



Deutscher Bundestag

Glossary of German Parliamentary Terms

**New
version**
20th electoral term

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Glossary of German Parliamentary Terms

Artikelgesetz (Article law), *Lobbyregister* (lobbying register), or *Überhangmandat* (overhang seats) – terms used in the German Bundestag’s day-to-day work regularly crop up in media reports about German politics. This brochure aims to provide a compact and easy-to-understand reference guide to German parliamentary terms. It covers the A to Z of the Bundestag’s functions and procedures, from A for *Abgeordnete* (Members of the Bundestag) to Z for *Zwischenfrage* (question to the speaker in the course of a speech).

Introduction

More generally, it also explains key concepts for the functioning of Germany's parliamentary democracy, including terms such as *Grundgesetz* (Basic Law), *Parteien* (parties) or *Föderalismus* (federalism), and sets out how the Bundestag interacts with other constitutional bodies, such as the Federal President, the Bundesrat, the Federal Government and the Federal Constitutional Court. It also explores the links between the European Union and the Bundestag.

For the sake of readability, German terms referring to people and positions are usually only listed in the male form in this brochure (e.g. *Bundeskanzler*). However, all genders and gender identities are expressly intended to be included.

Abgeordnete – Members of the Bundestag

The Members of the > Bundestag represent the whole of the German people, and so they are also referred to as representatives of the people; this is known as the principle of representative democracy (> *Demokratie*). In general, Members are elected every four years by voters in Germany in general, direct, free, equal and secret elections (> *Wahlrecht*). Members of the Bundestag are not bound by orders or instructions and are responsible only to their conscience (Article 38 of the Basic Law). Despite the principle that Members exercise their mandate (> *Mandat*) without being bound by orders, Members' parliamentary decisions usually reflect the political positions established by their affiliation with their party (> *Parteien*) and – at the level of Parliament (> *Parlament*) – with their parliamentary group (> *Fraktionen*). That said, Members can only lose their membership of the Bundestag before the end of the electoral term (> *Wahlperiode*) if

they stand down or are disqualified under criminal law. They cannot be removed from Parliament by any kind of vote of no confidence by the electorate or as a result of being expelled from their party or parliamentary group. Members who are expelled from their party or parliamentary group keep their seat in the Bundestag and become non-attached Members (> *fraktionslose Abgeordnete*). An up-to-date overview of all Members of the Bundestag is available at www.bundestag.de/abgeordnete.

Abgeordnetengesetz – Members of the Bundestag Act

The Members of the Bundestag Act regulates the legal status of the Members of the > Bundestag. The various parts of the Act cover topics such as “Acquisition and loss of membership of the Bundestag”, “Membership of the Bundestag and professional activity”, “Legal status of public servants elected to the Bundestag”, “Benefits for Members of the Bundestag”, “Benefits for former Members of the Bundestag and their surviving dependants”, “Subsidisation of costs in the event of illness, nursing care and births; assistance”, “Independence of Members of the Bundestag”, “Code of Conduct for Members of the Bundestag” (> *Verhaltensregeln für Abgeordnete*), and “Parliamentary groups” (> *Fraktionen*). The current version of the Act, together with other provisions which apply to Parliament, such as the Bundestag’s Rules of Procedure (> *Geschäftsordnung*), is available online at www.bundestag.de/gesetze. English translations can be found at www.bundestag.de/en/parliament/function/legal.

Abstimmung – Vote

If the Bundestag wants to take a decision, it requires a majority (> *Mehrheit*) of the votes cast, unless the Basic Law (> *Grundgesetz*) stipulates otherwise (Article 42). The Members (> *Abgeordnete*) usually vote by show of hands. During the third reading of laws (> *Gesetzgebung*), they stand to vote for or against a bill (> *Gesetzentwurf*), or to abstain. If the result is not clear, the vote can be repeated in the form of a special procedure known as a > *Hammelsprung*. A recorded vote using voting cards bearing Members’ names (> *namentliche Abstimmung*) is mainly used for politically contentious issues, if this is demanded by a parliamentary group (> *Fraktionen*) or at least five per cent of the Members.

Aktuelle Stunde – Debate on matters of topical interest

A debate on matters of topical interest is held at the demand of a parliamentary group (> *Fraktionen*) or at least five per cent of the Members of the Bundestag (> *Abgeordnete*), or if agreed in the Council of Elders (> *Ältestenrat*). During this type of debate, Members are not allowed to speak for longer than five minutes. Taken together, their contributions are not permitted to exceed a total of 60 minutes. Nonetheless, these debates often last longer, because this total does not take into account the speaking time (> *Redezeit*) of the members of the Federal Government, the > Bundesrat or persons commissioned by them.

Alterspräsident – President by seniority

The President by seniority is the longest-serving Member of the Bundestag who, provided that he or she is willing, opens the constituent meeting after a Bundestag election (> *Bundestagswahl*) and presides over the sitting until the new President of the Bundestag (> *Bundestagspräsident*) is elected. The President by seniority can also appoint provisional Secretaries (> *Schriftführer*).

Ältestenrat – Council of Elders

The Council of Elders is composed of the President of the Bundestag (> *Bundestagspräsident*), the Vice-Presidents, and 23 further members appointed by the parliamentary groups in line with their relative strengths in the plenary. The members of the Council of Elders are not necessarily the oldest Members of the Bundestag, but they are often very experienced parliamentarians. A representative of the Federal Government (> *Bundesregierung*) also attends the meetings. The Council of Elders is a crucial coordinating body which supports the President in the management of parliamentary business. It takes decisions on the Bundestag's internal affairs in cases which are not reserved for either the President or the Bundestag Presidium (> *Bundestagspräsidium*); in particular, it schedules the Bundestag's sitting weeks (> *Sitzungswoche*) each year, and sets the agenda (> *Tagesordnung des Plenums*) and determines the length of the debates (> *Debatte*) shortly before each sitting held by the plenary (> *Plenum*). In addition, it is the forum where other important issues for the Bundestag can be raised, for example with regard to the Bundestag's relations with the Federal Government, or when criticism is voiced

Decision-maker: the Council of Elders deals with the Bundestag's procedures.

of the measures taken by a President in the Chair. The Council of Elders also prepares the draft of the Bundestag's departmental budget, from which the Budget Committee may only depart after consultation with the Council of Elders. Further information is available at www.bundestag.de/en/parliament/elders.

***Amtliches Protokoll* – Official record**

The debates (> *Debatte*) in the plenary (> *Plenum*) are recorded in the minutes of plenary proceedings (> *Plenarprotokoll*), also known as the stenographic record. In addition, a record is kept of the decisions taken during a plenary sitting, including laws that are passed. This is known as the record of decisions, or official record. The official record is distributed to the Members of the Bundestag (> *Abgeordnete*) and is deemed to have been approved if no objection to it is raised by the sitting day following distribution. The official record is published online (in German) at www.bundestag.de/protokolle.

***Amtsausstattung für Abgeordnete* – Members' allowances**

In addition to their remuneration (> *Diäten*), on which they pay tax, the Members of the Bundestag receive a tax-free expense allowance (> *Kostenpauschale*) for their work, to cover costs incurred in connection with their parliamentary mandate, particularly in their constituencies. They also receive allowances, which include a fully equipped office in a Bundestag building in Berlin (with use of the Bundestag's communication systems, such as telephones and internet access) and free use of various means of transport, such as free rail and air travel within Germany and use of the Bundestag's car pool in Berlin. Members can also employ staff to support them in their parliamentary work.

***Änderungsantrag* – Motion for amendment**

A motion for amendment is used to make changes to bills (> *Gesetzentwurf*), in particular, which are usually tabled in the Bundestag by the Federal Government (> *Bundesregierung*) and then considered over the course of three readings (> *Gesetzgebung*). Individual Members of the Bundestag (> *Abgeordnete*) or parliamentary groups (> *Fraktionen*) can table

A



such motions for amendment when bills are given their second reading. Amendments at third reading must be tabled by a parliamentary group or at least five per cent of the Members of the Bundestag, and can only relate to changes made at second reading.

Anfragen – Interpellations

Members of the Bundestag (> *Abgeordnete*) and parliamentary groups (> *Fraktionen*) can submit interpellations, or lists of questions, to the Federal Government (> *Bundesregierung*) so that they can scrutinise the government's work. There are two types of interpellation: major interpellations (> *Große Anfrage*) and minor interpellations (> *Kleine Anfrage*).

Anhörung – Hearing

Each of the Bundestag's committees (> *Ausschuss*) can hold public hearings. Experts and practitioners (such as academic authorities and representatives of special interests) are invited to offer the committee members information on a given subject, for example on whether a bill (> *Gesetzentwurf*) will address a problem effectively, whether there are alternatives which could be considered, and whether it complies with the constitution. The committees also have the op-

tion of consulting and holding discussions with experts at meetings which are not open to the public.

Antrag – Motion

A motion can be used by a parliamentary group (> *Fraktionen*) or at least five per cent of all Members of the Bundestag (> *Abgeordnete*) to call on Parliament to take a specific decision in relation to a given issue. The Bundestag then votes on the motion. This can (optionally) be preceded by deliberations on the motion by the relevant committee (> *Ausschuss*). Motions are a way of establishing the Bundestag's position on a political issue. A motion can also call on the Federal Government (> *Bundesregierung*) to take action, such as reporting to the Bundestag on how a law is working out after its adoption, responding to substantive questions, or tabling a bill (> *Gesetzentwurf*).

Anzeigepflichten der Abgeordneten – Obligations for Members of the Bundestag to provide information

> *Nebentätigkeiten* – Secondary activities, and

> *Verhaltensregeln für Abgeordnete* – Code of Conduct for Members of the Bundestag

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A space for parliamentary work: the Members' allowances include an office in the parliamentary buildings in Berlin.

Arbeitsgruppen und Arbeitskreise – Working groups

Each of the Bundestag's parliamentary groups (> *Fraktionen*) has set up a number of working groups. These are composed of parliamentarians specialising in certain policy areas, who lay the groundwork for the parliamentary group's substantive work, such as bills, motions or questions to the Federal Government, as well as the decisions to be taken by the committees (> *Ausschuss*).

Artikelgesetz – Article law

An *Artikelgesetz* – literally an “article law” – is, in the Bundestag's legislative practice, a law which simultaneously puts into place or amends several pieces of legislation, sometimes even in different fields of law. This type of law is divided into sections that are called articles. Each article focuses on a new law or amendments to an existing law. A typical example of this type of law is the annual tax law, which contains a huge number of provisions amending a great many laws, both within and outside the field of tax law.

Ausgleichsmandat – Balance seat

The electoral system (> *Wahlrecht*) used to elect the > Bundestag provides for what are known as “balance seats” to compensate for overhang seats (> *Überhangmandat*). In the Bundestag's 20th electoral term, following the election held in September 2021, both overhang and balance seats exist; as a result, the Bundestag has 736 Members, rather than the standard number of 598. Overhang seats are the result of a party (> *Parteien*) being able to send more candidates to the Bundestag, based on the number of first votes it has won, than the number of Members to which it is entitled based on the number of second votes it received in a given *Land* (federal state). A party's overhang seats are offset by allocating additional seats (known as “balance seats”) to the other parties to ensure that the distribution of seats in Parliament continues to reflect the parties' relative shares of the second votes. Following the Bundestag election in September 2021, the Bundestag has a total of 736 Members in the 20th electoral term, including 34 overhang seats (12 for the CDU, 11 for the CSU, 10 for the SPD and 1 for the AfD) and 104 balance seats (26 for the SPD, 24 for Alliance 90/The Greens, 18 for the CDU, 16 for the FDP,

A



13 for the AfD and 7 for the Left Party). For more details about the electoral system, see > *Wahlrecht*. On 17 March 2023, the Bundestag took a majority decision to abolish overhang and balance seats for future Bundestag elections (> *Wahlrechtsreform 2023*).

Ausschuss – Committee

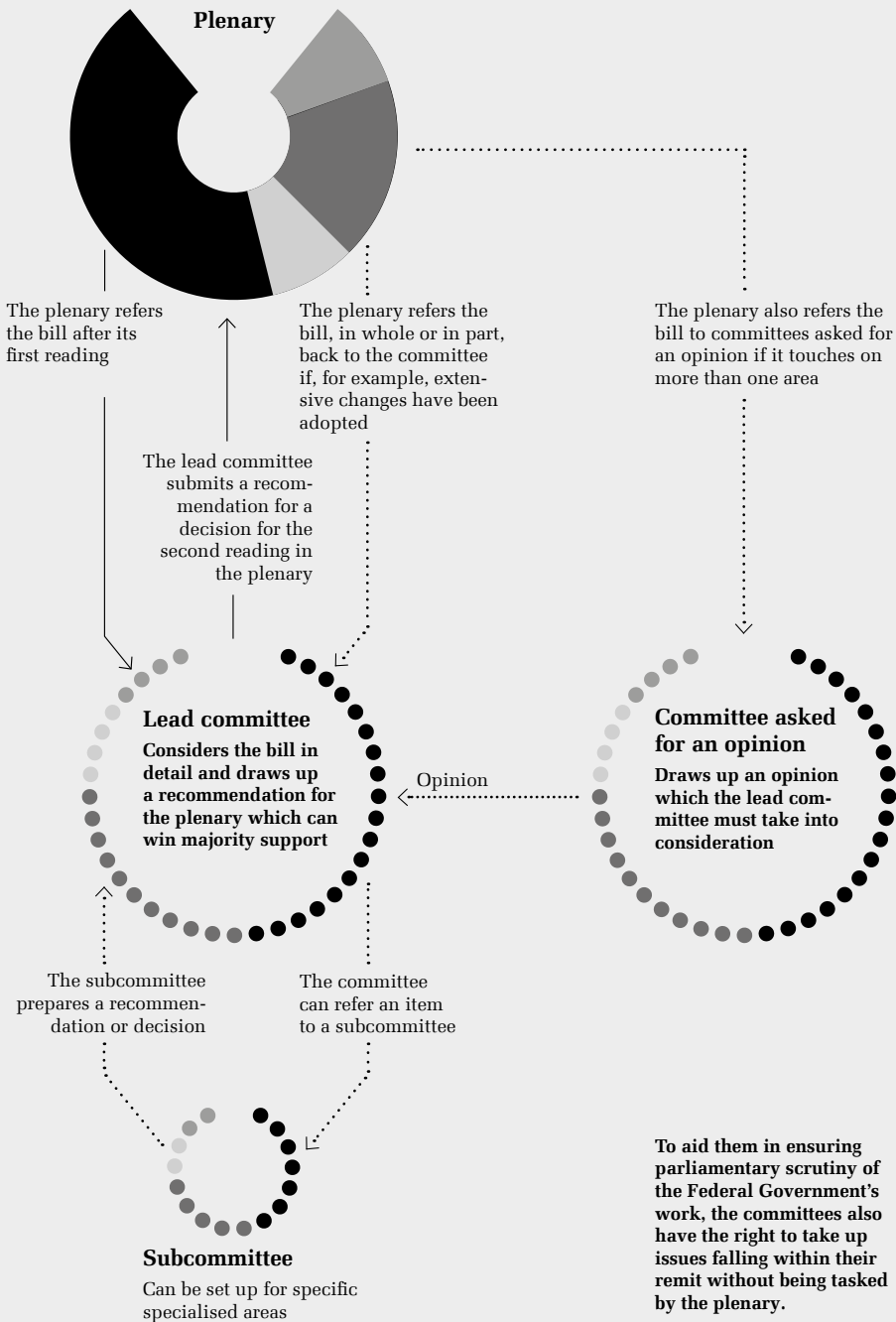
The > Bundestag establishes committees to discuss specialised topics and to prepare decisions (> *Beschlussempfehlung*) to be taken by the plenary (> *Plenum*). The composition of the committees reflects the relative strengths of the parliamentary groups in the Bundestag (> *Proporz*). There are 25 permanent committees in the 20th electoral term. The largest is the Committee on Labour and Social Affairs, with 49 parliamentarians (> *Abgeordnete*) as members. The smallest committees have 19 members. The committees' remit generally mirror those of the Federal Ministries (> *Bundesministerium*); for example, the Committee on Health is responsible for the issues dealt with by the Federal Ministry of Health. The exceptions to this approach include, for example, the Petitions Committee, the Committee on Human Rights and Humanitarian Aid,

the Committee on Tourism, and the Sports Committee. The Bundestag is free to decide how many committees it wishes to set up in each electoral term (> *Wahlperiode*), and this also depends on the priorities the Bundestag sets in its parliamentary work. That said, the German constitution, the Basic Law (> *Grundgesetz*), requires each newly elected Bundestag to establish a Defence Committee, a Committee on Foreign Affairs, a Committee on European Union Affairs and a Petitions Committee. Apart from the permanent committees, which are established for the entire electoral term, the Bundestag can also set up committees of inquiry (> *Untersuchungsausschuss*), or committees to deal with a specific issue (special committees). Under the amended version of Rule 69 of the Rules of Procedure (> *Geschäftsordnung*) which has applied with effect from 1 January 2023, the committees are free to decide whether and to what extent they hold their meetings in public. Public committee meetings are then normally broadcast online at www.bundestag.de/mediathek (> *Parlamentsfernsehen*).

Aussprache – Debate

> *Debatte* – Debate

The role of the committees in the legislative process.



Auszählverfahren Sainte-Laguë / Schepers – Sainte-Laguë / Schepers method

This method, named after the Frenchman André Sainte-Laguë and the German Hans Schepers (a former staff member in the Bundestag Administration), is used to calculate how many seats a party receives in Parliament based on the results of a Bundestag election. In 2009, following an amendment of the Federal Elections Act, this method was first used to determine the allocation of seats (> *Sitzverteilung*) after a Bundestag election (> *Bundestagswahl*), because it produces fairer results compared to methods used in the past (d'Hondt from 1949 to 1981 and Hare/Niemeyer from 1985 to 2005). In the Sainte Laguë/Schepers method, which is also called a divisor method with standard rounding, the numbers of second votes cast for the individual parties are divided by a common divisor. First, an approximate allocation is calculated by dividing the total number of votes to be considered by the total number of seats to be distributed, thus determining a provisional divisor for allocation. The resulting quotients are rounded to obtain numbers of seats, i.e. the figure is rounded up or down when the remaining fraction is larger or

smaller than 0.5; if the residual is 0.5 exactly, a lot is drawn. The divisor is determined in a way which ensures that the total of the numbers of seats equals the total of the mandates (> *Mandat*) to be distributed.

Bannmeile

> *Befriedete Bezirke* – Inviolable zones

Befriedete Bezirke – Inviolable zones

The Act on Inviolable Zones for Federal Constitutional Bodies (*Gesetz über befriedete Bezirke für Verfassungsorgane des Bundes*) establishes “inviolable zones” around the Reichstag Building and the surrounding Bundestag buildings, as well as around the buildings of the > Bundesrat and the Federal Constitutional Court (> *Bundesverfassungsgericht*). Within the Bundestag’s inviolable zone, demonstrations and assemblies are only permitted if they do not interfere with the work of the > Bundestag or the parliamentary groups (> *Fraktionen*). This is automatically deemed to be the case if no sittings are scheduled on the day in question. The Act thus ensures that a balance is struck between freedom of assembly and the ability of constitutional bodies to function, and that the



Inviolable zone of
the German Bundestag.

- Inviolable zone
- ① Reichstag Building
- ② Paul Löbe Building
- ③ Marie-Elisabeth Lüders Building
- ④ Jakob Kaiser Building

right to demonstrate is only restricted where and to the extent necessary. When the Bundestag was based in Bonn (1949–1999), there was a special protected area around Parliament known as the *Bannmeile*, in which outdoor assemblies and demonstrations were prohibited. Today, the *Bannmeile* around Parliament has been abolished and replaced by the inviolable zones. The public are no longer meant to be “banned” or excluded from certain areas. Even within these areas, people are meant to be able to demonstrate peacefully as part of authorised protests. The Act on Inviolable Zones for Federal Constitutional Bodies is available (in German) at www.bundestag.de/gesetze.

Berichterstatter – Rapporteur

The parliamentary groups (> *Fraktionen*) designate rapporteurs for each item of business to be discussed by the committees. The rapporteurs are specialists who are responsible for one or more topics in the working groups set up by their parliamentary group. Within the committees (> *Ausschuss*), they set out the views of their parliamentary group and play a key role in steering the deliberations.

Berliner Stunde – Berlin hour

The “Berlin hour” is a formula used to determine how the time allotted for a debate on a given agenda item is divided among the individual parliamentary groups (> *Fraktionen*). Who is allowed to speak during plenary sittings, and for how long, is based on the relative strengths of the parliamentary groups. The allocation of speaking time (> *Redezeit*) to the individual parliamentary groups is normally based on an agreement reached at the start of the electoral term. Besides the relative strengths of the parliamentary groups, other factors are usually considered as well, such as extra time for smaller parliamentary groups or for the opposition parliamentary groups (> *Opposition*). Within this agreed framework, the parliamentary groups decide which of their members

are to speak on a certain topic and for how long. Non-attached Members (> *fraktionslose Abgeordnete*) are allocated their own speaking time. The groups' Parliamentary Secretaries (> *Parlamentarische Geschäftsführer*) notify the Chair (> *Sitzungsvorstand*) which Members (> *Abgeordnete*) are allowed to speak and for how long. Members of the Federal Government (> *Bundesregierung*) and the > Bundesrat have the "right to be heard at any time", under Article 43 of the Basic Law. That said, it is customary for the speaking time of Federal Ministers (> *Bundesminister*) and Parliamentary State Secretaries (> *Parlamentarische Staatssekretäre*) to be deducted from the speaking time of the relevant parliamentary group supporting the government. The same applies to members of the Bundesrat.

Beschlussempfehlung – Recommendation for a decision

The committee (> *Ausschuss*) to which bills (> *Gesetzentwurf*) and other items of business – such as motions (> *Antrag*), draft statutory instruments or government reports – are referred as the lead committee (> *Federführung*) after the first reading in the plenary (> *Plenum*) draws up recommendations as a basis for the plenary of the Bundestag to take a decision. The report produced by the lead committee summarises the discussion in the committee, information about any hearings held (> *Anhörung*), amendments made to the item of business, and the votes of other bodies asked for their opinion. All recommendations for a decision are published as a Bundestag printed paper (> *Bundestagsdrucksache*). The Members of the Bundestag receive the recommendation for a decision before the vote in the plenary. The recommendation forms the basis for their decision in the vote.

Beschlussfähigkeit – Quorum

Under the Bundestag's Rules of Procedure (> *Geschäftsordnung*), a quorum exists if more than half of the Members are present in the plenary (> *Plenum*). That said, the general presumption is that a quorum exists. Only if doubts are expressed about the presence of a quorum before a vote (> *Abstimmung*), either by a parliamentary group (> *Fraktionen*) or by five per cent of the Members of the Bundestag (> *Abgeordnete*), who must be present, and if its presence is not confirmed unanimously by the Chair (> *Sitzungsvorstand*) either, does the presence or lack of a quorum have to be ascertained, in conjunction with the vote, by counting the votes using a procedure known as a > *Hammelsprung*. Abstentions and invalid votes also count. If the Bundestag lacks a quorum, the President in the Chair immediately terminates the sitting.

Beschlussprotokoll – Record of decisions

> *Amtliches Protokoll* – Official record

Budgethoheit – Power of the purse

The > Bundestag is responsible for adopting the annual budget (> *Haushaltsplan*), or in other words for determining federal revenues and expenditure, and approving budget funds. The power of the purse is often described as Parliament's central prerogative, as the right to adopt the budget gives the Members of the Bundestag a strong instrument they can use to influence the activities of the executive, the Federal Government (> *Bundesregierung*), by allocating the necessary resources for its work in the budget or denying it these resources (within the framework of what is constitutionally permissible).

Bund und Länder – Federation and Länder

> *Föderalismus* – Federalism

***Bundesgesetzblatt* – Federal Law Gazette**

All federal laws (> *Gesetz*) and statutory instruments (> *Rechtsverordnung*) are promulgated, i.e. published, in the Federal Law Gazette. New or amended laws and statutory instruments are only valid once they have been published. Since 1 January 2023 – following an amendment of Article 82 of the Basic Law, introduced by the Act of 19 December 2022 – the official promulgation of federal laws and statutory instruments in the Federal Law Gazette has taken place solely in electronic form (as a PDF), at www.recht.bund.de. Editions of the Federal Law Gazette published in paper form from 1949 to 2022 are now available as electronic documents in PDF format in an online archive with a search function, at www.bgbl.de. The current versions of all laws and statutory instruments can be found on the website www.gesetze-im-internet.de, a service provided by the Federal Ministry of Justice and the Federal Office of Justice. Key elements of parliamentary law (> *Parlamentsrecht*), or in other words the legal framework for the > Bundestag's work, are summarised at www.bundestag.de/en/parliament/function/legal.

***Bundeshaushalt* – Federal budget**

The Federal Budget Code (*Bundeshaushaltsordnung*) regulates federal budget law. It contains provisions on the preparation and execution of the federal budget (> *Haushaltsplan*), on rules for the budgeting and accounting system, and on audits by the > Bundesrechnungshof, Germany's supreme audit institution. The federal budget is subject to the > Bundestag's power of the purse (> *Budgethoheit*).

***Bundeskabinett* – Federal Cabinet**

The Federal Government (> *Bundesregierung*) consists of the Federal Chancellor (> *Bundestkanzler*) and the Federal Ministers (> *Bundesminister*), and is also known as the Federal Cabinet. At Cabinet meetings, the Federal Cabinet, chaired by the Federal Chancellor, discusses and takes decisions on the Federal Government's initiatives, including bills (> *Gesetzentwurf*). Cabinet meetings are usually held once a week, on Wednesdays. Following the Federal Cabinet's meeting, the Members of the Bundestag (> *Abgeordnete*) can, in weeks when the Bundestag is sitting, put questions to the Federal Government (> *Regierungsbefragung*) to obtain information about the government's initiatives.

Bundeskanzler – Federal Chancellor

The Federal Chancellor is elected by the > Bundestag, without debate, on the proposal of the Federal President (> *Bundespräsident*), in accordance with Article 63 of the Basic Law. The person who receives the votes of a majority of the Members of the Bundestag is elected. The Federal President's proposal is usually preceded by coalition negotiations (> *Koalition*), to ensure that there is a majority in the Bundestag for the election of the Federal Chancellor and for the Federal Government's future policies. The Federal Chancellor proposes the candidates for ministerial office to the Federal President (Article 64 of the Basic Law). On assuming office, the Federal Chancellor and the Federal Ministers (> *Bundesminister*) take the oath of office set out in Article 56 of the Basic Law before Parliament. The oath can be taken with or without religious affirmation. The Federal Chancellor manages the business of the Federal Government (> *Bundesregierung*) on the basis of Rules of Procedure adopted by the Federal Cabinet (> *Bundeskabinett*) and approved by the Federal President. The Federal Chancellor heads the executive (> *Exekutive*) and is accountable to the Bundestag for the government's actions.

Under Article 65 of the Basic Law, the Federal Chancellor determines the guidelines of government policy. Within these guidelines, Federal Ministers conduct the affairs of their departments independently and on their own responsibility; this is known as the principle of ministerial autonomy. If a state of defence is declared, the Federal Chancellor has the power of command over the > Bundeswehr, the German armed forces (Article 115b of the Basic Law). The Bundestag can remove the Federal Chancellor from office by two means: through a vote of no confidence (> *Misstrauensvotum*) or a vote of confidence (> *Vertrauensfrage*). Further information is available at www.bundeskanzler.de.

The government benches in the Bundestag: the Federal Cabinet consists of the Federal Chancellor and the Federal Ministers.

Bundesminister – Federal Ministers

The Federal Chancellor (> *Bundeschancellor*) nominates the Ministers to the Federal President (> *Bundespräsident*), who appoints them. Under Article 65 of the Basic Law, the Federal Ministers conduct the affairs of their departments (> *Bundesministerium*) independently and on their own responsibility; this is known as the principle of ministerial autonomy. However, they are bound by the guidelines for government policy that are established by the Federal Chancellor. The Federal Chancellor and the Federal Ministers take decisions on matters of general political importance jointly, as the Federal Cabinet (> *Bundeskabinett*). The Ministers' term of office ends when a new > Bundestag has convened or when the Federal Chancellor resigns or is removed from office. Federal Ministers can choose to resign.

Bundesministerium – Federal Ministry

A Federal Ministry is headed by a Federal Minister (> *Bundesminister*). It is a supreme federal authority, and as such it is responsible for a certain field within the Federal Government (> *Bundesregierung*). The Ministry's main role is to support the Minister in his or her constitutional duties. These include supervising the Ministry's executive agencies, and performing political duties in relation to the > Bundestag and other federal bodies. For example, the Ministries draw up bills (> *Gesetzentwurf*) on subjects falling within their area of responsibility, and thus play a key role in the legislative process (> *Gesetzgebung*). Further information can be found at www.bundesregierung.de/breg-en/federal-government/ministries.

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***Bundespräsident* – Federal President**

The Federal President is the head of state of the Federal Republic of Germany (> *Bundesrepublik Deutschland*). Under Article 54 of the Basic Law, he or she is elected for a five-year term of office by the Federal Convention (> *Bundesversammlung*), without debate. Any German who is at least 40 years old is eligible to be elected. The Federal President represents the state in its relations with other countries. He or she certifies the laws adopted by the > Bundestag by verifying that the text and the decision adopting the law are identical and that the requirements of the Basic Law (> *Grundgesetz*) have been met, and promulgates the law with its official publication in the Federal Law Gazette (> *Bundesgesetzblatt*). In addition, the Federal President proposes a candidate to the Bundestag for election as Federal Chancellor (> *Bundestkanzler*), and appoints the Federal Ministers (> *Bundesminister*) on the Chancellor's proposal. The Federal President's other responsi-

bilities include appointing and dismissing federal civil servants and federal judges, unless the law states otherwise, and exercising the power to pardon offenders on behalf of the Federation. Under Article 59 of the Basic Law, the Federal President concludes treaties with other countries on behalf of the Federation. Treaties that regulate the political relations of the Federation or relate to subjects of federal legislation require the consent or participation, in the form of a federal law, of the bodies responsible in such a case for the enactment of federal law. In addition, the Federal President is responsible for declaring Germany's recognition of foreign states under international law; that said, the political decision on recognition rests with the Federal Government (> *Bundesregierung*). Further information can be found at www.bundespraesident.de.

Bundesrat

The Bundesrat, the body representing Germany's *Länder* or federal states (> *Föderalismus*), has its seat in Berlin and is one of the five permanent constitutional bodies of the Federal Republic of Germany (> *Bundesrepublik Deutschland*): the Federal President (> *Bundespräsident*), the > Bundestag, the Bundesrat, the Federal Government (> *Bundesregierung*), and the Federal Constitutional Court (> *Bundesverfassungsgericht*). Under Article 50 of the Basic Law, the *Länder* participate in the legislation (> *Gesetzgebung*) and administration of the Federation through the Bundesrat, which is composed of members of the governments of the *Länder*. In addition, the Bundesrat is also involved in matters concerning the European Union (> *Europäische Union*). The 16 states send three to six representatives of their governments to the Bundesrat, in line with the size of their population. A state's votes in the Bundesrat can only be cast en bloc, and only by members present or their alternates. The President of the Bundesrat is elected each year on 1 November from the ranks of the heads of government of the *Länder*, known as Minister-Presidents. Further information is available at www.bundesrat.de.

The seat of the Bundesrat in Berlin.



Bundesrechnungshof

The Bundesrechnungshof, the independent body that is Germany's supreme audit institution, is based in Bonn. It determines whether public finances have been properly and efficiently administered by the Federation. Specifically, it verifies, in particular, whether budget funds have been spent in line with what was stipulated in the budget. Under Article 114 of the Basic Law, the members of the Bundesrechnungshof enjoy judicial independence. It communicates its major findings in its annual report, which enables the > Bundestag to effectively scrutinise the execution of the budget by the Federal Government (> *Bundesregierung*). Further information can be found at www.bundesrechnungshof.de.

Bundesregierung – Federal Government

The Federal Government consists of the Federal Chancellor (> *Bundeskanzler*) and the Federal Ministers (> *Bundesminister*), who together form the Federal Cabinet (> *Bundeskabinett*). The Federal Government has the right of initiative (> *Initiativrecht*), or in other words the right to table bills (> *Gesetzentwurf*) in the Bundestag. Further information is available at www.bundesregierung.de.

Bundesrepublik Deutschland – Federal Republic of Germany

As set out in Article 20 of the Basic Law, the Federal Republic of Germany is a democratic (> *Demokratie*) and social federal state (> *Republik*) governed by the rule of law (> *Rechtsstaat*). It was founded in 1949 on the basis of the Basic Law (the German constitution), and following the reunification of Germany in 1990, the country is now made up of 16 federal states, or *Länder*. The capital city is Berlin, which has also been the seat of the > Bundestag since 1999.

Bundesstaat – Federal state

A federal state is a union of constituent states (in Germany, the *Länder*) to form a federation. The political principle which governs a federal state is known as federalism (> *Föderalismus*); this ensures that the state speaks with one voice in its external relations, and that power is shared internally between the federal level and that of the constituent states. Federalism as a constitutional structure (as in Germany) can be contrasted with the principle of a unitary state (of which France is an example). Under Article 79 of the Basic Law, the principle that the Federal Republic of Germany (> *Bundesrepublik Deutschland*) is a federal state is irrevocable and cannot be changed. However, the Basic Law does allow changes to the number of *Länder* and their borders.

Bundestag

The German Bundestag is the Parliament of the Federal Republic of Germany (> *Bundesrepublik Deutschland*). It is the only institution at federal level whose Members are directly elected by the people. For this reason, the Bundestag as a whole, with all the elected Members (> *Abgeordnete*), is rightly referred to as the “heart” of German democracy (> *Demokratie*). Since 1999, the seat of

Germany and its 16 federal states
 ■ Federal capital
 ● State capital



the Bundestag has been the former Reichstag Building in Berlin and the adjacent parliamentary buildings. Prior to that, the Bundestag's seat had been in Bonn since it was founded in 1949. In a narrower sense of the word, the term "Bundestag" is used to refer to the full Parliament meeting in plenary sittings (> *Plenum*).

Bundestag, Aufgaben – Bundestag, functions

The Bundestag plays a vital role in the constitutional system of the Federal Republic of Germany (> *Bundesrepublik Deutschland*). Its primary function is passing legislation (> *Gesetzgebung*). The Bundestag is the only institution at federal level which can pass laws that are binding on everyone in Germany. Another important function of Parliament is scrutinising the Federal Government (> *Bundesregierung*), or in other words reviewing its work, a responsibility which mirrors the government's accountability to Parliament. To this end, the Members of the Bundestag (> *Abgeordnete*) and parliamentary groups (> *Fraktionen*) can, for example, table interpellations (> *Anfragen*). Major interpellations (> *Große Anfrage*) and minor

interpellations (> *Kleine Anfrage*) are lists of questions which the Federal Government has to answer. In addition, committees of inquiry (> *Untersuchungsausschuss*) can be set up to investigate potential failings. The > Bundesrechnungshof, the Parliamentary Commissioner for the Armed Forces (> *Wehrbeauftragter*) and the Petitions Committee (> *Petition*) can also be regarded, in a broader sense, as institutions which support the Bundestag in exercising parliamentary scrutiny. The Bundestag's core functions include the election of the Federal Chancellor (> *Bundeskanzler*) and certain judges of the Federal Constitutional Court (> *Bundesverfassungsgericht*; see also > *Wahlausschuss*). The Members of the Bundestag participate in the election of the Federal President (> *Bundespräsident*) via the Federal Convention. The Bundestag adopts the federal budget (> *Bundeshaushalt*) and thus has the power of the purse (> *Budgethoheit*), with authority over how budget funds are used. And the > Bundeswehr cannot undertake missions abroad without the Bundestag's consent. The Bundestag's functions can be divided into three categories: legislative functions, scrutiny functions and electoral functions.

***Bundestagsdrucksache* – Bundestag printed paper**

All recommendations for a decision (> *Beschlussempfehlung*), bills (> *Gesetzesentwurf*), motions (> *Antrag*) and other items of business dealt with by the Bundestag are published as printed papers. These items of business are first received by the Parliamentary Secretariat, where they are examined and then given a number in order of receipt. This is combined with the number of the current electoral term (> *Wahlperiode*) to produce the unique official number of the printed paper, for example 20/1234. The printed papers are distributed electronically to the Members of the Bundestag (> *Abgeordnete*), and made available to all members of the > Bundesrat and the Federal Ministries (> *Bundesministerium*). In a single electoral term, more than 12,000 printed papers are produced on average in the course of Parliament's work – many of them short, while others, such as the annual budget (> *Haushaltsplan*), span more than 3000 pages. Bundestag printed papers can be accessed on the Bundestag's website at www.bundestag.de/drucksachen.

***Bundestagspräsident* – President of the Bundestag**

The President of the Bundestag is elected by the > Bundestag in a secret ballot. Under Article 40 of the Basic Law, the President represents the Bundestag, and thus the constitutional body of the Federal Republic of Germany that is directly elected by the people. Bärbel Bas (SPD) has been elected as President of the Bundestag in the 20th electoral term. In terms of protocol, the President of the Bundestag occupies the second highest office of state after the Federal President (> *Bundespräsident*) – ahead of the Federal Chancellor (> *Bundestkanzler*), the President of the > Bundesrat and the President of the Federal Constitutional Court (> *Bundesverfassungsgericht*). The President of the Bundestag leads the Federal Convention (> *Bundesversammlung*) that elects the Federal President,

and swears in the Federal President, the Federal Chancellor and the Federal Ministers (> *Bundesminister*). The President of the Bundestag also presides over the Bundestag, upholds Parliament's rights, represents the Bundestag in its external relations, exercises proprietary and police powers in the Bundestag's buildings, and is the supreme authority for the staff of the Bundestag Administration (> *Bundestagsverwaltung*). If the President of the Bundestag is unable to discharge his or her duties, one of the Vice-Presidents from the second largest parliamentary group stands in for him or her. The President of the Bundestag is supported in his or her work by the Bundestag Presidium (> *Bundestagspräsidium*), the Council of Elders (> *Ältestenrat*) and the Bundestag Administration. In particular, the President of the Bundestag presides over the plenary (> *Plenum*) of the Bundestag. The President opens and closes the sittings, calls each item of business on the agenda, and grants leave to speak. The Presi-

dent is also responsible for maintaining parliamentary order during the sittings. He or she can, for example, admonish Members (> *Abgeordnete*), direct them to discontinue speaking, and even suspend them from participating in plenary sittings and committee meetings for up to 30 sitting days. The President and his or her deputies, the Vice-Presidents, chair the plenary sittings in rotation, each generally presiding for two hours at a time. The power to conduct sittings and take measures for the maintenance of order transfers to the person presiding over the current sitting, who is known as the President in the Chair (> *Sitzungspräsident*). The President of the Bundestag is impartial in performing his or her duties.



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The Presidents of the German Bundestag since 1949:

Erich Köhler (CDU/CSU), 1949–1950
Hermann Ehlers (CDU/CSU), 1950–1954
Eugen Gerstenmaier (CDU/CSU), 1954–1969
Kai-Uwe von Hassel (CDU/CSU), 1969–1972
Annemarie Renger (SPD), 1972–1976
Karl Carstens (CDU/CSU), 1976–1979
Richard Stücklen (CDU/CSU), 1979–1983
Rainer Barzel (CDU/CSU), 1983–1984
Philipp Jenninger (CDU/CSU), 1984–1988
Rita Süßmuth (CDU/CSU), 1988–1998
Wolfgang Thierse (SPD), 1998–2005
Norbert Lammert (CDU/CSU), 2005–2017
Wolfgang Schäuble (CDU/CSU), 2017–2021
Bärbel Bas (SPD), since 2021

Bundestagspräsidium – Bundestag Presidium

The President of the Bundestag (> *Bundestagspräsident*) and his or her deputies (the Vice-Presidents) form the Bundestag Presidium, where each parliamentary group (> *Fraktionen*) is usually represented by at least one member. The members of the Presidium are elected by the > Bundestag for the duration of the electoral term (> *Wahlperiode*), on the proposal of the parliamentary groups. The members of the Presidium cannot be removed from this post by a decision of the Bundestag. All members of the Presidium also sit on the Council of Elders (> *Ältestenrat*). In the Bundestag's sitting weeks (> *Sitzungswoche*), the Presidium normally meets on Wednesdays to discuss matters pertaining to the management of the House. These meetings are also attended by the Secretary-General of the German Bundestag, who is in charge of the day-to-day running of the Bundestag Administration (> *Bundestagsverwaltung*). The Presidium is involved in personnel matters relating to senior civil servants and employees of the Bundestag Administration, and in the conclusion of important contracts. It also discusses matters concerning public relations.

Bundestagsverwaltung – Bundestag Administration

The Bundestag Administration supports the work of the > Bundestag and serves all Members of Parliament (> *Abgeordnete*). It is a supreme federal authority which is headed by the President of the Bundestag (> *Bundestagspräsident*), with the Secretary-General of the German Bundestag in charge of its day-to-day running. The Bundestag Administration plays an important role in parliamentary procedures, in Parliament's public outreach, and in the execution of the Members of the Bundestag Act (> *Abgeordnetengesetz*) and the Act on Political Parties (> *Parteiengesetz*).

***Bundestagswahl* – Bundestag election**

In accordance with Article 38 of the Basic Law, the Members of the Bundestag (> *Abgeordnete*) are elected in general, direct, free, equal and secret elections.

■ “General” means that all Germans are allowed to vote. Gender, origin and occupation are irrelevant in this context.

■ “Direct” means that the Members of the Bundestag are elected directly by voters, not by the members of an electoral college, as is the case in some other countries.

■ “Free” means that voters can choose who to vote for without facing coercion or pressure. They cannot be forced to vote for a specific candidate or a specific party.

■ “Equal” means that each vote counts equally.

■ “Secret” means that no one else is meant to know how someone voted.

All Germans aged 18 and above are eligible to vote and to stand for election to the Bundestag. The Bundestag is elected for four years using an electoral system, set out in the Federal Elections Act, that combines elements of first past the post and proportional representation (> *Wahlrecht*). The election of the Bundestag reflects the fact that the Federal Republic

of Germany is a representative democracy (principle of popular sovereignty). Article 20 of the Basic Law enshrines the principle that all state authority is derived from the people, and this is exercised by the people through elections, in particular.

***Bundesverfassungsgericht* – Federal Constitutional Court**

The Federal Constitutional Court in Karlsruhe monitors compliance with the Basic Law (> *Grundgesetz*), the German constitution, in accordance with Article 92 et seqq. of the Basic Law. It determines how the Basic Law is interpreted, rules on whether federal law and Land law are compatible with the Basic Law in formal and substantive terms, and decides whether government actions (of any kind) violate the fundamental rights (> *Grundrechte*) or other constitutional rights. The Federal Constitutional Court rules on the rights and duties of the Federation and the Länder, and on disputes between constitutional bodies, in which parliamentary groups (> *Fraktionen*) or individual Members of the Bundestag (> *Abgeordnete*) can potentially be involved. Moreover, Article 93 of the Basic Law allows anyone to file a complaint



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The plenary of the German Bundestag.

alleging that one of his or her basic rights has been infringed by public authority; this is known as a constitutional complaint. The Court's decisions are incontestable. It cannot take political decisions; its rulings are based solely on the Basic Law. It is composed of 16 judges, half of whom are elected by a two-thirds majority (> *Mehrheit*) by a Committee for the Election of the Judges of the Federal Constitutional Court (> *Wahlausschuss*) set up by the > Bundestag, while the other half are elected by the > Bundesrat. The judges of the Federal Constitutional Court are elected for a twelve-year term and cannot be re-elected. Further information is available at www.bundesverfassungsgericht.de.

***Bundesversammlung* – Federal Convention**

The Federal Convention is the largest parliamentary assembly in the Federal Republic of Germany (> *Bundesrepublik Deutschland*). It normally convenes every five years to elect the Federal President (> *Bundespräsident*). The Federal

Convention is composed of the Members of the Bundestag (> *Abgeordnete*) and an equal number of members elected by the parliaments of the *Länder*, or federal states, in line with the principles of proportional representation. The number of members elected by the individual *Land* parliaments depends on the population of the *Land* concerned. The 17th Federal Convention, held in 2022, had 1472 members, which is double the number of Members of the Bundestag.

***Bundeswahlgesetz* – Federal Elections Act**

The Federal Elections Act regulates the conduct of a Bundestag election (> *Bundestagswahl*) on the basis of Article 38 of the Basic Law. The electoral system for Bundestag elections defined in the

Act is a proportional representation system combined with the personal election of candidates, or in other words a mix of first past the post and proportional representation (> *Wahlrecht*). The > Bundestag has adopted important changes to the Federal Elections Act as part of the 2023 electoral reform (> *Wahlrechtsreform 2023*).

***Bundeswahlleiter* – Federal Returning Officer**

The Federal Returning Officer is responsible for the conduct of Bundestag elections (> *Bundestagswahl*) and European elections in Germany in his or her capacity as an independent electoral institution. He or she is appointed for an indefinite period of time by the Federal Ministry of the Interior. The position is traditionally held by the President of the Federal Statistical Office. Further information is available at www.bundeswahlleiter.de.

Bundeswehr

Germany's armed forces, the Bundeswehr, are tasked with defending the Federal Republic of Germany (> *Bundesrepublik Deutschland*). Under Article 65a of the Basic Law, the Bundeswehr is under the

command of the Federal Minister of Defence, although the power of command transfers to the Federal Chancellor (> *Bundestkanzler*) in a state of defence (Article 115b of the Basic Law). Since 1994, the armed forces have also undertaken missions abroad. The > Bundestag's consent is needed before German soldiers can be deployed on an armed mission abroad; this is known as the requirement of parliamentary approval (> *Parlamentarvorbehalt*). For this reason, the Bundeswehr is referred to as a "parliamentary army". The Parliamentary Participation Act (*Parlamentarstellungsgesetz*) of 2005 regulates the form and extent of the Bundestag's participation in decisions concerning the deployment of German armed forces abroad. In principle, such deployments require the Bundestag's prior consent; approval after the fact is only sufficient "in the event of imminent danger". The only



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The 17th Federal Convention elects the Federal President in the Paul Löbe Building in 2022.

Bundeswehr missions abroad which do not require parliamentary approval are humanitarian relief operations. The Bundestag has the right to order the armed forces to return to Germany at any time. In addition, the Federal Government (> *Bundesregierung*) is required to brief Parliament regularly about the progress of the Bundeswehr's missions abroad. The Bundeswehr is also a "parliamentary army" in the sense that all defence spending is subject to Parliament's power of the purse, and that the Parliamentary Commissioner for the Armed Forces (> *Wehrbeauftragter*) scrutinises the Bundeswehr on Parliament's behalf.

Bürgerräte – Citizens' assemblies

Since 2023, the > Bundestag has introduced a new kind of consultative parliamentary body, known as a citizens' assembly. A citizens' assembly established

and organised by the Bundestag will consist of 160 members of the public, aged 16 and above, whose primary residence is in Germany; they will be selected at random. It will be headed by a neutral moderator and will, with support from academics and practitioners, draw up a report containing policy recommendations on a specific topic set by the Bundestag, which will feed into the political process in Parliament. The first citizens' assembly is to focus on the topic of "nutrition in transition". The introduction of citizens' assemblies is meant to create a new form of public dialogue without abandoning the principle of representative democracy (> *Demokratie*).

Debatte – Debate

In the debates held during plenary sittings (> *Plenum*), the Members of the Bundestag (> *Abgeordnete*) and the members of the Federal Government (> *Bundesregierung*) and the > Bundesrat make arguments for and against the bills (> *Gesetzentwurf*) and other items of

The heart of German democracy:
the German Bundestag.

business tabled in Parliament. Major debates, which are usually connected to government policy statements (> *Regierungserklärung*), important bills or major interpellations (> *Große Anfrage*), are about key political issues. Each parliamentary group (> *Fraktionen*) can, for example, demand that a debate is held on its bill or motion (> *Antrag*). This is particularly important for the opposition parliamentary groups (> *Opposition*). The length of a debate is agreed by the Council of Elders (> *Ältestenrat*), depending on the topic. The time that has been agreed is allocated to the individual parliamentary groups in line with a fixed formula. Each parliamentary group decides which of its Members can speak on a given topic during its speaking time. It is also possible for a debate to be held on an issue without it being based on a specific document; this is known as an “agreed debate”. Debates in the Bundestag are public, meaning that the public can be present to watch them. Some debates are also broadcast on television and online at www.bundestag.de/mediathek. Debates on matters of topical interest (> *Aktuelle Stunde*) are also held.

Demokratie – Democracy

As is laid down in Article 20 of the Basic Law, the Federal Republic of Germany (> *Bundesrepublik Deutschland*) is a democracy. In this type of state, power rests with the people. In a parliamentary democracy, elections (> *Bundestagswahl*, > *Wahlrecht*) are the primary source of legitimacy underpinning all of the state’s actions. The representatives elected by the majority then take fundamental decisions in Parliament (> *Parlament*), on behalf of the people, with regard to the state’s actions. The hallmarks of a democracy include respect for human rights (> *Grundrechte*), recognition of the separation of powers (> *Gewaltenteilung*), the government’s accountability to Parliament, the independence of the judiciary, a public administration which complies with the law, the existence of a multi-party system (> *Parteien*), a functioning parliamentary opposition (> *Opposition*), freedom of the press and media, and an electoral system which ensures free, equal and secret elections

D



(> *Wahlrecht*). Germany is a representative democracy, where the people always “rule” through their elected representatives. These elected representatives form the Bundestag, the only directly elected constitutional body.

Diäten – Remuneration

The Members of the Bundestag (> *Abgeordnete*) receive remuneration, on which they pay tax, for carrying out their mandate (> *Mandat*), on the basis of the Members of the Bundestag Act (> *Abgeordnetengesetz*). This is intended to offset any loss of earnings caused by their mandate, if they are unable to keep working in their previous profession. Remuneration was introduced in Germany in 1906; prior to that, being a Member of Parliament was an unpaid position. In 1975, the Federal Constitutional Court (> *Bundesverfassungsgericht*) handed down a judgment on Members’ remuneration which explicitly requires the Members of the Bundestag to determine the amount of their remuneration themselves, “in full view of the public”. The monthly remuneration is adjusted each year on 1 July, based on the average rise

in nominal wages calculated by the Federal Statistical Office. In addition to their remuneration, Members are entitled to a tax-free expense allowance (> *Kostenpauschale*) to cover their costs, especially those incurred in their constituency (> *Wahlkreis*), and they also receive Members’ allowances (> *Amtsausstattung für Abgeordnete*), including, for example, a fully equipped office in a Bundestag building in Berlin.

Direktmandat – Constituency seat

> *Wahlrecht* – Electoral system

Diskontinuität – Discontinuity

The Bundestag is subject to the principle of discontinuity. This means that the mandates (> *Mandat*) of all previous Members (> *Abgeordnete*) end with the

constituent meeting (> *Konstituierung*) of a newly elected Bundestag; this is known as personnel discontinuity. The Bundestag's institutions and bodies, such as the committees (> *Ausschuss*), have to be re-established (organisational discontinuity). All bills (> *Gesetzentwurf*) and other items of business that had not yet been passed by the previous Bundestag have to be re-introduced and considered again (legislative discontinuity). However, petitions (> *Petition*) and matters concerning the European Union (> *Europäische Union*) are not affected by the principle of discontinuity.

***Drucksache* – Printed paper**

> *Bundestagsdrucksache* – Bundestag printed paper

***Einspruchsgesetz* – Bill to which the Bundesrat may lodge an objection**

The Basic Law (> *Grundgesetz*) lays down in what cases a bill requires the consent of the > Bundesrat (> *Zustimmungsgesetz*). All bills which do not fall into one of the specified areas, and thus

do not require the Bundesrat's consent, are known as bills to which the Bundesrat may lodge an objection. In these cases, the Bundesrat can voice its opposition to a bill by lodging an objection to it if the mediation procedure does not resolve the situation (> *Vermittlungsausschuss*). The Bundesrat's objection can be overridden by the > Bundestag. If Bundesrat decides by an absolute majority of its votes to lodge an objection, it can only be overridden by an absolute majority in the Bundestag. If the Bundesrat adopts the objection by a majority of at least two thirds of its votes, the Bundestag's rejection of the objection requires a two-thirds majority of the votes cast, including the votes of at least half of all Members of the Bundestag (> *Gesetzgebung*).

***Enquete-Kommission* – Study commission**

The study commissions set up by the > Bundestag offer a forum for Members of Parliament (> *Abgeordnete*) and experts to look in depth at an issue of fun-

damental importance, such as the influence of artificial intelligence on our lives, the economy and the world of work. The Bundestag is required to set up a study commission upon a motion of at least one quarter of the Members of the Bundestag; this is a minority right (> *Minderheitenrechte*). The members of the commission are appointed in agreement with the parliamentary groups (> *Fraktionen*). Study commissions are composed of Members of the Bundestag and experts, both academics and practitioners. When their work is completed, they submit a report to the Bundestag setting out the study commission's conclusions, normally in the form of recommendations for legislative initiatives.

Entschädigung – Remuneration

> *Diäten* – Remuneration

Entschließungsantrag – Motion for a resolution

A resolution offers a means for the Bundestag to express its opinion on a specific political issue. It can use a resolution to call on the Federal Government (> *Bundesregierung*), in particular, to act in a certain way. Bundestag resolutions are not legally binding, but have immense political significance. A motion

for a resolution must be signed by a parliamentary group (> *Fraktionen*) or at least five per cent of the Members of the Bundestag (> *Abgeordnete*). Most motions for a resolution are tabled by a parliamentary group. The opposition (> *Opposition*), in particular, uses this option to call on the Federal Government to take a specific action. A motion for a resolution can relate to various kinds of items of business, such as a bill (> *Gesetzentwurf*), a government policy statement (> *Regierungserklärung*), a major interpellation (> *Große Anfrage*) or items from the European Union (> *Europäische Union*). Motions for a resolution relating to bills and other items of business can only be referred to a committee (> *Ausschuss*) if the movers do not object. The Bundestag can only vote on motions for a resolution once the final vote has been held on the item of business to which the motion relates.

Erststimme – First vote

> *Wahlrecht* – Electoral system

EU-Rechtsakte – EU act

The European Union (> *Europäische Union*), or EU, establishes legal requirements in certain areas which apply to all EU Member States and significantly

The Bundestag participates in the EU legislative process.

influence national legislation, and thus the Bundestag. At EU level, these requirements are known as acts, rather than laws. The EU acts which have to be considered by the Bundestag include regulations, directives and decisions.

■ *EU regulations* are comparable to laws. They apply directly in each Member State, and are binding in their entirety. One example of an EU regulation is the General Data Protection Regulation (GDPR). It applies directly in Germany, like a law.

■ *EU directives* set out certain goals which the Member States then have to transpose into national law by a specific deadline. The Member States can choose the form and means they use to adapt their domestic law to the goals set out in an EU directive. In Germany, this is normally achieved by means of a law.

■ *EU decisions* contain specific requirements in the field of the Common Foreign and Security Policy. If a Member State fails to meet its obligations arising from the EU treaties (especially non-compliance with an EU regulation, or non-transposition of an EU directive into national law), infringement proceedings are initiated by the European Commission. This is an important

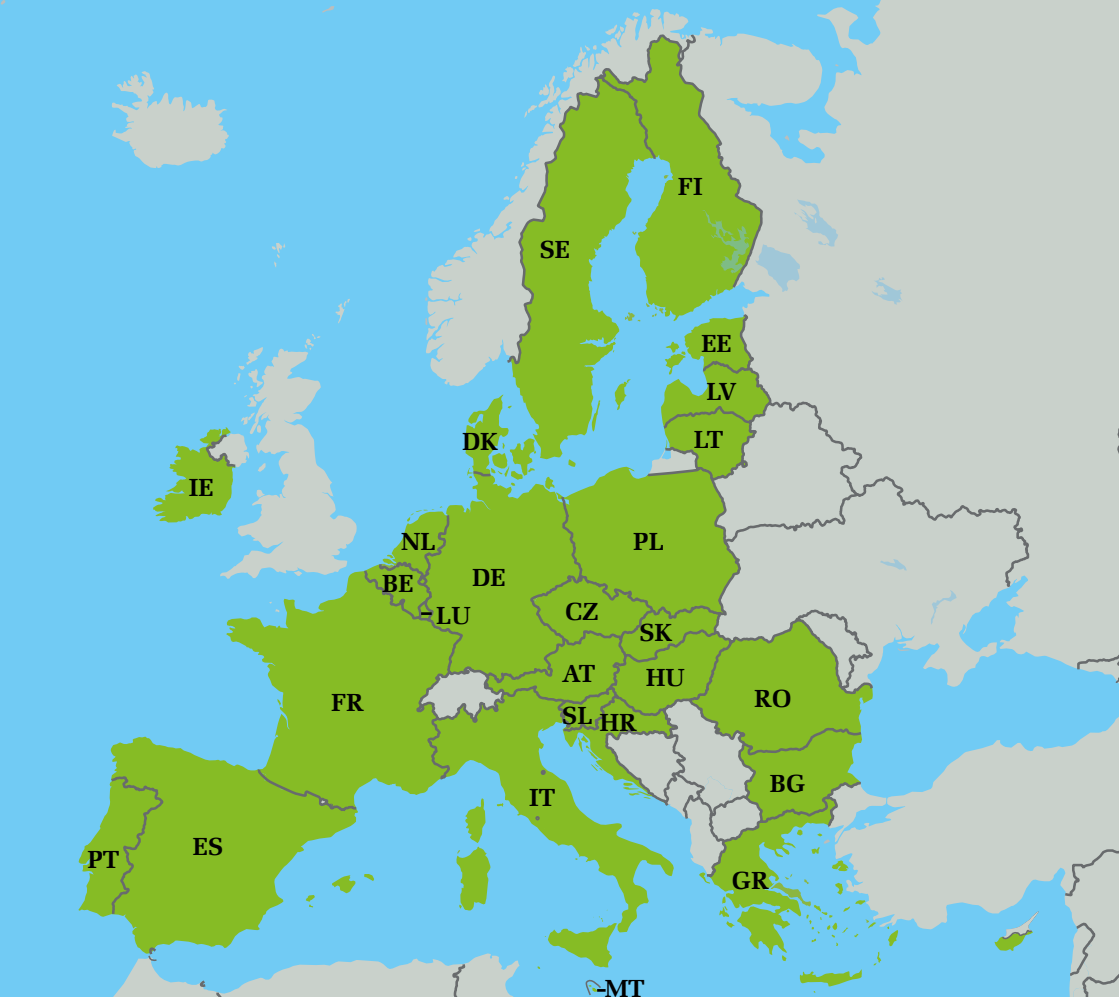
means of enforcing compliance with EU law in the Member States.

Europäische Union – European Union

The European Union (EU) is a community of 27 European countries. The Member States transfer sovereign powers to the EU with the aim of permanently promoting economic and social progress in Europe. The Member States have created institutions that guide the EU and adopt its legal provisions (> *EU-Rechtsakte*). The EU's main institutions are the European Parliament (representing the people of Europe), the European Council (consisting of the heads of state and government of the Member States, and the Presidents of the European Council and the Commission), the Council of the European Union (formed of government representatives from the Member States), and the European Commission (representing the common interests of the EU). Under Article 23 of the Basic Law, the Bundestag and the Bundesrat participate in matters concerning the European Union (> *Mitwirkungsrechte des Bundestages in EU-Angelegenheiten*). For the first time in the EU's history, the Lisbon

E





**The 27 Member
States of the
European Union:**

AT Austria
BE Belgium
BG Bulgaria
CY Republic of Cyprus
CZ Czechia
DE Germany
DK Denmark

EE Estonia
ES Spain
FI Finland
FR France
GR Greece
HR Croatia
HU Hungary
IE Ireland
IT Italy
LT Lithuania
LU Luxembourg

LV Latvia
MT Malta
NL Netherlands
PL Poland
PT Portugal
RO Romania
SE Sweden
SL Slovenia
SK Slovakia

Treaty of 2009 gave the national parliaments of the Member States a greater role in the EU's work. For example, national parliaments can now lodge a subsidiarity objection and, where necessary, bring a subsidiarity action if, in their view, a European legislative project does not uphold the principles of subsidiarity (> *Subsidiarität in EU-Angelegenheiten*).

Exekutive – Executive

Within the framework of the separation of powers (> *Gewaltenteilung*), the executive is the branch which exercises executive power. Under Article 20 of the Basic Law (> *Grundgesetz*), the executive is bound by law and justice; in other words, it must respect the acts of the legislature (> *Legislative*) and the judiciary (> *Judikative*). The executive encompasses the government and the public administration, which has primary responsibility for executing laws. In Germany, the

executive includes, besides the Federal President (> *Bundespräsident*) and the Federal Government (> *Bundesregierung*), all public authorities at federal, *Land* and municipal level.

Federführung – Lead responsibility

After the first reading, the plenary (> *Plenum*) refers bills (> *Gesetzentwurf*), motions (> *Antrag*) and other items of business to the relevant committees (> *Ausschuss*) for consideration. The committees are where the detailed work of Parliament takes place. One committee is designated as the lead committee, meaning that it leads the parliamentary deliberations on the item in question and drafts the recommendation for a decision (> *Beschlussempfehlung*) to be submitted to the plenary. Other committees can participate in the deliberations as committees asked for an opinion, if the item touches on the areas for which they are responsible.

Föderalismus – Federalism

Article 20 of the Basic Law enshrines federalism (from the Latin *foedus*, meaning treaty or alliance) as the defining characteristic of the political system

of the Federal Republic of Germany (> *Bundesrepublik Deutschland*). Federalism refers to a political order in which government responsibilities are divided between the state as a whole (the federal level) and the constituent states (in Germany, the *Länder*). The division of constitutional competences between the federal level and the *Länder* with regard to the legislature (> *Legislative*), executive (> *Exekutive*) and judiciary (> *Judikative*) is defined in detail in the constitution (Article 70 et seqq., Article 83 et seqq. and Article 92 et seqq. of the Basic Law). Within the federal system, the *Länder* have the features of discrete states. For example, each *Land* has its own constitution, and constitutional bodies that are independent of the federal level (e.g. a *Land* government and a constitutional court). The federal structure of Germany's political system is among the elements of the Basic Law (> *Grundgesetz*) which cannot be changed.

Fragestunde – Question Time

During each sitting week (> *Sitzungswoche*), a Question Time is held in the plenary (> *Plenum*). Each Member of the Bundestag (> *Abgeordnete*) can submit up to two questions in advance to be put to the Federal Government (> *Bundesregierung*). Once the answer has been given by a Parliamentary State Secretary (> *Parlamentarische Staatssekretäre*) or a Federal Minister (> *Bundesminister*), both the Member who submitted the original question and other parliamentarians can ask supplementary questions to ensure the Federal Government sets out its position further. Questions that are not called for lack of time are answered by the Federal Government in writing. The questioner can also ask for a written response from the outset.

F



Baden-Württemberg



Bremen



Lower Saxony



Saxony



Bavaria



Hamburg



North Rhine-Westphalia



Saxony-Anhalt



Berlin



Hesse



Rhineland-Palatinate



Schleswig-Holstein



Brandenburg



Mecklenburg-Western Pomerania



Saarland



Thuringia

Fraktionen – Parliamentary groups

Rule 10 (1) of the Rules of Procedure (> *Geschäftsordnung*) states that a parliamentary group can be formed by at least five per cent of the Members of the

> Bundestag who “belong to the same party or to parties which, on account of similar political aims, do not compete with each other in any *Land*”. This provision allows the Christian Democratic Union (CDU) and the Christian Social Union (CSU) to form a single CDU/CSU parliamentary group in the Bundestag. In the 20th electoral term, based on the results of the Bundestag election (> *Bundestagswahl*) held in September 2021, there are six parliamentary groups in the Bundestag: the Social Democratic Party of Germany (SPD), the CDU/CSU, Alliance 90/The Greens, the Free Democratic Party (FDP), Alternative for Germany (AfD) and the Left Party.

The size of a parliamentary group depends on the results of the Bundestag election. The more seats a party wins, the more Members of the Bundestag (> *Abgeordnete*) it has, and thus the bigger its parliamentary group. The Bundestag’s Rules of Procedure state that the formation of a parliamentary group, its designation, and the names of the chair-

persons must be communicated to the President of the Bundestag (> *Bundestagspräsident*). The members of the parliamentary groups establish their own rules of procedure regulating their internal workings and organisational structure. The parliamentary groups are associations of Members of the German Bundestag with legal capacity (Section 54 of the Members of the Bundestag Act), without forming part of the public administration. Section 55 (1) of the Members of the Bundestag Act states that the parliamentary groups “assist in the performance of the duties of the German Bundestag”. This is something of an understatement, as the parliamentary groups play a pivotal role in the Bundestag’s parliamentary work. They are the driving force in the political opinion-forming process in Parliament, which is embodied, in the eyes of the public, by the clash between the parliamentary groups which support the government and the opposition parliamentary groups.

The coats of arms of the sixteen *Länder*.

In practice, the parliamentary groups have sweeping powers in Parliament. For example, they can table bills (> *Gesetzentwurf*), as well as motions (> *Antrag*) and motions for a resolution (> *Entschließungsantrag*), major interpellations (> *Große Anfrage*) and minor interpellations (> *Kleine Anfrage*); they can also demand a recorded vote (> *namentliche Abstimmung*) or a debate on matters of topical interest (> *Aktuelle Stunde*). The parliamentary groups also determine who is allowed to speak in the plenary (> *Plenum*) and for how long, within the framework of the time allotted for a debate that is agreed by the Council of Elders (> *Ältestenrat*) and approved by the plenary.

Fraktionsdisziplin – Party discipline

In general, a parliamentary group (> *Fraktionen*) tries to develop a common position to take in votes (> *Abstimmung*) and when expressing views in Parliament. However, as the Members of the Bundestag (> *Abgeordnete*) are not bound by instructions and are responsible only to their conscience, they cannot be forced to express a specific view or vote in a certain way. There is no legal obligation to vote in line with party policy. Nonetheless, party discipline means that the members

of a parliamentary group are expected to toe the party line that has been discussed and agreed, even if they are critical of that position. Prior to this, however, they can make their concerns clear and draw attention to the possibility that they may not support the position. Members of the Bundestag do not have legal ties to their parliamentary group. They can leave it at any time, or be expelled from the parliamentary group. In that case, they keep their seat in the Bundestag, and are known as non-attached Members (> *fraktionslose Abgeordnete*) if they do not join another parliamentary group.

Fraktionsfinanzierung – Parliamentary group financing

Under Section 58 of the Members of the Bundestag Act (> *Abgeordnetengesetz*), the parliamentary groups are entitled to monetary benefits and benefits in kind from the federal budget for the purpose of performing their duties. These benefits enable the parliamentary groups to employ their own staff and engage in public relations activities about the groups' work. It is important to note that parliamentary group financing is not the same thing as party financing (> *Parteienfinanzierung*).

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Fraktionslose Abgeordnete – Non-attached Members

Individual Members of the Bundestag (> *Abgeordnete*) who are not a member of a parliamentary group (> *Fraktionen*) or a grouping (> *Gruppe*) are known as non-attached Members. They have limited rights compared to those of the parliamentary groups. However, they can move procedural motions and address questions to the Federal Government (> *Bundesregierung*) for written or oral reply. Individual Members can also table motions for amendment (> *Änderungsantrag*) when bills are given their second reading. Non-attached Members can each be appointed to one committee (> *Ausschuss*) as a member who has the right to speak and move motions but lacks the right to participate in votes (> *Abstimmung*), as that would give these Members a disproportionate level of influence. They are also limited in their speaking time (> *Rederecht*) in the plenary (> *Plenum*).

The logos of the six parliamentary groups in the German Bundestag in the 20th electoral term.

Fünfprozenthürde – Five per cent threshold

The five per cent threshold is an electoral threshold for representation in Parliament which applies in > Bundestag elections. Under the Federal Elections Act, a party must receive at least five per cent of the second votes across the whole of Germany in order to be allocated seats in the Bundestag. If a party falls short of the five per cent threshold, it is not represented in Parliament (> *Parlament*). The threshold does not apply to the parties representing national minorities (in the 20th electoral term, this refers to the South Schleswig Voters' Association (SSW), the party of the Danish minority), or to parties which have won at least three constituency seats. This clause on the minimum number of constituency seats required for party representation in Parliament (> *Grundmandatsklausel*) has been abolished by the electoral reform passed by the Bundestag in 2023 (> *Wahlrechtsreform 2023*).

G-10-Kommission – G 10 Commission

The G 10 Commission decides whether restrictions of the privacy of correspondence, posts and telecommunications by federal intelligence agencies (the Federal Intelligence Service, the Federal Office for the Protection of the Constitution and the Military Counterintelligence Service) are necessary and permissible. It is an independent body which is not bound by instructions. Its members are appointed by the Parliamentary Oversight Panel (> *Parlamentarisches Kontrollgremium*), and need not be Members of the Bundestag. The privacy of correspondence, posts and telecommunications is regulated by Article 10 of the Basic Law.

Gastredner – Guest speaker

The right to speak (> *Rederecht*) during the Bundestag's sittings is restricted to a limited group of people. Besides the Members of the Bundestag (> *Abgeordnete*), the members of the > Bundesrat and the Federal Government (> *Bundesregierung*) and persons commissioned by them have a right to speak, and the Parliamentary Commissioner for the Armed Forces (> *Wehrbeauftragter*) can also be given leave to speak. No one else has the

right to speak during the Bundestag's sittings. However, there are rare exceptions where guest speakers are permitted to speak in the Bundestag's plenary chamber. This applies in particular to foreign guests and speakers at special commemorative events and ceremonies, such as the ceremony of remembrance for the victims of National Socialism, held on 27 January each year. Such speeches are held outside of normal plenary sittings, with the Bundestag suspending its sitting so that the speeches can be held.

Geheime Wahl – Secret ballot

Secret ballots are provided for in the Bundestag's Rules of Procedure (> *Geschäftsordnung*) and several federal laws. In a secret ballot, the Members of the Bundestag (> *Abgeordnete*) receive a ballot paper on which they mark their choice in a polling booth; they then place the ballot paper in an envelope and insert it in a ballot box, under the supervision of the Secretaries (> *Schriftführer*). The result of the secret ballot is announced by the President in the Chair (> *Sitzungspräsident*). The Federal Chancellor (> *Bundestagskanzler*), the President of the Bundestag (> *Bundestagspräsident*) and the Vice-Presidents, the Parliamentary Commissioner for the Armed

Forces (> *Wehrbeauftragter*), and the President and Vice-President of the > Bundesrechnungshof are all elected by secret ballot. The Federal Convention (> *Bundesversammlung*) also elects the Federal President (> *Bundespräsident*) by secret ballot. Votes on substantive issues, such as bills (> *Gesetzentwurf*), cannot take the form of a secret ballot.

Gemeinsamer Ausschuss – Joint Committee

In accordance with Article 53a of the Basic Law, the Joint Committee of the > Bundestag and the > Bundesrat acts as an emergency parliament in a state of defence if insurmountable obstacles prevent the Bundestag from assembling in good time or if the Bundestag cannot muster a quorum (> *Beschlussfähigkeit*). It determines this by a two-thirds majority (> *Mehrheit*) of the votes cast, including at least a majority of its members (Article 115e of the Basic Law). The Joint Committee has 48 members, two thirds of whom are Members of the Bundestag (> *Abgeordnete*), while one third are members of the Bundesrat.

Geschäftsordnung – Rules of Procedure

The > Bundestag adopts Rules of Procedure, as stipulated by Article 40 of the Basic Law. These Rules of Procedure regulate the details of parliamentary procedures, organisational structures, the rights and duties of Members of Parliament (> *Abgeordnete*), and the Bundestag's institutions and bodies. The Rules of Procedure only apply for a single electoral term (> *Wahlperiode*), and therefore have to be established anew by each newly elected Bundestag. In practice, the Rules of Procedure from the previous electoral term are usually adopted. The current version of the Rules of Procedure can be accessed at www.bundestag.de/gesetze, and an English translation is available at www.bundestag.de/en/parliament/function/legal.

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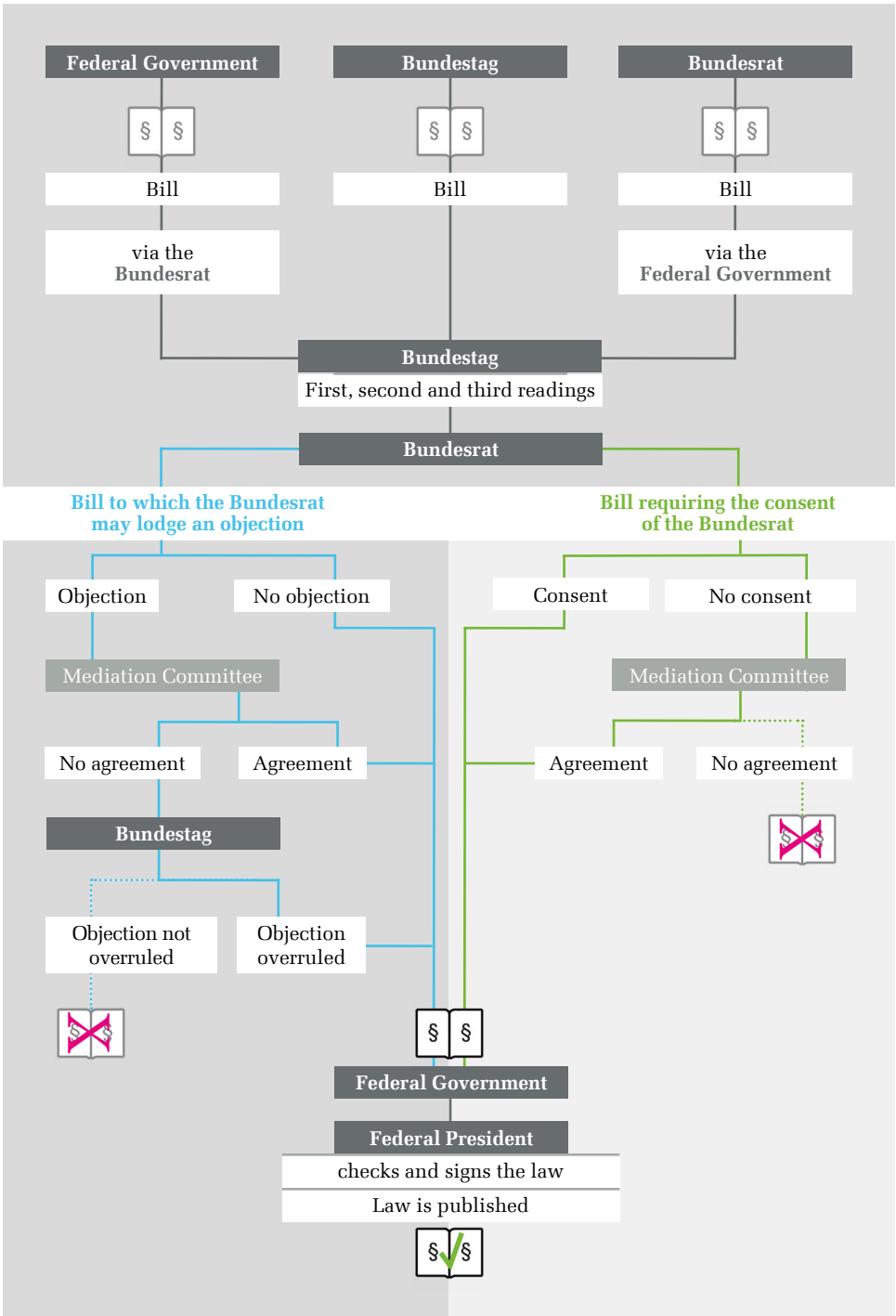
Gesetz – Law

A law is a legal norm that establishes binding rules for human behaviour. A distinction is made between laws in the strict sense of the word, which, as in the case of federal laws, are adopted through a parliamentary legislative process (> *Gesetzgebung*), and laws in the looser sense of the word, which – as in the case of statutory instruments (> *Rechtsverordnung*) issued by the Federal Government (> *Bundesregierung*) or a Federal Ministry (> *Bundesministerium*), for example – are also general and abstract legal norms, but are not adopted through a parliamentary legislative process. This looser category also includes autonomous rules, such as the > Bundestag's Rules of Procedure (> *Geschäftsordnung*) or Internal Regulations (> *Hausordnung*). Examples of a law in the strict sense of the word include the Federal Elections Act (> *Bundeswahlgesetz*) or the Members of the Bundestag Act (> *Abgeordnetengesetz*). There are some subjects which can constitutionally only be regulated by means of the parliamentary legislative process (> *Parlamentsvorbehalt*). The German constitution, the Basic Law (> *Grundgesetz*), is at the apex of the hi-

erarchy of federal legislation, followed by federal laws, and then finally by statutory instruments (> *Rechtsverordnung*) and autonomous rules.

Gesetzentwurf – Bill

Bills can be introduced in the Bundestag by the Federal Government (> *Bundesregierung*), which is the norm, from the “floor of the Bundestag”, or by the > Bundesrat. Federal Government bills are first submitted to the Bundesrat to give it an opportunity to comment. In the case of Bundesrat bills, the Federal Government must state its views on them before transmitting them to the Bundestag. Bills from the floor of the Bundestag must be introduced by parliamentary groups (> *Fraktionen*) or by a group of Members of the Bundestag (> *Abgeordnete*) equivalent in size to a parliamentary group (i.e. at least five per cent of the Members of Parliament). Bills introduced from the floor of the Bundestag can be considered by Parliament immediately, without prior examination by the Bundesrat or the Federal Government.



Gesetzgebung – Legislation

The Bundestag is the only institution at federal level which can pass laws that are binding on everyone in Germany. Bills (> *Gesetzentwurf*) are normally considered in three stages, known as “readings”, in the Bundestag. The first reading is an opportunity for a debate (> *Debatte*) about the political significance of the bill and what it is intended to achieve. The bill is then referred to the committees (> *Ausschuss*) for closer examination and intensive discussion. The committee deliberations culminate in a report setting out the results of the discussions, and a recommendation for a decision (> *Beschlussempfehlung*) for the plenary (> *Plenum*). The version of the bill submitted by the lead committee (> *Federführung*) is then considered by the plenary at second reading. Any Member of the Bundestag (> *Abgeordnete*) can submit additional motions for amendment (> *Änderungsantrag*) at this stage of the deliberations. If the bill is accepted without amendment at second reading, the third reading takes place immediately. If amendments to the committee’s version have been agreed, the third reading takes place no sooner than the second day after the distribution of the Bundestag printed papers (> *Bundestagsdruck-*

sache) setting out the amendments, unless otherwise arranged. At third reading, motions for amendments can only be moved by a parliamentary group (> *Fraktionen*) or at least five per cent of the Members of the Bundestag. Amendments at this stage can only relate to provisions changed or added at second reading. After the third reading, the Bundestag votes on the bill. Once it has been adopted in the Bundestag, the bill must be transmitted to the Bundesrat without delay. The Basic Law (> *Grundgesetz*) makes a distinction between bills requiring the consent of the Bundesrat (> *Zustimmungsgesetz*) and bills to which the Bundesrat may lodge an objection (> *Einspruchsgesetz*). In the case of bills requiring the Bundesrat’s consent, a refusal by the > Bundesrat to give its consent means that the legislative proposal has failed. In the case of bills to which the Bundesrat may lodge an objection, the Bundestag can override the Bundesrat’s objection in certain circumstances. When the Bundesrat and Bundestag clash, the Mediation Committee (> *Vermittlungsausschuss*) can be convened; it is tasked with reaching a compromise between the Bundestag and the Bundesrat. If the Mediation Commit-

tee proposes that the bill be amended, the Bundestag has to take a decision on the bill once again. As soon as the wording of the law passed by the Bundestag has been finalised, the original of the law is produced. This is countersigned by the Federal Government (> *Bundesregierung*), certified by the Federal President (> *Bundespräsident*), and promulgated in the Federal Law Gazette (> *Bundesgesetzblatt*). Since 1 January 2023, the official promulgation of laws in the Federal Law Gazette has taken place solely in electronic form, as online PDF files, which are available free of charge at www.recht.bund.de and have replaced the printed version. Editions of the Federal Law Gazette published from 1949 to 2022 are now available in an online archive with a search function, at www.bgb1.de.

Gewaltenteilung – Separation of powers

The classic doctrine of the separation of powers, as formulated primarily by the English philosopher John Locke (1632–1704) and the French political scientist Charles de Montesquieu (1689–1755), refers to the division of the state's functions into several powers, or branches. A system of checks and balances exists

between these powers, which are exercised by different people. The three branches are known as the legislature (> *Legislative*), the executive (> *Exekutive*) and the judiciary (> *Judikative*). The separation of powers is regulated by Article 20 of the Basic Law and is one of its unalterable principles.

Große Anfrage – Major interpellation

Parliamentary groups (> *Fraktionen*) or a group of Members of the Bundestag (> *Abgeordnete*) equivalent in size to a parliamentary group can use a list of questions known as a “major interpellation” to call on the Federal Government (> *Bundesregierung*) to provide information about important political issues. The interpellation is answered in writing and a debate (> *Debatte*) on it is held in the Bundestag if a parliamentary group or a group of Members equivalent in size to a parliamentary group so demand. If the Federal Government refuses to reply within a certain period, or at all, the Bundestag can place the major interpellation on the plenary agenda (> *Tagesordnung des Plenums*) for debate. Unlike major interpellations, minor interpellations (> *Kleine Anfrage*) are not debated in the plenary (> *Plenum*).

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Grundgesetz – Basic Law

The Basic Law is the constitution of the Federal Republic of Germany (> *Bundesrepublik Deutschland*). It was adopted on 8 May 1949 by the Parliamentary Council (> *Parlamentarischer Rat*), whose members had been elected by the parliaments of the *Länder* (federal states), and entered into force on 23 May 1949. The Basic Law consists of a preamble, a section devoted to basic rights (> *Grundrechte*), and provisions on the organisation of the state. It enshrines the essential decisions taken for Germany's free democratic basic order, in terms of the structure and values of the state. The constitution is supreme and stands above all other German legal norms. Amending the Basic Law requires the consent of two thirds of the Members of the Bundestag (> *Abgeordnete*) and two thirds of the members of the > Bundesrat. However, the Basic Law includes a number of unalterable principles. Article 79 (3) of the Basic Law stipulates that it is inadmissible to amend the division of the Federation into *Länder*, their participation in principle in the legislative process (> *Gesetzgebung*), or the principles laid down in Articles 1 and 20 of the Basic Law. Article 1 states that human dignity is inviolable and underlines

the legally binding nature of the basic rights enshrined in the constitution. Article 20 lays down the principles which define the state, specifically that the Federal Republic of Germany is a democratic and social federal state (> *Bundesstaat*) governed by the rule of law. The current version of the Basic Law (in German) is available at www.bundestag.de/gg, while an English translation can be found at www.bundestag.de/en/parliament/function/legal. To mark the 75th anniversary of the Basic Law and the Bundestag, the Bundestag is publishing a special edition of the original text of the Basic Law of 1949, with the names of the members of the Parliamentary Council. This special edition can be downloaded or ordered at www.btg-bestellservice.de.

Grundmandatsklausel – Clause on the minimum number of constituency seats required for party representation in Parliament

Under the Federal Elections Act (> *Bundeswahlgesetz*), the five per cent threshold (> *Fünfprozenthürde*) applies to the allocation of seats (> *Sitzverteilung*) in the > Bundestag. This means that, in principle, parties which have received less than five per cent of the second votes (> *Zweitstimme*) nationwide

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are not considered when allocating seats. An exception exists, however, based on the clause on the minimum number of constituency seats required for party representation in Parliament, which is contained in Section 6 of the Federal Elections Act. This clause states that a party which falls short of the five per cent threshold is nonetheless represented in the Bundestag if it wins at least three constituency seats (> *Wahlrecht*). In this case, the party is allocated seats in line with the share of second votes it received. Following the 2021 Bundestag election, the Left Party benefited from this clause. As part of the 2023 electoral reform (> *Wahlrechtsreform 2023*), the Bundestag has decided to abolish this clause.

Grundrechte – Fundamental rights

Fundamental rights are constitutionally guaranteed basic rights to which every individual is entitled. They are enshrined in Articles 1 to 19 of the Basic Law, and bind the legislature (> *Legislative*), the executive (> *Exekutive*) and the judiciary (> *Judikative*) as directly applicable law. The Basic Law's list of fundamental rights is headed by respect for and the protection of human dignity. While fundamental rights primarily

grant protection from state interference (public authority), they influence the entire legal system. Under Article 93 of the Basic Law, “any person” can file a constitutional complaint with the Federal Constitutional Court (> *Bundesverfassungsgericht*) alleging that one of his or her basic rights has been infringed by public authority.

Gruppe – Grouping

Members of the Bundestag (> *Abgeordnete*) who share the same political beliefs, but fall short of the minimum number of Members for parliamentary group status, can form what is known as a grouping. The number of Members required for the establishment of a grouping is not specified. Past groupings had similar rights and resources to a parliamentary group (> *Fraktionen*), albeit on a more limited scale. They were represented on the Council of Elders (> *Ältestenrat*) and the committees (> *Ausschuss*), had rights of initiative (> *Initiativrecht*) similar to those of the parliamentary groups, were allocated speaking time (> *Redezeit*) in debates in line with their size, and received funding for staff and offices along similar lines to parliamentary group financing (> *Fraktionsfinanzierung*). To date, however,

The birth of the Basic Law: the Parliamentary Council, pictured here during its final meeting on 23 May 1949, drafting the constitution for the Federal Republic of Germany.

groupings have not been able to demand a recorded vote (> *namentliche Abstimmung*) or require the presence of a member of the government (> *Zitierrecht*). At the start of the 12th electoral term, the eight Members of the Bundestag for Alliance 90/The Greens formed a grouping, as did the 17 Members for PDS/Left List. In the 13th electoral term, the association of 30 Members of the Bundestag for the PDS were classed as a grouping. In the 15th electoral term, the two directly elected Members of the Bundestag for the PDS were denied the status of a grouping. The term “grouping” should not be confused with that of “parliamentary group” (> *Fraktionen*), or with the term “parliamentary friendship group” (> *Parlamentariergruppen*), which refers to a group which fosters relations with parliamentarians from other countries.

Hammelsprung

If, in the plenary (> *Plenum*), the Chair (> *Sitzungsvorstand*) – consisting of the President in the Chair (> *Sitzungspräsident*) and two Secretaries (> *Schriftführer*) – does not agree on the result of a vote (> *Abstimmung*), the votes of the Members of the Bundestag (> *Abgeordnete*) must be counted using a procedure traditionally known as a *Hammelsprung*,

which is set out in Rule 51 (2) of the Rules of Procedure (> *Geschäftsordnung*). All Members of the Bundestag leave the plenary chamber and then re-enter it through doors marked “Yes”, “No” or “Abstention”. They are counted by two Secretaries positioned at each door. This procedure is also used if, prior to a vote, doubts are expressed about the presence of a quorum (> *Beschlussfähigkeit*) and its presence is not confirmed by the Chair. This procedure was first introduced in 1874 in the Reichstag of the imperial era. While the term (which literally means “sheep jump”) has never appeared in Parliament’s Rules of Procedure, it can be traced back to 1879.

Hauptausschuss – Main Committee

Since 2013 (the 18th electoral term), the > Bundestag has established a Main Committee at the start of each electoral term because of the length of the negotiations to form a government following the Bundestag election (> *Bundestagswahl*). This committee takes on the tasks of the committees (> *Ausschuss*) on a temporary basis, i.e. until a government is formed and the committees are estab-

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lished, to ensure that Parliament is functional. The Main Committee in 2021 (the 20th electoral term) had 31 members and an equal number of substitute members. Each Main Committee was chaired by the President of the Bundestag (> *Bundestagspräsident*) or a Vice-President, who did not have the right to vote. In each case, the Main Committee was dissolved after the election of the Federal Chancellor (> *Bundeskanzler*) and the constituent meetings of the permanent committees.

Haushaltsplan – Budget

The federal budget (> *Bundeshaushalt*), which is part of the Budget Act (*Haushaltsgesetz*), includes all planned federal revenues and expenditures for a budget year, in accordance with Article 110 of the Basic Law. As part of Parliament's power of the purse (> *Budgethoheit*), approving the Budget Act and the budget is one of the > Bundestag's most important responsibilities. The budget summarises all departmental budgets for the individual Federal Ministries. Departmental budget 02 sets out the Bundestag's spending and revenues. The draft budget is prepared by the Federal Ministry of Finance, based on the bids for the departmental budgets pro-

duced by the Federal Ministries (> *Bundesministerium*) and other supreme federal authorities. Together with the draft Budget Act, it is transmitted by the Federal Government (> *Bundesregierung*) simultaneously to the > Bundesrat for comment and to the Bundestag for consideration and a decision. In preparation for the Bundestag's final deliberations, culminating in the "budget week", the estimates contained in the draft budget are examined in detail by the lead committee (> *Federführung*), the Budget Committee, and amendments are proposed where necessary. If the Bundesrat lodges an objection, the Bundestag can override it with the votes of the appropriate majority. The Budget Act adopted by the Bundestag, including the budget (aggregate budget), is countersigned by the Federal Minister of Finance and the Federal Chancellor (> *Bundeskanzler*), certified by the Federal President (> *Bundespräsident*), and promulgated in the Federal Law Gazette (> *Bundesgesetzblatt*). In certain circumstances, a supplementary budget (> *Nachtragshaushalt*) may be necessary.

Yes, No, Abstention: the *Hammel-sprung* is a special type of vote.

Hausordnung – Internal Regulations

Under Rule 7 of the Bundestag's Rules of Procedure (> *Geschäftsordnung*), the President of the Bundestag (> *Bundestagspräsident*) exercises proprietary and police powers in all Bundestag buildings. The President issues internal regulations, which govern access to and conduct in the buildings, in agreement with the Committee for the Scrutiny of Elections, Immunity and the Rules of Procedure.

Hearing – Hearing

> *Anhörung* – Hearing

Immunität – Immunity

Immunity, for the purposes of Article 46 of the Basic Law, means that a Member of the Bundestag (> *Abgeordnete*) can only be called to account or arrested for a punishable offence with the permission of the > Bundestag, unless he or she is apprehended while committing the offence or in the course of the following day. Public prosecution offices and courts can request that a Member's immunity be lifted. The Bundestag always lifts immunity on request, provided that the prosecution does not jeopardise Parliament's work. The Bundestag does not

decide on guilt or innocence. That is a matter for the courts – just as it would be for any other citizen. Immunity only applies while the individual is a Member of Parliament.

Indemnität – Indemnity

For the purposes of Article 46 of the Basic Law, indemnity means that Members of the Bundestag (> *Abgeordnete*) cannot be subjected to court proceedings or disciplinary action, or otherwise called to account outside of Parliament, for a vote cast (> *Abstimmung*), or for a remark made in the Bundestag (> *Plenum*), or at a meeting of a parliamentary group (> *Fraktionen*) or a committee (> *Ausschuss*). Indemnity is intended to ensure that Members can voice their opinions freely in the Bundestag. Defamatory insults are an exception to this. A Member can be punished if he or she deliberately makes untrue statements in the Bundestag about another person.

The plenary assistance service supports the conduct of plenary sittings. Here, the ballot boxes are being taken to a room for the votes to be counted following a recorded vote.

Initiativrecht – Right of initiative

The right of initiative refers to the right to introduce bills (> *Gesetzentwurf*) in the > Bundestag. The Bundestag has to consider the bills and then vote on them (> *Gesetzgebung*). The Bundestag decides whether or not to give its consent to a bill. In many cases, the Bundestag makes amendments to a bill introduced by, for example, the Federal Government (> *Bundesregierung*) before giving its consent. Bills can be introduced by the Federal Government, the > Bundesrat, and “from the floor of the Bundestag”, or in other words by the Bundestag itself. The Federal Government only has a right of initiative as a whole; a Federal Minister (> *Bundesminister*) cannot introduce a bill alone. The Bundesrat must decide to introduce a bill with the majority of its votes. A bill “from the floor of the Bundestag” must be introduced by a parliamentary group (> *Fraktionen*) or at least five per cent of the Members of Parliament (> *Abgeordnete*).

Interfraktionelle Vereinbarung – Agreement between the parliamentary groups

In Parliament’s day-to-day work, changes or additions often have to be made to existing plans at short notice, such as the agreements reached by the Council of Elders (> *Ältestenrat*) about the schedule for a sitting week (> *Sitzungswoche*), the items on the agenda (> *Tagesordnung des Plenums*), or the length of a debate (> *Debatte*). Changes and additions are made by means of a unanimous decision by all of the parliamentary groups (> *Fraktionen*), in the form of an agreement between the parliamentary groups. Such agreements are often reached informally, for example through telephone discussions.

Internationale Jugendprogramme – International youth programmes

The > Bundestag’s International Parliamentary Scholarship (IPS) programme offers up to 120 scholarship recipients each year from 50 countries a work placement with a Member of the Bundestag (> *Abgeordnete*). As part of the Congress-Bundestag Youth Exchange, the Bundestag gives 350 young people each year a scholarship to spend an exchange year in the United States.



Judikative – Judiciary

Besides the legislature (> *Legislative*) and the executive (> *Exekutive*), there is also the judicial power, the judiciary, which is governed by Article 92 of the Basic Law. The separation of powers (> *Gewaltenteilung*) is regulated by the Basic Law (> *Grundgesetz*) and is one of its unalterable principles. The judicial power is vested in independent judges and is exercised by the Federal Constitutional Court (> *Bundesverfassungsgericht*), the supreme federal courts and the courts of the *Länder*. The supreme federal courts are the Federal Court of Justice, the Federal Administrative Court, the Federal Labour Court, the Federal Social Court and the Federal Fiscal Court. The Federation also has the power to establish federal courts for other matters, such as military criminal courts for the armed forces, a court for matters concerning industrial property rights, and courts for disciplinary proceedings against people in the federal public service.

Kanzlermehrheit – Chancellor majority
> *Mehrheit: absolute* – Absolute majority

Kernzeitdebatten – Core-time debates

To heighten public interest in plenary debates on key topics, the Bundestag holds what are known as core-time debates, during which the most important issues in a sitting week (> *Sitzungswoche*) are discussed by the plenary (> *Plenum*). During this time slot, usually Thursday morning, no meetings are held by other Bundestag bodies (such as committee meetings).

Kinderkommission – Commission for Children's Concerns

The Commission for Children's Concerns is a subcommittee (> *Unterausschuss*) of the Committee on Family Affairs, Senior Citizens, Women and Youth. The Commission is tasked with representing the interests of children and young people. All of its members also sit on the Committee on Family Affairs, Senior Citizens, Women and Youth. This enables them to be advocates for children's interests there too – with access to all of the options for parliamentary action which are only available to a committee (> *Ausschuss*). Further information is available at www.bundestag.de/kiko.

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Kleine Anfrage – Minor interpellation

Parliamentary groups (> *Fraktionen*) or a group of Members of the Bundestag (> *Abgeordnete*) equivalent in size to a parliamentary group can demand information in writing on specific matters from the Federal Government (> *Bundesregierung*) via a list of questions known as a minor interpellation. Minor interpellations are not debated in the Bundestag's plenary (> *Plenum*). They are used mainly by the opposition (> *Opposition*) to scrutinise the government's actions and obtain information and statements. A distinction must be made between minor interpellations and major interpellations (> *Große Anfrage*).

Koalition – Coalition

A coalition (from the Latin *coalescere*, meaning grow together or unite) is a temporary alliance between political parties (> *Parteien*), normally for the length of an electoral term (> *Wahlperiode*). Coalitions are necessary in multi-party systems in order to form stable governments. It is rare for any party to have, on its own, the absolute majority (> *Mehrheit*) of seats (> *Mandat*) in Parliament that is needed to form a government.

That said, coalitions do not necessarily have to command a parliamentary majority. They can also form a minority government, although this is not the norm in Germany.

Konstituierung – Constituent meeting

The electoral term (> *Wahlperiode*) begins with the constituent meeting (from the Latin *constituere*, meaning decide or establish) of the new Bundestag, which must convene no later than the thirtieth day after the Bundestag election (> *Bundestagswahl*). The constituent meeting of the newly elected Bundestag marks the end of the electoral term of the previous Bundestag. The 20th German Bundestag was elected on 26 September 2021, and convened for the first time on 26 October 2021. If it takes some time for a government to be formed and the parliamentary committees (> *Ausschuss*) to be established, the > Bundestag can temporarily set up a Main Committee (> *Hauptausschuss*).

The members of the Commission for Children's Concerns in the 20th electoral term.

Konstruktives Misstrauensvotum – Constructive vote of no confidence

> *Misstrauensvotum* – Vote of no confidence

Kostenpauschale – Expense allowance

Alongside their remuneration (> *Diäten*), on which they pay tax, and their allowances (> *Amtsausstattung für Abgeordnete*), Members of the Bundestag (> *Abgeordnete*) receive a tax-free expense allowance to compensate them for the costs they incur as a result of their mandate (> *Mandat*). It is intended to cover items such as the costs of a constituency office, or the rent on a flat near the Bundestag.

Kurzintervention – Brief intervention

The option of brief interventions following speeches in the plenary (> *Plenum*) has been introduced with the aim of livening up the debates (> *Debatte*) in the Bundestag. A brief intervention is a short statement, limited to three minutes, given by a Member of the Bundestag (> *Abgeordnete*) in response to a speech during a debate, if the speaker agrees to this when asked by the President in the Chair. The speaker then has the option to

respond to the brief intervention. It is important to note that a brief intervention is not the same thing as a question to the speaker in the course of a speech (> *Zwischenfrage*).

Landeslisten – Land lists

Parties (> *Parteien*) can seek to obtain seats in the Bundestag by establishing party lists in the *Länder*, known as *Land* lists, with candidates ranked in a specific order. In the Bundestag election (> *Bundestagswahl*), voters cast their second votes for one of these lists. The order of the candidates on the list is determined by secret ballot. Whether *Land* lists are allocated seats (> *Mandat*) depends on how many second votes were cast for the party nationwide, a requirement known as the five per cent threshold (> *Fünfprozenthürde*). If someone ceases to be a Member of the Bundestag (> *Abgeordnete*), for example because he or she resigns or passes away, the next person on the party's *Land* list replaces him or her in the Bundestag (> *Wahlrecht*).

L



Legislative – Legislature

The legislature is the legislative power. In a representative democracy (> *Demokratie*) characterised by the separation of powers (> *Gewaltenteilung*), this power rests with Parliament (> *Parlament*). In Germany, that is the > Bundestag. The separation of powers is regulated by Article 20 of the Basic Law (> *Grundgesetz*) and is one of its unalterable principles.

Legislaturperiode – Legislative term

> *Wahlperiode* – Electoral term

Listenmandat – List seat

> *Wahlrecht* – Electoral system

Lobbyregister – Lobbying register

The Act Introducing a Lobbying Register, or Lobbying Register Act (*Lobbyregistergesetz*), of 16 April 2021 entered into force on 1 January 2022. The German text of the Act can be accessed at www.gesetze-im-internet.de, and an English translation is available at www.lobbyregister.bundestag.de. The new public lobbying register, which the > Bundestag maintains in electronic form, replaces the “lobbying list” that was previously maintained by the President of the

Bundestag (> *Bundestagspräsident*). All representatives of special interests (lobbyists) have to register in the new lobbying register if they make contact with Members of the Bundestag or members of the Federal Government (> *Bundesregierung*) for the purpose of influencing the opinion-forming and decision-making process, or if they arrange for such contact to be made via third parties. This applies to all companies, associations (> *Verbände*), other organisations and individuals who wish to influence the opinion-forming and decision-making process of the Bundestag and the Federal Government. The Code of Conduct for representatives of special interests is available at www.bundestag.de/en/parliament/function/legal, as an annex to the Rules of Procedure. Further information is available at www.lobbyregister.bundestag.de.

Removal of the Chancellor: Federal Chancellor Helmut Schmidt (SPD, right) congratulates his successor Helmut Kohl (CDU/CSU) in 1982 after the Bundestag passed a vote of no confidence.

Mandat – Mandate

Under Article 38 of the Basic Law, the Members of the Bundestag (> *Abgeordnete*) have what is known as an “independent mandate” (from the Latin *mandare*, meaning commission, consign, entrust). This means that Members are not bound by orders or instructions and are responsible only to their conscience. The opposite of this independent mandate would be an “imperative mandate”, requiring Members to obey the will of the electorate or instructions issued by their party (> *Parteien*) or parliamentary group (> *Fraktionen*). Members are obliged to make the exercise of their mandate central to their activities; however, in principle they are allowed to engage in activities of a professional or other nature alongside the exercise of their mandate. Members’ rights and responsibilities are regulated by the Members of the Bundestag Act (> *Abgeordnetengesetz*). Parts Ten and Eleven of the Act (Sections 44 to 52a) set out the Code of Conduct for Members (> *Verhaltensregeln für Abgeordnete*) and related obligations. On days when the Bundestag is sitting, Members must enter their names in an attendance register. Those who fail to do so or to attend a recorded vote

(> *namentliche Abstimmung*) face a reduction in their expense allowance (> *Kostenpauschale*).

MdB – Member of the Bundestag

MdB is a widely used abbreviation for *Mitglied des Bundestages*, or Member of the Bundestag. The principle of an independent mandate (> *Mandat*) applies to all Members of the > Bundestag (> *Abgeordnete*).

Mehrheit: absolute – Absolute majority

For an absolute majority (a majority of the Members of the Bundestag) to be achieved in a vote, at least half of all Members of the Bundestag (> *Abgeordnete*), plus one vote, must vote in favour. As the Bundestag has 736 Members in its 20th electoral term, an absolute majority requires at least 369 votes. An absolute majority is necessary for the election of the President of the Bundestag (> *Bundestagspräsident*) and the Vice-Presidents, the election of the Federal Chancellor (> *Bundeskanzler*), the election of the Parliamentary Commissioner for the Armed Forces (> *Wehrbeauftragter*), and in votes on a motion of the Federal Chancellor for a vote of confidence (> *Vertrauensfrage des Bundeskanzlers*) or a motion for a vote of no confidence (> *Misstrauensvotum*).

Federal Chancellor Olaf Scholz is sworn in by Bärbel Bas, President of the Bundestag, in front of the Bundestag on 8 December 2021.

Mehrheit: einfache – Simple majority

A simple majority is the majority of all valid votes cast; in other words, there must be more votes cast in favour than against. Abstentions are not taken into account. Theoretically, the Bundestag could take a decision with two votes in favour versus one vote against, with all other Members abstaining.

Mehrheit / qualifizierte Mehrheit: Zweidrittelmehrheit der Mitglieder des Bundestages – Majority / qualified majority: two-thirds majority of the Members of the Bundestag

The consent of two thirds of the statutory number of Members of the Bundestag is required as a qualified majority in the case of laws amending the Basic Law (> *Grundgesetz*), for example. In the 20th Bundestag, which currently has a total of 736 Members, this two-thirds majority is equivalent to 491 votes.

Mehrheit / qualifizierte Mehrheit: Zweidrittelmehrheit der abgegebenen Stimmen – Majority / qualified majority: two-thirds majority of the votes cast

A two-thirds majority of the votes cast (not including abstentions) is necessary to reject objections which the > Bundesrat has lodged by a two-thirds majority

of its members to legislation adopted by the > Bundestag. In addition, at least a majority of the Members of the Bundestag must vote in favour of overriding the objection. The Bundestag's Rules of Procedure (> *Geschäftsordnung*) allow the Bundestag to decide by a two-thirds majority of the Members present to depart from the provisions of the Rules of Procedure in individual instances, or to dispense with time limits for deliberations.

Minderheitenrechte – Minority rights

The Bundestag's Rules of Procedure (> *Geschäftsordnung*) provide for various parliamentary minority rights which can be exercised if at least 25 per cent of the Members of the Bundestag (> *Abgeordnete*) support the relevant motion. This includes the right to have a committee of inquiry (> *Untersuchungsausschuss*) established, and the right to bring an action on the grounds that the principle of subsidiarity has been infringed in matters concerning the EU (> *Subsidiarität in EU-Angelegenheiten*).

M

Misstrauensvotum – Vote of no confidence

Under Article 67 of the Basic Law, the Members of the Bundestag (> *Abgeordnete*) can express their lack of confidence in the Federal Chancellor (> *Bundeskanzler*) and thus remove him or her from office if the Chancellor no longer enjoys the confidence of a majority in Parliament. The vote of no confidence is called “constructive” because it is not enough to simply vote out the Chancellor (“destructive”). Instead, the Members must (“constructively”) combine their expression of a lack of confidence in the current Federal Chancellor with the election of a new Federal Chancellor in a secret ballot. The motion (> *Antrag*) for a vote of no confidence must be signed by at least a quarter of all Members (Rule 97 of the Rules of Procedure). Members can only express their lack of confidence in the Federal Chancellor, not individual Federal Ministers (> *Bundesminister*). Likewise, there is no such thing as a vote of no confidence in relation to the entire Federal Government (> *Bundesregierung*); however, the dismissal of the Federal Chancellor automatically ends the term of office of the Federal Government and all Federal Ministers. If a majority of the Bundestag

has expressed its lack of confidence in the Federal Chancellor and elected a successor, the Bundestag asks the Federal President (> *Bundespräsident*) to dismiss the Federal Chancellor and appoint his or her elected successor. The Federal President must comply with this request. Forty-eight hours must elapse between the motion for a vote of no confidence and the election of a new Federal Chancellor.

Mitwirkungsrechte des Bundestages in EU-Angelegenheiten – Participatory rights of the Bundestag in matters concerning the European Union

Article 23 of the Basic Law states that the > Bundestag must participate in the development of the European Union (> *Europäische Union*) with a view to establishing a united Europe. Parliament’s rights in this context are fleshed out in the legislation accompanying the Lisbon Treaty. The laws in question are the Act on Cooperation between the Federal Government and the German Bundestag in Matters concerning the European Union (also known as the Cooperation Act) and the Act on the Exercise by the Bundestag and by the Bundesrat of their

Responsibility for Integration in Matters concerning the European Union (also known as the Responsibility for Integration Act). The Cooperation Act requires the Federal Government (> *Bundesregierung*) to notify the Bundestag comprehensively, as early as possible and continuously. Above all, it must transmit to Parliament all European Commission proposals for EU regulations and directives (> *EU-Rechtsakte*), reports, communications, green and white papers, and proposals for Council decisions; it must also inform the Bundestag about plans and deliberations relating to these proposals at European level. The details of how the Bundestag can participate by delivering opinions to the Federal Government are also set out in the Cooperation Act. The Responsibility for Integration Act deals with the Bundestag's involvement in amendments to European primary law which are not subject to the usual ratification procedures, in cases where the Lisbon Treaty provides for an expansion of EU competences. In the case of certain EU projects where the Bundestag has a particular responsibility for integration, the Act only allows the Federal Government to take definitive action in the Council on the basis of a

previously adopted law, or a decision or instruction issued by the Bundestag. As part of this responsibility for integration, Germany's constitutional bodies must ensure, when transferring sovereign powers to the European Union and determining the decision-making processes in the EU, that the German and the EU political systems uphold the democratic principles enshrined in the Basic Law. In this context, the Bundestag must retain functions and powers that carry substantial political weight. The Bundestag and > Bundesrat are expected to exercise their responsibility for integration in matters concerning the EU and take decisions on relevant items of business in good time. The Lisbon Treaty strengthened the rights of national parliaments in the EU. They can influence the EU's legislative process by means of subsidiarity objections and subsidiarity actions if they believe that the European Union is encroaching on their competences. The Bundestag can raise a subsidiarity objection if it believes that the EU does not have the power to legislate on the subject in question (> *Subsidiarität in EU-Angelegenheiten*). The Bundestag

M



The Bundestag and Europe: the German Parliament participates in the development of the European Union.

has been represented in Brussels by a liaison office since 2007. This office analyses EU projects and informs the Members of the Bundestag (> *Abgeordnete*), committees (> *Ausschuss*) and parliamentary groups (> *Fraktionen*) about current political developments within the EU institutions.

***Nachtragshaushalt* – Supplementary budget**

A budget (> *Haushaltsplan*) adopted by the > Bundestag has to be amended after the fact if the authorised spending turns out to be insufficient or if unplanned expenses are incurred. If a supplementary budget is necessary, the draft is adopted by the Federal Cabinet (> *Bundeskabinett*), considered by the parliamentary Budget Committee, and then adopted by the Bundestag. The > Bundesrat then deliberates on the supplementary budget; however, its consent is not required. The supplementary budget must be submitted to the Bundestag before the end of the budget year.

***Namentliche Abstimmung* – Recorded vote**

A recorded vote can be demanded by a parliamentary group (> *Fraktionen*) or at least five per cent of the Members of the Bundestag (> *Abgeordnete*); this is often the case for politically contentious issues. For a recorded vote, the Members have special voting cards bearing their name and parliamentary group. Blue cards mean “Yes”, red cards mean “No”, and white cards mean “Abstention”. The cards inserted in the ballot boxes by the Members of the Bundestag are counted by the Secretaries (> *Schriftführer*). The result is announced by the President in the Chair (> *Sitzungspräsident*). A list is published setting out how each Member voted. Anyone can see how individual Members voted at www.bundestag.de/abstimmung.

N



Nebentätigkeiten, Anzeigepflichten – **Secondary activities, obligations to** **provide information**

Under the Code of Conduct (> *Verhaltensregeln für Abgeordnete*) and specifically Section 45 of the Members of the Bundestag Act, parliamentarians (> *Abgeordnete*) have extensive obligations to provide information to the President of the Bundestag (> *Bundestagspräsident*), especially with regard to their secondary activities. This includes information about their professional activities prior to their membership of the Bundestag, paid activities engaged in during their mandate (> *Mandat*), and positions with companies or with corporations or institutions under public law. Positions with clubs, associations and foundations also have to be disclosed, as do interests held in private corporations or partnerships and agreements about future activities or financial benefits. Members have to disclose full details of their secondary income, down to the last cent, if it exceeds 1000 euros per month or 3000 euros per year. If in doubt, Members are required to request further information from the President of the Bundestag in order to determine what their duties resulting from the Code of Conduct are. The infor-

mation provided by Members is published on the Bundestag's website in line with Section 47 of the Members of the Bundestag Act. If a Member fails to comply with these obligations, the procedural rules and penalties set out in Section 51 of the Act apply.

Obleute – Parliamentary-group **coordinators**

Parliamentary-group coordinators are Members of the Bundestag (> *Abgeordnete*) who serve as the main point of contact for their parliamentary group (> *Fraktionen*) in relation to a committee (> *Ausschuss*). Each committee has a coordinator for each parliamentary group. During the committee deliberations, they coordinate their parliamentary group's position on an item of business. They agree on the agenda with the committee chairperson and plan the course of the deliberations.

A vote being cast during a recorded vote in the Bundestag.

Öffentlichkeitsarbeit – Public relations

As part of its public relations work, the Bundestag makes a wealth of information available about Parliament and its Members. Publications in printed and digital form can, like this brochure, be ordered or downloaded at www.btg-bestellservice.de. Further information about Parliament is available at www.bundestag.de and on social media. In addition, up to 200 public relations events are held across Germany each year, thanks to Parliament's mobile information unit, a travelling exhibition and appearances at consumer fairs (www.bundestag.de/unterwegs). Information about how groups and individuals can visit the Bundestag is available at www.bundestag.de/en/visittheBundestag. A summary of the Bundestag's public relations information services can be found in the leaflet "The Bundestag at a click", at <https://www.btg-bestellservice.de/pdf/80141010.pdf>.

Opposition – Opposition

The opposition (from the Latin *oppone-re*, meaning to set against or oppose) consists of the parliamentary groups (> *Fraktionen*) in the Bundestag which make up the minority opposed to the Federal Government (> *Bundesregierung*) and the majority parliamentary groups. A functioning political opposition is a key element of a free democracy (> *Demokratie*), as it ensures parliamentary scrutiny of the government and the public administration.

Ordnungsrecht – Right to maintain order

The right to maintain order established by the Rules of Procedure (> *Geschäftsordnung*) gives the President in the Chair (> *Sitzungspräsident*) a range of options to deal with disturbances during plenary sittings (> *Plenum*). Members of the Bundestag (> *Abgeordnete*) who commit a breach of order can be called to order (> *Ordnungsruf*). Speakers who digress can be called upon to keep to the subject under debate. If this happens to a speaker three times during a debate (> *Debatte*), he or she can be directed to discontinue speaking. A Member who has committed a serious breach of order can

O



even be suspended from plenary sittings and committee meetings for up to 30 sitting days. The Rules of Procedure also give the President in the Chair the right to take necessary measures if a plenary sitting is disturbed by visitors. Visitors attending a plenary sitting are not allowed to applaud or shout, for example. If necessary, the President in the Chair can order the visitors' galleries to be cleared, in which case all visitors are required to leave the chamber.

Ordnungsruf – Call to order

The President in the Chair (> *Sitzungspräsident*) can formally call speakers to order if they commit a breach of order, for example by making unparliamentary remarks or causing other types of disturbances. If the Member of the Bundestag (> *Abgeordnete*) lodges an objection, the Bundestag must take a decision on the objection without debate (> *Debatte*). Calls to order are regulated by the Bundestag's Rules of Procedure (> *Geschäftsordnung*).

Maintaining the dignity of Parliament: anyone who digresses, causes a disturbance or voices insults is called to order by the President in the Chair.

Pairing – Pairing

The majority and opposition parliamentary groups can make a pairing arrangement if individual Members of the Bundestag (> *Abgeordnete*) are excused from taking part in a vote, for example because of scheduling conflicts, illness or trips abroad. The same number of Members of the other party then refrain from taking part in the vote (> *Abstimmung*), thus ensuring that the relative strengths of the majority and the opposition in the Bundestag are unaffected. This is intended to avoid random majorities in votes.

Parlament – Parliament

The word “Parliament” comes from the French word *parler*, meaning to speak or debate. The Members of Parliament (> *Abgeordnete*) are – in democratic parliaments (> *Demokratie*) – elected as representatives of the people in free elections and have an independent mandate to take decisions on major issues affecting their nation, in particular the laws that are binding on everyone in the country. The > Bundestag is the Parliament of the Federal Republic of Germany (> *Bundesrepublik Deutschland*).

Parlamentariergruppen – Parliamentary friendship groups

Parliamentary friendship groups foster relations with Members of Parliament in other countries. They do so through conferences, trips to gather information, events and personal contacts with parliamentarians from other states. Similar groups exist in many partner countries as well. The parliamentary friendship groups are established anew in each electoral term (> *Wahlperiode*) by the Bundestag Presidium (> *Bundestagspräsidium*), and are composed of Members of the Bundestag (> *Abgeordnete*) from all of the parliamentary groups (> *Fraktionen*). The number of parliamentary friendship groups and their structure is determined by the Council of Elders (> *Ältestenrat*). When dividing the posts of the chairpersons of the parliamentary friendship groups among the parliamentary groups, the relative strengths of the parliamentary groups (> *Proporz*) are taken into account.

Parlamentarische Geschäftsführer – Parliamentary Secretaries

The parliamentary groups (> *Fraktionen*) each have one or more Parliamentary Secretaries, who manage the day-to-day parliamentary and internal business of

these groups. In doing so, they work closely with the chairpersons of the parliamentary groups, lay the groundwork for plenary sittings, plan the agenda (> *Tagesordnung des Plenums*) in coordination with the other parliamentary groups and in the Council of Elders (> *Ältestenrat*), keep the Members of the Bundestag (> *Abgeordnete*) in their group together when it comes to important votes (> *Abstimmung*), and ensure they are a united force, or in other words that all members of the group vote the same way. Within the parliamentary group, they coordinate the work of its bodies and are involved in deciding which Members should sit on which internal bodies and parliamentary committees. The First Parliamentary Secretaries of the parliamentary groups are members of the Council of Elders.

Parlamentarische Staatssekretäre – Parliamentary State Secretaries

Parliamentary State Secretaries support a specific Federal Minister (> *Bundesminister*) in carrying out his or her work, and are also Members of the Bundestag. They can represent their Federal Minister during debates (> *Debatte*) and Question Time (> *Fragestunde*) in the Bundestag, at meetings of the Bundestag's

The original of the Basic Law,
adopted by the Parliamentary
Council on 8 May 1949.

committees (> *Ausschuss*), but also in the > Bundesrat and at meetings held by the Federal Government (> *Bundesregierung*). The number of Parliamentary State Secretaries at a given ministry depends on its size; ministries can have up to three Parliamentary State Secretaries.

Parlamentarischer Beirat für nachhaltige Entwicklung – Parliamentary Advisory Council on Sustainable Development

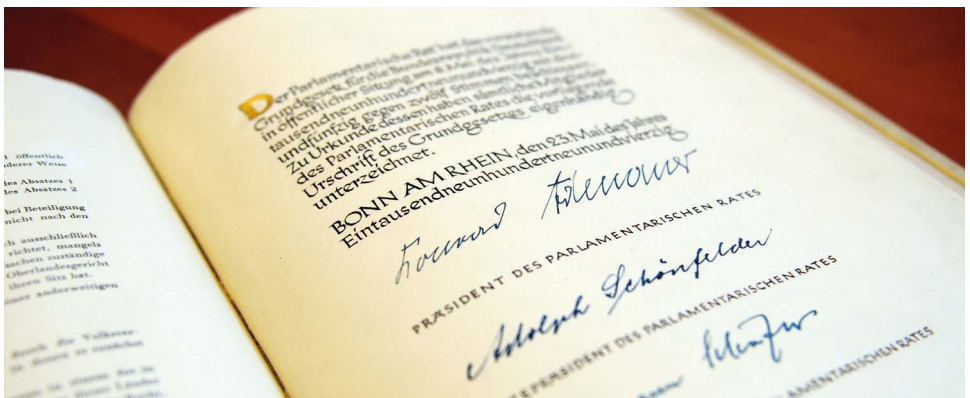
The Parliamentary Advisory Council on Sustainable Development is tasked with aligning policies with the needs of future generations, monitoring and supporting the Federal Government's (> *Bundesregierung*) national Sustainable Development Strategy on behalf of Parliament, and giving fresh impetus to the debate on sustainable development. "Sustainable" means that each generation should seek to solve their country's problems themselves, to the best of their ability, rather than leaving them to future generations to deal with. The Advisory Council makes recommendations on medium- and long-term planning, and holds discussions with other parliaments, especially those in the European Union (> *Europäische Union*). It can participate in the deliberations on bills (> *Gesetz-*

entwurf) and other items of business by delivering expert opinions, and demand that a member of the Federal Government take part in its discussions. The Parliamentary Advisory Council is composed of Members of the Bundestag (> *Abgeordnete*) from all of the parliamentary groups (> *Fraktionen*).

Parlamentarischer Rat – Parliamentary Council

The Parliamentary Council adopted the Basic Law (> *Grundgesetz*) on 8 May 1949, laying the constitutional foundation for the Federal Republic of Germany (> *Bundesrepublik Deutschland*). The Parliamentary Council was an assembly elected by eleven parliaments of the *Länder* in the western zone. It met in Bonn in 1948/1949, and had 65 members. In addition, five Members of Parliament from Berlin participated in its work without having the right to vote. Konrad Adenauer was elected as its president. The Basic Law entered into force on 23 May 1949. The Parliamentary Council also adopted the Electoral Act for the election of the first German Bundestag, which was held on 14 August 1949.

P



Parlamentarisches Kontrollgremium – Parliamentary Oversight Panel

The Parliamentary Oversight Panel is responsible for scrutinising the work of the federal intelligence agencies; it oversees the Federal Intelligence Service, the Military Counterintelligence Service and the Federal Office for the Protection of the Constitution. The Federal Government (> *Bundesregierung*) has to provide the Panel with comprehensive information about the activities of the intelligence services and matters of particular importance. The Parliamentary Oversight Panel can also require the government to report to it on other matters. The Panel can inspect files and documents held by the intelligence services and interview members of the intelligence services. It also has access to all premises of the intelligence services. The Parliamentary Oversight Panel has special powers regarding oversight of restrictions of the privacy of correspondence, posts and telecommunications (Article 10 of the Basic Law) by the intelligence services. It appoints the members of the G 10 Commission (> *G-10-Kommission*). The Federal Government is required to report to the Panel every six months about all postal and telecommunications monitoring measures taken by the intelligence services

(> *Ständiger Bevollmächtigter des Parlamentarischen Kontrollgremiums*). The Parliamentary Oversight Panel is composed of Members of the Bundestag (> *Abgeordnete*) from all of the parliamentary groups (> *Fraktionen*). They are elected at the start of the electoral term (> *Wahlperiode*). The post of chairperson rotates yearly between the majority and the opposition (> *Opposition*) in the Bundestag.

Parlamentsarmee – Parliamentary army

> Bundeswehr

Parlamentsfernsehen – Parliamentary Television

All debates in the plenary (> *Plenum*) and a great many committee meetings (> *Ausschuss*) and hearings (> *Anhörung*) are broadcast live and in full on Parliamentary Television, at www.bundestag.de/mediathek.

Parlamentsrecht – Parliamentary law

Parliamentary law refers to the laws governing the > Bundestag's functions and procedures, such as the Basic Law (> *Grundgesetz*), electoral legislation (> *Wahlgesetze*), the Members of the Bundestag Act (> *Abgeordnetengesetz*),

and the Lobbying Register Act (> *Lobbyregistergesetz*). It also encompasses other rules and regulations, such as the Bundestag's Rules of Procedure (> *Geschäftsordnung*) and Internal Regulations (> *Hausordnung*). The most up-to-date versions are available in German at www.bundestag.de/gesetze; English translations can be found at www.bundestag.de/en/parliament/function/legal.

Parlamentsvorbehalt – Requirement of parliamentary approval

The constitutional principle of parliamentary approval means that the > Bundestag, as the elected assembly, must take the essential state decisions itself, especially those relating to fundamental rights, and may not leave them to the executive (> *Exekutive*); this is known as the essential matters doctrine. Under Article 80 of the Basic Law, statutory instruments (> *Rechtsverordnung*) of the Federal Government, a Federal Ministry (> *Bundesministerium*) or a *Land* government are only constitutionally permissible if the content, purpose and scope of the authority conferred is specified in a law. One special form of the requirement of parliamentary ap-

proval is the need for armed missions abroad by the > Bundeswehr to receive the Bundestag's consent. As a result, the German armed forces are also referred to as a "parliamentary army".

Parteien – Parties

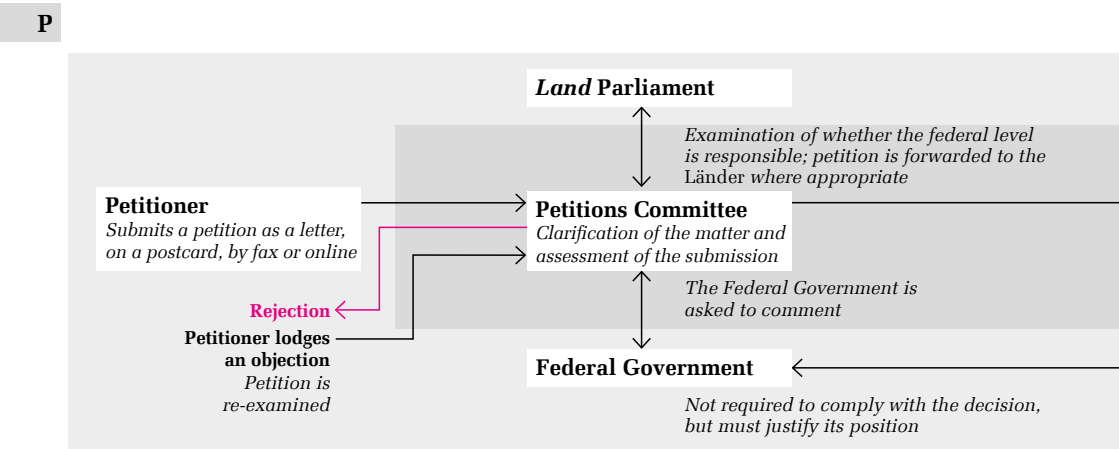
Political parties play a pivotal role in the democratic process (> *Demokratie*), a principle which is enshrined in Article 21 of the Basic Law. They are associations which participate in the formation of the political will of the people by taking part in elections. It is important to distinguish between the parties and the parliamentary groups (> *Fractionen*) they establish in parliaments, which participate specifically in the political opinion-forming process in Parliament. The parliamentary groups are legally separate organisations from the parties, as is visible from the fact that their funding is separate, in particular. The Basic Law states that parties may be freely established. The parties are not allowed to be institutionalised by the state; this is to ensure they remain participants in the free political opinion-forming process that is required by a free democratic basic order. The internal organisation of parties must also conform to democratic

principles. The Act on Political Parties (> *Parteiengesetz*) regulates the legal status of the parties and party financing (> *Parteienfinanzierung*). The privileged status for parties enshrined in Article 21 of the Basic Law protects their existence and activities. They can be banned by the Federal Constitutional Court (> *Bundesverfassungsgericht*) on the basis of an application from the > Bundestag, the > Bundesrat or the Federal Government (> *Bundesregierung*) if, in the course of the proceedings, the party is found to be unconstitutional.

Parteienfinanzierung – Party financing

The Act on Political Parties (> *Parteiengesetz*) stipulates that parties (> *Parteien*) obtain their funding partly from membership dues and donations, and partly from public funding. The extent of this public funding (formerly known as the “reimbursement of campaign costs”) depends, firstly, on how many votes a party obtained in the most recent European and Bundestag elections (> *Bundestagswahl*) and the most recent Land parliament elections (currently, parties receive 1.13 euros per vote for the first four million valid votes cast for them, and then 0.93 euros for each subsequent valid vote). Secondly, public funding is

provided on the basis of the membership dues, contributions from elected office-holders and donations received by the party (0.45 euros for each euro contributed or donated by natural persons, up to a maximum of 3300 euros per person each year). The amount of public funding received by a party must not exceed its own income (membership dues and donations). The total annual amount of public funding (known as the “absolute upper limit”) was set at around 178 million euros for 2022 and roughly 188 million euros for 2023. This followed a decision by the Federal Constitutional Court (> *Bundesverfassungsgericht*) of 24 January 2023 that the previous years’ increases in the absolute upper limit were unconstitutional because they were not adequately justified. Under the Act on Political Parties, the absolute upper limit and the amount of funding provided based on votes (0.93 or 1.13 euros) each increase annually by the same percentage as the rise in the price index for a party’s typical spending in the preceding year. Article 21 of the Basic Law requires the parties to publicly account for their assets and for the sources and use of their funds. The annual statements of accounts submitted by the parties are examined and pub-



lished by the President of the Bundestag (> *Bundestagspräsident*). Article 21 (3) of the Basic Law states that unconstitutional parties are excluded from receiving public financing, and the Federal Constitutional Court rules on this.

Parteigesetz – Act on Political Parties

The Act on Political Parties regulates the parties’ status and functions. The Act also contains provisions on the naming of political parties, their internal organisation, party financing (> *Parteienfinanzierung*), accountability, and enforcement of the ban on unconstitutional parties. The Act on Political Parties is available (in German) at <http://www.bundestag.de/gesetze>; an English translation can be found at www.bundestag.de/en/parliament/function/legal.

Petition – Petition

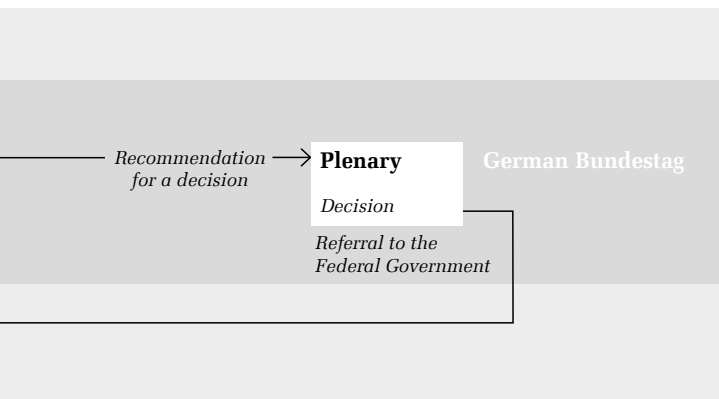
The right of petition is a fundamental right (> *Grundrecht*) enshrined in Article 17 of the Basic Law; it applies to “every person”, i.e. age, nationality or place of residence are irrelevant. This right allows anyone to address requests or complaints to the legislature, or in other words primarily to the > Bundestag. Petitions can be submitted as a letter, but also online at <https://epetitionen.bundestag.de>.

The Bundestag’s Petitions Committee considers requests and complaints concerning the legislative power of the Federation or areas of the Federal Administration. It examines how it can help the petitioners with their requests and problems. Among other things, it can recommend that the petition be referred to the Federal Government (> *Bundesregierung*) for remedial action, for re-examination, or as background material. A distinction is made between public and non-public petitions. Public petitions are those which are of general interest, and they are published on the Bundestag’s website if the petitioner so wishes. Anyone can then view the petition and “co-sign” it if they want to support it. Non-public petitions are not published, but are processed in exactly the same way as public petitions.

Plenarprotokoll – Minutes of plenary proceedings

A transcript of every word spoken during each plenary sitting of the Bundestag (> *Plenum*) is produced by shorthand writers (> *Stenografen*) and made available to the Members of the Bundestag (> *Abgeordnete*) and the public as the minutes of plenary proceedings (also known as the stenographic record).

The petition process.



Interjections and remarks are also recorded. The speakers check the transcript before it is published. Any corrections must not alter the meaning of the speech or any part of it. The minutes also include speeches and statements that are submitted in writing for inclusion in the minutes (> *zu Protokoll*). Which Members took part in a recorded vote (> *namentliche Abstimmung*) and how they voted is also documented in the minutes. The minutes can be accessed as PDF files as early as the next working day on the Bundestag's website, at www.bundestag.de/protokolle. Minutes going back to 1976 are available online.

Plenum – Plenary

The plenary (from the Latin *plenus*, meaning “full”) is a sitting of the whole Parliament (> *Parlament*), i.e. of all Members of the Bundestag (> *Abgeordnete*). These sittings of the entire Parliament are held in the plenary chamber in the Reichstag Building. The plenary adopts laws (> *Gesetz*), takes decisions on motions (> *Antrag*), holds votes (> *Abstimmung*) and conducts elections, including the election of the Federal Chancellor (> *Bundestkanzler*). The Federal Government (> *Bundesregierung*) delivers its policy statements (> *Re-*

gierungserklärung) during plenary sittings. Article 42 of the Basic Law enshrines the principle that plenary sittings are public. They are broadcast live and in full by Parliamentary Television (> *Parlamentsfernsehen*). The decision to exclude the public can only be taken by a two-thirds majority (> *Mehrheit*) on the motion of one tenth of the Members of the Bundestag or on the motion of the Federal Government; however, this has never happened to date.

Präsidium – Presidium

> *Bundestagspräsidium* – Bundestag Presidium

Proporz – Proportionality

Proportionality refers to the practice of taking the relative strengths of the parliamentary groups into consideration when allocating seats on political bodies. In the Bundestag, the composition of the committees (> *Ausschuss*) is determined based on the proportionality principle; the number of Members the parliamentary groups can nominate as committee members reflects the groups' relative strengths in the Bundestag. Speaking time (> *Redezeit*) in the plenary (> *Plenum*) is also based on the relative strengths of the parliamentary groups.



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A forum for public debate: a plenary sitting being held in the plenary chamber of the Reichstag Building in Berlin.

Ratifizierung – Ratification

International treaties require the consent or participation of the Bundestag and the > Bundesrat in the form of a federal law if they regulate the political relations of the Federation or relate to subjects of federal legislation. Fundamental reforms of the European Union (> *Europäische Union*), such as the Lisbon Treaty or the admission of new countries, must also be ratified by each EU Member State. In the Bundestag, ratification takes place over the course of two readings. After the completion of the legislative process in the Bundestag and the Bundesrat, the Federal President (> *Bundespräsident*) concludes treaties on behalf of the Federal Republic of Germany (> *Bundesrepublik Deutschland*) by signing them and publishing them in the Federal Law Gazette. Ratification is a separate issue from the potential need for the treaties to be implemented within Germany.

Rechtsstaat – Rule of law

The rule of law means that the entire authority of the state, which is characterised by the separation of powers (> *Gewaltenteilung*), is subject to the law. In a country governed by the rule of law, people have fundamental rights (> *Grundrechte*) which must be respected by the

state. The public administration and the judiciary must uphold the law and justice. The legislature (the > Bundestag) is bound by the constitutional order of the Basic Law, as defined by the Federal Constitutional Court (> *Bundesverfassungsgericht*). The opposite of a country governed by the rule of law is a police state or a dictatorship, for example.

Rechtsverordnung – Statutory instrument

A statutory instrument is not issued by the > Bundestag as the legislature, but instead by the executive (> *Exekutive*), or in other words by the Federal Government (> *Bundesregierung*), a Federal Minister (> *Bundesminister*) or a *Land* government. However, Article 80 of the Basic Law states that a statutory instrument can only be issued on the basis of a law specifying the content, purpose and scope of the authority conferred. Although statutory instruments are not issued by means of a legislative process (> *Gesetzgebung*), they are nonetheless binding law. They have the binding legal force of laws in the looser sense of the word.

A question to the speaker in the course of a speech in the plenary.

While the passage of legislation is a relatively drawn-out process, statutory instruments can be issued and amended more quickly. In many areas, it is therefore common for the Bundestag not to regulate the details of a new legal norm itself (especially the execution by the public administration); instead, it authorises the relevant institutions to do so in a statutory instrument.

Rederecht – Right to speak

The Basic Law (> *Grundgesetz*) states that, besides the Members of the Bundestag (> *Abgeordnete*), only the members of the Federal Government (> *Bundesregierung*) and the > Bundesrat and persons commissioned by them have the right to speak in the plenary (> *Plenum*) and at committee meetings (> *Ausschuss*). The Parliamentary Commissioner for the Armed Forces (> *Wehrbeauftragter*) is given leave to speak if a parliamentary group (> *Fraktionen*) or five per cent of the Members of the Bundestag so demand. Beyond that, the Bundestag has no legal basis to grant non-parliamentarians a right to speak during plenary sittings. An exception exists only for guest speakers (> *Gastredner*) outside of parliamentary sittings.

Redezeit – Speaking time

The number of Members of Parliament (> *Abgeordnete*) from a parliamentary group who are allowed to speak in a > Bundestag debate (> *Debatte*) depends on the size of their parliamentary group (> *Fraktionen*); see also the entries on the Berlin hour (> *Berliner Stunde*) and questions to the speaker in the course of a speech (> *Zwischenfrage*). The larger the parliamentary group, the more speaking time it is allocated, and the greater the number of its Members who can speak in the debate. Each parliamentary group decides internally which of its Members will be allowed to speak on a given topic. There are no official limits on speaking time for members of the Federal Government (> *Bundesregierung*) and the > Bundesrat. Under the Basic Law (> *Grundgesetz*), they are allowed to speak in the plenary (> *Plenum*) at any time. In practice, however, the speaking time of members of the government is deducted from the speaking time of the parliamentary groups which support the government, out of fairness to the opposition (> *Opposition*). That said, this rule does not apply to government policy statements (> *Regierungserklärung*), in which the Federal Chancellor (> *Bundeskanzler*) or a Federal

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Minister (> *Bundesminister*) sets out the Federal Government's policies. If a representative of the Bundesrat speaks in a debate, his or her speaking time is likewise deducted from that of the relevant parliamentary group, based on his or her party affiliation. The President in the Chair (> *Sitzungspräsident*) makes sure that Members keep to their allotted speaking time. If necessary, the President directs Members to discontinue speaking.

Regierungsbefragung – Questions put to the Federal Government

On Wednesdays in sitting weeks (> *Sitzungswoche*), following the Federal Cabinet's meeting (> *Bundeskabinett*), the Members of the Bundestag (> *Abgeordnete*) can obtain information about the initiatives discussed at the meeting and put questions to the Federal Government (> *Bundesregierung*). This question-and-answer session serves as a source of initial information for Members of Parliament.

Regierungserklärung – Government policy statement

At the start of his or her term of office, the Federal Chancellor (> *Bundestkanzler*) delivers a government policy statement in

the Bundestag setting out the policies of the Federal Government (> *Bundesregierung*) to Parliament (> *Parlament*) for that electoral term (> *Wahlperiode*). While the statement carries no legal weight, it has immense political significance for Parliament and the government. The government policy statement is followed by a debate (> *Debatte*), often spanning multiple days, on all aspects of the government's future work. In the course of the electoral term, the Federal Government can choose to have the Federal Chancellor or the Federal Ministers (> *Bundesminister*) deliver statements to the Bundestag on topical political issues. However, the Bundestag cannot force it to do so.

Republik – Republic

Republic (from the Latin *res publica*, meaning state, or literally “public affair”) is the term for types of state which are not monarchies, such as the Federal Republic of Germany (> *Bundesrepublik Deutschland*), where all state authority derives from the people, a principle enshrined in Article 20 of the Basic Law. Representatives elected by the people for a limited term make the laws and form or scrutinise the work of the government; a republic's head of state is likewise elected for a limited term.

The President in the Chair and Secretaries; staff from the Bundestag Administration can be seen behind them.

Richterwahlausschuss – Committee for the Election of Judges

The Committee for the Election of Judges, together with the relevant Federal Ministry (> *Bundesministerium*) in each case, decides on the appointment of judges to the supreme federal courts. The Committee holds a secret ballot and decides by a majority of the votes cast on the appointment of the judges of the Federal Court of Justice, the Federal Administrative Court, the Federal Fiscal Court, the Federal Social Court and the Federal Labour Court. Half of the Committee's 32 members are appointed by the > Bundestag, while the other half are appointed by the > Bundesrat.

Schriftführer – Secretaries

The Secretaries are elected at the start of the electoral term (> *Wahlperiode*). Two of them (one from a majority parliamentary group and one from an opposition parliamentary group), together with the President of the Bundestag (> *Bundestagspräsident*) or one of the Vice-Presidents, form the Chair (> *Sitzungsvorstand*) in the plenary (> *Plenum*). The Secretaries assist the President in the Chair (> *Sitzungspräsident*) during plenary sittings. For example, they keep the list of speakers, and when the Bundestag

holds a recorded vote (> *namentliche Abstimmung*) or a vote using ballot boxes, they are given the ballot papers to count. Likewise, when a > *Hammelsprung* is held, they count the Members (> *Abgeordnete*) entering the plenary chamber.

Schriftliche Frage – Written question

Each Member of the Bundestag (> *Abgeordnete*) is entitled to submit up to four questions every month to the Federal Government (> *Bundesregierung*) for written reply. The questions are to be answered by the Federal Government within one week of receipt by the Federal Chancellery. The replies received in the course of a week are published together in a Bundestag printed paper (> *Bundestagsdrucksache*) during the following week.

SED-Opferbeauftragter – Commissioner for the Victims of the SED Dictatorship

The position of the Federal Commissioner for the Victims of the SED Dictatorship, who is elected by the > Bundestag, was created in 2021. The Commissioner is tasked with serving as an advocate for the interests of the victims of the GDR dictatorship in politics and the public



	Monday	Tuesday	Wednesday	Thursday	Friday
8.00		<i>Discussion</i>	<i>Press appointment</i>	<i>Office work</i>	
9.00	<i>Arrival from constituency</i>	Meetings of working parties and working groups	Committee meeting	Plenary sitting (all day), normally two core-time debates followed by other debates and possibly a debate on a matter of topical interest	Plenary sitting
10.00					
11.00					
12.00					
13.00		<i>Meetings of project groups and thematic groups</i>	Plenary sitting with post-Cabinet questions to the Government, Question Time and, if required, debate on a matter of topical interest	<i>At the same time: group of visitors from the constituency, press interview, office work</i>	
14.00	<i>Office work</i>				
15.00	Preparation for the sitting, meetings of working parties	Parliamentary group meeting			Press appointment, meetings with representatives of associations and with scientific or academic experts
16.00					
17.00	Meeting of the parliamentary group executive		Continuation of committee meeting		
18.00				Exceptionally, meeting of a parliamentary body	Departure for constituency
19.00	<i>Political talks</i>	<i>Evening events (panel discussions and lectures)</i>			
20.00	<i>Land group meeting</i>		<i>Group of visitors from the constituency</i>		<i>Evening event in constituency</i>
21.00					
22.00					

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A packed schedule: a sitting week at the Bundestag.

sphere, supporting the work of victims' organisations and the institutions involved in addressing the GDR dictatorship, and offering advice to the Bundestag and its committees (> *Ausschuss*). Once a year, the Commissioner submits a report to the Bundestag on the current situation regarding the victims of the SED dictatorship, which can be accessed (in German) at www.bundestag.de/sed-opferbeauftragte.

***Sitzungspräsident* – President in the Chair**

The President of the Bundestag (> *Bundestagspräsident*) or one of the Vice-Presidents chairs the plenary (> *Plenum*) of the > Bundestag; he or she is known as the President in the Chair. The President in the Chair and two Secretaries (> *Schriftführer*) form the Chair (> *Sitzungsvorstand*).

***Sitzungsvorstand* – Chair**

Each plenary sitting (> *Plenum*) of the > Bundestag is chaired by the President of the Bundestag (> *Bundestagspräsident*) or one of the Vice-Presidents, supported by two Members acting as Secretaries (> *Schriftführer*). The President in the Chair and the two Secretaries form the Chair.

***Sitzungswoche* – Sitting week**

Each year, the Bundestag convenes for at least 20 weeks of sittings in Berlin, the dates of which are set by the Council of Elders (> *Ältestenrat*). On sitting days, Members of Parliament are required to be present, in accordance with Section 14 of the Members of the Bundestag Act (> *Abgeordnetengesetz*). Members of the Bundestag enter their name in an attendance register. A sitting week starts off with meetings of the parliamentary groups' internal bodies, as well as the groups of Members from the various *Länder*, and the working groups (> *Arbeitsgruppen und Arbeitskreise*) set up by the parliamentary groups. The parliamentary groups (> *Fraktionen*) hold their meetings on Tuesday afternoon. The Bundestag's committees (> *Ausschuss*) meet on Wednesday, and in the afternoon, the plenary sitting begins with questions put to the Federal Government (> *Regierungsbefragung*), Question Time (> *Fragestunde*), and – if necessary – a debate on matters of topical interest (> *Aktuelle Stunde*). Plenary sittings take up the whole of Thursday and continue into the afternoon on Friday. Alongside this fixed schedule in a sitting week, Members of the Bundestag also have to prepare to take part in meetings, to de-

liver speeches and to carry out rapporteur work. They have other commitments as well, including meetings of parliamentary friendship groups (> *Parlamentariergruppen*), panel discussions, and meetings with the press, representatives of associations (> *Verbände*) or groups of visitors from their constituency (> *Wahlkreis*). In non-sitting weeks, the Members of the Bundestag mainly work in their constituencies.

Sitzverteilung – Allocation of seats

The allocation of seats in the Bundestag reflects the share of the second votes received by the parties (> *Parteien*) in a Bundestag election (> *Bundestagswahl*), plus any overhang seats (> *Überhangmandat*) and balance seats (> *Ausgleichsmandat*). In 2008, the Bundestag decided to replace the method previously used to allocate seats, the Hare/Niemeyer method, with the Sainte-Laguë / Schepers method (> *Auszählverfahren Sainte Laguë/Schepers*).

Sozialstaat – Social state

The principle that Germany is a social state is enshrined in Article 20 of the Basic Law as a state goal. This means that the German Parliament must also work to promote social justice and the population's social security. Key aspects of this include labour and tax legislation, as well as the social insurance schemes, or in other words statutory health insurance and statutory pension, unemployment and long-term care insurance. In addition, the state funds social benefits such as child benefit, parental allowance, housing benefit or citizen's benefit.

Ständiger Bevollmächtigter des Parlamentarischen Kontrollgremiums – Permanent Representative of the Parliamentary Oversight Panel

The Parliamentary Oversight Panel Act (*Kontrollgremiumgesetz*) requires the Federal Government (> *Bundesregierung*) to provide the Parliamentary Oversight Panel (> *Parlamentarisches Kontrollgremium*) set up by the > Bundestag with comprehensive information about the activities of the intelligence services and matters of particular importance. To ensure stronger parliamentary oversight, the post of a full-time Permanent Representative, appointed by the

Shorthand writers recording the minutes of the plenary sittings.

Panel, was created in 2017. The Permanent Representative supports the Panel in its work and, as an extension of the Panel, exercises its rights in relation to the Federal Government and the federal intelligence services. A directorate in the Bundestag Administration supports the Permanent Representative in his or her work.

Stenografen – Shorthand writers

The shorthand writers employed by the Bundestag Administration (> *Bundestagsverwaltung*) produce a transcript of every word spoken during each plenary sitting of the Bundestag (> *Plenarprotokoll*, > *Amtliches Protokoll*). They use shorthand to produce the transcripts. Parliamentary shorthand writers are capable of transcribing up to 500 syllables per minute. During a debate (> *Debatte*), the shorthand writers work in rotation, transcribing for five minutes and then dictating their shorthand notes to a typist. A reviser reviews the typed minutes produced by the shorthand writers. Following further checks, including by the speakers themselves, the minutes of plenary proceedings are available for download the next day.

Subsidiarität in EU-Angelegenheiten – Subsidiarity in EU affairs

Subsidiarity (from the Latin *subsidium*, meaning help or support) is a key principle in the process of European integration. It is intended to prevent the institutions of the European Union (> *Europäische Union*) from going beyond the competences assigned to them by the Lisbon Treaty in 2009 and failing to respect the competences of the EU Member States. The Lisbon Treaty therefore enables the national parliaments – such as the > Bundestag – to participate in the EU legislative process by raising a subsidiarity objection with the European Commission or bringing a subsidiarity action before the Court of Justice of the EU, if they believe that their competences are being encroached upon by EU legislation. Upon the motion of a quarter of its Members, the Bundestag is required to bring a subsidiarity action against the adoption of a European act (> *EU-Rechtsakte*).

Tagesordnung des Plenums – Agenda for plenary sittings

The agenda for a plenary sitting (> *Plenum*) determines what happens during a sitting of the > Bundestag and what topics are dealt with by the plenary as items on the agenda. The agenda is agreed by the Council of Elders



(> *Ältestenrat*) for each plenary sitting, and communicated to the Members of the Bundestag (> *Abgeordnete*), the members of the > Bundesrat, and the Federal Government (> *Bundesregierung*). It is still possible to amend the agenda at a later date. The details are regulated by the Rules of Procedure (> *Geschäftsordnung*).

Technikfolgenabschätzung – Technology assessment

The Office of Technology Assessment at the German Bundestag (TAB) advises the Bundestag on important issues relating to technological and scientific change and its economic, environmental, social and security-related aspects and impacts; it also produces scientific studies on issues such as genetic engineering. TAB is an independent scientific institution run by Karlsruhe Institute of Technology. The Bundestag's Committee on Education, Research and Technology Assessment acts as the steering committee and is responsible for planning the programme of subjects to be investigated.

Über- und außerplanmäßige Ausgaben – Excess and extrabudgetary expenditure

Excess expenditure is when spending exceeds the amount set aside for a given title in the budget (> *Haushaltsplan*), while extrabudgetary expenditure is when the budget does not contain an expenditure title for the purpose in question. Under Article 112 of the Basic Law, excess and extrabudgetary expenditure must be authorised by the Federal Ministry of Finance. It can only be approved in the event of an unforeseen and compelling need. In certain circumstances, excess and extrabudgetary expenditure is possible even without a supplementary budget (> *Nachtragshaushalt*). The > Bundestag and > Bundesrat must be notified immediately of any excess and extrabudgetary expenditure which is to be offset by cuts in other areas if the expenditure is of fundamental or considerable financial importance; otherwise they are notified on a quarterly basis.

Überhangmandat – Overhang seat

Overhang seats are the result of a party (> *Parteien*) winning more constituency seats than the number of Members of the Bundestag to which it is entitled based on the number of second votes it has received in a given *Land* (> *Wahlrecht*). The

A committee meeting at the Bundestag.

overhang seats are offset by allocating additional seats to the other parties, known as balance seats (> *Ausgleichsmandat*), thus ensuring that the distribution of seats (> *Sitzverteilung*) in the Bundestag reflects the parties' relative shares of the second votes (> *Zweitstimme*). Based on the results of the 2021 Bundestag election (> *Bundestagswahl*), there are 736 Members of Parliament in the 20th electoral term, including 34 overhang seats and 104 balance seats. The Bundestag has abolished overhang and balance seats as part of the 2023 electoral reform (> *Wahlrechtsreform 2023*).

Unterausschuss – Subcommittee

Every committee (> *Ausschuss*) can set up subcommittees which are responsible for a specific aspect of the committee's work. One example of a subcommittee is the Bundestag's Commission for Children's Concerns, which is a subcommittee of the Committee on Family Affairs, Senior Citizens, Women and Youth that is specifically focused on the interests of children and young people.

Unterrichtung – Communication

A Federal Government "communication" is a written report submitted to Parliament, either at the demand of the > Bundestag or on the initiative of the Federal Government (> *Bundesregierung*).

Untersuchungsausschuss – Committee of inquiry

Under Article 44 of the Basic Law, the > Bundestag must, on the motion of at least one quarter of its Members (> *Abgeordnete*), establish a committee of inquiry to take the necessary evidence on a given matter at public hearings. This is a minority right (> *Minderheitenrechte*). Committees of inquiry investigate, for example, potential failings in government or the public administration, or misconduct on the part of individual politicians. The provisions of the Code of Criminal Procedure apply to the taking of evidence, with relevant modifications, meaning that committees of inquiry can hear witnesses and experts and inspect files. Committees of inquiry summarise their findings in a report which they submit to the plenary (> *Plenum*).

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Verbände – Associations

Since 1 January 2022, all associations which represent special interests in relation to the > Bundestag or the Federal Government (> *Bundesregierung*) have been listed in a public, electronic lobbying register (> *Lobbyregister*) maintained by the Bundestag. The activities of such associations reflect the free, pluralistic nature of the political opinion-forming process in a democratic country. They enable the Bundestag to learn about the positions of those affected by its decisions and take them into consideration.

Verhaltensregeln für Abgeordnete – Code of Conduct for Members of the Bundestag

The Code of Conduct for Members of the Bundestag is regulated by Parts Ten and Eleven (Sections 44a to 52a) of the Members of the Bundestag Act (> *Abgeordnetengesetz*). It requires parliamentarians to provide information to the President of the Bundestag (> *Bundestagspräsident*) on subjects such as their occupation and membership of boards of management, supervisory boards or other bodies, paid consultancies and secondary activities (> *Nebentätigkeiten*), interests held in private corporations or partnerships, and gifts of pecuniary val-

ue. In addition, the Code of Conduct prohibits certain activities, donations and gifts, for example. It also contains procedural provisions setting out what happens if the rules are broken. The information disclosed by Members is published at regular intervals. An English translation of the Members of the Bundestag Act is available at www.bundestag.de/en/parliament/function/legal. The implementing provisions issued by the Council of Elders on 12 May 2022 concerning the relevant parts of the Members of the Bundestag Act are available (in German) at www.bundestag.de/abgeordnete/nebentaetigkeit, together with a compilation of texts relating to the Code of Conduct for Members of the Bundestag, published in September 2022.

Verkleinerung des Bundestages – Reducing the size of the Bundestag

According to the Federal Elections Act (> *Bundeswahlgesetz*), the statutory size of the German Bundestag is 598 Members. However, overhang seats (> *Überhangmandat*) and balance seats (> *Ausgleichsmandat*), together with the application of the clause on the minimum number of constituency seats required for party representation in Par-

Paving the way for fresh elections: Gerhard Schröder (SPD) tables a motion for a vote of confidence in 2005 and does not receive the necessary majority.

liament (> *Grundmandatsklausel*), resulted in Parliament growing to 736 Members based on the results of the 2021 Bundestag election. The Bundestag is thus the largest democratically elected Parliament in the world. The 2023 electoral reform (> *Wahlrechtsreform 2023*) is intended to limit the number of Members to 630.

Vermittlungsausschuss – Mediation Committee

The Mediation Committee established under Article 77 of the Basic Law is tasked with finding a consensus between the > Bundestag and the > Bundesrat if bills adopted by the Bundestag are not supported by a majority in the Bundesrat (> *Gesetzgebung*). This is particularly important in the case of bills requiring the consent of the Bundesrat (> *Zustimmungsgesetz*). The Mediation Committee acts if it is convened by the Bundestag, the Bundesrat or the Federal Government (> *Bundesregierung*). It is composed of 16 Members of the Bundestag and an equal number of members of the Bundesrat. If the Mediation Committee proposes amendments to the adopted bill, the Bundestag is required to vote on it a second time.

Vertrauensfrage des Bundeskanzlers – Motion of the Federal Chancellor for a vote of confidence

The vote of confidence provided for by Article 68 of the Basic Law enables the Federal Chancellor (> *Bundeskanzler*) to determine whether his or her policies are supported by the Bundestag, or in other words whether he or she can still rely on the backing of a majority (> *Mehrheit*) of the Members. A vote of confidence can be linked to a substantive issue, in particular a decision on a bill (> *Gesetzesentwurf*). If the motion is not supported by a majority of the Members, the Federal President (> *Bundespräsident*) can dissolve the Bundestag within twenty-one days, upon the proposal of the Federal Chancellor, and fresh elections are held. The right to dissolve Parliament lapses as soon as the Bundestag elects a new Federal Chancellor by the vote of a majority of its Members. Forty-eight hours must elapse between the motion and the vote.



Wahlausschuss – Committee for the Election of the Judges of the Federal Constitutional Court to be appointed by the Bundestag

Half of the 16 judges who make up the two senates of the Federal Constitutional Court (> *Bundesverfassungsgericht*) are elected by the > Bundestag and half by the > Bundesrat, in accordance with Article 94 of the Basic Law. The eight judges to be appointed by the Bundestag are elected by a committee consisting of twelve Members of Parliament. These Members (> *Abgeordnete*) are elected to the committee in line with the relative strengths of the parliamentary groups. The election of a judge requires a two-thirds majority of the members of the committee.

Wahlgesetze – Electoral legislation

The main pieces of electoral legislation which apply to Bundestag elections (> *Bundestagswahl*) are the Federal Elections Act (> *Bundeswahlgesetz*) and the Federal Electoral Code (*Bundeswahlordnung*), which establish Germany's electoral system (> *Wahlrecht*) on the basis of Article 38 of the Basic Law.

Wahlkampf – Election campaign

Before the Bundestag election (> *Bundestagswahl*), the political parties (> *Parteien*) engage in an election campaign. This gives politicians an opportunity to present themselves and their ideas. The aim of the election campaign is not only to mobilise a party's core voters, but also to win over as many undecided voters as possible. In addition to campaign posters and events held by candidates in their constituencies (> *Wahlkreis*), political parties make use of television, the media, the internet and, to a growing extent, social media; in some cases, their campaigns are supported by advertising agencies. One of the highlights of an election campaign is the televised debates in which the parties' lead candidates participate. Nominated candidates who are standing for election to the Bundestag must be granted leave by their employer for up to two months before the election; they are not entitled to be paid during this leave.

Wahlkampfkostenerstattung – Reimbursement of campaign costs

> *Parteienfinanzierung* – Party financing



Campaign posters in the run-up to the 2021 Bundestag election.

Wahlkreis – Constituency

The Federal Elections Act (> *Bundeswahlgesetz*) stipulates that the country is divided into 299 constituencies. To ensure that all votes carry equal weight in a Bundestag election (> *Bundestagswahl*), the constituencies must have roughly the same population. At present, a constituency has around 250,000 residents. The number of people eligible to vote in a constituency should not deviate from the average by more than 15 per cent in either direction. If the deviation is greater than 25 per cent, the constituency boundaries have to be redrawn (> *Wahlrecht*). A map of Germany's constituencies is available at www.btg-bestellservice.de/pdf/70139010.pdf.

Wahlkreisbewerber – Constituency candidates

Constituency candidates are those candidates standing for direct election in a constituency (> *Wahlkreis*) in a Bundestag election (> *Bundestagswahl*), in the hope of winning a constituency seat (> *Wahlrecht*).

Wahlkreiseinteilung, Wahlkreis-kommission – Division into constituencies, Constituency Commission

The Constituency Commission is a non-partisan body of experts which is not bound by instructions. It carries out important preliminary work for the Bundestag's decision on the division of the country into constituencies (> *Wahlkreis*) for the next Bundestag election (> *Bundestagswahl*). The Constituency Commission is appointed by the Federal President (> *Bundespräsident*) and consists of the President of the Federal Statistical Office, who also serves as the Federal Returning Officer (> *Bundeswahlleiter*), a judge from the Federal Administrative Court, and five other members. The task of the Constituency Commission is to report changes in the population figures in the electoral area and to set out whether and which changes in the division of the electoral area into constituencies (*Wahlkreiseinteilung*) it considers necessary. The Bundestag takes the decision on proposals for changes to constituency boundaries and the distribution of the constituencies among the *Länder*.

Every cross counts: each voter has two votes.

Wahlperiode – Electoral term

The electoral term, sometimes also referred to as the legislative term, normally lasts four years in Germany. It begins with the constituent meeting (> *Konstituierung*) of the new Bundestag, which must convene no later than the thirtieth day after the Bundestag election (> *Bundestagswahl*). The convening of the new Bundestag marks the end of the electoral term of the previous Bundestag. The next elections are then held between 46 and 48 months after the start of the electoral term. The exception is if the Bundestag is dissolved, in which case an election must be held within 60 days. Under the Federal Elections Act, the Federal President (> *Bundespräsident*) determines the day of the Bundestag election, based on a recommendation by the Federal Government (> *Bundesregierung*). The 20th German Bundestag was elected on 26 September 2021, and convened for the first time on 26 October 2021. This marked the end of the 19th electoral term. An overview of the Bundestag's electoral terms is available at www.btg-bestellservice.de/pdf/70139000.pdf.

Wahlprüfungsausschuss – Committee for the Scrutiny of Elections

Every eligible voter can request a review of the lawfulness of the preparation and conduct of the election, and the counting of the votes. Under Article 41 of the Basic Law, the > Bundestag is responsible for scrutinising the validity of the Bundestag election (> *Bundestagswahl*). Its decision is prepared by the Committee for the Scrutiny of Elections.

Wahlrecht – Electoral system

As the Federal Elections Act sets out, the > Bundestag is elected by a combination of first past the post and proportional representation in 299 constituencies (> *Bundestagswahl*). Each voter casts two votes, one for a constituency candidate and one for a *Land* list. The principle of first past the post is used to elect the candidate who receives the most first votes in a constituency (constituency seat). The principle of proportional representation governs the allocation of seats in Parliament based on the share of second votes won by the *Land* lists (> *Landeslisten*) of the parties (> *Parteien*) participating in the election (list seats). Half of the Members of the Bundestag (> *Abgeordnete*) are directly elected in their constituencies

W



(> *Wahlkreis*), while the other half are elected based on the principle of proportional representation. Ultimately, the second votes cast by the electorate are what determine the composition of the Bundestag, and this can result in overhang seats (> *Überhangmandat*) and balance seats (> *Ausgleichsmandat*). In recent electoral terms, this led to the Bundestag being much larger than the statutory total of 598 Members. Overhang seats are the result of a party being able to send more candidates to the Bundestag, because of the number of first votes it has won, than the number of Members to which it is entitled based on the number of second votes it won in a given *Land*. A party's overhang seats are offset by allocating additional seats ("balance seats") to the other parties to ensure that the distribution of seats (> *Sitzverteilung*) in Parliament continues to reflect the parties' relative shares of the second votes. In general, parties are only included in the allocation of seats in the Bundestag if they have won at least five per cent of the second votes nationwide, a requirement known as the five per cent threshold (> *Fünfprozenthürde*), or alternatively if a party has won at least three constituency seats across Germany (> *Grundmandats-*

klausel). On the basis of these principles, which are enshrined in the Federal Elections Act, the results of the Bundestag election in September 2021 mean that the Bundestag has a total of 736 Members in the 20th electoral term, including 34 overhang seats (12 for the CDU, 11 for the CSU, 10 for the SPD and 1 for the AfD) and 104 balance seats (26 for the SPD, 24 for Alliance 90/The Greens, 18 for the CDU, 16 for the FDP, 13 for the AfD and 7 for the Left Party). This is the issue that the 2023 electoral reform (> *Wahlrechtsreform 2023*) has sought to address.

Wahlrechtsreform 2023 – 2023 electoral reform

On 17 March 2023, the Bundestag adopted an electoral reform, with a majority of its Members voting in favour. While the number of constituencies is to remain at 299 for future Bundestag elections, the number of parliamentarians is to be limited to 630. Overhang and balance seats have been abolished, together with the clause on the minimum number of constituency seats required for party representation in Parliament (> *Grundmandatsklausel*). The electoral reform is contentious. Some parliamentary groups

(> *Fraktionen*) and Members of the Bundestag (> *Abgeordnete*) have said that they intend to bring the matter before the Federal Constitutional Court (> *Bundesverfassungsgericht*).

Wehrbeauftragter – Parliamentary Commissioner for the Armed Forces

The Parliamentary Commissioner for the Armed Forces is an important institution, enshrined in Article 45b of the Basic Law, which assists the Bundestag in exercising parliamentary oversight over the > Bundeswehr and protecting the fundamental rights (> *Grundrechte*) of service personnel. The Commissioner looks into incidents in the armed forces at the request of the Bundestag or the Defence Committee, and can also take action on his or her own initiative. The Commissioner is a point of contact for Bundeswehr soldiers. They can contact the Commissioner directly with requests and complaints, without having to go through official channels. The Commissioner also takes action if he or she is made aware of potential shortcomings within the Bundeswehr by submissions from service personnel or by notifications from Members of the Bundestag.

The Parliamentary Commissioner for the Armed Forces submits an annual report to the Bundestag on the results of parliamentary oversight to protect soldiers' fundamental rights. Further information is available at www.bundestag.de/en/parliament/commissioner.

Zitierrecht – Right to require presence

Article 43 of the Basic Law allows the > Bundestag or a committee (> *Ausschuss*) to require, by a majority decision, the presence of a member of the Federal Government (> *Bundesregierung*) during its deliberations.

Zu Protokoll – Inclusion in the minutes

An agreement can be reached in the Council of Elders (> *Ältestenrat*) or between the parliamentary groups (> *interfraktionelle Vereinbarung*) that, instead of a debate being held on an item on the agenda, the speeches can be submitted in writing for inclusion in the minutes. In this case, the speeches are reproduced in the minutes (> *Plenarprotokoll*) of that parliamentary sitting and are available to the public. They can be accessed online at www.bundestag.de/protokolle.

Z



***Zweidrittelmehrheit* – Two-thirds majority**

> *Mehrheit* – Majority

***Zweitstimme* – Second vote**

> *Wahlrecht* – Electoral system

***Zustimmungsgesetz* – Bill requiring the consent of the Bundesrat**

Certain laws can only be passed with the consent of the > Bundesrat because their subject matter is particularly important for the *Länder*, or federal states. The fact that certain bills require the Bundesrat's consent is a key element of federalism (> *Föderalismus*) in Germany. If the Bundesrat says no to a bill of this kind, the Bundestag cannot override it. The Mediation Committee (> *Vermittlungsausschuss*) can be convened to seek a compromise between the > Bundestag and the Bundesrat. If an agreement is reached within the Mediation Committee (for example on specific changes to a bill), the amended version of the bill must be adopted once again by the Bundestag before the Bundesrat then

gives its consent. As is set out explicitly in the Basic Law (> *Grundgesetz*), bills which require the consent of the Bundesrat include those which amend the Basic Law, those relating to the financial revenues of the *Länder*, and those which impinge on the administrative jurisdiction of the federal states (> *Gesetzgebung*, > *Einspruchsgesetz*).

***Zuwendungen an Abgeordnete* – Gifts and donations to Members of the Bundestag**

Section 44a of the Members of the Bundestag Act states that Members are not allowed to accept any consideration or any other pecuniary benefit for the exercise of their mandate (> *Mandat*) besides those for which the law provides,

namely Members' allowances (> *Amts-ausstattung*), remuneration (> *Diäten*) and their expense allowance (> *Kostenpauschale*). In particular, they are not permitted to accept money or gifts with monetary value which are recognisably granted in the expectation that the interests of the payer will be represented and asserted in the Bundestag. In addition, Members cannot accept money or gifts with monetary value if that benefit is granted for lecturing in connection with the exercise of the Member's mandate or if he or she does not render an appropriate service in return. The same applies to paid consultancy activities that are directly connected with the exercise of a mandate. Section 48 of the Members of the Bundestag Act applies to gifts of pecuniary value (donations) to Members; the receipt of donations that are intended to remain in the Member's possession is not permitted.

***Zwischenfrage* – Question to the speaker in the course of a speech**

During a debate (> *Debatte*), Members of the Bundestag (> *Abgeordnete*) can put a question to the speaker in the course of his or her speech, provided that the speaker agrees when asked by the President in the Chair (> *Sitzungspräsident*). The time for the question and answer are not deducted from the speaker's speaking time (> *Redezeit*). This type of question should not be confused with a brief intervention (> *Kurzintervention*), which takes place after a speech in the debate, or with a mere interjection, which is recorded in the minutes of plenary proceedings (> *Plenarprotokoll*) where possible.

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Federal Elections Act
(*Bundeswahlgesetz*):
[www.bundeswahlleiterin.de/en/
bundestagswahlen/2021/rechtsgrund-
lagen.html](http://www.bundeswahlleiterin.de/en/bundestagswahlen/2021/rechtsgrundlagen.html)



Members of the Bundestag Act
(*Abgeordnetengesetz*):
[www.gesetze-im-internet.de/englisch_
abgg/englisch_abgg.html](http://www.gesetze-im-internet.de/englisch_abgg/englisch_abgg.html)



Rules of Procedure of the Bundestag
(*Geschäftsordnung des Bundestages*):
[www.btg-bestellservice.de/
pdf/80060000.pdf](http://www.btg-bestellservice.de/pdf/80060000.pdf)



Internal Regulations of the Bundestag
(*Hausordnung des Bundestages*)
(Appendix 1 of the Rules of Procedure):
[www.btg-bestellservice.de/
pdf/80060000.pdf](http://www.btg-bestellservice.de/pdf/80060000.pdf)

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www.lobbyregister.bundestag.de



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