

Committee on the Environment, Territorial Planning, Decentralisation, Local Government and Housing

Regulations

The Committee's name, composition, responsibilities and competences

CHAPTER 1

Article 1

(Name and composition)

1. The Committee on the Environment, Territorial Planning, Decentralisation, Local Government and Housing ("the Committee") is a specialist standing committee of the Assembly of the Republic.
2. The Committee is made up of 25 full Members and 24 alternate Members, in accordance with Decision of the Assembly of the Republic no. 11-PL/2015 of 11 November 2015.

CHAPTER II

The Committee's responsibilities, competences and powers

Article 2

(Responsibilities)

The Committee has the following responsibilities:

- a) In relation to the environment, dealing with issues regarding the conservation of nature and biodiversity, national water resources and waterways, water supply and wastewater disposal services, waste management, the recovery and re-use of land and other contaminated sites, climate change and climate change mitigation and adaptation measures, the control and reduction of pollution (including greenhouse gas emissions), air quality, the control and supervision of noise, the prevention and evaluation of the impact of human activity on the environment, monitoring and informing on the state of the environment, environmental education and environmental auditing, inspection and supervision;
- b) In relation to territorial planning, dealing with issues regarding policy on territorial planning and urban development, with particular emphasis on the National Programme for Territorial Planning Policy, the National Ecological Reserve (REN), the National Agricultural Reserve (RAN), management of the national coastal areas and the national policy on basic geographical information in the areas of surveys, mapping and the land registry;
- c) In relation to policy on cities, dealing with issues regarding cities, social housing policy, renting, the management, conservation and refurbishment of housing and the promotion of accessibility for all;
- d) In relation to local government, dealing with issues regarding the existence, organisation, statute and funding of local authorities, the statute, competences and election of members of local authority bodies, municipal police forces, and consultation with or hearing the National Association of Municipal Authorities (ANMP), the National Association of Parishes (ANFRE) and local authorities themselves on matters relating to them;
- e) Monitoring the administrative decentralisation process;
- f) Monitoring and discussing the application of national and Community funds on the environment, enhancing land, territorial planning, urban regeneration and upgrading the landscape;
- g) Considering and discussing energy policy with respect to integrating it with environmental and energy planning measures at local government level.

Article 3

(Competences)

1. In the exercise of its responsibilities, the Committee has the competence to:

- a) Monitor and discuss policies on the environment, territorial planning, cities and local government, and the execution thereof;
- b) Consider members' and government bills and the draft amendments thereto, consider draft resolutions, and draw up the necessary opinions;
- c) Vote on the details of texts that the Plenary has passed on the general principles and draw up the final wording;
- d) Consider petitions submitted to the Assembly of the Republic that are within its scope;
- e) Be aware of political and administrative issues within its area of competence and, when the Assembly of the Republic sees fit, provide the AR with the elements needed to consider the acts of the Government and the Administration;
- f) Check that the Government and the Public Administration comply with the AR's laws and resolutions, within the scope of its responsibilities, in which respect the Committee may also suggest to the AR such measures as it deems appropriate;
- g) Propose to the President of the Assembly that the Plenary hold thematic debates on matters within the Committee's area of competence so that the Conference of Leaders may decide whether or not they are opportune and of interest;
- h) As laid down in the Constitution and the law, monitor, consider and pronounce on Portugal's participation in the process of constructing the European Union, within the Committee's areas of competence;
- i) Draw up reports on matters within its area of competence;
- j) At the end of each legislative session, approve the plan of activities and budget for the following session;
- l) Draw up an activity report at the end of each legislative session;
- m) Draw up and pass its own regulations.

2. As a result of its responsibilities, the Committee on the Environment, Territorial Planning, Decentralisation, Local Government and Housing is responsible for exercising its competences and performing political supervision in the areas overseen by the ministers responsible for the environment, territorial planning, decentralisation, local government, housing and energy.

In particular, the Committee has the competence to monitor issues regarding:

- Climate change and the national strategy for controlling and reducing greenhouse gases;
- The conservation of nature and biodiversity;
- The National Ecological Reserve (REN);
- The National Agricultural Reserve (RAN);
- Water resources and waterway policy and management;
- Water supply and wastewater disposal services;
- Waste management and treatment;
- The recovery and re-use of land and other contaminated sites;
- The prevention, control and reduction of all forms of pollution and environmental degradation;
- The environmental implications of agricultural policy;
- Territorial planning model and management;
- Planning, protection and enhancement of the coastline;
- National geographical information policy;
- Policy on cities, specifically matters of social housing policy, renting, the management, conservation and refurbishment of housing, and the promotion of accessibility for all;
- The National Housing Strategy;
- The Sustainable Cities 2020 Strategy;
- National architecture and landscape policy;
- Local government measures and programmes;
- Energy policy in terms of its integration with environmental and energy planning measures at local government level and coordination between sources of renewable energy and the National Plan for Climate Change (PNAC);
- The planning and implementation of the environmental, territorial planning and local government components of the Portugal 2020 Partnership Agreement.

The Committee is also responsible for:

- Promoting, within the scope of the legislative procedure, consultation of the National Association of Municipal Authorities (ANMP) and the National Association of Parishes (ANAFRE), with respect to members' and government bills on local authorities that involve the following matters:
- The electoral system and statute of local government officials, in cooperation with the Committee on Constitutional Affairs, Rights, Freedoms and Guarantees, which is responsible for electoral system matters;
- The statute of local authorities, including the rules governing local finances;
- The participation of residents' associations in the exercise of local government;
- The system and form of creating municipal police forces;
- Fostering consultation with the relevant local authority bodies when local authorities and the system that governs them are created, wound up or changed, without prejudice to the powers of the autonomous regions.

Article 4 (Powers)

1. The Committee may ask members of the Government, senior managers, specialists and agents of any public bodies to take part in its work and may ask them for information or opinions.
2. The measures provided for in paragraph 1 shall be undertaken via the Committee Chairperson, and the President of the Assembly of the Republic shall be kept informed about them.
3. The Committee may also request or undertake any measures needed to ensure the proper exercise of its functions, specifically:
 - a) Setting up subcommittees;
 - b) Setting up working groups to monitor specific matters;
 - c) Carrying out studies;
 - d) Holding parliamentary hearings;
 - e) Requesting information or opinions;
 - f) Asking any citizens to give evidence;
 - g) Requisitioning or retaining specialists to assist it in its work;
 - h) Undertaking information or study missions, visiting institutions, bodies or works related to its sphere of action;
 - i) Organising meetings and seminars on topics the Committee deems opportune;
 - j) Promoting the involvement of citizens in the legislative procedure.

CHAPTER III Committee Bureau

Article 5 (Composition)

The Bureau is made up of the Chairperson and two Vice-Chairpersons.

Article 6 (Competences of the Bureau)

In addition to the competences that are specifically entrusted to it by the Committee, the Bureau is responsible for organising the Committee's work.

Article 7

(Chairperson's competences)

The Chairperson is responsible for:

- a) Representing the Committee;
- b) After first consulting the representatives of the parliamentary groups, convening Committee meetings and setting the order of business;
- c) Directing the Committee's work;
- d) Convening and directing the Bureau's meetings;
- e) Coordinating and taking part in the work of the subcommittees and working groups, whenever he/she deems fit or at their express request;
- f) Participating in the Conference of Parliamentary Committee Chairpersons, and informing it about the progress of the Committee's work;
- g) At the end of each legislative session, drawing up a report on the Committee's activities;
- h) Considering the justification for Committee members' absences;
- i) Discharging the Committee's normal day-to-day business, in accordance with the criterion set by the Committee.

Article 8

(Vice-Chairpersons' competences)

1. In accordance with an order of priority, the Vice-Chairperson belonging to the parliamentary group that holds the most seats in the Assembly shall deputise for the Chairperson whenever he/she is absent or unable to perform his/her functions, and exercise any competences the latter may delegate.

2. The Vice-Chairpersons are also responsible for:

- a) Organising the scheduling of the Members, government officials and bodies that wish to address the Committee;
- b) Securing the formalities of the Committee's day-to-day business, in accordance with the criterion set by the Committee.

CHAPTER IV

Functioning of the Committee

Article 9

(Scheduling and convening meetings)

1. Meetings are scheduled by the Committee itself or by the Chairperson acting on his/her own initiative.
2. Unless scheduled at the previous meeting, the Chairperson shall convene the meetings he/she schedules in writing, through the appropriate services, at least twenty-four hours in advance. The notification must include the order of business and relevant documents.
3. Notification of meetings shall be sent to the members of the Committee.

Article 10

(Order of business)

1. The order of business of each meeting is set at the previous Committee meeting or by the Chairperson if the meeting is convened by him/her. The time the meeting is due to start and the time it is expected to end must be stated.
2. The order of business may be changed during the meeting itself if there is a justified reason for doing so and no member of the Committee opposes it.

Article 11

(Meeting place)

The Committee meets on the premises of the Assembly of the Republic and may meet anywhere in Portuguese territory, subject to agreement.

Article 12

(Quorum)

1. The Committee meets in plenary session and may only function if more than half the Committee members in full exercise of their office are present.
2. For the purposes of paragraph 1, the following shall be considered members in full exercise of their office: full members present, alternate members present who are substituting a full member and, in their absence, members from the same parliamentary group who are substituting a full member on an occasional basis.
3. Unless the full member in question tells the Bureau otherwise before the start of business, the substitution of absent full members shall be processed in the order of the signatures of the substituting members.
4. Full and alternate members may be substituted at any time and for any period.
5. If there is no quorum thirty minutes after the time for which a meeting has been scheduled, the Chairperson or whoever is deputising for him/her shall declare the meeting closed once the attendance record has been taken, and the Chairperson shall convene a new meeting to be held at least twenty-four hours later.

Article 13

(Breaks)

Any parliamentary group or Member not scheduled to speak may obtain a break of not more than thirty minutes in the Committee's work once during the course of each meeting.

Article 14

(Texts)

No text may be discussed by the Committee that has not been distributed to the Committee members beforehand unless the Committee decides otherwise in an unopposed vote.

Article 15

(Speeches)

1. Speeches by Committee members are not subject to a time limit.
2. The Chairperson may, however, propose rules for scheduling discussion times in such a way as to comply with the time limits established by the Assembly of the Republic for the completion of work.

Article 16

(Consideration of members' and government bills)

1. The consideration of any members' or government bill shall begin with a preliminary discussion.
2. After the preliminary discussion the Committee may decide to:
 - a) Declare that it is not competent and inform the President of the Assembly of the Republic of its decision;
 - b) Send a report and opinion to the Plenary of the Assembly of the Republic and appoint a rapporteur for the purpose;
 - c) Continue the debate.
3. In the case of paragraph 2(c), the Committee shall decide to either pursue the discussion by the Committee or create a working group for the purpose, without prejudice to the prior

submission of the legislative initiative in question to the Committee by its author or by one of its authors.

Article 17

Opinions

1. Opinions drawn up on legislative initiatives that fall within the Committee's scope must obligatorily contain two parts in relation to the matter that gave rise to them: one for the recitals and another for the conclusions. The technical notes relating to them, written by the Assembly's staff, shall be attached in an annexe to the conclusions.
2. The part that is intended to contain the views of the Member who has written the opinion is optional and may not be put to a vote, altered or removed.
3. Any Member or parliamentary group may have their political positions attached to opinions.
4. Opinions must contribute to the objective clarification of the problems under discussion by, where appropriate, highlighting the underlying questions that are being raised for consideration by the legislator and the problems involved in including them in the framework of the constitutional-legal system. Opinions must always end with a conclusion.
5. Recitals and conclusions are put to a vote.
6. For each subject that is to be submitted to the Plenary, the Committee may appoint one or more rapporteurs and, when it is advisable to divide the aforesaid subject, may appoint a specific rapporteur for each part.
7. Members have the right and duty to draw up opinions, and the Committee's Bureau is responsible for arranging the distribution of this task in such a way as to ensure that in each legislative session there is a balance between Members in this process, preferably using the D'Hondt method. Whenever possible, Members shall be responsible for drawing up opinions on legislative initiatives from other parliamentary groups.
8. Opinions shall indicate the initiative or matter and the name of the rapporteur or rapporteurs and are named by them.
9. Any explanations of vote shall form part of the opinion, except when the Members reserve the right to present them to the Plenary of the Assembly of the Republic.

Article 18

(Decisions)

1. The Committee may only make decisions on matters listed on the order of business of the relevant meeting.
2. Except in relation to subjects for which the Rules of Procedure of the Assembly require a qualified majority, decisions shall be made by simple majority, without counting abstentions, and more than half the Committee members in full exercise of their office must be present.

Article 19

(Voting)

1. Without prejudice to the quorum for functioning and making decisions or to the rules applicable to the attendance of Members at committee meetings, in the case of votes that are decided by a simple majority, each parliamentary group's votes shall correspond to its share of seats in the Assembly of the Republic.
2. Voting shall be by a show of hands, except for matters for which the Rules of Procedure of the Assembly require a secret ballot.
3. Voting is compulsory, and reserving one's position for the Plenary of the Assembly shall signify abstention.
4. If so proposed by the Chairperson or requested by any parliamentary group, voting on a given matter may be postponed to the next meeting once only.

Article 20

(Appeals)

Rulings made by the Bureau or decisions made by the Chairperson may be appealed to the Committee plenary.

Article 21

(Minutes)

1. Minutes shall be kept of each meeting and must include a summary of the matters addressed, the positions of the Members and the parliamentary groups, and the result of votes, with the individual and collective explanations of vote.
2. The minutes shall be drawn up by the advisors who assist the Committee and shall be approved at the beginning of the next meeting after the one to which they refer.
3. The Committee may decide to record and transcribe the debates in full.

Article 22

(Public nature of Committee meetings)

1. The Committee's meetings are public unless it decides otherwise.
2. Items on the order of business that have the following purpose are open to the media unless the Committee decides otherwise:
 - a) The discussion and approval of details of legislation;
 - b) The consideration of and voting on opinions on legislative initiatives.
3. The provisions of paragraph 2 relate to duly accredited parliamentary reporters, who shall be seated in the places indicated by the Chairperson, if possible.

Article 23

(Hearings)

The Committee shall hold hearings pursuant to Article 104 of the Rules of Procedure of the Assembly of the Republic in accordance with the table of times in Annexe I.

Article 24

(Audiences)

1. All the day-to-day business relating to audiences must be processed via the Bureau.
2. Audiences may be entrusted to a Committee representation, which shall be made up of at least one Member from each parliamentary group.
3. The views that are voiced during audiences are not binding on the Committee.

Article 25

(Technical and administrative support)

1. The Committee is allocated technical and administrative support under the terms of the Organic Law governing the Assembly of the Republic.
2. The technical staff are responsible for giving the technical and documental support that may be required for the Committee to function.
3. The secretariat is responsible for administrative work.
4. The advisors to the parliamentary groups represented on the Committee may attend its meetings under the terms laid down by the Conference of Parliamentary Group Representatives.

CHAPTER V

Subcommittees and working groups

Article 26 **(Formation)**

Standing and *ad hoc* subcommittees shall be created at the suggestion of the Committee, subject to prior authorisation by the President of the Assembly, who shall first consult the Conference of Parliamentary Group Representatives.

Article 27 **(Decision)**

The decision to form any subcommittee or working group shall contain a definition of its scope, competences and composition.

Article 28 **(Composition)**

1. Subcommittees shall be made up of two Members from each of the two largest parliamentary groups represented on the Committee and one Member from each of the other parliamentary groups represented on the Committee. The Member who is chairing the subcommittee may appoint one more member.
2. Any other Member of the Committee may attend the meetings of its subcommittees and take part in their work.
3. Members of other committees may also attend meetings of the subcommittees and, subject to prior authorisation by the Committee, take part in their work.

Article 29 **(Chairperson)**

1. Each subcommittee or working group shall have a chairperson, who shall convene and chair its meetings and also act as rapporteur.
2. The chairperson is appointed by the plenary of the Committee.
3. Chairpersons shall be chosen in conformity with the provisions of the Rules of Procedure of the Assembly of the Republic.

Article 30 **(Time limits)**

The Committee plenary may set time limits for subcommittees to complete the tasks entrusted to them.

Article 31 **(Limitations on powers)**

1. Subcommittees do not have decision-making powers except on procedural matters and subject to consensus.
2. The conclusions of the work done by subcommittees shall be submitted to the Committee for consideration.

Article 32 **(Functioning)**

The precepts governing the Committee's operating procedures apply to subcommittees and working groups, *mutatis mutandis*, as do those relating to the competences of the relevant

chairperson and vice-chairpersons.

Article 33

(Dissolution of working groups)

Working groups are dissolved automatically once the purpose for which they were created has been achieved, or by resolution of the Committee when it is considered that the reason which justified their formation has ceased to exist.

CHAPTER VI

Final provisions

Article 34

(Revision of these Regulations)

These Regulations may be revised upon a proposal made by any Member. Such proposal must be included in the order of business in advance.

Article 35

(Omissions)

Any situation that cannot be regulated through the provisions of these Regulations shall be resolved by means of the precepts set out in the Rules of Procedure of the Assembly of the Republic.

São Bento Palace, 24 November 2015

The Chairman of the Committee,