

Adopting the scheme for plenary attendances and absences

[Resolution of the Assembleia da República no. 21/2009 of 26 March 2009](#)

Under Article 166(5) of the Constitution, the *Assembleia da República* hereby resolves as follows:

1 – Attendance at plenary sittings shall be checked through the login record made in person by each Member of the *Assembleia da República* on their computer in the Chamber.

2 – On their own initiative and based on the information in their possession, the departments and services shall register in the database for attendance control those Members of the *Assembleia da República* who have not attended the sitting because they are on a parliamentary mission.

3 – Members who do not register during the sitting or are not on a parliamentary mission shall be deemed to be absent.

4 – The procedures referred to in the preceding paragraphs shall relate to each sitting, which may be spread over several periods in a single day.

5 – For the purposes of potentially imposing sanctions, only one absence per day is relevant, and that referring to plenary sittings shall prevail, on days on which they are held.

6 – Members of the *Assembleia da República* shall have the right to provide justification for absences, under the conditions laid down in their Statute and the Rules of Procedure, following the respective justification requirements.

7 – The word of Members of the *Assembleia da República* is authentic and, therefore, shall not require additional evidence. However, where illness is invoked, a medical certificate may be required where the situation lasts for more than one week.

8 – For the purposes of the potential exercise of that right, the plenary support services shall deliver to the Member of the *Assembleia da República* in person or to a member of their cabinet they have nominated for that purpose, by means of a protocol, the record of absences, on the first parliamentary workday following the absence.

9 – The protocol must be signed either by the Member of the *Assembleia da República* or by the person nominated by them.

10 – The communication shall expressly mention the time limit for submitting the justification and a form for that purpose shall be enclosed therewith.

11 – The justification for the absences must be provided within five days of the notification or, in the case of continued absences, from the date of notification of the last absence.

12 – For the purposes of justifying absences, only parliamentary days shall be counted within the time limit.

13 – The time limit shall be met by the date on which the justification is received by the Office of the President of the *Assembleia da República*.

14 – Once the time limit has expired, the justification shall not be considered, and the absence shall be deemed unjustified.

15 – The plenary support services shall, under paragraphs (8) to (10) and within three days, inform the party concerned of the decision of the relevant authority to consider the absence justification, where it is adverse.

16 – The plenary support services shall send the President of the *Assembleia da República* a list of all absences deemed unjustified each month within the first three working days of the second subsequent month.

17 – The President of the *Assembleia da República* shall have each Member at fault notified in person in accordance with the above.

18 – After eight days of receipt of the notification by the Member at fault, as verified by its delivery protocol, the case shall be referred to the President of the *Assembleia da República* for a decision.

19 – The order of the President of the *Assembleia da República* shall be forwarded to the relevant departments and services for communication to the Member and potential development of the sanctions procedure.

20 – In the event of loss of seat by a Member, the order of the President of the *Assembleia da República*, together with the relevant case file, shall be referred to the Ethics Committee for an opinion.

21 – Absences from any pre-scheduled vote in plenary shall follow the scheme governing absences from plenary sittings as regards justification and for the legal purposes relating to financial sanctions.

22 – Only absences from votes by Members of the *Assembleia da República* registered as present in the record of the respective plenary sitting shall be dealt with independently.

23 – Resolution of the *Assembleia da República* no. 77/2003 of 11 October 2003 is hereby repealed.