



**Parliament of Montenegro
Parliamentary Institute
Research Centre**

Research paper:

**LEGISLATIVE PROCEDURE
-Length of process-**

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**The contents of this document do not reflect the official views of the Parliament of Montenegro*

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Foreword

Legislative process is often a complex and gradual process of submitting, considering and adopting law proposals, as governed by constitution and the rules of procedure of parliament, namely their chambers. In most countries, the right to propose laws and other acts, respectively the right of legislative initiative is granted to MPs, government and citizens. Proposals for law are considered in committee meetings and plenary, through several stages, in some parliaments referred to as “readings”. This kind of procedure enables systematic and thorough discussion within several time intervals, as well as receiving input from interested citizens.

With regard to how the process unfolds, parliamentary practice recognises ordinary, short and urgent legislative procedures. Ordinary legislative procedure includes a set of activities set by the rules of procedure of parliament, which are undertaken by the participants in the legislative process, with the aim of passing laws. The ordinary legislative procedure has one, two or many stages.¹ The short procedure lasts shorter, as opposed to the ordinary one. Under the short legislative procedure, certain stages are omitted. The short procedure is used most often when adopting laws containing few changes.² Urgent legislative procedure is applied when dealing with some very important changes which must not be postponed. In this case, the proposer of a law must submit the explanatory statement, stating reasons why a certain law needs to be adopted under urgent procedure.³

When it comes to the length of the process, it starts with the submission of proposal for a law and ends with its adoption, which may take less or more time, depending on the complexity or even urgency of an issue governed by law. Therefore, the procedure may last a few days up to a few months, a whole convocation or even longer. The length of legislative process may, inter alia, be an indicator of legislative productivity. However, it should be taken into account that a fast-paced performance would not jeopardise the quality and thoroughness of important processes, such as passing laws.

Under the current 25th convocation of the Parliament of Montenegro, until 25 May 2014, 137 laws were adopted. The shortest procedure for considering proposal for a law lasted one day (when referring to proposal for laws adopted under urgent procedure), whereas the longest procedure lasted 524 days. The average length of legislative procedure, referring to the aforementioned 137 laws, was 91 days.

In order to gather information in relation to the average length of legislative process, i.e. the time elapsed from the moment of submission of proposal for law until its adoption, the Research Centre submitted a questionnaire through the European Centre for Parliamentary Research and Documentation (ECPRD) network, entitled: “Average length of legislative process”. The document shows a comparative overview of the length of legislative process, in accordance with the obtained data. Collected answers are presented through a graph and divided into two categories; the first category includes data related to the length of legislative process, whereas the second contains further explanation and remarks on the issue.

Full document in Montenegrin can be found at:

http://www.skupstina.me/images/dokumenti/biblioteka-istrastivanje/Zakonodavni_postupak_duzina_trajanja.pdf

¹ Marijana Pajvančić, *Parlamentarno pravo*, Fondacija Konrad Adenauer, Beograd 2008, p. 143.

http://www.kas.de/wf/doc/kas_21985-1522-14-30.pdf?110223115152 (4 June 2014)

² Ibid, p.145

³ ibid