



SENAT RP

## NOTES ON THE SENATE

**SENATE  
OF THE REPUBLIC  
OF POLAND**

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## The Senate in the Constitutional System

Pursuant to Article 10, Par. 2 and Article 95 of the Constitution of the Republic of Poland of April 2, 1997, the Senate – side by side with the Sejm – exercises legislative power. The Senate is composed of 100 senators who are elected for a term of 4 years in general election in a direct vote by secret ballot.

Side by side with the Sejm, the President of the Republic of Poland, the Council of Ministers and Polish citizens, the Senate may take legislative initiatives.

In the events identified in the Constitution, the Sejm and the Senate convene as a general Assembly for a joint session chaired by the Marshal of the Sejm, or in his absence, by the Marshal of the Senate.

As a legislative body, the Senate has 30 days to examine the draft legislation passed by the Sejm, unless a bill is considered to be urgent. In the latter event, a thirty day period is shortened to 14 days. A bill submitted by the Sejm may be adopted by the Senate without any amendments, it may be amended or repealed. A resolution of the Senate, by which a bill is repealed or amended, is considered to be passed provided it has not been repealed by the Sejm by an absolute majority of the deputies of whom at least a half required by the law have been present.

A different procedure has been laid down for the adoption of the state budget. After a Budget Law has been adopted by the Sejm, it is handed over to the Senate which has 20 days to have it examined.

Another procedure is followed to pass a law amending the Constitution, because the Senate has only 60 days for its analysis. The Constitution is amended by a law, whose identical wording must be approved both by the Sejm and the Senate.



(Fot. Senate Archives)

The Senate grants its permission for the President to stage a nation wide referendum on matters of special significance to the state. The Senate also examines the reports submitted by the Commissioner for Citizens' Right Protection and the National Broadcasting Council.

Apart from its significant involvement in the legislative process, the Senate also grants its consent to appoint and remove the President of the Supreme Chamber of Control, and to appoint the President of the Institute of National Remembrance – Commission for the Prosecution of Crimes against the Polish Nation, the Commissioner for Citizens' Right Protection, the Ombudsman for Children and the General Inspector for Personal Data Protection. But unlike the Sejm, it has no control over the executive power. The Senate appoints a member of the National Broadcasting Council, two members of the Council of the Institute of National Remembrance, two senators to sit on the National Judiciary Board and three members of the Monetary Policy Council.

The Marshal of the Senate and 30 senators may also lodge a request for the Constitutional Tribunal to examine if an act of Polish legislation and international agreements comply with the Constitution, if a law complies with ratified international agreements, and whether an act of law issued by the central administration complies with the Constitution, ratified international agreements and other legislation.

*Legislative Office, October 1997  
with later amendments, October 2007*