidents of the standing committees is two years. Immediate re-election to the same office is not possible.

³ The term of office of the members of a special committee corresponds to the duration of the committee's activity.

⁴ If a seat on the committee becomes vacant, the person elected to fill the seat on the committee serves out the remainder of the term of office.

Art. 14 Substitution

¹ A committee member may be substituted for a single meeting or individual meeting days.

² If a committee member leaves the Council, the parliamentary group shall nominate a replacement, as long as the Bureau has not assigned another member to the position.

³ The committee secretariat shall be notified of the replacement member under paragraphs 1 and 2 without delay.

⁴ Members of the Control Committee and members of a Parliamentary Investigation Committee, or their sub-committees, may not be substituted by another member.