Review of National Assembly’s and it’s Committees’ proceedings with the reports of independent anticorruption organs – Transparency – Serbia, 4 July 2011

|  |  |  |
| --- | --- | --- |
| **Independent organ** | **Proceeding of independent state organ** | **Proceeding of National Assembly and of authorized Committees** |
|  | Deadline for delivering of annual report | Date of report delivering  | Deadline for consideration of the report (30 days from delivering date) | Date of report consideration in the Committees | Description of Committees’ proceedings | First following sitting of the National Assembly | Description of National Assembly’s proceedings |
| Ombudsman  | 15.03. 2011. | 15.03. 2011 | 15.04.2011 | 26 May, 21 June | Justice and Administration Committee on 26 May considered, determined draft conclusion 21 June 2011 | 4th and 5th extraordinary sitting 27 June 2011 | / |
| State Audit Institution | 31.03. 2011. | 29.03.2011. | 29.04.2011. | 23 May, 7 June | Finance Committee considered at the sitting on 23 May and 7 June 2011, conclusion – report is adopted | 4th and 5th extraordinary sitting 27 June 20113rd extraordinary sitting – 15 June 2011 | / |
| Commissioner for Information of Public Importance and Protection of Personal Data | 31.03. 2011. | 28.03.2011. | 28.04.2011 | 21 April, 21 June | Culture and Administration Committee on 21 April considered and determined draft conclusion Justice and Administration Committee at the sitting on 21 June 2011 considered the report | 4th and 5th extraordinary sitting 27 June 2011 | / |
| Anticorruption Agency | 31.03. 2011. | 25.03.2011 | 25.04.2011 | 21 June | Justice and Administration Committee on 21 June 2011 considered the report, on which National Assembly will speak out in one of the following sittings | 4th and 5th extraordinary sitting 27 June 2011 | / |

NATIONAL ASSEMBLY’S RULES OF PROCEDURE

*17. Procedure for conducting oversight over the work of state institutions, organizations and bodies*

**Article 237**

The Speaker of the National Assembly shall communicated the reports submitted to the National Assembly by state institutions, organizations and bodies, to MPs and the competent committee, in accordance with the Law.

The competent committee shall consider the report from paragraph 1 of this Article within 30 days from the day of submittal of the report to the National Assembly.

The representative of the state institution, organization or body whose report is being considered shall be invited to the sitting of the competent committee.

Upon consideration of the report referred to in paragraph 1, the competent committee shall submit a report to the National Assembly together with its the draft conclusion or recommendation.

In the draft conclusion or recommendation referred to in paragraph 4 of this Article, unless otherwise stipulated by the Law, the competent committee may recommend to the National Assembly the following:

* to accept the report of the state institution, organization or body, if the report is considered formally and essentially complete and if the state institution, organization or body has acted in accordance with the Law,
* to oblige the Government or other state institutions to undertake appropriate measures or activities within their competences,
* to request an amended to the report from the state institution, organization or body,
* to undertake appropriate measures in accordance with the Law,
* not to accept the report and initiate the procedure for determining accountability of the state officials in the state institution, organization or body concerned.

**Article 238**

The National Assembly shall consider the reports from Article 237, paragraphs 1 and 4 of these Rules of Procedures, the draft conclusion of the competent committee or its recommendations at the first upcoming sitting.

The representative of the state institution, organization or body whose report is being considered shall be invited to the sitting.

The National Assembly, upon concluding the discussion at the sitting attended by the majority of MPs, shall adopt a conclusion or a recommendation by a majority vote.

**Article 239**

In case when a state institution, organization or body fails to submit the report to the National Assembly within the time limit prescribed by the Law, or upon a request of a the competent committee, the competent committee shall notify the National Assembly of this failure, for the purpose of undertaking the measures by the National Assembly within its competences, in order to determine accountability of the state official of the state institution, organization or body.

The competent committee may determine that the official of the state institution, organization or body elected by the National Assembly fails to perform his/her public office in accordance with the Law and shall notify the National Assembly thereof in order to undertake measures prescribed by the Law.