

**THE REPUBLIC OF LITHUANIA**  
**LAW**  
**ON THE GOVERNMENT**

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**CHAPTER ONE**  
**GENERAL PROVISIONS**

**Article 1. Composition of the Government of the Republic of Lithuania**

The Government of the Republic of Lithuania (hereinafter referred to as “the Government”) shall consist of the Prime Minister and ministers.

**Article 2. Powers of the Government**

1. The Government shall exercise executive power in Lithuania.
2. The powers of the Government shall be defined by the Constitution and laws of the Republic of Lithuania.

**Article 3. Legal Basis of the Activities of the Government**

The Government shall act in compliance with the Constitution of the Republic of Lithuania, international agreements, laws, the Programme of the Government, other legal acts of the Republic of Lithuania, and shall co-ordinate its activities with the Strategy for National Development.

**Article 4. Basic Principles of the Activities of the Government**

The Government shall ground its activities on the principles of collegiality, democracy, lawfulness and openness.

**Article 5. Responsibility and Accountability of the Government**

1. The Government shall be jointly and severally responsible to the Seimas for the general activities of the Government. The Government shall at least once a year present to the Seimas its annual report on activities.

2. At the request of the Seimas the Government or individual ministers shall, in the manner prescribed by the Seimas Statute, account to the Seimas for their activities.

3. The ministers, in directing the spheres of administration entrusted to them, shall be accountable to the Seimas, the President of the Republic, and shall be directly subordinate to the Prime Minister.

4. The ministers shall, in the manner prescribed by the Government, inform the public about their activities in the web page of an appropriate ministry and if possible – in other media or at meetings with people.

## **CHAPTER TWO**

### **FORMATION OF THE GOVERNMENT**

#### **Article 6. Procedure of the Formation of the Government and the Programme of the Government**

1. The Prime Minister shall, with the approval of the Seimas, be appointed and dismissed by the President of the Republic.

2. The Prime Minister shall, within 15 days of his appointment, present to the Seimas the Government which he himself has formed and which has been approved by the President of the Republic, and shall submit its programme for consideration. In the event that this programme is not approved by the motivated regulation of the Seimas, the Prime Minister shall present a new programme for consideration within 15 days from the date on the disapproval. The ministries and other state institutions must furnish to the appointed ministers the material which is necessary for the preparation of a programme of the Government, and contribute to the preparation of the said programme.

3. The Government shall be empowered to act after the Seimas approves its programme by a majority vote of the Seimas members participating at the sitting.

4. When the Seimas approves the programme of the Government, the Government must within 3 months approve priority measures for the implementation of the provisions of the said programme.

#### **Article 7. Swearing-in of the Prime Minister and Ministers**

1. When assuming office, the Prime Minister and ministers shall swear an oath. The text of the oath shall read as follows:

1) "I (name, surname),

swear to be faithful to the Republic of Lithuania;

swear to respect and observe its Constitution and laws, to protect the integrity of its territories;

swear to the best of my ability to strengthen the independence of Lithuania, conscientiously serve my Homeland, democracy, and the well-being of the people of Lithuania.

So help me God!" or

2) "I (name, surname),

swear to be faithful to the Republic of Lithuania;

swear to respect and observe its Constitution and laws, to protect the integrity of its territories;

swear to the best of my ability to strengthen the independence of Lithuania, conscientiously serve my Homeland, democracy, and the well-being of the people of Lithuania."

2. Repealed.

3. The Prime Minister and ministers shall swear an oath at the Seimas sitting. The President of the Republic shall be invited to attend this sitting. The oath shall be administered by the Seimas Chairman or, in his absence, by the Deputy Seimas Chairman acting for the Seimas Chairman.

4. The Prime Minister and each minister shall swear an oath while standing in front of the Seimas Chairman or Deputy Seimas Chairman and reading the oath while holding his hand on the Constitution of the Republic of Lithuania. After having sworn an oath, the Prime Minister or the minister shall sign the nominal oath sheet.

5. The set text of the oath shall not be amended and changed. Non-compliance with this provision, refusal to swear an oath or to sign a nominal oath sheet, or signing the sheet with a stipulation shall mean that the Prime Minister or a minister has not sworn the oath and may not hold his office.

6. Nominal oath sheets shall be handed over to the Seimas Chairman and shall be kept in the Office of the Seimas.

**CHAPTER THREE**  
**RETURN OF THE POWERS OF THE**  
**GOVERNMENT AND ITS RESIGNATION**

### **Article 8. Return of the Powers of the Government**

1. The Government shall return its powers after election of the President of the Republic.
2. After the Seimas elections the Government shall return its powers to the President of the Republic on the day the newly-elected Seimas convenes its first sitting.
3. After the presidential elections the Government shall return its powers to the President of the Republic on the day he assumes his official duties.
4. When more than half of the ministers are changed, the Seimas must newly empower the Government.
5. The powers of the Government shall be considered to have been returned when the Prime Minister or a member of the Government deputising for the Prime Minister hands in a written application to the President of the Republic.
6. The President of the Republic shall accept the powers returned by the Government and charge it to perform its duties until the Government is newly empowered by the Seimas or until a new Government is formed. If the Government does not return its powers in writing, the President of the Republic shall have the right to charge by a decree the Government to perform its duties and to appoint a member of the Government to deputise for the Prime Minister until a new Government is formed or until the Government is newly empowered by the Seimas.
7. When the Government returns the powers on the grounds specified in paragraph 1 of this Article, the President of the Republic shall within 15 days submit to the Seimas for consideration the candidature of the Prime Minister of the Government which has returned its powers. When the Seimas approves of the candidature of the Prime Minister and the President of the Republic appoints the Prime Minister, if not more than half of the ministers who worked before the return of the powers have changed in the Government the composition whereof was submitted by the Prime Minister and approved by the President of the Republic, the Government shall be newly empowered to act in accordance with the programme previously approved by the Seimas. If the Seimas does not approve of the candidature of the Prime Minister, the Government must resign.

### **Article 9. Resignation of the Government**

The Government must resign in the following cases:

- 1) when the Seimas disapproves two times in succession of the programme of the newly formed Government;
- 2) when the majority of all the Members of the Seimas by secret ballot pass a motion of no confidence in the Government or in the Prime Minister;
- 3) when the Prime Minister resigns or dies;

4) after the Seimas elections, when a new Government is formed;  
5) when more than half of the ministers are replaced or after the election of President of the Republic the Seimas does not confer powers on the Government anew.

2. After announcing a written notification about the resignation of the Government at a Government sitting, the Prime Minister shall submit it to the President of the Republic.

3. If the Prime Minister dies, the President of the Republic shall be notified of the resignation of the Government by a minister deputising for the Prime Minister; in the event there is no deputising minister – by the eldest minister. A notification of the resignation of the Government must be announced at a Government sitting.

4. If necessary an extraordinary sitting of the Government shall be convened for the announcement of a notification of the resignation of the Government.

5. The President of the Republic must be notified of the resignation of the Government on the day when one of the circumstances referred to in paragraph 1 of this Article occurs.

6. The Government may resign upon the proposal of the Prime Minister by adopting a regulation which the Prime Minister shall submit to the President of the Republic on the same day.

7. The President of the Republic shall accept resignation of the Government. The Government shall be considered to have resigned from the day of the entry into force of the decree of the President of the Republic. When necessary the President of the Republic shall charge it to continue performing its duties. He may charge one of the ministers to act for the Prime Minister until a new Government is formed.

#### **Article 10. Appointment, Dismissal and Resignation of a Minister**

1. On the nomination by the Prime Minister the President of the Republic shall appoint and dismiss individual ministers. When deputising for the President of the Republic the Seimas Chairman may not appoint or dismiss ministers without the Seimas consent.

2. The minister shall have the right to resign. The minister shall notify the Prime Minister in writing of his resignation. The Prime Minister shall within 5 working days present such resignation of the minister to the President of the Republic. Until the presentation of the resignation to the President of the Republic, the minister shall, on the proposal of the Prime Minister, have the right to revoke his resignation.

3. The minister must resign when more than half of all the Seimas members express, voting in secret ballot, a lack of confidence in him. The minister shall notify the Prime Minister of this fact in writing on the same or the next day, and the Prime Minister shall present the resignation of the minister to the President of the Republic on the same day or if this is not possible - not later than on

the next day. If the minister does not fulfil this requirement, he shall be relieved of his post by a decree of the President of the Republic.

4. The President of the Republic shall accept the resignation of the minister. The minister shall be considered to have resigned from the day of the entry into force of the decree of the President of the Republic. The President of the Republic may charge the minister to continue in office until a new minister is appointed on the nomination of the Prime Minister.

**Article 11. Submitting an Interpellation to the Prime Minister or a Minister or Submitting a Draft Regulation concerning Non-Confidence in the Government**

1. During a session of the Seimas, a group of at least 1/5 of the Seimas members may submit an interpellation to the Prime Minister or a minister, as well as, submit a draft regulation concerning non-confidence in the Government.

2. Upon considering the reply of the Prime Minister or the minister to the interpellation, or the reply of the Government to the draft regulation concerning non-confidence, the Seimas may decide that the reply is not satisfactory and by a majority vote of more than half of all the Seimas members express non-confidence in the Prime Minister or the minister, or the Government; said voting shall be done by secret ballot.

3. Upon the declaration of non-confidence in the Prime Minister or the minister, or the Government, they must resign on the same day.

4. When the Seimas declares non-confidence in the Prime Minister, the Government shall resign *in corpore*. In this case, the President of the Republic shall charge another Government member to carry out the functions of the Prime Minister until a new Government is formed. When the Seimas declares non-confidence in a minister, the President of the Republic shall charge another minister to carry out the said functions until a new minister is appointed and sworn in. In this case, the Prime Minister shall not later than within 15 days present to the President of the Republic a new candidate for minister.

**CHAPTER FOUR**

**GUARANTEES AND RESTRICTIONS FOR THE GOVERNMENT MEMBERS**

**Article 12. Guarantees for Inviolability of the Prime Minister and Ministers**

The Prime Minister and ministers may not be held criminally liable or arrested, and may not be subjected to any restrictions of personal freedom without the preliminary consent of the Seimas, or, if the Seimas is not in session - without the preliminary consent of the President of the Republic.

### **Article 13. Other Guarantees of the Government Members**

1. The amount of remuneration of work of the Government members shall be fixed by the Law of the Republic of Lithuania on Remuneration of State Politicians and State Officials.

2. The Office of the Government shall calculate and pay salaries to the Prime Minister and the ministries shall calculate and pay salaries to the ministers. The members of the Government shall be insured with state social insurance in accordance with the procedure established by the Law on State Social Insurance.

3. By the decision of the Government the fund of the Prime Minister may be set up to finance expenses related to the representation of the Government in Lithuania and abroad; each month the sum in the amount of up to one average monthly earnings in the national economy, as most recently published by the Lithuanian Department of Statistics, shall be allocated to the said fund without exceeding general funds for the representational purposes provided for the Office of the Government in the state budget of the Republic of Lithuania. The Government shall set concrete amounts and the procedure for using these funds.

4. By the decision of the Government funds of individual ministers may be set up without exceeding general funds for the representational purposes allotted to the appropriate Ministry. The Government shall establish a procedure for using the said funds.

5. The Prime Minister may have a residence which is maintained from the funds provided for the Office of the Government in the state budget.

6. Upon expiration of the term of office of a Government member in the case referred to in point 4 of paragraph 1 of Article 9 of this Law, he shall be paid the compensation equal to two average monthly salaries of the Government member, and upon expiration of the term of office of a Government member in the cases referred to in points 1, 2, 3 and 5 of paragraph 1 of Article 9 of this Law - to one average monthly salary.

7. The compensations provided for in paragraph 6 of this Article shall not be paid to the Government members when they are appointed Prime Minister or ministers in a newly-formed Government, as well as when they are elected Seimas members.

8. Funds for the guarantees provided for in this Article shall be appropriated from the state budget.

9. The Government members shall be entitled to the minimum annual leave of 28 calendar days. In compliance with the provisions of the Labour Code, the Government members may be granted the following special-purpose leave: maternity leave, paternity leave, educational leave, leave for performance of official or public duties, unpaid leave.

10. A Government member who is declared, in accordance with the procedure laid down by the law, a candidate to the office of President of the Republic, a candidate for Seimas member, a candidate for a member of the European Parliament or a candidate for councillor, shall have the right to be relieved from work or the official duties during the election campaign, but for not longer than 10 days. A written request to be relieved from the official duties shall be submitted to the person who has the right to grant leave. Such Government member shall not be relieved from the official duties, or, if relieved, shall be recalled, if it will not be possible to ensure at a Government sitting the majority of the Government members necessary to take a decision. The salary or other payments shall not be paid to the Government member for the period during which the Government member is relieved from the official duties.

11. The Government members may have only those guarantees, which are defined by legal acts.

**Article 14. Prohibition for the Prime Minister and Ministers to Hold Elective or Appointive Office and to Engage in any other Labour Activities**

The Prime Minister and ministers may not hold any other elective and appointive office (except a possibility for the Seimas members to hold the post of the Prime Minister or a minister), may not be employed in business, commercial and other private establishments or enterprises, and may not receive any remuneration other than the salary established for their respective Government offices and payments for creative activities.

**CHAPTER FIVE**

**SPECIAL RELATIONS OF THE GOVERNMENT WITH  
THE SEIMAS AND THE PRESIDENT OF THE REPUBLIC**

**Article 15. The Right of the Government to Present a Proposal for Early Elections to the Seimas**

The Government shall have the right to present to the President of the Republic a proposal to announce early elections to the Seimas, if the Seimas expresses direct non-confidence in the Government.

**Article 16. The Right of the Government to Announce Presidential Elections**



1. If in the cases specified in paragraph 1 of Article 89 of the Constitution of the Republic of Lithuania the Seimas cannot within 10 days convene and announce presidential elections, the said elections shall be announced by the Government by passing a regulation.

2. The Central Electoral Committee shall be instructed to implement this Government regulation.

#### **Article 17. Participation of the Prime Minister and Ministers in the Work of the Seimas**

In the manner established by the Seimas Statute, the Prime Minister and ministers shall be entitled to attend sittings of the Seimas, its Committees, Commissions and parliamentary groups, and to convey their opinion on the issues under consideration.

#### **Article 18. Procedure for Replying by the Government Members to Inquiries of the Seimas Members**

1. The Prime Minister or the minister to whom an inquiry about the activities of the Government, Ministries or other government agencies is addressed by a Seimas member during a Seimas session, must reply orally or in writing in the procedure established by the Seimas Statute.

2. At a Seimas session the Prime Minister and ministers shall, in a manner prescribed by the Seimas Statute, answer the questions posed by Seimas members.

3. On the invitation of the Seimas Committee, Commission or parliamentary group, ministers or a public servant authorised by a minister must, in a manner prescribed by the Seimas Statute, attend a sitting of the Committee, Commission or parliamentary group, and provide explanations on the issues under consideration.

#### **Article 19. Countersign Decrees of the President of the Republic**

The Prime Minister or an appropriate minister shall within 3 days sign the decrees of the President of the Republic concerning the issues specified in Article 85 of the Constitution of the Republic of Lithuania. Responsibility for such decree shall lie with the Prime Minister or the minister who signed it.

#### **Article 20. The Right of Legislative Initiative of the Government**

1. The Government shall have the right of legislative initiative in the Seimas.

2. The Government shall enact a resolution with relation to draft laws or draft Seimas resolutions which are being submitted to the Seimas. When debating the said drafts in the Seimas, the Government shall be represented by the Prime Minister, the minister authorised by the

Government, or the Vice-Minister authorised by the Government, if the minister is unable to represent the Government in the Seimas.

### **Article 21. Voting on Confidence in the Government**

The Government shall be entitled to submit a proposal to the Seimas regarding the voting on confidence in the Government.

## **CHAPTER SIX COMPETENCE OF THE GOVERNMENT**

### **Article 22. Basic Powers of the Government**

The Government shall:

- 1) safeguard the constitutional order and inviolability of the territory of the Republic of Lithuania, administer national affairs, ensure State security and public order;
- 2) enforce laws and resolutions of the Seimas on the implementation of the laws, decrees of the President of the Republic, approve conceptions of regulations, prepare a Strategy for National Development and submit it to the Seimas for approval;
- 3) implement the programme of the Government, approve its annual operational priorities and intended results in the spheres of administration entrusted to the ministers, co-ordinate the activities of the Ministries and government agencies;
- 4) prepare a draft law on the approval of financial indices of the state budget and municipal budgets; organise the implementation of the state budget, submit to the Seimas a financial statement on the implementation of the state budget; submit to the Seimas draft laws on the approval of budget indices of the State Social Insurance Fund and the Compulsory Health Insurance Fund, as well as reports on implementation of the State Social Insurance Fund budget and the Compulsory Health Insurance Fund;
- 5) dispose of the State property on the grounds of laws, establish a procedure of the management and use thereof;
- 6) draft laws and other legal acts and submit them to the Seimas for consideration;
- 7) submit proposals to the Seimas to establish and abolish ministries;
- 8) establish, reorganise, restructure and abolish government agencies, found agencies under the Ministries and charge the Ministries to implement the rights and duties of owners of agencies under the Ministries (except the adoption of decisions on the reorganization and abolishing of such agencies);

9) approve regulations of the Ministries, the Office of the Government, government agencies, agencies under the Ministries, the service of the representative of the Government, the structure of the administration of government agencies or charge the head of a government agency with the approval of the said structure; the Government may charge a minister of an appropriate sphere of administration minister to approve the regulations of agencies under the Ministries and the structure of their administration;

**Version of point 9 valid from 1 January 2016:**

9) approve regulations of the Ministries, the Office of the Government, government agencies, agencies under the Ministries, the service of the representative of the Government, the structure of the administration of government agencies or charge the head of a government agency with the approval of the said structure; the Government may charge a minister of an appropriate sphere of administration minister to approve the regulations of agencies under the ministry as well as the structure of their administration, unless other laws lay down another procedure for the approval thereof;

10) together with the President of the Republic carry out foreign policy; found diplomatic relations and maintain relations with foreign countries and international organisations; taking into account recommendations of the Seimas Committee on Foreign Affairs, submit proposals to the President of the Republic to appoint or recall diplomatic representatives of the Republic of Lithuania in foreign states and at international organisations;

11) in a manner prescribed by the law, organise governing in upper administrative units;

12) propose to the Seimas to establish the direct governing on the territory of a municipality in the cases provided by the law;

13) have the right to appeal to the Constitutional Court with a request to investigate the conformity of laws of the Republic of Lithuania and other legal acts passed by the Seimas with the Constitution of the Republic of Lithuania;

14) appoint and dismiss representatives of the Government, the Commissioner of the Government and his deputy, heads of government agencies, other civil servants and officials defined by the law; on the recommendation of the minister of an appropriate sphere of administration impose disciplinary sanctions on the civil servants and officials employed by the Government, give incentives to them;

15) set up commissions and committees of the Government; and

16) discharge other duties prescribed to the Government by the Constitution of the Republic of Lithuania, this and other laws.

### **Article 23. Relations of the Government with Local Authorities**

The Government shall:

- 1) coordinate activities of the representatives of the Government and supervise how they discharge the powers conferred on them by the law; and
- 2) submit recommendations to local authorities concerning the issues of the development of social security, health, education and culture, as well as other issues.

## **CHAPTER SEVEN**

### **COMPETENCE OF THE PRIME MINISTER AND MINISTERS**

#### **Article 24. The Prime Minister**

1. The Prime Minister shall represent the Government and direct its activities.
2. The Prime Minister shall:
  - 1) form the Government and submit to the President of the Republic its composition for approval;
  - 2) submit proposals to the President of the Republic on the appointment and dismissal of individual ministers;
  - 3) in the manner prescribed by the Law on Civil Service recruit and dismiss civil servants of political (personal) confidence of the Prime Minister, other civil servants and officials defined by the law; he may charge the Chancellor of the Government to recruit and dismiss civil servants of political (personal) confidence of the Prime Minister, approve their job descriptions;
  - 4) impose disciplinary penalties on civil servants and officials recruited by the Prime Minister, give incentives to civil servants and officials recruited by the Prime Minister, grant allowances to them, grant them leave and assign them to business trips, unless otherwise provided for by the law; he may charge the Chancellor of the Government to give incentives to civil servants of political (personal) confidence of the Prime Minister, to impose disciplinary penalties on and to grant allowances to them, to grant them leave and to assign them to business trips;
  - 5) repealed
  - 6) in the cases laid down in the Constitution of the Republic of Lithuania, submit to the President of the Republic proposals to charge one of the ministers to deputise for the Prime Minister;
  - 7) submit a programme of the Government to the Seimas for consideration;
  - 8) repealed;

9) convene Government sittings and preside over them (chair them), approve the agenda of a Government sitting;

10) give authority to negotiate and sign international agreements of the Republic of Lithuania;

11) form government delegations for official visits to other countries, as well as for the participation in international congresses, conferences, sessions or other international events;

12) give authority to represent the Government in the Constitutional Court and other courts;

13) solve issues pertaining to the organisation of Government activities;

14) perform other duties prescribed to the Prime Minister by the Constitution of the Republic of Lithuania, this and other laws.

3. If the Prime Minister does not approve of the provisions of the minister's activities in the Government, he shall have the right to submit to the President of the Republic a proposal concerning dismissal of the said minister.

#### **Article 25. Powers of the Minister who Acts or Deputises for the Prime Minister**

1. The minister who acts for the Prime Minister shall be entitled to the same powers as the Prime Minister.

2. The minister who deputises for the Prime Minister shall be entitled to the same powers as the Prime Minister, with the exception of the powers provided for in paragraphs 2 and 6 of Article 9 and points 1-4 and 10 of paragraph 2 of Article 24 of this Law.

3. The minister who acts or deputises for the Prime Minister shall indicate in documents his own duties and make an entry "Acting Prime Minister" or "Deputising Prime Minister".

#### **Article 26. The Ministers**

1. The ministers shall be responsible for the spheres of administration entrusted to them; the said spheres shall be designated by this Law and other laws.

2. Only another member of the Government, appointed by the Prime Minister, may temporarily act for a certain minister. The acting minister shall not discharge the functions referred to in points 6, 9, 13, 14, 15, 16 and 17 of paragraph 3 of this Article.

3. The minister:

1) shall head the respective Ministry, settle the matters which fall within the jurisdiction of the Ministry, and be directly responsible for the implementation of the programme of the Government and Government's annual operational priorities and intended results in the spheres of administration entrusted to him;

2) shall ensure the enforcement of laws, international agreements of the Republic of Lithuania, decrees of the President of the Republic, resolutions of the Government, decisions of the Government, ordinances of the Prime Minister and other legal acts;

3) shall submit to the Government drafts of laws and other legal acts in the manner prescribed by the Government rules of procedure;

4) shall ensure the enforcement of instructions of the Government and the Prime Minister;

5) shall issue and sign orders, supervise the enforcement thereof; when necessary, several ministers may issue joint orders;

6) shall, pursuant to the Methodology of Strategic Planning approved by the Government, prepare and, after consultation with the Prime Minister, approve strategic action plans (a strategic action plan) of the spheres of administration assigned to the minister, as well as shall approve annual action plans of the Ministry, agencies under the Ministry and other subordinate budgetary institutions and may instruct their heads to approve annual action plans of budgetary institutions subordinate to them;

7) shall, in accordance with the procedure laid down by the Government, submit to the Government annual reports on the Ministry's activity; shall, at the request of the Prime Minister, account for his activities;

8) shall submit to the Government draft regulations of agencies under the Ministry. When charged by the Government, approve regulations and administrative structure of the agencies under the Ministry;

9) shall approve the structure of the Ministry administration and the roll of civil servants and employees working under the employment contract and receiving salaries from the state budget and state monetary funds, without exceeding the funds appropriated for salaries and the highest permitted number of positions, approved by the Government, of civil servants and employees working under the employment contract and receiving salaries from the state budget and state monetary funds;

10) shall approve the regulations of the units of the Ministry administration and job descriptions of civil servants and employees working under the employment contract and receiving salaries from the state budget and state monetary funds;

11) shall co-ordinate and control activities of the units of the Ministry;

12) shall co-ordinate and control activities of the agencies under the Ministry, unless he delegates the said functions to the vice-ministers and the chancellor of the Ministry and unless otherwise provided for by the law;

13) shall, in the manner prescribed by the law recruit and dismiss civil servants and employees of the Ministry working under the employment contract and receiving salaries from the state budget and state monetary funds, give incentives to them, impose disciplinary penalties on and grant allowances to them, or may delegate the performance of these functions to the chancellor of the Ministry;

14) shall, in the manner prescribed by the law recruit and dismiss the heads of the agencies under the Ministry, give incentives to them, impose disciplinary penalties on and grant allowances to them, unless otherwise provided for by the law;

15) shall propose to the Government to recruit and dismiss from it heads of the government agencies functioning in the spheres of administration assigned to him as well as other officials of such agencies to be recruited by the Government, grant leave to these officials, send them on business trips, grant allowances; shall make proposals to the Government for the imposition of disciplinary measures and giving incentives to civil servants and officials to be recruited by the Government who act in the spheres of administration assigned to him. If the activity of a government agency is related to the spheres of administration assigned to several ministers, the said powers shall be exercised by the minister of an appropriate sphere of administration, who is appointed by the Government.

16) shall define the fields of activities of the vice-ministers, the spheres of administration of the chancellor of the Ministry;

17) shall approve the highest permitted number of positions of civil servants and employees working under the employment contract and receiving salaries from the state budget and state monetary funds in separate agencies under the Ministry and other institutions and agencies assigned to the spheres of minister's administration, without exceeding the highest permitted number of positions of civil servants and employees working under the employment contract and receiving salaries from the state budget and state monetary funds in agencies under the Ministry and other institutions and agencies assigned to the spheres of minister's administration;

18) shall discharge other functions prescribed to him by laws and Government resolutions.

4. The minister who has a separate opinion concerning the Government resolutions or the work of its individual members should express it at a Government sitting.

#### **Article 27. Government Committees and Government Commissions**

1. The Government may set up Government committees and Government commissions.

2. Government committees shall be advisory institutions of the Government. Their purpose shall be to submit proposals to the Government regarding the selection of priorities of its activities,

policy and strategy in a certain sphere and their conformity to the State Progress Strategy, when necessary, coordinate the positions of the ministers while solving State management matters and carry out other tasks and functions set by the Government.

3. Government committees shall be set up from the Government members, the Chancellor of the Government or the First Deputy Chancellor of the Government. When setting up Government committees the Government shall set their tasks, functions, composition, appoint chairman. The procedure of work of Government committees shall be laid down by the Government rules of procedure.

4. Government commissions shall be set up to carry out the tasks assigned by the Government.

5. Government commissions may be set up from representatives of state and municipal institutions and establishments, associations, institutions of science and studies, independent experts and, when necessary, other persons. Representatives of municipal institutions and establishments shall be delegated to Government commissions by municipal councils, Seimas members – by the Speaker of the Seimas or the Board of the Seimas, and the employees of the Office of the Seimas – by the Secretary General of the Seimas. When setting up Government commissions, the Government shall set their tasks, personal composition. The Government may delegate the approval of the personal composition of a Government commission to the Prime Minister, a minister, the Chancellor of the Government or a head of a government agency. The procedure for organising work of Government commissions shall be laid down by the rules of procedure of the Government.

#### **Article 28. Working Groups Formed by the Prime Minister**

1. The Prime Minister may form working groups to carry out the tasks assigned by him. These working groups may be formed from representatives of state and municipal institutions and establishments, associations, institutions of science and studies, independent experts, other persons when necessary. Representatives of municipal institutions and establishments shall be delegated to working groups of the Prime Minister by municipal councils, Seimas members – by the Speaker of the Seimas or the Board of the Seimas, and the employees of the Office of the Seimas – by the Secretary General of the Seimas.

2. A working group shall be headed by the person appointed by the Prime Minister.

3. The concrete tasks of a working group shall be laid down by the Prime Minister. The procedure for organising work of working groups formed by the Prime Minister shall be laid down by the rules of procedure of the Government.



4. When necessary, the Government shall resolve an issue of the allocation of funds for the activities of a working group.

**CHAPTER EIGHT**  
**THE MINISTRIES, GOVERNMENT AGENCIES**  
**AND AGENCIES UNDER THE MINISTRIES**

**Article 28<sup>1</sup>. Application of other Laws to the Establishment, Reorganization, Restructuring and Abolition of Ministries, Government Agencies, Agencies under the Government**

The Law of the Republic of Lithuania on Budgetary Institutions shall apply to the establishment, reorganization, restructuring and abolition of Ministries, government agencies, agencies under the Ministries in so far as this is not regulated by this Law.

**Article 29. The Ministries**

1. A Ministry shall be established in order to shape public policy, to organize, coordinate and control its implementation in the spheres of administration assigned to the minister. The functions of the public policy implementation may be assigned to the Ministry only in the cases laid down by the law and for a set period of time.

2. In the Republic of Lithuania the Ministries shall be as follows:

- 1) Ministry of Environment;
- 2) Ministry of Energy;
- 3) Ministry of Finance;
- 4) Ministry of National Defence;
- 5) Ministry of Culture;
- 6) Ministry of Social Security and Labour;
- 7) Ministry of Transport and Communications;
- 8) Ministry of Health;
- 9) Ministry of Education and Science;
- 10) Ministry of Justice;
- 11) Ministry of Economy;
- 12) Ministry of Foreign Affairs;
- 13) Ministry of the Interior; and
- 14) Ministry of Agriculture.

3. Upon the proposal of the Government the Ministries shall be established and abolished by the Seimas by passing a law.

4. The Ministry shall be headed by the minister.

5. The Ministry shall be a public legal person which has a bank account and a seal with the State Emblem and its own name.

6. The Ministry shall act in compliance with the Constitution, laws of the Republic of Lithuania, international agreements of the Republic of Lithuania, Government resolutions, other legal acts.

7. The Ministry shall be an institution financed from the state budget.

8. The Government shall approve the regulations of the Ministry.

9. The Ministry shall have its own administration. The chancellor of the Ministry shall head the administration.

10. Activities of the Ministry shall be organised pursuant to strategic and annual action plans as well as other planning documents approved by the Minister. Strategic and annual action plans of the Ministries shall be announced on the websites of the Ministries.

11. The laws regulating the activity of the national defence system may provide for the specific features of the management structure of the Ministry of National Defence.

#### **Article 29<sup>1</sup>. Government Agencies**

1. A government agency shall be established to participate in the shaping of a policy in the spheres of administration assigned to the minister and to implement such policy.

2. A government agency shall be a public legal person having its bank account and a seal bearing the State Emblem and the name of the agency.

3. A government agency shall be a budgetary institution maintained from the state budget and other state monetary funds for whom appropriations shall be allocated and administered in accordance with the procedure laid down by the Law on the Budget Structure.

4. A Government agency shall function in accordance with the regulations approved by the Government.

5. A special law regulating activities of a government agency may grant special rights to the government agency where such rights shall guarantee the independence of the performance of the assigned functions.

6. A government agency whose activities are related to the spheres of administration assigned to several ministers may, on the decision of the Government, have a college. The procedure

for establishing the aforementioned college and its competence shall be laid down by the Government.

7. A government agency shall be function pursuant to a strategic action plan and an annual action plan approved in accordance with the procedure laid down by the Government. A strategic action plan of the government agency shall be approved by the minister of an appropriate sphere of administration or the ministers of appropriate spheres of administration by the joint order and an annual action plan shall be approved by the head of the government agency after consultation with the minister of an appropriate sphere of administration or the ministers of appropriate spheres of administration.

8. A government agency shall be directed by its head – a state official. The head of the government agency shall, on the recommendation of the minister of an appropriate sphere of administration appointed by the Government, be recruited for a period of four years and dismissed by the Government, unless otherwise provided for by the law. A person who is recruited as the head of the government agency must meet general requirements posed to a person recruited as a civil servant as well as special requirements which may be laid down by a law regulating activities of the Government. The head of the government agency may be recruited to the said position not more than two consecutive terms of office. Unless otherwise provided for by the law, the head of the government agency shall be answerable to the Government and the minister of an appropriate sphere of administration and accountable to the Government and the ministers whose spheres of administration, assigned to them, are related to activities of the government agency.

9. The head of the government agency shall be dismissed:

- 1) at his own will;
- 2) when he loses the citizenship of the Republic of Lithuania;
- 3) at the end of the term of office;
- 4) upon his appointment or election to another position;
- 5) when a court sentence imposing a penalty upon him for committing a serious or grave crime or a criminal act against the civil service and public interest, or a criminal act of corruptive nature, or a criminal act against property, property rights and property interests, economy and business order or financial system, or a penalty barring him from performing his duties comes into effect;
- 6) when he grossly violates his duties;
- 7) when the Government does not approve of his activity report.

10. The head of a government agency who because of his temporary incapacity for work does not work longer than 120 calendar days in succession or longer than 140 days during the last

twelve months may be dismissed from work. The said periods do not include the time during which the head of the government agency received sickness social insurance benefits for the nursing of ill family members as well as sickness benefits for persons suspended from work because of outbreaks or epidemics of communicable diseases.

11. The head of a government agency shall, in the manner prescribed by the Government, account for activities of the agency, shall account for his own activities at the request of the Government or the minister responsible for the assigned sphere of administration.

12. Recruitment and dismissal of officials to be recruited by the Government (with the exception of the heads of these government agencies) shall be defined by laws regulating their activities.

13. Heads of government agencies and other officials of government agencies shall be paid salaries in compliance with the Law of the Republic of Lithuania on Remuneration of State Politicians and State Officials. The provisions of the Law on Civil Service regulating the activities incompatible with the civil servant's duties, material liability and annual leave shall apply to heads of government agencies and officials of government agencies. Their other employment (service) relations and social guarantees shall be defined by the Labour Code and other laws.

### **Article 30. Agencies under the Ministry**

1. An agency under the Ministry shall be established to implement public policy in the spheres of administration assigned to the minister as well as to attend to the shaping and implementation of such policy. In the cases provided for by the law, an agency under the Ministry may be assigned to perform the functions of participation in the shaping of public policy in the sphere assigned to the minister.

2. An agency under the Ministry shall be a budgetary institution maintained from the state budget and other state monetary funds for whom appropriations shall be allocated and administered in accordance with the procedure laid down by the Law on the Budget Structure.

3. An agency under the Ministry shall function in compliance with the regulations approved by the Government. The Government may delegate the approval of the regulations of the agency under the Ministry to the minister of an appropriate sphere.

4. An agency under the Ministry shall function pursuant to an annual action plan prepared in the manner prescribed by the Government and approved by the minister of an appropriate sphere of administration.

5. The head of an agency under the Ministry shall be, in accordance with the procedure laid down by the Law on Civil Service (not on the basis of political (personal) confidence), recruited for

the four-year term of office and dismissed by the minister of an appropriate sphere. The head of an agency under the Ministry may be recruited as the head of the same agency not longer than two successive terms of office. The head of an agency under the Ministry shall be directly subordinate and accountable to the minister of an appropriate sphere of administration. Laws may define yet another recruitment of heads of agencies under the Ministries, the length of the term of office, subordination and accountability.

**Article 31. Civil Servants of Political (Personal) Confidence and Public Consultants of the Minister**

1. Civil servants of political (personal) confidence of the minister – the vice-ministers, adviser(-s) to the minister, minister’s spokesman for the press and other civil servants of political (personal) confidence of the minister – shall assist the minister in laying down political provisions and priorities, making decisions and implementing them.

2. The number of the vice-ministers shall be set by the Government on the advice of the minister. Not more than four vice-ministers may work in the Ministry.

3. In the defined fields of activities, the vice-ministers shall:

1) organize and control the enforcement of the assignments of the Prime Minister, the Government and the minister;

2) organize and control the drawing-up of draft legal acts and their coordination with the interested institutions; control the conformity of draft legal acts which are being drawn up with the provisions of the programme of the Government and the legislative process requirements;

3) on the instructions of the minister, coordinate and control activities of the agencies under the Ministry;

4) on the instructions of the minister, represent the minister when presenting and discussing the political provisions and decisions of the minister to the public, in the Seimas committees, Government sittings and meetings;

5) discharge other functions assigned to them by the minister.

4. The minister may, for the duration of his term of office, have public consultants who, at the request of the minister, provide consultations to him, submit proposals, conclusions and any other information.

**Article 31<sup>1</sup>. Chancellor of the Ministry**

1. The chancellor of the Ministry shall be a career civil servant, head of the administration of the Ministry, and subordinate to the minister. The chancellor of the Ministry of Foreign Affairs may be a diplomat.

2. The chancellor of the Ministry shall:

1) co-ordinate and control activities of administrative units of the Ministry, ensure optimal management and use of financial, material, intellectual and information resources when implementing strategic action plans of the Ministry; on the instruction of the minister, coordinate and control activities of the agencies under the Ministry;

2) exercise control over administrative economic activities of the Ministry;

3) organise and coordinate the preparation and implementation of strategic action plans of the Ministry;

4) participate in the organization and coordination the enforcement of assignments of the Prime Minister and the Government, preparation and coordination of draft legal acts; shall, in pursuance of a strategic action plan and other strategic planning documents, ensure the compatibility of draft legal acts and other decisions prepared by the Ministry;

5) organise the preparation of drafts of regulations of the Ministry, regulations of units of the administration of the Ministry, list of positions, job descriptions of civil servants and employees working under the employment contract and receiving salary from the state budget and state monetary funds, and orders of the minister;

6) on the instruction of the minister and in accordance with the procedure laid down by the law, appoint and dismiss civil servants and employees of the Ministry working under the employment contract and receiving salary from the state budget and state monetary funds, as well as give an incentive to, impose disciplinary penalties on or grant allowances to them;

7) discharge other functions assigned to him by the law, resolutions of the Government and the minister.

3. If the chancellor of the Ministry is temporarily absent, the minister shall delegate the exercise of all or part of his functions to the head of one of the structural units of the administration of the Ministry.

4. The chancellor of the Ministry or, during in his temporary absence, the head of one of the structural units of the administration of the Ministry shall, within the limits of his competence, issue ordinances. The chancellor of the Ministry shall keep the seal of the Ministry and be responsible for its use. The Minister may delegate the keeping of the seal of the Ministry to another civil servant of the Ministry. In this event the civil servant of the Ministry authorized by the minister shall be responsible for the use of the seal.

**Article 32. Colleges of the Ministries**

1. The college shall be founded in the Ministry, which shall be an advisory body to the minister. The minister (chairman of the college), vice-ministers and the chancellor of the Ministry shall be the members of the college. Other representatives of the Ministry and other institutions may be included in the college.

2. The minister shall fix the number of members of the college, and approve the composition and rules of procedure of the college. He shall also submit issues to the college for consideration.

**Article 33. Repealed****Article 34. Supervision of Legality of Legal Acts Adopted by the Ministers, Government Agencies and Agencies under the Ministries**

The Government shall have the right to repeal legal acts of the ministers, heads of government agencies and agencies under the Ministries, if the said acts are not in compliance with the Constitution of the Republic of Lithuania, international agreements of the Republic of Lithuania, laws and other legal acts passed by the Seimas, decrees of the President of the Republic, resolutions of the Government or ordinances of the Prime Minister.

**Article 35. Organisation of the Governing of Counties, Administrative Supervision of Activities of Local Authorities and Implementation of Temporary Direct Rule within the Municipal Territory**

1. The Government shall organise the governing of the county – an upper administrative unit of the territory of the Republic of Lithuania - through the Ministries, government agencies, agencies under the Ministries, other entities of public administration directly subordinate or accountable to the Government.

2. When functioning in upper administrative units the territorial entities of state administration, who are subordinate to the minister, the head of a government agency or an agency under the Ministry, other entities of public administration, who are directly subordinate or accountable to the Government shall implement the powers of public administration granted to them in accordance with the procedure laid down by laws and the legal acts adopted on the basis thereof. The Government shall define the model composition of the county governor's administration, approve its model regulations and set the highest permitted number of positions of civil servants and

employees working under the employment contract and receiving salary from the state budget and state monetary funds.

3. Representatives of the Government shall supervise whether local authorities comply with the Constitution and laws of the Republic of Lithuania, whether they enforce Government resolutions.

4. The service of the representative of the Government shall assist the representative of the Government in carrying out his powers; the Government shall approve its regulations and set the highest permitted number of positions of civil servants and employees working under the employment contract and receiving salary from the state budget and state monetary funds.

5. Temporary direct rule within the municipal territory shall be implemented by the Government through an appointed commissioner of the Government.

6. The competence of the representative of the Government, the commissioner of the Government shall be defined by laws and other legal acts.

## **CHAPTER NINE**

### **ORGANISATION OF THE ACTIVITIES OF THE GOVERNMENT**

#### **Article 36. Rules of Procedure of the Government**

Working arrangements of the Government shall be established by the rules of procedure approved by the Government.

#### **Article 37. Sittings and Meetings of the Government**

1. The Government shall resolve the issues of State administration at its sittings by adopting resolutions by a majority vote of all Government members.

2. Government sittings may be attended by the persons whose right to participate in such sittings is provided for by the Constitution, other laws of the Republic of Lithuania and the rules of procedure of the Government.

3. Other persons may also be invited to Government sittings.

4. The principal issues may, prior to Government sittings, be discussed at Government meetings and in the committees of the Government. Reports presented by the Government may also be considered, conclusions, proposals submitted to the Government by working groups set up by the commissions of the Government, the Prime Minister as well as any other information furnished to the Government may be discussed at Government meetings.



**Article 38. Procedure for Submitting Draft Legal Acts to the Government**

1. The right to submit to the Government drafts of laws, resolutions of the Government and other legal acts shall be enjoyed by the Prime Minister, ministers, municipal councils and other entities to whom such a right is granted by the law. Drafts of legal acts submitted by the Prime Minister must be signed by the Prime Minister, drafts of legal acts submitted by the minister must be signed by the minister. Drafts of legal acts submitted by municipal councils, other entities to whom such a right is granted by the law must be signed by the minister of an appropriate sphere of administration.

2. A draft legal act submitted to the Government related to the competence not only of the institution which has prepared (presents) it, but also to the competence of other institutions must be co-ordinated in the manner prescribed by the rules of procedure of the Government.

**Article 39. Procedure of Settlement of Disagreements Arising while Co-ordinating Draft Legal acts**

1. Disagreements arising while co-ordinating draft legal acts, comprising the spheres of competence of several ministers, may be considered at the Government committee or Government meeting.

2. During the discussion of a draft legal act at the Government sitting, following its consideration at the Government committee, the presiding officer of the meeting of this committee shall inform about the agreements or conclusions of the discussions of the committee members.

3. Coordinating of draft legal acts which the organizers failed to coordinate with the interested institutions shall be organised by the Chancellor of the Government in accordance with the procedure laid down by the rules of procedure of the Government.

**Article 40. Procedure for Drawing up the Agenda of Government Sitzings and Considering Issues**

1. Drafts of laws, Government resolutions and other legal acts, drafts of conceptions of legal acts shall be prepared, considered and adopted or drafts of laws or Seimas resolutions shall be approved in the manner prescribed by the rules of procedure of the Government.

2. The Chancellor of the Government shall submit to the Prime Minister proposals concerning the drawing-up of an agenda of a Government sitting.

3. The Prime Minister shall have the right during a Government sitting to propose that new issues be included into the agenda which is being approved. The minister shall, in the manner prescribed by the rules of procedure of the Government, also have the right to recommend the Prime

Minister to add an issue to the agenda. Voting on the adding of an issue to the agenda shall be carried out. If a positive decision with respect to the said issue is not made, the issue must be presented for consideration in the manner prescribed by the rules of procedure of the Government.

4. An issue shall be presented at a Government sitting and opinions of the Government members and other persons participating in the Government sitting shall be heard in the manner prescribed by the rules of procedure of the Government.

#### **Article 41. Government Resolutions**

1. Government resolutions shall be passed at Government sittings by a majority vote of all Government members.

2. Government resolutions shall be signed by the Prime Minister and the minister of the appropriate sphere of administration, irrespective of his vote during the sitting and the fact whether or not he was present at the Government sitting. In the cases when a resolution covers several spheres of administration, it shall be signed by the Prime Minister and the minister who heads the Ministry which has submitted the draft resolution or who has approved the draft resolution in accordance with the procedure established in paragraph 1 of Article 38 of this Law.

3. Government resolutions whereby the previously passed resolutions are amended, supplemented or repealed shall be signed by the Prime Minister and the minister of that sphere of administration who signed the previous resolutions, irrespective of the fact who submitted to the Government a new draft resolution for consideration.

4. Government resolutions shall be signed in the manner prescribed by the rules of procedure of the Government, unless otherwise provided for by the Government.

5. Government resolutions shall become effective in a manner prescribed by the law.

#### **Article 41<sup>1</sup>. Government Decisions and Resolutions**

1. Government decisions and resolutions shall be passed at Government meeting by a majority vote of the Government members attending that meeting.

2. Government resolutions and decisions shall be signed by the Prime Minister in the manner prescribed by the rules of procedure of the Government.

3. When debating positions of the Republic of Lithuania on the proposals to adopt legal acts of the European Union, the Government may adopt decisions, and on the proposals on other documents of the European Union - resolutions.

4. Government decisions and resolutions shall enter into force on the day of the signing thereof, and must be announced in the Government web site ([www.lrv.lt](http://www.lrv.lt)) on the same day.

**Article 42. Minutes of Government Sitzings**

Minutes shall be taken and audio recording shall be made of Government sittings; such recording shall be transferred into computer media. The minutes shall be signed by the Prime Minister. The rules of procedure of the Government shall define what data must be entered in the minutes. Computer media of audio recordings shall be stored in accordance with the procedure laid down by the Law on Documents and Archives.

**Version of Article 43 until 31 December 2013:**

**Article 43. Ordinances and Resolutions of the Prime Minister**

1. Within the limits of his competence the Prime Minister shall adopt ordinances concerning organisational, personal and other matters or make prompt decisions-instructions documented as resolutions.

2. Ordinances of the Prime Minister shall become effective on the day of their signing, unless a later date of enforcement is set in the said ordinances. Ordinances of the Prime Minister, published in the official gazette *Valstybės žinios*, shall become effective on the next day after the publication thereof, unless a later date of enforcement is set in the said ordinances.

**Version of Article 43 as of 1 January 2014:**

**Article 43. Ordinances and Resolutions of the Prime Minister**

Within the limits of his competence the Prime Minister shall adopt ordinances concerning organisational, personal and other matters or make prompt decisions-instructions documented as resolutions.

**CHAPTER TEN**

**CIVIL SERVANTS OF POLITICAL (PERSONAL) CONFIDENCE OF  
THE PRIME MINISTER AND THE OFFICE OF THE GOVERNMENT**

**Article 44. Civil Servants of Political (Personal) Confidence and Public Consultants of the Prime Minister**

1. Civil servants of political (personal) confidence of the Prime Minister – the Chancellor of the Government, the First Deputy Chancellor of the Government, advisers to the Prime Minister, Prime Minister’s spokesperson for the press and other civil servants of political (personal)

confidence of the Prime Minister – shall assist the Prime Minister in laying down political provisions and priorities, making decisions and implementing them.

2. The First Deputy Chancellor of the Government, advisers to the Prime Minister, Prime Minister's spokesperson for the press and other civil servants of political (personal) confidence of the Prime Minister shall be subordinate to the Prime Minister and accountable to the Chancellor of the Government.

3. The Prime Minister may, for the tenure of his powers, have public consultants who provide consultations, proposals, conclusions and any other information at the request of the Prime Minister.

#### **Article 44<sup>1</sup>. Office of the Government**

1. The Office of the Government shall be a budgetary institution which is set up by the Government and assists in performing the functions of the Prime Minister and the Government. The Chancellor of the Government shall head the Office of the Government.

2. The Government shall approve the regulations of the Office of the Government.

3. The Chancellor of the Government shall have two assistants: the First Deputy Chancellor of the Government shall be a civil servant of political (personal) confidence; the Deputy of the Chancellor of the Government shall be a career civil servant. The Deputy Chancellor of the Government shall be subordinate to the Chancellor of the Government and accountable to the Prime Minister.

#### **Article 45. The Chancellor of the Government**

1. The Chancellor of the Government shall be head of the Office of the Government and subordinate to the Prime Minister. The Chancellor of the Government shall be a civil servant of political (personal) confidence who is recruited and dismissed from office by the Prime Minister.

2. The Chancellor of the Government:

1) shall, together with the First Deputy Chancellor of the Government, advisers to the Prime Minister and other civil servants of political (personal) confidence of the Prime Minister, assist the Prime Minister in implementing the provisions of the programme of the Government, participate in the development and implementation of political provisions and priorities, decisions of the Prime Minister;

2) shall organize the analysis of draft legal acts submitted to the Government and the Prime Minister, shall where necessary organize in the manner prescribed by the rules of procedure of the

Government the co-ordination of draft legal acts submitted to the Government and the Prime Minister, which the persons who prepared them failed to co-ordinate with the institutions concerned;

3) shall assist the Government and the Prime Minister in coordinating and implementing general issues concerning the increase in state-level governance efficiency;

4) shall, together with the First Deputy Chancellor of the Government, assist the Prime Minister in coordinating the implementation of strategic issues of the European Union's policy;

5) shall, in compliance with the Methodology of Strategic Planning, prepare and shall, after consultation with the Prime Minister, approve a strategic action plan of the Office of the Government, shall assist the Government in coordinating activities of the ministries and other state institutions when implementing strategic planning documents, the programme of the Government as well as solving other domestic matters;

6) shall, together with the Deputy Chancellor of the Government, organise the arrangement of Government sittings, participate in them and ensure that minutes of the sittings would be taken, and that resolutions of the Government, ordinances of the Prime and decisions of the Government would be adopted and published in accordance with the procedure laid down by the law;

7) shall ensure receipt, registration, accumulation and distribution of documents of the European Union (including those sent by electronic mail) to the appropriate state institutions and establishments;

8) shall, with the consent of the Prime Minister, approve the structure of the Office of the Government and regulations of units of this Office, the list of positions of civil servants and employees working under the employment contract and receiving salary from the state budget and state monetary funds, without exceeding the funds provided for wages and salaries and the highest permitted number of positions of civil servants and employees working under the employment contract and receiving salary from the state budget and state monetary funds, approved by the Government for the Office of the Government;

9) shall, in accordance with the procedure laid down by the law, recruit and dismiss from office career civil servants and employees of the Office of the Government, working under the employment contract and receiving salary from the state budget and state monetary funds, give incentives to them, impose disciplinary penalties on and grant allowances to them, approve their job descriptions; on the instruction of the Prime Minister shall recruit and dismiss from office civil servants of political (personal) confidence, give incentives to them, impose disciplinary penalties on and grant allowances to them, approve their job descriptions, grant them leave and assign them to business trips;

10) shall keep the Government seal and be responsible for the use thereof;

11) may organise meetings of representatives of the Ministries (vice-ministers, chancellors of the Ministries) in the manner prescribed by the rules of procedure of the Government;

12) shall perform other functions assigned to him by laws, resolutions of the Government, and the Prime Minister.

#### **Article 46. Procedure for Storing Government Documents**

1. Drafts of resolutions of the Government, decisions of the Government and ordinances of the Prime Minister, signed resolutions of the Government, decisions of the Government and ordinances of the Prime Minister as well as the minutes of Government sittings and Government meetings shall be stored in the Office of the Government.

2. Translation into foreign languages of resolutions of the Government, decisions of the Government and ordinances of the Prime Minister, and authenticity of the translation shall be ensured in a manner prescribed by the Government.

### **CHAPTER ELEVEN**

#### **DEBATE AND RESOLUTION OF EUROPEAN UNION MATTERS**

#### **Article 47. Preparation, Co-ordination and Presenting of a Position on a Proposal to Adopt a Legal act of the European Union or on any other Document of the European Union**

1. An institution authorised by the Government in the manner prescribed by it shall prepare a position of the Republic of Lithuania on a proposal to adopt a legal act of the European Union, and, when necessary, shall prepare a position on any other document of the European Union.

2. When preparing, co-ordinating and presenting a position of the Republic of Lithuania on a proposal to adopt a legal act of the European Union, the Government shall, in the manner prescribed in Article 49 of this Law, consult the Seimas, create conditions for other interested state institutions, public bodies and non-governmental organisations to deliver their opinions.

3. When preparing a position of the Republic of Lithuania on a proposal to adopt a legal act of the European Union concerning foreign policy, national security, as well as relating to the subjects discussed in the European Council, the Government or an institution authorised by it shall co-ordinate the position under preparation with the President of the Republic.

4. A position of the Republic of Lithuania on a proposal to adopt a legal act of the European Union or on any other document of the European Union shall be prepared, debated and presented in accordance with the procedure provided for in laws and other legal acts.

**Article 48. Obligation of the Government to Inform the Seimas and the President of the Republic about Proposals to Adopt Legal acts of the European Union and about other Documents of the European Union**

1. The Government shall, in the manner prescribed by the Seimas Statute and laws, immediately inform the Seimas about the received proposals to adopt legal acts of the European Union and about other documents of the European Union pertaining to the spheres which under the Constitution of the Republic of Lithuania fall within the competence of the Seimas or the President of the Republic.

2. Having decided to prepare a position on a proposal to adopt legal acts of the European Union or on other documents of the European Union pertaining to the spheres which under the Constitution of the Republic of Lithuania fall within the competence of the Seimas or the President of the Republic, the Government shall immediately inform the Seimas or the President of the Republic by presenting the position of the Republic of Lithuania prepared by the Government.

**Article 49. Obligation of Government to Consult the Seimas when Preparing, Co-ordinating and Presenting a Position of the Republic of Lithuania**

1. The Government shall consult the Seimas about proposals to adopt legal acts of the European Union or about other documents of the European Union pertaining to the spheres which, under the Constitution of the Republic of Lithuania, fall within the competence of the Seimas.

2. The Seimas may, in the manner prescribed by the Seimas Statute, recommend the Government a position on a proposal to adopt a legal act of the European Union or on any other document of the European Union.

3. The Committee on European Affairs or the Committee on Foreign Affairs of the Seimas may, in the manner prescribed by the Seimas Statute, deliver an opinion of the Seimas regarding proposals to adopt legal acts of the European Union or regarding other documents of the European Union.

4. A position of the Republic of Lithuania on a proposal to adopt a legal act of the European Union or on any other document of the European Union shall be presented by the Prime Minister or an appropriate minister at a plenary sitting of the Seimas, in the Committee on European Affairs or the Committee on Foreign Affairs of the Seimas. In exceptional cases the minister may charge a vice-minister to present a position on a proposal to adopt a legal act of the European Union or on any other document of the European Union.

5. The Government shall evaluate the recommendations or opinions submitted by the Seimas or its Committees and shall, in the manner prescribed by legal acts, inform the Seimas about the implementation thereof.

#### **Article 50. Opinion of the Government on Subsidiarity**

When presenting a position of the Republic of Lithuania on a proposal to adopt a legal act of the European Union or on any other document of the European Union, the Government shall deliver to the Seimas an opinion whether or not the legal act conforms to the principle of subsidiarity.

#### **Article 51. Transposition of European Union Law into National Law of the Republic of Lithuania and its Implementation**

The Government shall within its competence be responsible for the transposition of European Union law into national law and its implementation. Legal acts of the European Union shall be transposed into national law of the Republic of Lithuania in accordance with the procedure established by the Government.

#### **Article 52. Presentation of Candidatures of Officers and Members of Consultative Institutions for the Positions in Institutions of the European Union who are Nominated by the Republic of Lithuania**

1. The Government shall nominate candidates for the positions of highest-ranking officers of the European Union. Their appointment shall be provided for in the treaties establishing the European Union.

2. With the consent of the President of the Republic, the Government, nominating candidates for member of the European Commission and member of the Court of Auditors, shall consult the Seimas in the manner prescribed by the Seimas Statute.

3. With the consent of the President of the Republic, the Government, nominating candidates for judges of the Court of Justice of the European Communities and the Court of First Instance of the European Communities, shall consult the Seimas in the manner prescribed by the Seimas Statute.

4. When nominating candidates for members of the Committee of the Regions, the Government shall consult the Association of Local Authorities in Lithuania in the manner prescribed by legal acts.

5. When nominating candidates for members the European Economic and Social Committee, the Government shall, in accordance with the selection procedure laid down by it, select candidates



from representatives of organisations representing the interests of employers, employees and other public interests (consumers', farmers', environmental associations, associations representing liberal professions, persons with disabilities, women, the family, the youth, scientific and academic community, other non-governmental organisations). The Government shall, in the manner prescribed by it, consult the Tripartite Council of the Republic of Lithuania and organisations representing the interests of employers, employees and other public interests regarding candidates who are being selected.