A Parliament for everyone

A practical guide to the Parliament of Catalonia
A Parliament for everyone

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What is the Parliament?

1. The Parliament represents all the people of Catalonia.

"Parliament represents the people of Catalonia"
(Article 55.1 of the Statute of Autonomy)

The Parliament represents all citizens regardless of their vote.

2. Why do we need representatives?

7,500,000 Catalans

speaking for once every

1 = 14 minute years

If each of the seven million citizens of Catalonia had to speak to the Parliament assuming it was always open, each one would only be given one minute every 14 years.

3. The Parliament today.

Who can vote?

Citizens aged 18 or over

with the political status of Catalans*

Spanish citizens registered in a town in Catalonia, and Catalans residing temporarily or permanently abroad.

Voting is universal, free, equal, direct, secret and proportional.*

Candidates: closed electoral lists of a political party or an electoral coalition.

Lenght of legislative term: 4 years at most.*

Parliament may be dissolved before 4 years have elapsed if the President of the Generalitat so decides or if the investiture cannot be carried out within the established period.

* According to the Statute of Autonomy
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The deputies of the Parliament

Those who are elected in elections are the representatives of all citizens, and from the moment they are elected they become members of the Parliament or deputies. The deputies have the following rights and duties:

**Duties**
- To comply with the rules on incompatibilities.
- To submit declarations on their assets and activities other than those of a member of the Parliament.
- To attend debates and votes of the Plenary Assembly and the committees of which they are member, and carry out their functions.
- To be members of at least one committee.
- To act in accordance with the principles of ethics established by the Code of Conduct for the members of the Parliament.

**Rights**
- To attend all parliamentary sessions.
- To participate in the debates and votes of the Plenary Assembly and the bodies of which they are members.
- To present amendments to any proposal on which the Parliament has to make a decision.
- To form part of the parliamentary committees.
- To access all the information available to the Government and the Administrations.

**The parliamentary groups**

Parliamentary groups correspond to the political parties and coalitions in the Parliament.

- **Group Party A**
- **Group Party B**
- **Group Party C**
- **Group Party D**
- **Mixed Group**

Deputies who are not included in any group or coalition, or who do not reach the minimum number for forming a group, must join the **Mixed Group**.

Within the Mixed Group, parliamentary subgroups with a minimum of three deputies can be formed.

**The seat of the Parliament**

The seat of the Parliament is the **Palace of Parliament**, in the city of Barcelona. The Plenary Assembly and the committees may also meet in other parts of Catalonia.

The **Assembly Hall** is the place where the Plenary Assembly of the Parliament is normally held.

It is called a hemicycle because it is semi-circular, with an aisle in the middle.

Each deputy has a **seat**.

**The parliamentary work**

- **Meeting**
  - Calendar day
- **Session**
  - Agenda
- **Session period**
  - September-December / January-July
- **Legislature**
  - Constitutive session / Dissolution
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The electoral system

Catalonia is the only autonomous region of the Spanish State that has no electoral law of his own. The regulations applicable in elections to the Parliament of Catalonia are as follows:

**Organic Law 5/1985, on the general electoral system**

The law regulates the following:

- The right of suffrage.
- The Electoral Administration.
- The electoral roll.
- The requirements for calling elections.
- The procedure for presenting candidatures (closed list).
- The electoral campaign and advertising.
- Electoral expenditure and subsidies.
- Electoral crimes and offences.

**Statute of Autonomy of Catalonia**

The fourth transitional provision of the Statute of Autonomy of 1979, which remains in force, establishes the regulations for elections to the Parliament in the absence of a law of Catalonia that regulates the procedure.

The Parliament is composed of 135 deputies

- Closed lists: citizens vote for a list of party or coalition rather than individual candidates.
- The deputies are elected by universal, equal, direct and secret suffrage by citizens aged 18 or over.
- The voting system is proportional.

The 135 deputies are elected by four constituencies: the four provinces.

- Barcelona: 85 deputies
- Girona: 17 deputies
- Lleida: 15 deputies
- Tarragona: 18 deputies

Barcelona: at least six deputies plus one for every 40,000 inhabitants

Girona: at least six deputies plus one for every 40,000 inhabitants

Lleida: at least six deputies plus one for every 40,000 inhabitants

Tarragona: one deputy for every 50,000 inhabitants (with a maximum of 85 deputies)
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The bodies of the Parliament

For its functioning, the Parliament is divided into bodies, which are specific groups of deputies with specific attributions and functions.

Bodies of Parliament
- Presidency and Board
- Board of Spokespersons
- Committees
- Plenary Assembly
- Standing Committee

Presidency and Board
The Presiding Board of the Parliament is composed by 7 members (1 president, 2 vice presidents and 4 secretaries), all elected by the Plenary Assembly.

The Presiding Board directs, orders and qualifies the work of the Parliament and its services.

The President of the Parliament represents the whole of Parliament (135 deputies). He or she establishes and maintains the order of the discussions and directs the debates.

The Rules of Procedure of the Parliament are the regulations that establish its bodies and functioning in all its spheres. The Presiding Board is responsible for applying them and interpreting them.

Board of Spokespersons
Each parliamentary group chooses among its members a spokesperson to represent it.

The Board of Spokespersons is formed by the spokespersons of each parliamentary group, the President of the Parliament and one of the secretaries.

Parliamentary subgroups comprising at least three members of the same party or coalitions may be formed. If all members of the Mixed Group are assigned to parliamentary subgroups, a representative from each subgroup may attend the meetings of the Board of Spokespersons.

The plenary session is only part of all the parliamentary work. Before the Plenary Assembly, the deputies have already worked in the committees on the proposals that will be debated and approved or rejected in the Plenary Assembly.

Committees
The committees are essential for the parliamentary work.

There are two types of committees:
- Legislative: These draw up laws, according to their specialization. They work on bills that will become laws if approved by the Plenary Assembly.
- Specific: They have a specific function or interact with certain institutions or public bodies. They include those regulated by the Rules of Procedure, those created by the law, and those of investigation.

Plenary Assembly
This is the meeting of all the deputies in the Assembly hall when they are summoned by the President of Parliament to discuss and debate on the issues that are within the powers of the Parliament of Catalonia according to the Statute.

Standing Committee
When the Plenary Assembly does not meet because it has been dissolved, or in the periods between sessions, its duties are fulfilled by the Standing Committee.

This body is chaired by the President of the Parliament and is composed of 23 members appointed by the parliamentary groups. It is accountable to the Plenary Assembly for the decisions it takes.

The Rules
The Parliament of Catalonia has the following functions: the legislative function; the budgetary function; the function of creation, control and promotion of political and government action; and the elective function.

**Legislative function**

The Parliament has the capacity to draft and pass laws on matters that the Statute of Autonomy, in accordance with the Constitution, stipulates as exclusive to the Generalitat, and also on matters shared with the Spanish State.

**Budgetary function**

Each year the Parliament approves the budget: it debates and agrees on how the public money raised through taxes is to be distributed in order to deal with public needs and policies. The budget debate is one of the most important each year because it involves specifying and implementing the government programme for the following year.

**Elective function**

The Parliament elects the President of the Generalitat. It also elects the senators who represent the Generalitat in the Cortes Generales and all or part of the members of the institutions of the Generalitat (the Council for the Statutory Guarantees, the Audit Office, the Síndic de Greuges (Ombudsperson) and the Audiovisual Council of Catalonia) and other agencies, particularly when they have to reflect social and political pluralism (the Board of Directors of the Catalan Broadcasting Corporation, the board of trustees of universities etc.).

**Creation, control and promotion of political and government action**

The Parliament creates and maintains the Government; it elects from among the deputies the person who is to occupy the Presidency of the Generalitat, which also involves the approval of the government programme that he or she presents. This function of creation becomes a function of control, because the President and the Government are politically accountable to Parliament. In both cases the Parliament fosters and promotes political and government action guiding and stimulating the Government and its ministries and charging them to carry out actions.

**Other functions**

The Parliament also participates in the activity of the central bodies of the Spanish State. The Parliament appoints the senators who represent the Generalitat in the Spanish State Senate, which the Spanish Constitution establishes as a chamber representing the nationalities and the regions of the Spanish State. The Parliament has the right to present legislative initiatives to the Congress of Deputies: it can present bills that become laws.
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The legislative function

One of the main powers of the Parliament is to draft and approve laws. The legislative procedure is the whole trajectory followed by the text, from when it is only a proposal until it becomes law. Legislative proposal may be government bills (if initiated by the Government) or private bills (if initiated by the parliament, municipalities, counties or citizens).

Origins of a legislative initiative

- Government
  - The initial text is called a government bill
- Parliamentary groups or subgroups
- Deputies (at least five)
- Political bodies representing the supra-municipal areas of territorial organization.
- Municipalities
- Citizens

When the proposal is made by citizens it is called a popular legislative initiative (PLI).

These bills may be presented by citizens over the age of 16. They required 50,000 authenticated signatures.

The Rules of Procedure establish two types of legislative procedure: the common or ordinary and the special type.

The common legislative procedure

1. Legislative initiative
2. Presiding Board of Parliament
3. Approval
4. Publication in the BOPC
5. Board of Spokespersons
6. Motions for rejection
7. 10 days
8. 8 days
9. Amendments to the articles
10. Hearing of social organizations and groups
11. Committee
12. Debate on motions for rejection
13. 15 days
15. Publication in the BOPC, the DOGC and the BOE
16. Committee
17. Ruling by the Committee
18. Publication in the BOPC
19. Plenary Assembly of the Parliament
20. Law approved

Special legislative procedure

- Laws of basic implementation of the Statute
- Budget Laws
- Reform of the Statute
- Approval of the laws in committee: committees acting as the seat of legislation
- Single reading: adoption of the law in a single vote without presentation of amendments

(*) It has been agreed that the committee is to process the government or private bill acting as a full seat of legislation, the procedure ends here and the bill is neither debated nor voted on by the Plenary Assembly.

BOE: Boletín Oficial del Estado (official gazette of the Spanish Government).
BOPC: Butlletí Oficial del Parlament de Catalunya (official gazette of the Parliament of Catalonia).
DOGC: Diari Oficial de la Generalitat de Catalunya (official journal of the Generalitat of Catalonia).
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The function of creation, control and promotion of political and government action

The Parliament of Catalonia, representing the people, guarantees the good governance of the nation. This entails the power to create and bring down the Government, and to criticize, control and guide its political and administrative action.

There are also parliamentary procedures to foster and promote political and government action and to guide and stimulate the Government and its ministries and charge them to carry out actions.

Election of the President and approval of the Government programme

The Parliament creates and maintains the Government; it elects from among the deputies the person who is to occupy the Presidency of the Generalitat, which also involves the approval of the government programme that he or she represents.

Resolutions

These are politically but not legally binding, and may be addressed to the Government or any of its departments, to the people of Catalonia, to the public opinion or to Parliament.

Motions

Once approved, the Government is obliged to carry out the actions contained therein; it can later be checked whether these actions have in fact been carried out.

Political control

The most common instruments and techniques for interrelation between the Presidency, the Government and the Parliament.

After the function of creation the Parliament has the function of control, as the President and the Government are politically accountable to the Parliament.

Various arrows connecting Parliament, Government, and other elements illustrate the flow of information and actions.
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The budgetary function and the elective function

Each year Parliament approves the budget, i.e. it debates on and agrees how to distribute the public money collected through taxes in order to meet the diverse public needs and policies.

The function of approving the budget

The budget debate is one of the most important every year because it involves specifying and implementing the government programme for the following year, within the terms agreed when the Parliament elected the President.

The elective function

The Parliament has wide elective powers. It elects:

- The President of the Generalitat
- The senators who represent the Generalitat in the Cortes Generales
- The members of the Parliament who must defend in the Congress the bills presented to it by the Parliament of Catalonia.
- All or some of the members of the most important institutions of the Generalitat: the Catalan Council for Statutory Guarantees, the Audit Office and other bodies such as the Board of Directors of the Catalan Audiovisual Media Corporation, the Audiovisual Council of Catalonia and the boards of trustees of universities.

Other functions

The Parliament exercises other functions. The most important are related to participation in the activity of the central bodies of the Spanish State.

- Cortes Generales
  - It elects the senators who represent the Generalitat. It presents bills to the Presiding Board of the Spanish Congress and appoints deputies charged with defending them.

- Constitutional Court
  - It lodges appeals of unconstitutionality and defends the constitutionality of the laws of the Parliament. It appears in conflicts of competence or summons the Government of the Generalitat to appear there.

- Spanish Government
  - It calls on the Spanish Government to adopt bills.
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The working and decision-making system

The Parliament of Catalonia takes decisions following a series of debates. On matters of special importance, all parliamentary groups can establish their position or explain their vote.

The debate

The members of the Parliament debate on issues in committees and together in the Plenary Assembly.

Decision-making systems: voting

Requirements for the Parliament to take a decision

1. There must be a majority of members (more than half).

Absolute majority

In the Plenary Assembly, the absolute majority is 68 deputies.

2. The ordinary quorum for decisions making is a simple majority

In the voting the positive votes outweigh the negative ones, excluding abstentions, blank votes and invalid votes.

Simple majority

Type of vote

The voting procedures of the Parliament of Catalonia are the following:

- **Vote by assent**, when no members of the Parliament object to the proposal of the Presidency.

- **Ordinary vote**, which is done electronically: each deputy presses the button corresponding to their vote and the electronic system computes the votes cast and expresses the results on two screens located in the view of all participants in the session.

- **Public vote**, which is a procedure used for solemn or important decisions. The name of the deputy who will be called first is drawn by lot, and the others are called in alphabetical order following the first name; the person called answers “yes” or “no” or states that they abstain.

- **Secret ballot**, which can be done by paper ballot or an electronic system for the election of persons, or by ballot ballot for voting on the behaviour of persons: the white ball means approval, the black ball means rejection.
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The open Parliament

The recent reform of the Rules of Procedure of the Parliament of Catalonia is an important step forward in the consideration of citizens as active subjects in parliamentary life.

Traditional forms of participation

- **Popular legislative initiative (PLI)**

  These may be presented by citizens aged 16 or over.

  50,000 authenticated signatures are required.

- **Petitions Committee**

  This committee processes petitions that citizens make to Parliament by exercising the right of individual or collective petition, as recognized by the Statute.

  The petitions must meet certain conditions:
  - They must propose an action by the Parliament.
  - They may not affect judicial or administrative powers.
  - They may not consist of a complaint against an action or a grievance of an administration or private individual.

  Special value is given to petitions of collective interest and those calling for legislative reform.

New forms of public participation

- **The website**

  www.parlament.cat

  This offers detailed information on the functioning and activities of the Parliament of Catalonia. It includes several spaces for public participation.

- **Escó 136**

  esco136.cat

  A website for participation where citizens can make contributions, comments or suggestions on the bills going through the parliamentary procedure.

- **Educational projects**

  parlament.cat/aulaparlament

  The Aula Parlament platform organizes educational projects and activities of participation by schools and universities.

- **The web environment**

  - **The Transparency Portal**

    parlament.cat/web/transparencia

    It includes:
    - Regulations
    - Institutional information
    - Organization of the Parliamentary Administration
    - Activity of the Parliament
    - Participation and relations with citizens
    - Budgetary and economic transparency

- **Social networks**

  - **@parlament_cat**
  - facebook.com/parlament.cat
  - ParlamentCatalunya
  - @parlament_cat

- **Parliament Channel**

  canalparlament.cat

  Broadcasts the plenary sessions live online and on television.

  Canal 3/24 of Televisió de Catalunya

  Through the internet you can watch live and recorded versions of the committee sessions, press conferences and most institutional events taking place in the Parliament.

- **Visits to the Palace of Parliament**


  - Individual visits
  - School groups
  - University groups
  - Social groups

  The visits are free of charge

  They last for 45 minutes
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The history of the Parliament

The antecedents of the parliamentary institution in Catalonia are to be found in the Middle Ages, in meetings called asamblees de pau i treva (assemblies of peace and truce), and in the Cort Comtal (Count’s Parliament) of the eleventh century. Originally, the peace of God was the right of refuge of people and the protected land within thirty feet around the church, which was called sagrera (sanctuary). The truce was the suspension of wars and violent conflicts in certain periods.

The Corts were composed of three branches: the military branch, representing the nobility; the ecclesiastical branch, representing the religious hierarchy; and the royal branch, representing the cities and towns within the domain of the monarch.

Corts de Barcelona 1283:
- Constitution
- “We want, we establish”
- Peter II, the Great.

The first Corts Generals de Catalunya (1213-1276):
- James I, the Conqueror.

Diputació del General or Generalitat (the Corts were called Generals de Catalunya), 1336-1387.
- Peter III, the Ceremonious.

- Philip V. Abolition of the law and institutions of Catalonia.

War of Succession (1702-1714):
- 11 September 1714: fall of Barcelona.

Commonwealth of Catalonia: an attempt to recover the Catalan institutions.
- Abolition by the dictator Primo de Rivera.

Second Spanish Republic: restoration of the Generalitat 1932

Franco Regime 1939-1975:
- Last meeting of Parliament.
- Law of repeal of the Statute by General Franco.
- Civil War: The Generalitat continues to exist despite the difficulties of the war.

Franco Regime: repeal of the Statute and all institutions stemming from it. Parliament closed and converted into barracks. Repression and clandestine struggles to ensure restoration of democracy and recognition of the identity of Catalonia (Assembly of Catalonia).

Transition 1975-1978:
- Restoration of the Generalitat
- Spanish Constitution
- Statue of Autonomy

End of war 1979:


21st c.:
The history of the Palace

The Parliament of Catalonia has its official seat in the Palace of Parliament, located in the Parc de la Ciutadella in Barcelona. The building of the Palace of Parliament was originally the arsenal of the Citadel that King Philip V had built in Barcelona after the defeat of the Catalans in the War of Succession. Since then it has undergone many changes.

Map of Barcelona today (Old City)

The Citadel

It was built by King Philip V after the Catalan defeat of 11 September 1714. The works lasted from 1716 to 1748 and were directed by Prosper de Verboom, a Flemish military engineer at the service of the King. It was originally intended to defend the city, but in fact became a place for controlling and subjugating the population. The city was bombed several times from the Citadel, and political prisoners were tortured and killed there.

The Citadel was a sinister place, hated by the Barcelonans and the Catalans, who always asked for its removal when they were allowed to express an opinion.

Chronology of the Palace of Parliament

1716 Construction of the Citadel. The work directed by Prosper de Verboom took 36 years.

1809 Executions of citizens of Barcelona outside the Citadel in June 1809 as a result of repression by French troops in Catalonia

1888 The Universal Exhibition of Barcelona was held on the site of the Citadel.

1890 It was converted into the Municipal Museum of Art and two wings were added.

1900 In 1932 the President of the Generalitat, Francesc Macià, decided to install the Parliament of Catalonia in the Royal Palace.

1932 General Franco converted the Palace of Parliament into military barracks.

1938 It was the seat of the Parliament briefly and with an interruption of 17 months: the Black Biennium (the Revolution of 1934). The last session was in 1938.

1945 It was transformed into the Museum of Modern Art

1980 With the recovery of democratic freedom and the institutions of Catalonia, the Palace was restored and adapted in order to house the Parliament once more.
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Other institutions of the Generalitat

Chapter V of Title II of the Statute of Autonomy states that, apart from the Parliament of Catalonia, the President of the Generalitat, the Government and the Administration of the Generalitat, the Generalitat has four other institutions: the Council for Statutory Guarantees, the Sindic de Greuges, the Audit Office and the Audiovisual Council of Catalonia.

**Government and Administration**

- **Parliament**
- **President**

**Council for Statutory Guarantees**

- This is the institution of the Generalitat that ensures that regulations with the force of law of the Government and the Parliament are in line with the Statute and the Constitution.

**Sindic de Greuges (Ombudsperson)**

- This is the defender and protector of the rights and freedoms of persons acknowledged by the Spanish Constitution and the Statute.

**Audit Office**

- This is the regulatory body for the accounts and financial management of the public sector in Catalonia (including the Administration of the Generalitat, local government, the organizations that depend on them and the public universities).

**Audiovisual Council of Catalonia**

- This is the independent authority for regulating broadcasting in Catalonia. Its aim is to guarantee compliance with regulations applicable to providers of public and private broadcasting services.

### What is it?

- **Proposed by the Government**
- **Proposed by the Parliament**
- **Ministers appointed by the President of the Generalitat**

### Composition

- **3** Proposed by the Government
- **6** Proposed by the Parliament
- **9** Ministers appointed by the President of the Generalitat

### Functions

#### Government and Administration

- **His or her function is to respond to all complaints from people who are defenceless due to an action or lack of action by the public administrations. He or she ensures the proper functioning of the Administration of the Generalitat and the local entities of Catalonia, such as town councils, provincial councils and county councils, therefore acting as a supervisor and collaborator of the Catalan Administration in order to improve its functioning.**

#### Council for Statutory Guarantees

- **It draws up regulatory reports: it examines the income and expenditure accounts of the public sector of Catalonia to determine whether it is reliable, and whether the operations carried out are regular, legal and effective.**
- **It has the consultative function of advising the parliamentary bodies.**
- **It can act as delegated by the Court of Auditors, both on matters of regulation and in carrying out actions previous to requiring accounting responsibilities, by preparing the groundwork for proceedings.**

#### Sindic de Greuges (Ombudsperson)

- **Proposed by the Government**
- **Proposed by the Parliament**
- **Ministers appointed by the President of the Generalitat**

#### Audit Office

- **Seven auditors are appointed by the Parliament by a majority of three-fifths of its members. The auditors elect one of their members as the senior auditor.**

#### Audiovisual Council of Catalonia

- **Five members and a chairperson. All members are elected by the Parliament at the proposal of at least two parliamentary groups, by a majority of two thirds. The chairperson of the Council is elected by the Parliament from the six members.**