



**REPUBLIC OF MACEDONIA
THE GOVERNMENT OF THE REPUBLIC OF MACEDONIA**

**RULES OF PROCEDURE
FOR OPERATION OF THE GOVERNMENT OF THE REPUBLIC OF
MACEDONIA
(CONSOLIDATED TEXT)**

Skopje, April 2006

Pursuant to Article 51 of the Rules of Procedure for Amendment of the Rules of Procedure for Operation of the Government of the Republic of Macedonia (The Official Gazette No. 47/03), on the session of 8 May, 2006 the Commission for Political System approved the consolidated text of the Rules of Procedure for Operation of the Government of the Republic of Macedonia.

The consolidated text of the Rules of Procedure of the Government of the Republic of Macedonia integrates: the Rules of Procedure for Operation of the Government of the Republic of Macedonia (the Official Gazette No 38/01); the Rules of Procedure for Amendment of the Rules of Procedure for Operation of the Government of the Republic of Macedonia (the Official Gazette No. 98/02); the Rules of Procedure for Amendment of the Rules of Procedure for Operation of the Government of the Republic of Macedonia (the Official Gazette No. 9/03); the Rules of Procedure for Amendment of the Rules of Procedure for Operation of the Government of the Republic of Macedonia (the Official Gazette No. 47/03); the Rules of Procedure for Amendment of the Rules of Procedure for Operation of the Government of the Republic of Macedonia (the Official Gazette No. 64/03); the Rules of Procedure for Amendment of the Rules of Procedure for Operation of the Government of the Republic of Macedonia (the Official Gazette No. 67/03); and the Rules of Procedure for Amendment of the Rules of Procedure for Operation of the Government of the Republic of Macedonia (the Official Gazette No. __/06) which indicate the date of their entering into force.

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PRESIDENT OF THE COMMISSION
FOR POLITICAL SYSTEM

Jovan Manasievski

**RULES OF PROCEDURE
FOR OPERATION OF THE GOVERNMENT
OF THE REPUBLIC OF MACEDONIA
(CONSOLIDATED TEXT)**

I. GENERAL PROVISIONS

Article 1

In accordance with the Constitution of Republic of Macedonia and the Law on Government of Republic of Macedonia and other laws, these Rules of Procedure closely define the internal organisation and regulate the methods of operation of the Government of Republic of Macedonia (hereinafter: the Government) and of its working bodies, as well as other issues of importance for operation of the Government.

Article 2

The provisions of these Rules of Procedure shall apply accordingly to the operation of the Government in case of war or state of emergency, unless otherwise stipulated by these Rules of Procedure or other regulations.

II. PRESIDENT OF THE GOVERNMENT, DEPUTIES OF THE PRESIDENT, MINISTERS, THE GENERAL SECRETARY OF THE GOVERNMENT, AND THE OFFICE OF THE PRESIDENT OF THE GOVERNMENT OF THE REPUBLIC OF MACEDONIA

1. President of the Government of the Republic of Macedonia

Article 3

The President of the Government of Republic of Macedonia (hereinafter referred to as: the President of the Government) shall:

- 1) represent and manage the work of the Government;
- 2) convene and chair the sessions of the Government;
- 3) endorse regulations and other legislation adopted by the Government and ensure their implementation;
- 4) steer the actions of the Government as a whole and those of its members in accordance with the commitments expressed in the Programme and the strategic priorities;
- 5) ensure coordination among Ministries on issues of common interest;

- 6) propose measures in cases of accountability to the Government of individuals who have been appointed to public and other functions within the competence of the Government;
- 7) cooperate with other state bodies, public enterprises, public institutions and public services on issues of common interest;
- 8) cooperate with companies, political parties, civic associations and foundations and other legal entities on issues of common interest;
- 9) take appropriate measures in case the conclusions of the Government have not been implemented;
- 10) manage the implementation of the public administration reform;
- 11) be responsible for implementation of the Annual Work Programme of the Government;
- 12) decide on convening meetings and advisory sessions to deliberate on issues within the competence of the Government;
- 13) inform the Parliament of the Republic of Macedonia (hereinafter referred to as: the Parliament) on issues related to the implementing policies of laws and other regulations of the Parliament;
- 14) act under the auspices of the Government in specific celebrations and events of importance for the Republic of Macedonia;
- 15) give authorisations for fulfilment of his/her rights and duties in accordance with the law and these Rules of Procedure;
- 16) establish an Office that shall assist in his/her work;
- 17) instruct the Secretary General of the Government with regard to the implementation of matters of his/her responsibility; and
- 18) perform other activities in accordance with the Constitution of the Republic of Macedonia, the law and these Rules of Procedure.

Article 4

The President of the Government shall be substituted by one of his/her deputies that he/she shall appoint.

Article 5

- (1) In the performance of his rights and duties, the President of the Government shall be assisted by his/her deputies.
- (2) The deputies of the President of the Government shall be responsible for specific issues within the competence of the Government by authorisation of the President of the Government.
- (3) The deputies of the President of the Government shall report to the President of the Government on the implementation of the issues referred to in paragraph 2 of this Article.

Article 6

- (1) The President of the Government may convene a meeting to discuss and establish a position and opinion on matters related to security, defence and foreign affairs, with the deputies of the President of the Government and the Ministers responsible for managing the relevant Ministries.
- (2) The Government shall make a decision on the matters discussed in accordance with paragraph 1 of this Article.

2. Ministers

Article 7

- (1) The Ministers shall have the right and duty:
 - 1) to attend the meetings and participate in the work of the Government;
 - 2) to propose discussions on specific issues within the competence of the Government;
 - 3) to participate in the discussions and in the decisions made on issues discussed in the Government meetings;
 - 4) to initiate drafting of laws and other regulations within the responsibility of the Government, regulations and other acts to be adopted by the Government and defining guidance and positions;
 - 5) to initiate adoption of decisions within the competence of the Government;
 - 6) to make obligatory assessment of the fiscal implications of all proposals drafted and submitted to the Government for review;
 - 7) to actively participate in the creating of policies and especially in the development and coordination of materials, as well as to familiarize with the possible options and alternatives;
 - 8) to propose to the Government adoption of general positions and guidance for the operation of the state administration bodies;

- 9) to participate in the work of the Government working bodies of which they are members;
 - 10) on request of the President of the Government, to report on the work related to a specific issue within their responsibility;
 - 11) to ensure the implementation of the Annual Work Programme of the Government within the area of responsibility of the Ministry they manage, and
 - 12) to participate in the performance of other matters within the competence of the Government in accordance with the Constitution, the law, these Rules of Procedure and the conclusions of the Government.
- (2) In accordance with these Rules of Procedure, the Ministers shall have the right to participate in the work of the Government's working bodies of which they are not members and to bring forward opinions and proposals upon issues discussed in the sessions of the working bodies.
 - (3) Any Minister shall have the right to ask the Government to take a position on issues of relevance for the implementing policies of laws and other regulations of the Parliament.

Article 8

- (1) A Minister, who justifiably will not be able to attend the Government session, shall be obliged, in a timely manner and through the Secretary General of the Government, to inform the President of the Government about his absence.
- (2) A Minister, who justifiably will not be able to attend the Government sessions for a longer period of time, shall be obliged to notify the President of the Government.

Article 9

- (1) Any Minister shall have the right and duty, upon authorisation of the President of the Government, and in accordance with the guidance and positions of the Government, to represent the Government in the country and abroad.
- (2) Upon prior authorisation by the President of the Government, Ministers may sign international agreements for which the Government shall decide.
- (3) In case the international agreements have any fiscal impacts, the Ministry of Finance shall give its prior consent.

Article 10

- (1) The Ministers, who manage the Ministries, shall be responsible for implementation of the policies and instructions of the Government in the course of the work of the Ministries and for timely bringing forward of issues within the competence of the Government and within the area of competence of the relevant Ministry.

- (2) The Ministers, who manage the Ministries, shall be obliged to observe the determined schedules for drafting regulations and other acts stipulated by these Rules of Procedure and the Annual Work Programme of the Government.
- (3) If the regulations or other acts stipulated in the Annual Work Programme of the Government have not been prepared and submitted to the Government within the determined timetable, the Ministers shall be obliged to inform the President of the Government about the reasons due to which the programmed activities have not been carried out within the determined timetable.
- (4) The Ministers, who manage the Ministries, shall be obliged on their own initiative or upon request of the Government to inform the Government about the situation in the area of competence of the Ministry they manage; about the implementation of the defined implementing policies of laws and other regulations in that area; about the implementation of the conclusions of the Government; and about the implementation of other tasks assigned to them by the Government.

3. Members of the Government (President of the Government and Ministers)

Article 11

- (1) Each member of the Government shall be personally responsible for his/her work and the work of the Government in accordance with his/her rights and duties.
- (2) The member of the Government shall be responsible for representing and implementing the positions of the Government and he/she shall be obliged to inform the Government about the implementation of those matters.

Article 12

- (1) The member of the Government shall handle classified information to which he/she has access in accordance with the regulations pertaining to classified information.
- (2) Any information which has been labelled as classified and which the member of the Government has learned in the Government session or the session of the working bodies and is related to the issues discussed, shall be considered classified information.
- (3) All materials labelled as classified by the drafter or proposer and have been delivered to the Government and the working bodies, shall be considered classified information.

Article 13

- (1) The members of the Government shall have identity cards.
- (2) The form, contents and mode of releasing the identity cards shall be determined by regulation of the Government.

- (3) The identity cards of the members of the Government shall be signed by the President of the Government.
- (4) The issuance and records on the identity cards shall be handled by the Secretary General of the Government.

4. Secretary General of the Government

Article 14

The Government shall have a Secretary General with the rights and duties stipulated by law and these Rules of Procedure.

Article 15

The Secretary General shall have a Deputy providing assistance in the performance of his/her matters, acting on his/her behalf in cases of his/her absence or hindrance.

Article 16

- (1) In accordance with the instructions of the President of the Government, the Secretary General shall perform the tasks related to organisation and preparation of the sessions of the working bodies and the Government.
- (2) The Secretary General shall participate in the work on the Government sessions, without the right to make decisions, and shall handle the procedural issues in the Government session.
- (3) The Secretary General shall coordinate the Sectors within the General Secretariat.
- (4) The Secretary General shall cooperate with the Ministries and other state administration bodies, and particularly regarding issues related to the strategic priorities and policy analysis.
- (5) The Secretary General shall organise the preparation and implementation of the Annual Work Programme of the Government.
- (6) The Secretary General shall sign the conclusions of the Government, except those that shall be signed by the President of the Government, distribute them to the ministries and other state administration bodies and organise the implementation of the Government conclusions.
- (7) The Secretary General shall ensure publication of the Government regulations in the “Official Gazette of the Republic of Macedonia”.

- (8) The Secretary General shall ensure conditions for operation of the Collegium of State Secretaries and of the working bodies of the Government.
- (9) The Secretary General shall ensure cooperation and implementation of the Government obligations, within its competencies, in relation to the Parliament.

Article 17

- (1) The Secretary General shall ensure lawful and efficient operation of the General Secretariat and adopt instructions and regulations to regulate its structure and operation, and shall decide, in accordance with law, on the rights, duties and the responsibilities of the employees in the General Secretariat.
- (2) The Secretary General shall promote the work of the General Secretariat and ensure the conditions for its efficient and successful operation.

Article 18

The Secretary General, within his/her responsibilities, shall cooperate with the Office of the President of the Government.

Article 19

The Secretary General shall cooperate with the State Secretaries regarding the delivery of materials for the Government, recording of the delivered conclusions of the Government and their implementation.

Article 20

The Secretary General shall cooperate with the Secretary Generals of the Parliament, the President of Republic of Macedonia, the Constitutional Court of Republic of Macedonia, the Supreme Court of Republic of Macedonia, the Judicial Council of the Republic of Macedonia, the Ombudsman of the Republic of Macedonia, the National Bank of the Republic of Macedonia, the State Audit Office and the Office of the Public Prosecution of the Republic of Macedonia.

5. Office of the President of the Government

Article 21

The Office of the President of the Government (hereinafter referred to as: the Office) shall support the President in the implementation of his/her rights and duties established by the Constitution, the law and these Rules of Procedure, by giving advice and opinions based on scientific and expert knowledge.

Article 22

In the course of implementation of the tasks stipulated in Article 21 of these Rules of Procedure, the Office shall cooperate with the General Secretariat of the Government, the Ministries, the Offices of the President of the Republic of Macedonia and the Parliament of the Republic of Macedonia, the General and State Secretaries and with other bodies and organisations and their offices, as well as with other legal entities depending on the issues, the needs and the instructions of the President of the Government. The Office shall cooperate with the Constitutional Court of the Republic of Macedonia, the Supreme Court of Republic of Macedonia, the Judicial Council of the Republic of Macedonia, the Ombudsman of the Republic of Macedonia, the National Bank of the Republic of Macedonia, the State Audit Office and the Office of the Public Prosecution of the Republic of Macedonia.

III. STRATEGIC PLANNING AND PREPARATION OF THE ANNUAL WORK PROGRAMME OF THE GOVERNMENT

Article 23

- (1) The Government shall adopt an Annual Work Programme which sets the timelines for operationalisation of the Programme proposed by the Prime Minister designate when the Government is elected.
- (2) The Government shall incorporate the strategic priorities and the Fiscal Policy in the Annual Work Programme and the Budget of the Republic of Macedonia.
- (3) The Government shall adopt a Decision for the Strategic Priorities in accordance with the Methodology for Strategic Planning and for Preparing the Annual Work Programme of the Government.
- (4) The Government shall adopt an Annual Plan for Equitable Representation of the communities in the public administration.
- (5) The Annual Work Programme shall also include other initiatives of the Ministries which they plan in the current year for the forthcoming year, and which should be submitted to the Government within the responsibilities of the Government stipulated by the Constitution and the law.

Article 24

For the purposes of coordination and harmonisation, the Strategic Plans of the Ministries and other state administration bodies shall be submitted to the General Secretariat.

IV. INTERNAL ORGANISATION OF THE GOVERNMENT

1. Working Bodies of the Government

Article 25

- (1) The Government shall establish working bodies to review and determine positions on issues within the competence of the Government, and to give opinions and prepare proposals for resolving specific issues.
- (2) The working bodies of the Government shall be established as standing and temporary bodies.
- (3) In the process of reviewing issues and formulating positions on issues within the responsibility of the Government, the working bodies shall ensure cooperation and coordination of the positions of the Ministries and other state administration bodies through the General Secretariat, and shall determine concrete proposals on the issues taking into consideration the harmonised opinions of the Ministries, the opinion of the General Collegium and of other state administration bodies related to the adoption of specific regulations and to taking appropriate measures on issues within the responsibility of the Government.

Article 26

- (1) Standing working bodies of the Government shall be the basic and special commissions.
- (2) By rule, the establishment and the scope and working methods of the standing working bodies of the Government shall be stipulated by these Rules of Procedure.
- (3) As an exception from paragraph (1) and (2) of this Article, the standing working bodies may be established or abolished and their scope and tasks may be amended by a decision of the Government.

Article 27

The Government shall have the following standing commissions:

1. Commission on Political System;
2. Commission on Economic System and Current Economic Policy;
3. Commission on Human Resources and Sustainable Development.

Article 28

The Commission on Political System shall review proposals for adoption of laws, draft laws, proposed laws and other regulations and general acts in the area of the political system, as well as issues related to the implementing policy of laws, other regulations and acts of the

Parliament and of the Government in the area of foreign affairs, defence and security and proposes relevant opinions on issues related to these areas; issues related to the organisation and carrying out of preparations in the area of defence which are within the competence of the Government; issues related to the functioning of the parliamentary democracy and the rule of law; decentralisation and development of the local self-government; building of the legal system and legislation; issues related to internal affairs; the court system; information system; organization and functioning of the state bodies and public administration reform; issues related to ensuring cooperation with the organizations and institutions of the civil society; harmonisation of the national policy with the EU policies; harmonisation of the legal system with the legislation of the EU; implementation of the laws and other regulations of the Parliament and of the Government; the reports of the Ministries and other state administration bodies on the actions taken to resolve irregularities found in the Auditing Reports of the relevant responsible body; as well as other issues of relevance for the development of these areas. The Commission shall give opinions and proposals to the Government to resolve issues within its competence.

Article 29

The Commission on Economic System and Current Economic Policy shall review proposals for adoption of laws, draft laws, proposed laws and other regulations and general acts in the area of the economic system and development policy, and issues related to: strategic priorities and measures for their implementation; incentives for sustainable economic development and balanced spatial and regional development, scientific and technological development; establishment of the material, energy and other balances; protection of environment and sustainable development; financial and taxation policy; agriculture; economic relations with other countries, and global integration processes; the European integration process of the Republic of Macedonia and harmonisation of the national policy with the EU policies; urban planning; banking and insurance; credit and monetary policy; foreign currency and customs policy; credit relations with foreign countries; long-term securities; the market and the prices, public expenditure; technical culture and innovations; monitoring of the overall economic trends and proposing measures for the economic policy by adoption and implementation of the macroeconomic policy; monitoring of the financial status of the economy and the public expenditure through adoption and execution of the Budget of Republic of Macedonia, the programmes for financing of specific activities of interest to the Republic of Macedonia, (public services in the area of material production); activities related to housing and services, standard of living; tourism; property rights; the reports of the Ministries and other state administration bodies on the actions taken to resolve irregularities found in the Auditing Reports of the relevant responsible body; harmonisation of the legal system with the legislation of the EU; and opinions and suggestions to the Government on issues within its competence; as well as other issues related to the development of these areas.

Article 30

The Commission on Human Resources and Sustainable Development reviews proposals for adoption of laws, draft laws, proposed laws and other regulations and general acts in the area of: education, science, art, culture, youth and sport, the status and organisation in these areas and professional development of the employees in these areas; employment levels and employment trends; health care; social welfare and social security; special child protection;

health, pension and disability insurance; social protection of veterans, disabled war veterans and civil victims of war; harmonisation of the legal system with the EU legislation; care for the position and rights of the Macedonian nationals in the neighbouring countries and the Macedonian emigrants; support for their cultural development and promotion of the relations; support for the economic and social rights of the Macedonian nationals in other countries; efficient reintegration and repatriation of repatriates and emigrants; financial and other support of specific categories of repatriates and emigrants, and other individuals for which approval for acceptance, support and encouragement should be given; reviews agreements which establish fiscal liabilities for the Republic of Macedonia and relate to repatriates and emigrants and with this regard cooperates with relevant bodies and organizations in the Republic of Macedonia; reviews reports of the Ministries and other state administration bodies on the actions taken to resolve irregularities found in the Auditing Reports of the relevant responsible body; as well as gives opinions and suggestions to the Government to resolve issues within its competence.

Article 31

The special commissions of the Government shall be:

1. Commission on Privatisation;
2. Commission on Housing Issues;
3. Commission on Special Purposes Production; and
4. Commission on Appointments.

Article 32

The Commission on Privatisation shall review the conditions and the manner of privatisation of public and state-owned property; propose legal and other measures for implementing such privatisation; review the situation in the enterprises covered by the privatisation programmes; propose the manner of selling stocks and shares acquired as state-owned capital in the state bodies, in the enterprises or companies, banks and financial institutions, separately or together with the stocks and shares issued to the Pension and Disability Insurance Fund; propose to the Government nomination of individuals as Government representatives in the enterprises or companies where the State owns stocks and shares as state capital, make decisions on the sale of assets, rental or lease with the right to purchase, and perform other matters within the responsibilities established by law.

Article 33

The Commission on Housing Issues shall decide on rental of apartments owned by the Republic of Macedonia to elected or appointed officials who perform public and other functions established by the Constitution and by law; individuals under social assistance programs and individuals who have no residence in their property, in accordance with the Law on Social Protection and the Law on Special Rights of the Security Forces of the Republic of Macedonia and Members of their Family; persons who have lost their housing right in accordance with the Law on Denationalization; individuals from areas that have suffered from elementary disasters and epidemics, as well as employees in the state bodies who perform special duties in support of the key functions of the body.

Article 34

The Commission on Special Purposes Production shall monitor the situation and development of the production of weapons and military equipment in state of peace; the development and the adjustment of the basic and additional production capacities of weapons and military equipment, as well as the production of sanitary materials and other products, equipment and services for the purposes of use in the defence.

Article 35

The Commission on Appointments shall consider issues relating to the Government staffing policy; submit proposals to the Government for nomination or dismissal of Directors and Deputy Directors in the state administration bodies; Secretary General and his/her deputy; State Secretaries in Ministries; Directors and Deputy Directors in public enterprises and public institutions appointed by the Government, and other officials appointed by consent of the Government in accordance with law; propose members of managing boards and other bodies in the public enterprises, public institutions and other institutions that are appointed by the Government; ensure the implementation of Government conclusions relating to its staffing policy; draft proposed Act on the Salary Levels for the Government Appointees; draft proposed administrative decisions on salaries and other employment benefits, as well as rights on salaries upon dismissal of directors and their deputies in the state administration bodies and officials appointed in other bodies and services; and advise the Government and propose way of resolving issues for which the Government is responsible.

Article 36

- (1) The Government shall establish expert councils as permanent advisory bodies including:
 - The Legal Council, and
 - The Economic Council.
- (2) On request of the Government or upon their initiative, the expert councils referred to in paragraph (1) in this Article, shall review and give expert opinions on specific legal, economic and other issues,

Article 37

In particular, the Legal Council shall review: issues related to the implementation of the principle of the rule of law as a fundamental value of the Constitutional order; important issues relevant for development of the legal system and its compatibility with the EU legislation; protection of human and citizens freedoms and rights; legal protection of property rights; as well as other issues of relevance for operation of the constitutional, political and the legal system.

Article 38

In particular, the Economic Council shall review: issues related to the implementation of the principle of free market and the entrepreneurship; ensuring equal legal position for all entities in the market; balanced spatial and regional development of the Republic of Macedonia and accelerated development of economically underdeveloped regions; issues related to the integration of the Republic of Macedonia in the common European market; participation of Republic of Macedonia and co-operation with the international financial organisations and institutions.

Article 39

- (1) The expert councils referred to in Articles 37 and 38 of these Rules of Procedure shall have a President and 10 members, of which the President and two of its members shall be members of the Government.
- (2) The Government shall select the members of the Legal and Economic Councils from the pool of scientists and experts, one member from the managerial civil servants in the General Secretariat and one managerial civil servant from the Office of the President of the Government.
- (3) The President and the members of the Legal and Economic Councils shall be appointed and dismissed by the Government, on proposal of the President of the Government.
- (4) The Secretary of the Secretariat of Legislation shall attend the meetings of the Legal and Economic Councils.

Article 40

- (1) The Government may establish temporary working bodies to review specific issues within its competence.
- (2) The Act for establishment of the bodies referred to in paragraph 1 of this Article, shall define the tasks, operation and composition of the bodies.
- (3) In cases of emergency, the President of the Government may establish task groups responsible for specific tasks and for giving opinions and proposals to the Government on its following session.

Article 41

- (1) The President and members of the working bodies shall be selected from among the members of the Government and shall be nominated or dismissed on proposal of the President of the Government.
- (2) The standing working bodies of the Government shall have a President and at least 4 members.

- (3) The President and the members of the working bodies shall be appointed or dismissed by the Government and shall have the same term of office as the Government.
- (4) The President and the members of the working bodies may be dismissed before the term of office for which they have been appointed.

Article 42

On its first session, the working body shall appoint a deputy to the President from among its members who shall substitute the President in case of his/her unavailability or absence.

Article 43

By decision, the Government shall establish special working bodies (committees and other bodies) for implementation of the strategic objectives for integration of the Republic of Macedonia into the European Union and for inclusion into the Euro-Atlantic integrations.

2. Operation of the Working Bodies

Article 44

- (1) The working bodies of the Government shall operate in sessions.
- (2) The President of the working body shall be responsible for organisation and preparation of the sessions of the working body, convening and chairing the sessions, proposing the agenda and for implementation of the conclusions of the working body.
- (3) The President of the working body shall convene the sessions upon his/her initiative, upon proposal of a member of the working body, or in accordance with a conclusion of the working body or the Government, as well as upon request of the President of the Government or a proposal of other working body of the Government.
- (4) The President of the working body shall cooperate with the General Secretariat and shall use the advice and expert opinion in order to establish positions on specific issues on the agenda.
- (5) The working bodies shall cooperate in the deliberation of issues of common interest.

Article 45

- (1) The working bodies may have joint sessions to review issues of common interest or to coordinate their positions.
- (2) The joint sessions of the working bodies shall be convened by the Presidents of the working bodies, upon their mutual agreement.

Article 46

- (1) The invitation for the session of the working body and the materials for issues on the agenda shall be also delivered to the Secretariat for Legislation.
- (2) The Secretary of the Secretariat for Legislation shall participate in the operation of the working bodies of the Government.
- (3) The Secretary General may also participate in the work of the working bodies.
- (4) Managerial civil servants from the General Secretariat, nominated by the Secretary General, and managerial civil servants from the Office of the President of the Government, nominated by the President of the Government shall participate in the work of the working bodies.
- (5) Directors and/or their deputies who manage other state administration bodies may also participate in the work of the working bodies when the agenda includes an item from the area within their competence.
- (6) In case of unavailability or absence of a member of the working body, the Minister's Deputy or the State Secretary shall participate in the work of the working body, having all rights and duties of the member of the working body. The member of the working body shall notify the President of the working body about this.
- (7) The representatives of the proposers of the materials that will be reviewed in the session shall be also notified about the date and time of the session of the working body and about the proposed agenda of the session.

Article 47

- (1) The President of the working body may, upon proposal of the drafter of the material or upon his/her own initiative, invite representatives of interested bodies, organisations, civic associations, unions, chambers, as well as academics and experts in order to present their opinions on issues reviewed in the session.
- (2) The invitation for the session shall be accompanied with the relevant materials for the items on the agenda.

Article 48

A managerial civil servant from the General Secretariat assigned in accordance with the Acts on organisation and systematisation of the General Secretariat, shall ensure expert and organizational support for the operation of the working body, as well as support on other tasks defined by the President of the working body.

Article 49

- (1) The managerial civil servant responsible for the working body shall distribute the proposed agenda of the working body to all members of the Government.
- (2) In case a member of the Government, who is not a member of the relevant working body, shall be interested to take part in the work of the working body on specific items of the agenda, he/she shall notify thereof the President of the working body.
- (3) The member of the Government, who has announced his interest to participate in the work of the working body on specific items of the agenda, shall be presented with an invitation, together with the materials related to those items.

Article 50

- (1) The agenda for the session of the working body shall be agreed at the beginning of the session and it shall also include all issues proposed by the President of the Government.
- (2) Other working bodies of the Government and the Government may also initiate specific issues to be included in the proposed agenda of the working body.

Article 51

- (1) The representative of the proposer of the material shall be present at the session of the working body and in case of his/her absence, the working body shall postpone the review of the material.
- (2) If the drafter of a proposal is a Ministry or other state administration body, the session shall be attended by the Minister or the Director of the state administration body or their deputy, who has been authorised to elaborate on the position of the ministry or the state administration body and to assume obligations on behalf of the body.
- (3) In case the authorised representative is absent from two consecutive sessions of the working body, the working body shall defer the material.

Article 52

- (1) The materials for the sessions of the working bodies shall be distributed at least five days prior to the session.
- (2) The working bodies shall review the material that has been submitted for the Government review, at least three days before the date of the Government session.
- (3) The deadlines referred to in paragraph 1 and 2 of this Article shall not apply to materials reviewed in an urgent procedure.
- (4) The urgency request referred to in paragraph 3 of this Article shall be obligatorily accompanied by an explanatory note justifying the reasons for the urgency of the matter.

Article 53

- (1) The working body may hold a session and review issues within its scope of responsibility only if the majority of the total number of the members are present.
- (2) The working body shall make decisions by majority votes of the total number of members.
- (3) The working body may make decisions by majority votes of the members present at the session, when urgent measures for efficient realization of the security of the country and preparations for the defence have to be undertaken and in other emergency cases.

Article 54

- (1) The working bodies shall submit written reports to the Government, with opinions and proposals regarding the reviewed materials.
- (2) Upon deliberation of the specific material, the President of the working body shall formulate the position of the body regarding the material and the proposed conclusions in the material, as well as the position and the proposed conclusions that shall be recommended to the Government for adoption.
- (3) The working body shall be obliged to take a position on the items of the agenda that have been discussed in the session.
- (4) If the working body, for any reason, can not take a position nor reach a conclusion on a specific issue, by rule, that issue shall be postponed for the next session of the working body, to be additionally reviewed and resolved.
- (5) By rule, the Government shall not discuss an issue on which the working body has not previously reached a position or a conclusion.
- (6) The report of the working body shall be delivered to the members of the Government together with the invitation for the Government session on which these materials shall be reviewed and not later than one day before the Government session.
- (7) In case the material is reviewed in an urgent procedure and if, due to this reason, the working body has not been able to submit the report within the deadline referred to in the previous paragraph, the report may be submitted at the beginning of the Government session or the working body may authorise the President of the working body to present the issues in the Government session.

Article 55

The working body may decide to hold a session only for the members of the working body.

Article 56

The working bodies may establish task groups to review specific issues and to report on such issues. The members of the task groups shall be nominated from among the members of the working body, representatives of the state administration bodies, scholars, experts and public employees, NGO members, etc.

3. Second Instance Administrative Procedure

Article 57

(1) The following commissions shall be established responsible for deciding in second instance administrative procedures:

1. Commission for deciding in second instance administrative procedures in the area of defence;
2. Commission for deciding in second instance administrative procedures in the area of internal affairs, judiciary, state administration, local self-government and religious activities.
3. Commission for deciding in second instance administrative procedures in the area of economy and finance (economy, trade, state aid, statistics, lottery games, banking and insurance, and securities).
4. Commission for deciding in second instance administrative procedures in the area of transport and communications, and the environment (transport and communications, urban planning, construction, and spatial planning);
5. Commission for deciding in second instance administrative procedures in the area of education, science and culture (education, science, culture, archiving, sport and information);
6. Commission for deciding in second instance administrative procedures in the area of labour, social policy and health;
7. Commission for deciding in second instance administrative procedures in the area of agriculture, forestry, water economy and veterinary.
8. Commission for deciding in second instance administrative procedures in the area of survey, cadastre, and registering immovable property.
9. Commission for deciding in second instance administrative procedures in the area of property rights and building land.
10. Commission for deciding in second instance administrative procedures in the area of pension and disability insurance and payment of related contributions.

11. Commission for deciding in second instance administrative procedures in the area of denationalisation.

- (2) For deciding on issues in the second instance in the area of labour relations, a Commission for deciding in second instance administrative procedures in the area of labour relations (which are not covered by the Agency for Civil Servants) shall be established. The Commission shall be responsible for deciding in second instance administrative procedure relating to civil servants employed in the Agency for Civil Servants, as well as for decisions made in the Ministry of Internal Affairs for cancellation of Decisions on awards.

Article 58

- (1) The Commissions deciding in second instance administrative procedures, by rule, shall consist of a President and his/her deputy and four members and their deputies.
- (2) As exception to paragraph (1) of this Article, in case of limited number of cases, and upon assessment of the Government, the Commissions may comprise of a President and two members and two deputy members.

Article 59

- (1) The President of the Commissions shall be appointed by the Government on proposal of the Commission on Appointment, from among the members of the Government, their deputies, the Secretary General or his/her deputy, and the State Secretaries.
- (2) The members of the Commissions and their deputies shall be appointed by the Government, upon proposal of the Commission on Appointment, from among the managerial and expert civil servants from the Ministries and other state administration bodies and from the General Secretariat.

Article 60

The Rulebook on organisation and systematisation of positions in the General Secretariat shall define civil servants engaged in the work of the second instance commissions.

Article 61

- (1) The Commissions for deciding in second instance administrative procedures shall adopt a Rulebook for their operation.
- (2) The Rulebook referred to in paragraph 1 of this Article shall closely regulate the internal organisation and the operation of the Commissions, in accordance with a law.
- (3) A managerial civil servant in the General Secretariat, appointed in accordance with the Acts on Organisation and Systematisation of the General Secretariat, shall support the Commission with expert and organisational matters.

V. SESSIONS OF THE GOVERNMENT

1. Preparation of Materials for the Session

Article 62

- (1) The Materials for review in the Government sessions shall be prepared and delivered in a manner as defined by these Rules of Procedure.
- (2) The proposed materials for review at Government sessions shall be presented by the President of the Government, ministers, directors of independent bodies of state administration or by the Secretary General.
- (3) The proposed materials for review on the Government sessions submitted by other state administration bodies shall be previously submitted to the relevant ministry for review.
- (4) Proposals for review at Government sessions presented by other state bodies shall be previously presented to the relevant ministry for opinion.

Article 63

- (1) Materials for review on Government sessions shall be prepared by the proposers and submitted to the Government proofread and in the required number of copies in the form of: proposals for passing a law, draft-laws, proposed laws, other regulations or acts, analyses, reports, information or other material or proposal.
- (2) The materials referred to in paragraph (1) of this Article, shall be submitted to the Government in hard and in electronic copy.
- (3) The Secretary General shall prepare special instructions to define the required number of copies of the materials that should be submitted for the Government session.

Article 64

- (1) The proposers shall submit their proposed laws, other regulations and acts, to be presented to the Parliament by the Government within its competencies, in accordance with the provisions of these Rules of Procedure and the Rules of Procedure of the Parliament.
- (2) The proposers shall submit to the Government proposed laws, other regulations and acts, to be confirmed and adopted by the Government, in their final form in which they shall be adopted and shall also include a Table of Concordance and a Statement on harmonisation of the regulations with the legislation of the European Union. The contents and outline of the Table of Concordance and the Statement on harmonisation

of the regulations with the legislation of the European Union shall be prescribed by the Government.

- (3) Draft laws, other regulations and acts from paragraph 2 of this Article shall also contain compulsory analysis of their harmonization with the legislation of the European Union.
- (4) Together with the proposed law submitted for adoption, the proposer shall also submit draft secondary legislation related to the law.
- (5) By rule, a proposed law that is not accompanied by draft secondary legislation shall not be reviewed.

Article 65

- (1) The analyses, reports, overviews and information that contain current issues resulting from the implementation of laws and other regulations of the Parliament, for which the Government should take a position, as well as other materials that are proposed to the Government, shall contain conclusive remarks and proposed conclusions, as well as elaborations on the alternatives and the objectives that should be achieved by implementation of the proposed conclusions.
- (2) The proposed conclusions shall be prepared in their final form and content for adoption by the Government, and shall contain concrete measures, assignments and responsibilities of the state administration bodies, deadlines and an implementation plan.
- (3) The material referred to in paragraph 1 of this Article shall be up to 5 pages, and additional material may be attached.
- (4) In exceptional cases, in instances of an analysis of a wider scope, the material may be longer but it shall be accompanied by an executive summary of not more than 5 pages.

2. Cooperation of the Secretary General with the Ministries and State Administration Bodies in the Preparation of Materials and Acts

Article 66

- (1) The Ministries and other state administration bodies shall coordinate and cooperate with the General Secretariat in the implementation of the tasks related to the Annual Work Programme.
- (2) The coordination and cooperation between the General Secretariat and the ministries and other state administration bodies referred to in paragraph (1) in this Article, shall be achieved in accordance with the Methodology for Policy Analysis and Coordination adopted by the Government.
- (3) For the purposes of implementation of the Annual Work Programme of the Government, the General Secretariat shall participate in the review of the contents of

the materials and acts which are submitted to the Government by the Ministries and other state administration bodies.

Article 67

In cases when the Ministries and other state administration bodies have different positions and opinions on specific issues regarding the materials and acts, the General Secretariat cooperates and coordinates with the Ministries and other state administration bodies in order to resolve the issues and to discuss their impact on the defined policy and on the Government's strategic priorities.

Article 68

- (1) Ministries and other state administration bodies that present materials for review, decision and adoption by the Government shall previously distribute the materials for opinion to the responsible, relevant and interested state administration bodies and other state bodies, depending on the nature of the material to be reviewed, and obligatorily to:
 - (1) the Ministry of Finance for all materials that have fiscal impact, as well as materials that relate to management of Government funds and to financial operations, or materials that define financial liabilities of the state or the municipalities, as well as regulations that include financial provisions;
 - (2) to the Ministry of Justice for materials that deal with issues related to the state administration and penal provisions;
 - (3) to the Ministry of Defence for materials relating to defence;
 - (4) to the Ministry of Foreign Affairs for materials related to foreign affairs and foreign policy;
 - (5) to the Ministry of Environment and Spatial Planning for materials related to the environment and spatial planning, and
 - (6) to the Secretariat for Legislation for all proposals for passing of laws, draft laws and proposed laws, as well as other regulations and acts.
- (2) The request for getting an opinion on the materials referred to in paragraph 1 of this Article, as well as the related replies shall be signed by the Minister or the State Secretary, or the Director, who manages the independent state administration body.
- (3) Materials, for which an opinion has not been obtained as referred to in paragraph 1 of this Article, shall not be discussed in the session of the working bodies or the Government.
- (4) In exceptional cases, the materials referred to in paragraph 1 of this Article, except the materials referred to in item 1), may be presented to the Government without the required opinions and without being presented for discussion to the General Collegium, if the materials relate to urgent matters that cannot be delayed. In such cases, the proposer shall be obliged to inform the Government about the reasons for not obtaining the necessary opinions.

- (5) If comments or suggestions relating to the materials referred to paragraph (1) of this Article have not been accepted, the proposer shall submit an explanation in written stating the reasons for not accepting the comments and suggestions.
- (6) In case the Constitutional Court requests an opinion on certain issues, the Government shall acquire such opinions from the responsible Ministries.

Article 69

- (1) Any proposal for adoption of a law, draft-law or proposed law or other materials prepared on request of the Government by a special committee, academic or professional institution, or by individual scholars or experts, shall be submitted for comments to the responsible Ministry and the Secretariat for Legislation.
- (2) The Secretary General shall ensure that an opinion is presented on the regulations, other acts and materials referred to in paragraph (1) of this Article, from the relevant Ministries and other state administration bodies prior to the sessions of the working bodies of the Government.

Article 70

- (1) The Ministries and other state administration bodies to which requests for opinion have been addressed in accordance with Article 68 of this Rules of Procedure shall be obliged to submit their opinions in writing within 10 days from the day of receipt of the materials.
- (2) On the Government's request, the Ministries and other state administration bodies referred to in paragraph (1) of this Article shall be obliged to submit their opinions within 5 days in cases when an urgent position or decision has to be made on the relevant issues.

3. The Collegium of State Secretaries

Article 71

- (1) In order to review the degree of preparedness of the materials for the Government sessions, as stipulated by these Rules of Procedure, and other expert aspects, as well as other issues related to improvement of the efficiency of the Government's operation, a Collegium of State Secretaries shall be established (hereinafter referred to as: the General Collegium).
- (2) The Secretary General, his/her deputy, the State Secretaries in Ministries, the State Secretary in the Secretariat for European Affairs and the Secretary of the Secretariat for Legislation shall be members of the General Collegium.
- (3) The General Collegium shall be managed by the Secretary General or, in his/her absence, by his /her deputy.

- (4) Managerial civil servants in the General Secretariat, designated by the Secretary General, as well as the representatives of the Office of the President of the Government, shall attend the meetings of the General Collegium, without the right to make decisions.
- (5) When deliberating on materials and issues within the responsibility of the independent state administration bodies, the Directors of these bodies may participate in the meetings of the General Collegium, without the right to make decisions.
- (6) In absence of a State Secretary, on written authorisation of the Minister, he/she shall be substituted by an official who holds a position not lower than a Head of Sector.
- (7) A managerial civil servant in the General Secretariat, assigned in accordance with the Acts on organisation and systematisation of the General Secretariat, shall support the General Collegium regarding the expert and organisational matters.
- (8) The Collegium of State Secretaries shall adopt Rules of Procedure for its work which shall specify the mode of operation and decision making in the Collegium of State Secretaries.

Article 72

- (1) The General Collegium shall work in sessions, convened by the Secretary General on a specific day in the week depending on the schedule for the Government sessions and its working bodies.
- (2) For the purpose of considering specific issues regarding the Strategic Priorities of the Government or specific materials and acts, the Secretary General may convene a thematic Session of the General Collegium.
- (3) The Secretary General shall notify the members of the General Collegium on the day, venue and time of the session of the General Collegium and distribute the agenda and related materials.
- (4) The agenda shall be agreed at the beginning of the session of the General Collegium.
- (5) After the agenda has been agreed, the State Secretaries, if needed, shall report on the progress in the implementation of the Government's conclusions made on the previous sessions.
- (6) The proposer may give a brief explanation on the material or act, which is then followed by discussion. After the discussion has been closed, a position is taken on the materials and acts expressed as opinions which are recommended to the responsible working body of the Government. The recommended opinion shall also be submitted to the relevant or other state administration body when it should be incorporated in the material or act.

- (7) In case of difference in opinions of the members of the General Collegium, referred to in paragraph (6) in this Article, the opinion that has been supported by the majority of the total number of the members of the General Collegium shall be accepted.
- (8) The State Secretary shall notify the Minister of the opinion referred to in paragraph (6) in this Article. In case the Minister does not agree with the opinion, the dispute shall be discussed in the responsible working body.
- (9) The General Collegium may propose that specific issues within the responsibility of the Commission on the Political System be reviewed by the Commission on the Economic System and Current Economic Policy or the Commission on Human Resources and Sustainable Development and vice versa, as well as by other working bodies.
- (10) Specific materials and other acts may be postponed for review on the session of the General Collegium in cases when they have not been prepared in accordance with the provisions of these Rules of Procedure, on request of the proposer of the materials or acts, or for the purpose of further coordination on issues for which the responsible Ministries and other state administration bodies have different positions and opinions, and an additional deadline of 5 days shall be set from the day of the session of the General Collegium.
- (11) In case the disputable issues have not been resolved within the deadline set in Paragraph (10) in this Article, the General Collegium shall notify thereof the responsible working body of the Government.

4. Submittal of Materials

Article 73

- (1) The proposers submit the materials for the Government sessions through the Secretary General, along with an accompanying letter, indicating: the title of the material submitted for discussion on the session of the Government or for the purposes of informing the members of the Government; alignment with the obligations undertaken according to the international agreements; alignment with the Government's Annual Work Programme; whether required opinions as described in Article 68 of these Rules of Procedure have been provided, i.e. whether other ministries and state administration bodies have been consulted regarding their agreement or non-agreement with the materials; to which Government session is the material proposed for, the nature of the material (classified information, limited access or free access); whether the material is urgent, followed by a brief justification; the annexes – accompanying materials - fiscal impact assessment; a Statement about the conformity of the regulations with the EU legislation, and in case of laws and secondary legislation, a Table of Concordance; date and signature of the Minister or State Secretary, or the Director responsible for the independent state administration body.

- (2) State Secretaries or managerial civil servants in other state administration bodies shall cooperate with the Secretary General in the preparation and submittal of materials for Government sessions for issues within the competency of the Government.
- (3) The managerial civil servants referred to in paragraph 2 in this Article shall directly cooperate with the Secretary General, consult and notify on progress made with the preparation of materials to be included in the agenda of working bodies and Government sessions.
- (4) The request for the materials to be included on the agenda of a Government session shall be signed by the Minister or the State Secretary, or the director who manages the independent state administration body.

Article 74

- (1) Materials submitted by Ministries and other state administration bodies for Government review must be accompanied by a Memorandum for each individual material, as an informative document providing clear information on the contents of the materials.
- (2) The Memorandum referred to in paragraph (1) in this Article shall include: the title (as stated in the accompanying letter), place and date, signature of the Minister, the State Secretary or the Director who manages the independent state administration body; overview of the issue, possible solutions reviewed (pro and con arguments); results from the consultations with the line ministries and other state administration bodies and organisations; the solution that is recommended (accompanied by justification); the fiscal impact of the proposed materials and the anticipated impacts; assessment of the material by the Secretariat of Legislation and the key elements for communication to the public.
- (3) Materials of informative nature and acts by which laws are enforced (decrees, decisions, instructions, programmes, administrative decisions, conclusions) shall be submitted to the Government by an accompanying letter.

Article 75

The form of the accompanying letter and the Memorandum shall be adopted by the Government on proposal of the Secretary General.

Article 76

- (1) Materials containing classified information shall be submitted to the Government according to procedures stipulated by the regulations on classified information.
- (2) The provisions of Article 68 in these Rules of Procedure shall apply accordingly to the preparation of materials referred to in paragraph (1) in this Article.

Article 77

- (1) The materials that relate to the strategic priorities or other significant issues shall be submitted to the Government within 15 days at the latest and other materials not later than 8 days prior to the Government session on which these materials are planned to be reviewed.
- (2) In exceptional cases, the proposers may request that specific issues are included in the agenda even after the session has been scheduled, if such issues are urgent and have to be dealt with without any delay. In this case, the proposer shall be obliged to submit the material to the Government, with a special justification, at least 3 days before the Government session.

5. Convening of Sessions and Drawing up the Agenda

Article 78

- (1) The Government shall work and make decisions on the issues within its responsibility on regular sessions which shall, by rule, be convened once a week.
- (2) Government sessions shall be regularly convened by the President of the Government at his/her own initiative, or by request of at least one third of the Government members, or by request of the Ministers of one of the coalition partners in the Government.
- (3) The President of the Government may convene a special session to discuss the strategic priorities, the fiscal strategy and the macroeconomic and fiscal framework, and to review reports on progress in the implementation of the Annual Work Programme and the execution of the Budget of the Republic of Macedonia.
- (4) The President of the Government may convene a thematic session to review issues relating to the strategic priorities and other topical issues and to decide on taking measures for their implementation.

Article 79

- (1) The proposed agenda for a Government session shall be drawn up by the President of the Government, on proposal of the Secretary General.
- (2) The agenda for Government sessions, by rule, shall include three types of materials:
 - materials for deliberation and making decisions;
 - materials only for decision by the Government, since previously the issues have been discussed in the working bodies and the position has been defined; and
 - materials for information of the Government.
- (3) When agreeing on the agenda, on proposal of a Government member, the Government may decide to deliberate on materials as described in the second and third line of paragraph 2 in this Article.

- (4) In case of urgent material or issue which has to be dealt with without delay and on discretion of the President of the Government or a Minister's proposal, the Government may decide to include the material or the specific issue in the agenda for the session, without being previously reviewed at the meetings of working bodies of the Government.

Article 80

- (1) The Secretary General shall notify in written all members of the Government about the date, venue and time of the Government session.
- (2) Together with the notification on the Government session, the members of the Government shall also receive the proposed agenda and the relevant materials.
- (3) Exceptionally, in case of emergency, the Government session may be convened verbally, without notification on the proposed agenda and delivery of materials.

Article 81

Invitations for the Government session and the proposed agenda shall be distributed at least five days prior to the day scheduled for the Government session.

Article 82

- (1) An invitation for participation in the Government session shall also be distributed to Directors of other state administration bodies in cases when materials relating to issues within their responsibility have been included in the agenda for the Government session, and to the Secretary of the Secretariat for Legislation. The invitation shall include the materials for the relevant item in the agenda.
- (2) The Director of an independent state administration body shall attend the Government session only during the discussion on materials for which he/she received an invitation to participate in the work of the Government.
- (3) Subject to an approval by the Secretary General, individual managerial and other civil servants in the General Secretariat who are responsible for specific tasks related to the preparatory work for the Government session shall attend the session.

Article 83

- (1) Any member of the Government, who cannot attend a Government session, may submit his/hers opinion and recommendations related to the materials on the agenda in written to the Secretary General, prior to the session.
- (2) Directors of independent state administration bodies shall also have the right referred to in paragraph (1) in this Article, with regard to materials for which they received an invitation to participate in the session.

6. Work and Decision Making in the Government Sessions

Article 84

- (1) The President of the Government shall open the session.
- (2) After agreement on the agenda has been reached, proposed by the President of the Government, the Government commences with adoption of the minutes from the previous Government session.
- (3) The members of Government shall have the right to give comments on the minutes in written before the session or verbally at the session. The Government shall decide on the comments of the minutes.
- (4) The minutes shall be signed by the President of the Government and the Secretary General.
- (5) The minutes shall be signed by the Deputy President of the Government when he/she chairs the Government session.

Article 85

- (1) The Government works according to the agreed agenda.
- (2) At the beginning of the discussion on specific items on the agenda, the proposer may briefly present the material.
- (3) The President of the Government may limit the time for presentation and discussions on individual materials.

Article 86

- (1) The Government may decide to discuss in general terms on issues within its responsibility.
- (2) The proposals for passing a law, draft-laws and proposed laws, as well as other regulations or acts, by rule, are first reviewed in general and then in detail by their content.

Article 87

- (1) The members of the Government shall have the right to participate in the review and to make decisions on issues on the agenda of the Government session.
- (2) In cases when a Minister is absent or unable to participate in the work of the Government, he/she shall be substituted by his/her deputy with prior notification to the President of the Government.

- (3) The Secretary of the Secretariat for Legislation shall also have the right to participate in the work of the Government, without the right to make decisions.
- (4) Directors of independent state administration bodies or their deputies, if invited, may take part in the discussions at Government sessions with regards to materials that they proposed, without the right to make decisions.

Article 88

- (1) In cases when classified information has been produced in an open or closed Government session, the chairperson shall identify this fact for the records.
- (2) The procedure for protection of information, in accordance with the regulations on classified information, shall start at the moment when it has been recorded that classified information of the appropriate level has been produced.
- (3) When classified information is reviewed at a closed Government session, the Secretary General shall appoint a person, who has an appropriate Safety Certificate, to participate in the session.

Article 89

- (1) After the discussion has ended, based on the recommendations contained in the materials, the reports of the working bodies and the proposals adopted at the Government session, the Government shall make conclusions on each of the issues discussed upon.
- (2) By the conclusions referred to in paragraph (1) of this Article the Government shall: shall confirm or adopt the material or the act; postpone the material for review or the proposer shall be asked to make amendments; a working group shall be established tasked with amending, harmonising or normatively formulating the proposed material which has been adopted by the Government in terms of its contents; and it shall set the deadlines and the state administration body responsible for its implementation.
- (3) The conclusions referred to in paragraph (1) in this Article shall be formulated by the President of the Government.
- (4) For the purpose of formulating the conclusions, the Government may establish a task group comprised of members of the Government and directors, who manage independent state administration bodies, or it may specify one or more standing working bodies of the Government to do that, in accordance with the general positions of the Government.
- (5) The conclusions referred to in paragraph (4) of this Article shall be confirmed by the Government on its next session and, in case of conclusions on urgent matters, they shall be confirmed on the same session of the Government.

7. Implementation of Government Conclusions

Article 90

- (1) Government conclusions shall be implemented by the Ministries and other state administration bodies, as well as the services.
- (2) The Government may appoint a working body, a member of the Government or the Secretary General responsible for implementation of a specific conclusion.
- (3) Ministries and other state administration bodies, within the responsibilities for monitoring of the implementation of Government conclusions, shall be obliged to report to the Government, through the Secretary General, on the implementation of the conclusions and the extent of the objectives achieved within the deadlines defined in the conclusion.

Article 91

- (1) The Secretary General, in cooperation with the State Secretaries and Directors of other state administration bodies shall be responsible for monitoring the conclusions of the Government.
- (2) The General Secretariat shall maintain computer records on all conclusions adopted by the Government.

Article 92

The Secretary General, in cooperation with the State Secretaries and Directors of other state administration bodies shall be responsible to provide precise overview of the level of implementation of the Government conclusions.

Article 93

- (1) When making a conclusion on establishing an inter-ministerial body tasked with drafting a law or other regulation, the Government shall appoint a coordinator (the General Secretariat or a responsible Ministry) and the members of the body shall be obliged to comply with the instructions of the coordinator and to fulfil their part of the tasks.
- (2) In case a member of the inter-ministerial body fails to comply with or perform the tasks assigned to him/her by the coordinator as referred to in paragraph (1) of this Article, the coordinator shall be obliged to inform his/her Minister, as well as the Minister or the Director of the member of the inter-ministerial body, or the Secretary General in cases when the member comes from the General Secretariat.

- (3) The conclusions of the Government, as well as all amendments to the conclusions made when adopting the minutes, shall be distributed to the relevant ministries and other state administration bodies by the Secretary General.

Article 94

- (1) The Secretary General, in cooperation with the State Secretaries, shall ensure that a report on the progress with the implementation of individual Government conclusions is prepared every 45 days, or, if needed, earlier.
- (2) Whenever necessary or on request of the President of the Government or members of the Government, a daily report on progress in implementation of individual Government resolutions shall be prepared.
- (3) The State Secretaries, upon assessment of the General Collegium, shall be obliged to submit a written report on the status of implementation of Government conclusions.

8. Minutes and Shorthand Notes

Article 95

- (1) Minutes shall be taken on the Government session.
- (2) The Minutes shall contain: the name of the chairperson in the session; the names of the members of the Government present and absent; the names of the Secretary General and his/her deputy, the Secretary of the Secretariat of Legislation and of the Directors of other state administration bodies, who have been invited to attend the session; the agreed agenda; statement on the adoption or amendment of the Minutes of the previous session; the conclusions adopted by the Government for each of the items in the Agenda; the reasons for postponement of any items in the Agenda, stating who has requested the postponement; date and place of the session, as well as other issues regarding the course of work in the Government session.
- (3) Any member of the Government, the Secretary of the Secretariat of Legislation and any directors of other state administration bodies who were present at the session, shall have the right to ask for his/her statements and proposals to be included in the minutes from the session.
- (4) Draft-conclusions of the Government, related to issues within the responsibility of the ministries and other state administration bodies shall be distributed to Ministers and Directors, by rule, within 48 hours at the latest, after the Government session.
- (5) The Minutes including the proposed comments shall be adopted at the following Government session.
- (6) The Government conclusions related to issues within the responsibility of the ministries and other state administration bodies shall be distributed to Ministers and Directors immediately after the minutes of the Government session have been adopted, and if

there have been amendments to the minutes relating also to the previously submitted draft-minutes of the individual items on the agenda of the Government session.

- (7) The Secretary General shall be responsible for drafting the minutes and for keeping the original minutes of the Government sessions.

Article 96

The conclusions stated in the minutes of the Government sessions relating to reviewed materials including classified information shall be handled in accordance with the regulations on classified information.

Article 97

- (1) Shorthand notes and tape recordings shall be made at the Government session.
- (2) Shorthand notes and tape recordings from Government sessions where materials including classified information have been reviewed shall be handled in accordance with the regulations on classified information.
- (3) The President of the Government shall approve the use of shorthand notes and tape recordings.
- (4) The shorthand notes on the work of the Government shall be kept as Government documentation in electronic and original form.
- (5) Tape recordings shall be kept for at least 30 days from the day of the Government session, and by conclusion of the Government, specific tape recordings may be kept permanently.
- (6) Any member of the Government or Director of other state administration body who was present at the Government session, as well as the Secretary of the Secretariat of Legislation shall have the right to see the shorthand notes and edit the notes in terms of style or language of his/her presentation, without making any substantive changes.
- (7) In order to eliminate possible discrepancies between the shorthand notes and the presentations referred to in paragraph (6) of this Article, any member of the Government or director of other state administration body may use tape recordings of his/her presentation.

VI. GOVERNMENT ACTS

Article 98

- (1) In order to exercise its rights, fulfil its duties and responsibilities stipulated by the Constitution and by law, the Government shall adopt decrees, decisions, instructions, programmes, administrative decisions and conclusions.

- (2) The Government, in accordance with its competencies stipulated by the Constitution and by law, shall adopt general positions and guidelines for operation of ministries and other state administration bodies.

Article 99

- (1) For the implementation of laws, the Government shall adopt decree laws, decrees, decisions, instructions, programmes, administrative decisions and conclusions.
- (2) The Government shall adopt decree laws to regulate issues within the responsibility of the Parliament, in state of war or emergencies, if there is no possibility to convene the Parliament.
- (3) The Government shall adopt decrees to regulate the implementation of laws; define principles for internal organisation of ministries and other state administration bodies or regulate other relations in accordance with the Constitution and laws.
- (4) The Government shall adopt decisions on specific issues and measures for implementation of laws; to establish expert and other services for its needs, as well as corporate services for the needs of the Government, the ministries and other state administration bodies.
- (5) The Government shall adopt instructions to prescribe the manner of operation of ministries and state administration bodies.
- (6) The Government shall adopt programmes to define specific issues within the Government responsibility, with course of action and deadlines. Programmes shall also have financial plan for implementation.
- (7) The Government shall adopt administrative decisions to appoint and nominate or dismiss directors who manage other state administration bodies, and Secretary General, State Secretaries and other appointments or dismissals within its competency; the Government shall adopt administrative decisions to decide upon other matters and administrative issues.
- (8) The Government shall adopt conclusions to take a position on specific issues that have been reviewed on its sessions; to formulate opinions on proposed laws and other legislation and materials that have been submitted to the Parliament by other authorised proposers; to decide on specific matters related to the internal organization and relations within the Government; to define the tasks for ministries and state administration bodies and tasks for its services; and to formulate positions on issues within its responsibility.

Article 100

- (1) Degrees, decisions, instructions, programmes, administrative decisions shall be signed by the President of the Government or his/her deputy who chaired the Government session.

- (2) The notification on the Government conclusions shall be signed by the Secretary General, unless the Government or the President of the Government decides that specific conclusion be signed by the deputy of the President.

Article 101

- (1) Government decrees, decisions and instructions shall be published in the “Official Gazette of the Republic of Macedonia”.
- (2) The administrative decisions shall be published in the “Official Gazette of the Republic of Macedonia”, if the Government decides so.
- (3) The Government may decide to publish specific programmes and conclusions.
- (4) The Secretary General shall be responsible for the publishing the regulations and editing the acts of the Government.

VII. APPOINTMENT AND DISMISSAL PROCEDURE

Article 102

The Government shall make the appointments or dismissals in accordance with the Constitution and the law.

Article 103

The appointment or dismissal of the Secretary General and his/her deputy, as well as of directors or deputy to the directors of independent state administration bodies and the Secretary of the Secretariat of Legislation shall be made on proposal of the President of the Government.

Article 104

Ministers shall propose appointment or dismissal of:

- a State Secretary in the relevant Ministry;
- directors of the bodies under supervision of the relevant Ministry;
- director of a public enterprise, public institution or public service, which are supervised by the relevant ministry;
- members of management boards in public enterprises, which are supervised by the relevant ministry; and
- other instances as stipulated by law.

Article 105

- (1) The proposals for appointment or dismissal referred to in Articles 103 and 104 in these Rules of Procedure shall be submitted in written to the Appointment Commission.
- (2) The Appointment Commission shall review the proposals and submit the proposals for appointment or dismissal to the Government.
- (3) In the course of its work, the Appointment Commission shall directly consult the President of the Government.
- (4) If the need arises and by its own assessment, the Appointment Commission shall consult Ministers and interested bodies.

VIII. PROCEDURE FOR ABOLISHMENT OR ANNULMENT OF REGULATIONS ADOPTED BY MINISTERS OR DIRECTORS

Article 106

- (1) A proposal for abolishment or annulment of a regulation adopted by a Minister or a Director who manages an independent state administration body shall be submitted by the President of the Government or a member of the Government, if he/she believes that the regulation is not in accordance with the Constitution, the law or a Government regulation.
- (2) The proposal referred to in paragraph 1 of this Article shall be submitted to the Secretariat for Legislation for an opinion, which shall elaborate its opinion to the Government and the Minister or the Director who manages the other state administration body that adopted the regulation.
- (3) The Government shall decide on the abolishment or annulment of the regulation referred to in paragraph 1 of this Article.

IX. RELATIONS OF THE GOVERNMENT WITH THE PARLIAMENT, THE PRESIDENT OF THE REPUBLIC OF MACEDONIA AND WITH STATE ADMINISTRATION BODIES

1. Relations of the Government with the Parliament

Article 107

The Government shall maintain the relations with the Parliament in line with the Constitution, the law, the Rules of Procedure of the Parliament of the Republic of Macedonia and these Rules of Procedure.

Article 108

The President of the Government shall have general authorisation to represent the Government in the Parliament.

Article 109

- (1) The Government shall provide answers to questions from Members of Parliament at the session of the Parliament, within its responsibilities, or, it may ask to provide the answer at one of the following sessions, and notify the Parliament thereof.
- (2) Answers to questions from Members of Parliament, addressed to the Government and relating to the Government's work or to matters within its responsibility shall be provided by a member of Government nominated by the President of the Government.
- (3) The Government may nominate a director or his/her deputy, who manages other state administration body and who is not a member of the Government, to provide an answer in written to a question relating to matters within the responsibility of the body that he/she manages.
- (4) The Government shall not provide an answer to a question from a Member of Parliament, if it relates to matters out of the responsibilities of the Government. The Government shall inform the Parliament Member thereof.

Article 110

- (1) The Government, as an authorized proposer shall submit proposals for passing laws, draft-laws or proposed laws and other regulations to be enacted by the Parliament in a form and according to the procedures specified in the Rules of Procedure of the Parliament and in these Rules of Procedure.
- (2) When the Parliament requests an opinion from the Government on a proposal for adoption of a law, draft-law or proposed law or other regulation that was not proposed by the Government, the Government shall formulate an opinion on the session before it is deliberated on in the Parliament. The Government shall submit its opinion to the Parliament in written not later than 15 days from receipt of the proposal and in exceptional cases, it may authorise a representative to present the opinion of the Government at the session of the Parliament.

Article 111

- (1) By authorisation of the President of the Government, any member of the Government may represent it at the Parliament or in the working bodies of the Parliament, and present the positions of the Government.
- (2) When defining a proposal for passing a law, draft-law and proposed law or other regulation that the Government shall submit to the Parliament, the President of the

Government, on proposal of a Minister, may authorise a State Secretary or a Head of Sector in the responsible line Ministry, or a Director of other state administration body, to take part in the work of the working bodies of the Parliament.

- (3) At the time of submission of the proposal, the President of the Government shall notify the Parliament on its representatives.

Article 112

- (1) Government representatives shall be obliged to follow the guidance and positions taken by the Government on the issues presented in the Parliament and its working bodies.
- (2) If substantive or other important issues have been initiated in the discussion on which the Government has not taken a position, the Government representative shall be obliged, without delay, to inform the Government or the President of the Government thereof and to ask for guidance and the position that should be taken with regards to that issue.

Article 113

The Secretary General shall provide the Government representatives and commissioners representing the Government with all the necessary materials needed for the discussions in the Parliament and its working bodies.

2. Relations of the Government with the President of the Republic of Macedonia

Article 114

- (1) The Government shall maintain the relations with the President of the Republic of Macedonia within the responsibilities and duties defined by the Constitution and law.
- (2) In the implementation of its rights and duties, the Government shall inform the President of the Republic of Macedonia, and it may ask the President of the Republic to inform the Government about matters relating to defence, internal and foreign affairs, as well as to other issues that arise from their competencies.

Article 115

On its own initiative, the Government shall inform the President of the Republic about issues within its competency.

3. Relations of the Government with State Administration Bodies

Article 116

On its sessions, the Government shall adopt guidelines and positions relating to:

- the manner of work of Ministries and other state administration bodies in the implementation of laws and other regulations;
- the deadlines for adoption of acts within the responsibility of ministries and other state administration bodies;
- preparation of reports on specific issues;
- the manner of cooperation with other state bodies, and
- other issues of importance for implementation of the functions of Ministries and other state administration bodies.

Article 117

- (1) When a Minister is empowered to adopt regulations which stipulate issues related to the constitutional rights of citizens, the Minister shall be obliged to inform the Government about the regulation and submit the draft-regulation to the Government.
- (2) When a Minister is empowered to adopt regulations relating to management of funds, the Minister shall be obliged to inform the Government about the allocation of the funds and provide specific data.

Article 118

In the realisation of its rights, duties and responsibilities, the Government shall coordinate and guide the work of the state administration bodies and it may define general positions related to the implementation of the defined policies and laws, and other regulations and general acts of the Parliament and the Government; it may instruct these bodies to adopt regulations and undertake measures within their responsibilities; it may set deadlines for the fulfilment of specific tasks within their responsibility; and ask them to review the situation in the areas within their responsibility and to report and suggest appropriate proposals to the Government.

Article 119

- (1) For fulfilment of the Government functions related to supervision of the work of ministries and other state administration bodies, the Secretariat for Legislation shall review the regulations adopted by Ministers and Directors who manage independent state administration bodies, in relation to their harmonization with laws or other regulations or acts of the Parliament and regulations and other acts of the Government, as well as in relation to the uniformity of the legal system, and shall provide the Government with its opinion.
- (2) The provisions of Article 64, paragraph 2 in these Rules of Procedure shall apply to the regulations reviewed by the Secretariat for Legislation referred to in paragraph (1) of this Article.

4. Cooperation of the Government with the Governments of Other Countries and with International Organisations.

Article 120

- (1) Within the scope of its rights and responsibilities, and on the basis of the Constitution and of the ratified international agreements, the Government shall cooperate, maintain and develop relations with bodies and organisations from other states, as well as with international bodies and organizations.
- (2) The Government shall cooperate with bodies from other countries and international bodies and organizations, in order to promote active participation of the Republic of Macedonia in the development and improvement of the political, economic, cultural and other relations between the Republic of Macedonia and other states, as well as international bodies and organizations in the interest of the Republic of Macedonia or the rights and interests of its citizens.
- (3) The Government shall realise international visits on the basis of an annual programme.
- (4) International visits may also be realised out of the adopted annual programme, in cases when the Government shall assesses that such visits are in the interest of the Republic of Macedonia.
- (5) The Government shall decide on the members of the delegations.

X. COOPERATION OF THE GOVERNMENT WITH BODIES OF THE MUNICIPALITIES AND THE CITY OF SKOPJE

Article 121

For the purposes of cooperation, the bodies of the municipalities and the City of Skopje shall provide data, information and other materials to the Government, of importance for implementation of its rights and duties.

Article 122

- (1) The Government may offer professional and other assistance to the municipalities and the City of Skopje relevant for implementation of their responsibilities and tasks.
- (2) The professional assistance shall especially cover: providing professional opinions and instructions on the implementation of regulations, on request of the bodies of the municipalities and the City of Skopje; in cases when there are different positions on important issues related to the position and responsibilities of the municipalities and the City of Skopje; in cases when the regulations require specific implementation by the municipalities and the City of Skopje, opinions on organisational and other issues of relevance for the proper functioning and promotion of the work of the bodies referred to in paragraph (1) of this Article, as well as other types of professional or other assistance.

XI. COOPERATION OF THE GOVERNMENT WITH PUBLIC ENTERPRISES, PUBLIC INSTITUTIONS, PUBLIC SERVICES, POLITICAL PARTIES, COMPANIES, CIVIC ASSOCIATIONS AND FOUNDATIONS

Article 123

- (1) The Government shall cooperate with public enterprises, public institutions, public services, political parties, companies, civic associations and foundations on issues of relevance for implementation of the Government responsibilities and for exercising the rights and interests of such legal entities.
- (2) The Government shall review proposals and initiatives of entities referred to in paragraph (1) of this Article on its sessions and shall draw conclusions on the basis of the reports prepared by the working bodies of the Government.
- (3) If the Government has been addressed by any of the entities referred to in paragraph (1) of this Article with their initiatives, requests, and proposals which are out of the responsibility of the Government, the Secretary General shall ensure that they are submitted to the competent bodies and shall notify the requesting parties thereof.
- (4) Within the framework of its rights and obligations, the Government shall cooperate with the unions with regard to exercising the rights, duties and responsibilities of employees in state bodies, and to other issues in the scope of collective agreements.

Article 124

- (1) Companies, civic associations and other legal entities shall submit their initiatives for review of their requests by the Government to the Secretary General.
- (2) In case the Government is not responsible for the review of initiatives referred to in paragraph (1) of this Article, the Secretary General shall notify the authorised proposers thereof and shall submit the initiative to the responsible body or return it to the person that submitted such proposal.
- (3) In case the Government is responsible for such initiatives, the Secretary General shall send the initiative to the responsible Ministries for their review and decision on the grounds and the justifiability of the subject matter of that proposal.

XI. COMMUNICATION WITH THE PUBLIC ON THE WORK OF THE GOVERNMENT (TRANSPARENCY IN THE WORK OF THE GOVERNMENT)

Article 125

- (1) The President of the Government shall ensure that the public is informed about the work of the Government and about the implementation of the Annual Work Programme.

- (2) The deputies of the President of the Government and Ministers, in consultations with the President of the Government, shall inform the public in a coordinated and unified manner about specific issues related to the implementation of the Annual Work Programme of the Government and on current activities, within their line responsibilities.
- (3) In case of classified information and information relating to personal data of citizens, in accordance with the law regulating protection of personal data, the Government, on proposal of the line Ministers or its own assessment, shall define the manner for general communication of the materials and information.

Article 126

- (1) The public shall be regularly informed on the work of the Government and its conclusions by the Spokesperson of the Government.
- (1) In specific cases, if deemed necessary by the President of the Government, the communication with the public on the decisions, conclusions and measures taken within the responsibility of the Government, may be carried out by one of the deputies of the President of the Government or a line Minister.

Article 127

- (1) The President of the Government shall specify the priorities related to the work of the Government, which shall then be formulated and presented by the spokesperson in the daily or weekly communication with the public.
- (2) In realisation of the duties referred to in paragraph (1) of this Article, the spokesperson of the Government shall communicate directly with the Secretary General and State Secretaries in the line ministries and establish intensive inter-ministerial coordination through the spokespersons in the Ministries.

Article 128

The Government shall also communicate with the public about its work through:

- press conferences;
- meetings with the media representatives;
- press releases and bulletins on issues discussed in the Government sessions; and
- the Web Site of the Government.

Article 129

- (1) The work of the Government shall be followed by accredited representatives of the media to better understand the issues discussed by the Government.

- (2) The Government shall ensure that the media representatives are informed about the materials, conclusions and positions of Government.
- (3) The representatives of the media who follow the work of the Government shall be accredited by the Information Agency.

XIII. HANDLING OF COMPLAINTS

Article 130

The Office of the President of the Government shall handle complaints addressed to the President of the Government and the General Secretariat shall handle the complaints addressed to the Government and the General Secretariat.

XIV. THE GENERAL SECRETARIAT AS EXPERT SERVICE OF THE GOVERNMENT

Article 131

The General Secretariat, in accordance with the Law on Government of the Republic of Macedonia, shall ensure lawful, efficient and transparent work of the Government.

XV. TRANSITIONAL AND FINAL PROVISIONS

Article 132

Until the constitution of the working bodies of the Government and selection of members of commissions that decide in second instance administrative procedures in accordance with the provisions of these Rules of Procedure, the working bodies and Government commissions established in accordance with the previous Rules of Procedure for Operation of the Government shall continue to operate and function until the adoption of the present Rules of Procedure.

Article 133

With the coming into effect of these Rules of Procedure, the Rules of Procedure for Operation of the Government ("Official Gazette of the Republic of Macedonia" No. 20/95 – Consolidated text), the Decision for Amendments to the Rules of Procedure for the Operation of the Government of the Republic of Macedonia ("Official Gazette of the Republic of Macedonia" No. 33/95), the Rules of Procedure for Amendments to the Rules of Procedure for Operation of the Government of the Republic of Macedonia ("Official Gazette of the Republic of Macedonia" No. 41/99) and the Rules of Procedure for Amendments to the Rules of Procedure for Operation of the Government of the Republic of Macedonia ("Official Gazette of the Republic of Macedonia" No. 33/2000) shall be null and void.