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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
OF THE COUNCIL OF EUROPE
(VENICE COMMISSION)

REPUBLIC OF MOLDOVA

**DRAFT CODE ON THE ORGANISATION AND FUNCTIONING OF THE
PARLIAMENT**

**MAIN AMENDMENTS MADE FOR THE SECOND READING
(24 AUGUST 2026)**

Draft**CODE ON THE ORGANISATION AND FUNCTIONING OF THE PARLIAMENT****MAIN AMENDMENTS MADE FOR THE SECOND READING
(24 AUGUST 2026)****1. Legal framework of the Parliament's activity**

Article 3 para. (2) is supplemented with provisions stating that "Any issue related to the activity of Parliament and not regulated by the Constitution, this Code or other normative acts shall be resolved by Parliament. The resolution of these issues shall not have the effect of limiting the representative mandate of the Members of Parliament, limiting the right of the Members of Parliament to legislative initiative, to express political opinions, to parliamentary oversight or reducing the rights of the parliamentary opposition."

2. Seat of Parliament

Article 12 para. (2) specifies the cases in which a temporary change of the seat of Parliament is allowed and para. (3) excludes the provisions according to which the meetings of the working bodies of Parliament may only be held within the seat of Parliament.

3. Special session for the establishment of Parliament

In Article 17, the procedure for the establishment of the Parliament within the special session is detailed, in particular, the presiding and duration of the special session.

4. Taking the oath

Article 18 is supplemented with the provision that the Member of Parliament takes the oath in full, while cases of explicit refusal to take the oath due to unjustified reasons during two plenary sessions in which they participate shall entail the termination of the mandate.

5. Rights of parliamentary factions

Article 24 is supplemented with the provision stipulating that the parliamentary factions can express their political views on the issues debated by Parliament, including in a national minority's language.

6. Parliamentary opposition

Article 29 para. (2) excludes the obligation to provide a justification in the declaration on entering into opposition.

7. Establishment and membership of the standing committees of the Parliament

Article 42 para. (7) is supplemented by provisions according to which the change in the nominal membership of the standing committees can be operated in cases foreseen by this Code, in compliance with the principle of proportional representation of parliamentary factions.

8. Extraordinary sessions of the Parliament

Article 49 para. (1) specifies that "Extraordinary sessions shall be convened exclusively between ordinary sessions and may serve the need to resolve unusual tasks or unforeseen events."

9. Parliament Sessions

Article 51 para. (2) establishes that "The activity of the plenary session of the Parliament shall be conducted by the Chair of the session, observing the quorum as per the Constitution." Paragraph (3), which provided for the respect of the quorum pursuant to Constitution only at the opening of sessions, debates on motions and during the voting on Parliament's decisions, is excluded.

10. Conditions for holding closed sessions of Parliament

Article 53 is supplemented with provisions, as follows: "Closed sessions may also be ordered in the case of examining subjects related to national defence, military security, defence planning, mobilisation and readiness for defence, special procurement and endowment, and international military cooperation, if the disclosure thereof is likely to harm the defence capacity, military security or security interests of the state.

The initiation of the procedure for declaring a session to be held in camera may also be requested, upon justification, by the Government or by the heads of specialised central public authorities, if the subjects under examination contain information whose disclosure is likely to harm national security or state defence."

11. Parliament's agenda

Article 57 para. (4) is supplemented with the provision according to which the representative of the Government to the Parliament presents, to the Standing Bureau of the Parliament, the priorities of the Government to be included on the agenda of the Parliament's sitting.

12. Emergency procedure

Article 72 para. (4) is supplemented with the provision that "The draft normative act examined under emergency procedure may be examined in first and second readings during the same sitting, provided that all parliamentary factions consent thereto."

13. Continuity of legislative procedures in the new Parliament. Nullity of draft normative acts

In order to avoid the contradiction between Article 75 and Article 77, Article 77 para. (1) is excluded.

14. Establishment of the mechanism for amendments withdrawal

Article 78 is supplemented with provisions regarding the mechanism for withdrawing amendments to draft normative acts.

15. Approval of draft normative acts by standing committees

Article 88 para. (1) establishes that "The standing committees that have received draft normative acts for opinion shall subject them to debate in accordance with their remits, and shall submit opinions thereon to the lead standing committee within 30 days, unless another time limit is established."

16. Report of the standing committee

Article 92 details the content of the report of the standing committee for the first and second reading, as well as the final reading.

17. Basic drafts and alternative drafts

Article 93 para. (2) establishes criteria for selecting the basic draft and alternative drafts: "In the event that the Parliament receives for debate several drafts of normative acts that address the same issue, but are based on different concepts, the lead standing committee may propose to Parliament to decide which draft will be debated as the basic draft. As a consequence, Parliament decides on the basic draft, and the other drafts are considered alternative."

18. Timeframe for the examination of the draft normative act in the readings

In Articles 101, 105 and 110, the provisions regarding the 60-minute term allocated for the examination of a draft law in the Parliament's plenum are excluded.

19. Contesting the correctness of the vote count

In Art. 124, para. (3) is excluded.

20. Limits of Constitution review

In Art. 127, reference is made to Art. 142 para. (1) of the Constitution of the Republic of Moldova.

21. Repeated request for the investiture of the Government

Art. 147 para. (4) is revised in connection to Art. 85 paras. (1) and (2) of the Constitution of the Republic of Moldova.

22. Annual Report of the Government

Art. 163 specifies the term for the submission of the progress report by the Government to the Parliament's plenum, as well as the aspects reflected in the report of the Government.

23. Check of the constitutionality of international treaties

Art. 169 provides for the exercise of the check of the constitutionality of an international treaty in accordance with the 1969 Vienna Convention on treaty law and the Government Decision No. 442/2015 approving the Regulation on the mechanism for the conclusion, application and termination of international treaties.

24. Collaboration of the Parliament with the public authorities in the field of justice

In Art. 171 para. (5), the provisions through which the Parliament may request reports related to the justice field are excluded.

25. Parliament's relations with the local public administration

The draft act is completed with a new chapter reading as follows:

**"Chapter VIII. RELATIONS OF THE PARLIAMENT WITH THE LOCAL PUBLIC
ADMINISTRATION**

Article 172. Relations of the Parliament with the authorities of the local public administration

(1) The relations of the Parliament with the authorities of the local public administration are based on the principles of local autonomy, legality, transparency, responsibility and institutional collaboration.

(2) The Parliament, in the exercise of its representation and lawmaking functions, shall monitor the developments in the field of the local public administration and shall examine the aspects of public interest related to the activity of the local public administration.

(3) The authorities of the local public administration have the obligation to operate within the legal framework established by the Constitution of the Republic of Moldova and the laws. They may not adopt decisions threatening the territorial integrity, the national security or the legal order.

(4) The Parliament shall, through the specialised standing committee, collaborate with and support the authorities of the local public administration for the accomplishment of their missions.

(5) The specialised standing committee is entitled to request and examine information regarding the activity of the authorities of the local public authorities in the financial and budgetary, economic, social, cultural and educational fields, as well as information referring to the implementation of public policies, ensuring legality, protection of fundamental rights and freedoms of the individual and other aspects of public interest related to the competences of the Parliament.

(6) The information requested by the Parliament shall be submitted by the local public authorities within 30 days.

(7) After the analysis of the information, the specialised standing committee may draw up a report and propose the Parliament to debate the problems faced by the local public administration.

(8) The provisions of this chapter shall also be applied to the authorities of the Gagauz autonomous territorial unit and to the authorities on the left bank of Nistru River.

Article 173. Institutional dialogue and consultation of the local public administration authorities

(1) The Parliament shall, through the specialised parliamentary committees in the framework of the institutional dialogue, inform and consult the local public authorities on any issues regarding them directly, as well as in the process of examination and adoption of the normative acts referring to the organising and functioning of the local public administration.

(2) The consultations shall be carried out in various forms provided by the legislation, from the initial stage throughout the whole legislative process.

(3) The lead standing committee shall inform and ensure the transmission of the draft normative acts and additional information notes to the local public administration authorities in accordance with the resolution of the Chair of the Committee.

(4) In case the lead standing committee examines draft normative acts or other matters directly concerning the local public administration, representatives thereof shall be invited to the committee sitting.

(5) Failure to submit the opinion in the established term shall not prevent the examination of the draft act."

26. Contribution of the civil society

Art. 174 para. (1) is completed with provisions stating that the proposals or recommendations, both verbal and written, must be supported by arguments.

27. Reception and examination of the proposals of the civil society

Art. 175 is completed with the provision that the written recommendations should be included in the summary of amendments, objections and recommendations.

28. Procedure of informing the Parliament and the MPs

Art. 191 is completed with the following provision: "In case the requested information or documents refer to state secrets or another type of secret protected by law, the access to information shall be ensured in accordance with the law".

29. International relations of the Parliament

Art. 225 specifies the competences of the Parliament in international relations laid down in the Constitution of the Republic of Moldova and the national legislation on the international treaties.

30. Entering into force

Art. 241 proposes the following: „This Code shall enter into force upon expiration of the three-month term from the date of its publication, but not earlier than the date of the beginning of the ordinary session of the Parliament, except for Article 18, which shall enter into force on the date of the legal establishment of the new Parliament.”