

THE CATALAN PARLIAMENT (2).

STRUCTURE AND FUNCTIONS

AS WELL AS ITS LEGISLATIVE FUNCTION, THE PARLAMENT
CARRIES OUT AND CONTROLS POLITICAL AND GOVERNMENTAL
ACTION.

ISMAEL E. PITARCH CHIEF OFFICIAL
OF THE CATALAN PARLIAMENT



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The Catalan parliament has one house, at present made up of 135 deputies. Deputies to the *Parlament de Catalunya* are elected by universal, free, equal, direct and secret ballot, and are grouped in electoral lists. The seats are distributed according to the number of votes received by each list, following the d'Hondt rule. Parliament must be renewed at least every four years. The seat of government is in Barcelona.

The *Parlament de Catalunya* has the power to pass laws which are applicable

throughout the territory of the *Generalitat*. These laws cover those areas which the statute of autonomy establishes as being exclusive competence of the *Generalitat*: organization and running of the autonomous government institutions. Catalan civil law, tourism, social security, culture, territorial organization, etc.; in these questions, the Catalan laws take precedence over those passed by the central government and, the same as those of all the state, are only subject to control by the constitutional tribunal. The *Parlament* can also pass laws re-

garding matters in which the state is responsible for basic regulation, as, for example, loans and banking, the environment, health, etc.; in these cases, the laws passed by the *Parlament* develop the guidelines established by the central government. The *Parlament* also approves the *Generalitat's* budget. The laws put forward for approval by parliament can come from the government or from the parliamentary groups; in the first case they are called *projectes de llei* and in the second *proposicions de llei*. In both cases, the process followed is much the same.



As well as its legislative function, the *Parlament* carries out and controls political and governmental action. This implies the ability to form and bring down the government, to criticise and watch over its political and administrative action and to influence it. These functions begin with the debate and subsequent investiture of the president of the *Generalitat*, which implies, at the same time, the acceptance of his programme of government; the members of the government are named freely by the *President*. He and his government have to resign if a censure motion gets the support of the absolute majority of the house, or if the government presents a motion of confidence and loses it by an absolute majority.

Apart from these exceptional situations, there are general debates held every year to discuss the government's political orientation, and there can be debates on specific government plans or projects. These debates usually give rise to parliamentary resolutions which the government has to bear in mind. An important political question can be the object of an interpellation to the government presented by a deputy and replied to by a member of the government. This can give rise to a motion on the same subject. The government also replies to the deputies' questions and gives an account of the actions taken by its departments in the informative sessions held by the committee responsible for each different area.

The *Parlament* elects the senators that represent the *Generalitat* in Madrid; it chooses and names the ombudsman, and elects all or some of the members of the different institutions of the *Generalitat*, like the *Consell Consultiu* or the *Sindicatura de Comptes* —both established by

the *Estatut*—, the administrative board of the *Corporació Catalana de Ràdio i Televisió*, etc. The *Parlament* also has the right of legislative initiative before the central government, that is to say it can present proposals of law for debate in Madrid and name the deputies responsible for their defence. It also has the right to ask the state government to adopt a legal proposal which has been prepared by the *Parlament*.

The parliamentary deputies form parliamentary groups, which must have a minimum of five members from the same party or electoral coalition. The deputies who do not join any of the parliamentary groups form the mixed group. Each group's spokesman, together with the president of the *Parlament* and one of the secretaries, form the *Junta de Portaveus*, which, along with the executive committee, organizes and plans parliament's work. Parliament is governed by the *Mesa del Parlament*, formed by the president, two vice-presidents, and four secretaries, all elected by the house.

Parliament works in plenary session, the maximum organ of the house, and in permanent commissions that specialize in specific topics and are made up of a number of members from each group, in proportion to the number of seats held in the house. In general, the proposals of law and other parliamentary motions are first studied and debated in commission and a *Dictamen* is prepared for the final debate in the house. Some are definitively approved or resolved in commission by delegation from the house. For specific questions, legislative commissions or study and investigation commissions can be set up.

Parliament works in two annual periods of sessions: September to December and February to June; the ordinary sessions

are normally held between Tuesday and Friday. Between periods, when the house and the commissions do not meet, the *Diputació Permanent*, made up of twenty-three deputies proposed by the different groups, and which must include the members of the *Mesa*, watches over parliament's powers. There can also be *sessions extraordinàries* to deal with specific topics.

Sittings are convoked by the president. The order of the day is the list of matters to be debated and dealt with in a particular sitting. That of the plenary session is decided by the *President del Parlament* and the *Junta de Portaveus*.

Parliament debates all its affairs by means of organized discussions in which the groups express their respective positions for or against. The *torns* are timed and ordered; the maximum length is thirty minutes and the minimum three.

Parliament makes its decisions through a vote, in which, normally, those who are in favour stand up, followed by those who are against and then those who abstain. There are also more solemn votes, such as the *pública per crida*, in which the deputy, on hearing his name called, says "yes", "no" or else abstains, and secret votes with ballot papers—for election to office—or with balls. Usually, decisions are adopted by simple majority—more votes in favour than against, without counting the abstentions, blanks or null votes—; sometimes, however, the absolute majority is needed, at present 68 votes, or even wider ones.

The *Parlament* is the most important institution of the *Generalitat* because it is democratically elected, has the power to pass laws, elects the president, controls the executive and is responsible for political and government activity. ■