

Wednesday 25 November 2009

## Adaptation of the European Parliament's Rules of Procedure to the Lisbon Treaty

P7\_TA(2009)0088

European Parliament decision of 25 November 2009 on the adaptation of Parliament's Rules of Procedure to the Treaty of Lisbon (2009/2062(REG))

(2010/C 285 E/16)

The European Parliament,

- having regard to Rules 211 and 212 of its Rules of Procedure,
  - having regard to the report of the Committee on Constitutional Affairs incorporating the amendments proposed by the Committee on Budgets in its opinion of 31 March 2009 (A7-0043/2009),
1. Decides to amend its Rules of Procedure as shown below;
  2. Decides that the amendments will enter into force on 1 December 2009;
  3. Instructs its President to forward this decision to the Council and the Commission, for information.

PRESENT TEXT

AMENDMENT

### Amendment 3

#### Parliament's Rules of Procedure Rule 11 – paragraph 3 a (new)

*3a. Paragraph 1 shall apply mutatis mutandis pending the entry into force of the arrangement <sup>(1)</sup> whereby a number of additional seats in Parliament are allocated to certain Member States until the end of the seventh parliamentary term. The Member States concerned shall be invited to designate observers in accordance with their national law.*

<sup>(1)</sup> Pursuant to the conclusions of the European Council of 11 and 12 December 2008.

### Amendment 6

#### Parliament's Rules of Procedure Rule 36

*Examination of respect for fundamental rights, the principles of subsidiarity and proportionality, the rule of law, and financial implications*

Respect for the Charter of Fundamental Rights of the European Union

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## PRESENT TEXT

*During the examination of a legislative proposal, Parliament shall pay particular attention to respect for fundamental rights and in particular that the legislative act is in conformity with the European Union Charter of Fundamental Rights, the principles of subsidiarity and proportionality and the rule of law. In addition, where a proposal has financial implications, Parliament shall establish whether sufficient financial resources are provided.*

## AMENDMENT

**1. Parliament shall in all its activities fully respect fundamental rights as laid down in the Charter of Fundamental Rights of the European Union.**

*Parliament shall also fully respect the rights and principles enshrined in Article 2 and in Article 6(2) and (3) of the Treaty on European Union.*

**2. Where the committee responsible for the subject-matter, a political group or at least 40 Members are of the opinion that a proposal for a legislative act or parts of it do not comply with rights enshrined in the Charter of Fundamental Rights of the European Union, the matter shall, at their request, be referred to the committee responsible for the interpretation of the Charter. The opinion of that committee shall be annexed to the report of the committee responsible for the subject-matter.**

**Amendment 7****Parliament's Rules of Procedure****Rule 38 – paragraph -1 (new)**

**-1. Where a proposal for a legislative act has financial implications, Parliament shall establish whether sufficient financial resources are provided.**

**Amendment 8****Parliament's Rules of Procedure****Rule 38 a (new)****Rule 38a****Examination of respect for the principle of subsidiarity**

**1. During the examination of a proposal for a legislative act, Parliament shall pay particular attention to respect for the principles of subsidiarity and proportionality.**

**2. The committee responsible for respect of the principle of subsidiarity may decide to make recommendations for the attention of the committee responsible in respect of any proposal for a legislative act.**

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3. *If a national parliament sends the President a reasoned opinion in accordance with Article 3 of the Protocol on the role of national parliaments in the European Union and Article 6 of the Protocol on the application of the principles of subsidiarity and proportionality, that document shall be referred to the committee responsible for the subject-matter and forwarded for information to the committee responsible for respect of the principle of subsidiarity.*

4. *Except in the cases of urgency referred to in Article 4 of the Protocol on the role of national parliaments in the European Union, the committee responsible for the subject-matter shall not proceed to its final vote before the expiry of the deadline of eight weeks laid down in Article 6 of the Protocol on the application of the principles of subsidiarity and proportionality.*

5. *Where reasoned opinions on the non-compliance of proposal for a legislative act with the principle of subsidiarity represent at least one third of all the votes allocated to the national parliaments or a quarter in the case of a proposal for a legislative act submitted on the basis of Article 76 of the Treaty on the Functioning of the European Union, Parliament shall not take a decision until the author of the proposal has stated how it intends to proceed.*

6. *Where, under the ordinary legislative procedure, reasoned opinions on the non-compliance of a proposal for a legislative act with the principle of subsidiarity represent at least a simple majority of the votes allocated to the national parliaments, the committee responsible for the subject-matter, having considered the reasoned opinions submitted by the national parliaments and the Commission, and having heard the views of the committee responsible for respect of the principle of subsidiarity, may recommend to Parliament that it reject the proposal on the grounds of infringement of the principle of subsidiarity or submit to Parliament any other recommendation, which may include suggestions for amendments related to respect of the principle of subsidiarity. The opinion given by the committee responsible for respect of the principle of subsidiarity shall be annexed to any such recommendation.*

*The recommendation shall be submitted to Parliament for a debate and vote. If a recommendation to reject the proposal is adopted by a majority of the votes cast, the President shall declare the procedure closed. Where Parliament does not reject the proposal, the procedure shall continue, taking into account any recommendations approved by Parliament.*

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AMENDMENT

**Amendment 9**  
**Parliament's Rules of Procedure**  
**Rule 44**

**Consultation** on initiatives originating from a Member State

1. Initiatives originating from a Member State pursuant to **Article 67(1) of the EC Treaty or Articles 34(2) and 42 of the EU Treaty** shall be dealt with pursuant to this Rule and to Rules 36 to 39, 43 and 55.

2. The committee responsible may invite **a representative** of the originating Member **State** to present **its** initiative to the committee. The **representative** may be accompanied by the Presidency of the Council.

3. Before the committee responsible proceeds to the vote, it shall ask the Commission whether it has prepared a position on the initiative and if so request the Commission to state its position to the committee.

4. When two or more proposals originating from the Commission and/or the Member States with the same legislative objective have been submitted to Parliament simultaneously or within a short period of time, Parliament shall deal with them in a single report. In its report, the committee responsible shall indicate to which text it has proposed amendments and it shall refer to all other texts in the legislative resolution.

5. **The time period referred to in Article 39(1) of the EU Treaty shall commence when it is announced in plenary that Parliament has received, in the official languages, an initiative, together with an explanatory statement confirming the initiative's conformity with the Protocol on the application of the principles of subsidiarity and proportionality annexed to the EC Treaty.**

**Legislative procedures** on initiatives originating from Member States

1. Initiatives originating from Member States pursuant to **Article 76 of the Treaty on the Functioning of the European Union** shall be dealt with pursuant to this Rule and to Rules 36 to 39, 43 and 55.

2. The committee responsible may invite **representatives** of the originating Member **States** to present **their** initiative to the committee. The **representatives** may be accompanied by the Presidency of the Council.

3. Before the committee responsible proceeds to the vote, it shall ask the Commission whether it has prepared a position on the initiative and if so request the Commission to state its position to the committee.

4. When two or more proposals originating from the Commission and/or the Member States with the same legislative objective have been submitted to Parliament simultaneously or within a short period of time, Parliament shall deal with them in a single report. In its report, the committee responsible shall indicate to which text it has proposed amendments and it shall refer to all other texts in the legislative resolution.

**Amendment 11**  
**Parliament's Rules of Procedure**  
**Rule 58 – paragraph 1**

1. In the period following the adoption by Parliament of its position on a proposal by the Commission, the chair and the rapporteur of the committee responsible shall monitor the progress of the proposal in the course of the procedure leading to its adoption by the Council, notably to ensure that the undertakings made by the Council or the Commission to Parliament with respect to its **amendments** are properly observed.

1. In the period following the adoption by Parliament of its position on a proposal by the Commission, the chair and the rapporteur of the committee responsible shall monitor the progress of the proposal in the course of the procedure leading to its adoption by the Council, notably to ensure that the undertakings made by the Council or the Commission to Parliament with respect to its **position** are properly observed.

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**Amendment 12**  
**Parliament's Rules of Procedure**  
**Rule 59 – subheading 1**

*Codecision* procedure*Ordinary legislative* procedure

*(Horizontal amendment: the words 'codecision', 'codecision procedure' shall be replaced throughout the entire text of the Rules of Procedure by the words 'ordinary legislative procedure'.)*

**Amendment 13**  
**Parliament's Rules of Procedure**  
**Rule 60**

**Rule 60***deleted**Conciliation procedure contained in the 1975 joint declaration*

1. *Where, in the case of certain important Community decisions, the Council intends to depart from the opinion of Parliament, a procedure for conciliation with the Council, with the active participation of the Commission, may be opened by Parliament when delivering its opinion.*

2. *This procedure shall be initiated by Parliament, either at its own or at the Council's initiative.*

3. *For the composition and procedure of the delegation to the conciliation committee and the reporting of the results to Parliament, Rule 68 shall apply.*

4. *The committee responsible shall report on the results of the conciliation. This report shall be debated and voted on by Parliament.*

**Amendment 14**  
**Parliament's Rules of Procedure**  
**Rule 61 – title**

Communication of the Council's *common* position

Communication of the Council's position

*(Horizontal amendment: the words 'Council's common position', 'common position of the Council' or 'common position' shall be replaced throughout the entire text of the Rules of Procedure by the words 'Council's position', 'position of the Council' or 'position'.)*

**Amendment 15**  
**Parliament's Rules of Procedure**  
**Rule 62 – paragraph 1 – subparagraph 2**

*For any extension of time limits pursuant to Article 252(g) of the EC Treaty or Article 39(1) of the EU Treaty the President shall seek the agreement of the Council.*

*deleted*

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**Amendment 16**  
**Parliament's Rules of Procedure**  
**Rule 62 – paragraph 2**

2. The President shall notify Parliament of any extension of time-limits pursuant to **Article 251(7)** of the *EC Treaty*, whether at the initiative of Parliament or of the Council.

2. The President shall notify Parliament of any extension of time-limits pursuant to **Article 294(14)** of the *Treaty on the Functioning of the European Union*, whether at the initiative of Parliament or of the Council.

*(Horizontal amendment: the numbering of Articles in the EU Treaty and the EC Treaty are adapted throughout the Rules of Procedure to the consolidated version of the Treaty on European Union and of the Treaty on the Functioning of the European Union.)*

**Amendment 17**  
**Parliament's Rules of Procedure**  
**Rule 62 – paragraph 3**

3. *The President, after consulting the chair of the committee responsible, may agree to a Council request to extend any time-limits pursuant to Article 252(g) of the EC Treaty.*

*deleted*

**Amendment 18**  
**Parliament's Rules of Procedure**  
**Rule 65 – paragraph 4**

4. *By way of derogation from paragraph 3, if a rejection by Parliament falls under the provisions of Article 252 of the EC Treaty, the President shall request the Commission to withdraw its proposal. If the Commission does so, the President shall announce in Parliament that the legislative procedure is closed.*

*deleted*

**Amendments 73 and 88**  
**Parliament's Rules of Procedure**  
**Title II – Chapter 6 a (new) – heading (to be introduced after Rule 74)**

**CHAPTER 6a**

**CONSTITUTIONAL MATTERS**

**Amendment 20**  
**Parliament's Rules of Procedure**  
**Rule 74 a (new) (to be introduced in Chapter 6 a (new))**

**Rule 74a**

*Ordinary Treaty revision*

1. *In accordance with Rules 41 and 48 the committee responsible may submit to Parliament a report containing proposals to the Council for amendment of the Treaties.*

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2. *If the European Council decides to convene a Convention, the representatives of Parliament shall be appointed by Parliament upon a proposal by the Conference of Presidents.*

*Parliament's delegation shall elect its leader and its candidates for membership of any steering group or bureau set up by the Convention.*

3. *Where the European Council requests Parliament's consent in relation to a decision not to convene a Convention for the examination of proposed amendments of the Treaties, the matter shall be referred to the committee responsible in accordance with Rule 81.*

#### Amendment 21

##### Parliament's Rules of Procedure

Rule 74 b (new) (to be introduced in Chapter 6 a (new))

##### *Rule 74b*

##### *Simplified Treaty revision*

*In accordance with Rules 41 and 48 the committee responsible may submit to Parliament, in accordance with the procedure laid down in Article 48(6) of the Treaty on European Union, a report containing proposals to the European Council for revision of all or part of the provisions of Part Three of the Treaty on the Functioning of the European Union.*

#### Amendment 22

##### Parliament's Rules of Procedure

Rule 74 c (new) (to be introduced in Chapter 6 a (new))

##### *Rule 74c*

##### *Accession treaties*

1. *Any application by a European State to become a member of the European Union shall be referred for consideration to the committee responsible.*

2. *Parliament may decide, on a proposal from the committee responsible, a political group or at least 40 Members, to request the Commission and the Council to take part in a debate before negotiations with the applicant State commence.*

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3. Throughout the negotiations the Commission and the Council shall inform the committee responsible regularly and thoroughly of the progress in the negotiations, if necessary on a confidential basis.

4. At any stage of the negotiations Parliament may, on the basis of a report from the committee responsible, adopt recommendations and require these to be taken into account before the conclusion of a Treaty for the accession of an applicant State to the European Union.

5. When the negotiations are completed, but before any agreement is signed, the draft agreement shall be submitted to Parliament for consent in accordance with Rule 81.

(Rule 89 is deleted.)

#### Amendment 23

##### Parliament's Rules of Procedure

Rule 74 d (new) (to be introduced in Chapter 6 a (new))

##### Rule 74d

##### Withdrawal from the Union

If a Member State decides, pursuant to Article 50 of the Treaty on European Union, to withdraw from the Union, the matter shall be referred to the committee responsible. Rule 74c shall apply *mutatis mutandis*. Parliament shall decide on consent to an agreement on the withdrawal by a majority of the votes cast.

#### Amendment 24

##### Parliament's Rules of Procedure

Rule 74 e (new) (to be introduced in Chapter 6 a (new))

##### Rule 74e

##### Breach by a Member State of fundamental principles

1. Parliament may, on the basis of a specific report of the committee responsible drawn up in accordance with Rules 41 and 48:

- (a) vote on a reasoned proposal calling on the Council to act pursuant to Article 7(1) of the Treaty on European Union;
- (b) vote on a proposal calling on the Commission or the Member States to submit a proposal pursuant to Article 7(2) of the Treaty on European Union;



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(c) *vote on a proposal calling on the Council to act pursuant to Article 7(3) or, subsequently, Article 7(4) of the Treaty on European Union.*

2. *Any request from the Council for consent in relation to a proposal submitted pursuant to Article 7(1) and (2) of the Treaty on European Union along with the observations submitted by the Member State in question shall be announced to Parliament and referred to the committee responsible in accordance with Rule 81. Except in urgent and justified circumstances, Parliament shall take its decision on a proposal from the committee responsible.*

3. *Decisions under paragraphs 1 and 2 shall require a two-thirds majority of the votes cast, constituting a majority of Parliament's component Members.*

4. *Subject to the authorisation of the Conference of Presidents, the committee responsible may submit an accompanying motion for a resolution. That motion for a resolution shall set out Parliament's views on a serious breach by a Member State, on the appropriate sanctions and on varying or revoking those sanctions.*

5. *The committee responsible shall ensure that Parliament is fully informed and, where necessary, asked for its views on all follow-up measures to its consent as given pursuant to paragraph 3. The Council shall be invited to outline developments as appropriate. On a proposal from the committee responsible, drawn up with the authorisation of the Conference of Presidents, Parliament may adopt recommendations to the Council.*

*(Chapter 15 of Title II is deleted.)*

#### Amendment 25

##### Parliament's Rules of Procedure

Rule 74 f (new) (to be introduced in Chapter 6 a (new))

#### Rule 74f

##### Composition of Parliament

*In due time before the end of a parliamentary term, Parliament may, on the basis of a report drawn up by its committee responsible in accordance with Rule 41, make a proposal to modify its composition. The European Council's draft decision establishing the composition of Parliament shall be examined in accordance with Rule 81.*

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**Amendment 26**  
**Parliament's Rules of Procedure**  
**Rule 82 (to be introduced as Rule 74 g in Chapter 6 a (new))**

Rule 82

**Procedures in Parliament**

1. Requests **by Member States or Commission proposals** to introduce enhanced cooperation between Member States **and consultations of Parliament** pursuant to Article 40a(2) of the EU Treaty shall be referred by the President to the committee responsible for consideration. Rules 37, 38, 39, 43, 53 to 60 and 81 shall apply as appropriate.

2. The committee responsible shall verify compliance with Article 11 of the EC Treaty and Articles 27a, 27b, 40, 43, 44 and 44a of the EU Treaty.

3. Subsequent acts proposed under enhanced cooperation, once it is established, shall be dealt with in Parliament under the same procedures as when enhanced cooperation does not apply.

Rule 74g

**Enhanced cooperation between Member States**

1. Requests to introduce enhanced cooperation between Member States pursuant to Article 20 of the Treaty **on European Union** shall be referred by the President to the committee responsible for consideration. Rules 37, 38, 39, 43, 53 to 59 and 81 shall apply as appropriate.

2. The committee responsible shall verify compliance with Article 20 of the Treaty **on European Union** and Articles 326 to 334 of the Treaty **on the Functioning of the European Union**.

3. Subsequent acts proposed under enhanced cooperation, once it is established, shall be dealt with in Parliament under the same procedures as when enhanced cooperation does not apply. **Rule 43 shall apply.**

(Chapter 10 of Title II is deleted.)

**Amendments 27 and 28**  
**Parliament's Rules of Procedure**  
**Rule 75**

**General Budget**

**Implementing procedures for examination of the General Budget of the European Union and supplementary budgets, in accordance with the financial provisions of the Treaties establishing the European Communities, shall be adopted by resolution of Parliament and annexed to these Rules <sup>(1)</sup>.**

<sup>(1)</sup> See Annex V.

**Multiannual financial framework**

**Where the Council requests Parliament's consent concerning the proposal for a regulation laying down the multiannual financial framework, the matter shall be referred to the committee responsible in accordance with the procedure laid down in Rule 81. Parliament's consent shall require the votes of a majority of its component Members.**

(Annex V is deleted.)

**Amendment 29**  
**Parliament's Rules of Procedure**  
**Rule 75 a (new)**

**Rule 75a****Working documents**

**1. The following documents shall be made available to Members:**

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- (a) *the draft budget presented by the Commission;*
  - (b) *a summary by the Council of its deliberations on the draft budget;*
  - (c) *the Council's position on the draft budget drawn up pursuant to Article 314(3) of the Treaty on the Functioning of the European Union;*
  - (d) *any draft decision on the provisional twelfths pursuant to Article 315 of the Treaty on the Functioning of the European Union.*
2. *Those documents shall be referred to the committee responsible. Any committee concerned may deliver an opinion.*
3. *If other committees wish to deliver opinions, the President shall set the time limit within which these are to be communicated to the committee responsible.*

*(Article 1 of Annex V is deleted.)*

**Amendment 30**  
**Parliament's Rules of Procedure**  
**Rule 75 b (new)**

**Rule 75b**

**Consideration of the draft budget – first stage**

1. *Subject to the conditions set out below, any Member may table and speak in support of draft amendments to the draft budget.*
2. *Draft amendments shall be admissible only if they are presented in writing, bear the signatures of at least 40 Members or are tabled on behalf of a political group or committee, specify the budget heading to which they refer and ensure the maintenance of a balance between revenue and expenditure. Draft amendments shall include all relevant information on the remarks to be entered against the budget heading in question.*

*All draft amendments to the draft budget must be justified in writing.*

3. *The President shall set the time limit for the tabling of draft amendments.*
4. *The committee responsible shall deliver its opinion on the texts submitted before they are discussed in Parliament.*

*Draft amendments which have been rejected in the committee responsible shall not be put to the vote in Parliament unless this has been requested in writing, before a deadline to be set by the President, by a committee or at least 40 Members; that deadline may on no account be less than 24 hours before the start of the vote.*

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5. *Draft amendments to the estimates of Parliament which are similar to those already rejected by Parliament at the time when the estimates were drawn up shall be discussed only where the committee responsible has delivered a favourable opinion.*

6. *Notwithstanding Rule 55(2) of the Rules of Procedure, Parliament shall take separate and successive votes on:*

- each draft amendment,*
- each section of the draft budget,*
- a motion for a resolution concerning the draft budget.*

*However, Rule 161(4) to (8) shall apply.*

7. *Articles, chapters, titles and sections of the draft budget in respect of which no draft amendments have been tabled shall be deemed adopted.*

8. *Draft amendments shall require for adoption the votes of a majority of the component Members of Parliament.*

9. *If Parliament has amended the draft budget, the draft budget thus amended shall be forwarded to the Council and the Commission, together with the justifications.*

10. *The minutes of the sitting at which Parliament delivered its opinion on the draft budget shall be forwarded to the Council and the Commission.*

*(Article 3 of Annex V is deleted.)*

**Amendment 31**  
**Parliament's Rules of Procedure**  
**Rule 75 c (new)**

**Rule 75c**

**Financial trilogue**

*The President shall participate in regular meetings between the Presidents of the European Parliament, the Council and the Commission convened, on the initiative of the Commission, under the budgetary procedures referred to in Title II of Part Six of the Treaty on the Functioning of the European Union. The President shall take all necessary steps to promote consultation and reconciliation of the positions of the institutions in order to facilitate the implementation of the procedures aforementioned.*

*The President of Parliament may delegate this task to a Vice-President having experience in budgetary matters or to the Chair of the committee responsible for budgetary issues.*

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**Amendment 32**  
**Parliament's Rules of Procedure**  
**Rule 75 d (new)**

**Rule 75d**

**Budgetary conciliation**

1. *The President shall convene the Conciliation Committee in accordance with Article 314(4) of the Treaty on the Functioning of the European Union.*

2. *The delegation representing Parliament at meetings of the Conciliation Committee in the budgetary procedure shall consist of a number of members equal to that of the Council delegation.*

3. *The members of the delegation shall be appointed by the political groups each year prior to Parliament's vote on the Council's position, preferably from amongst the members of the committee responsible for budgetary issues and other committees concerned. The delegation shall be led by the President of Parliament. The President may delegate this role to a Vice-President having experience in budgetary matters or to the Chair of the committee responsible for budgetary issues.*

4. *Rule 68(2), (4), (5), (7) and (8) shall apply.*

5. *Where agreement on a joint text is reached within the Conciliation Committee, the matter shall be placed on the agenda of a sitting of Parliament to be held within 14 days from the date of that agreement. The joint text shall be made available to all Members. Rule 69(2) and (3) shall apply.*

6. *The joint text as a whole shall be subject to a single vote. The vote shall be taken by a roll-call vote. The joint text shall be deemed to be approved unless it is rejected by a majority of the component Members of the Parliament.*

7. *If Parliament approves the joint text whilst the Council rejects it, the committee responsible may table all or some of Parliament's amendments to the Council's position for a confirmation in accordance with point (d) of Article 314(7) of the Treaty on the Functioning of the European Union.*

*The vote on the confirmation shall be placed on the agenda of a sitting of Parliament to be held within 14 days from the date of the communication by the Council of its rejection of the joint text.*

*The amendments shall be deemed to be confirmed if they are approved by a majority of the component Members of Parliament and three fifths of the votes cast.*

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**Amendment 33**  
**Parliament's Rules of Procedure**  
**Rule 75 e (new)**

**Rule 75e**

***Definitive adoption of the budget***

*Where the President is satisfied that the budget has been adopted in accordance with the provisions of Article 314 of the Treaty on the Functioning of the European Union, he shall declare in Parliament that the budget has been definitively adopted. He shall arrange for its publication in the Official Journal of the European Union.*

*(Article 4 of Annex V is deleted.)*

**Amendment 34**  
**Parliament's Rules of Procedure**  
**Rule 75 f (new)**

**Rule 75f**

***Provisional twelfths system***

- 1. Any decision by the Council authorising expenditure in excess of the provisional one twelfth for expenditure shall be referred to the committee responsible.*
- 2. The committee responsible may table a draft decision to reduce the expenditure referred to in paragraph 1. Parliament shall decide on it within 30 days after the adoption of the Council's decision.*
- 3. Parliament shall act by a majority of its component Members.*

*(Article 7 of Annex V is deleted.)*

**Amendment 35**  
**Parliament's Rules of Procedure**  
**Rule 79 a (new)**

**Rule 79a**

***Procedure to be applied when drawing up Parliament's estimates***

- 1. As regards Parliament's budget, the Bureau and the committee responsible for budgetary issues shall take decisions in successive stages on:*
  - (a) the establishment plan;*

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*(b) the preliminary draft and the draft estimates.*

*2. The decisions concerning the establishment plan will be taken in accordance with the following procedure:*

*(a) the Bureau shall draw up the establishment plan for each financial year;*

*(b) a conciliation procedure between the Bureau and the committee responsible for budgetary issues shall be opened in cases where the opinion of the latter diverges from the initial decisions taken by the Bureau;*

*(c) at the end of the procedure, the Bureau shall take the final decision on the estimates for the establishment plan, in accordance with Rule 207(3), without prejudice to decisions taken pursuant to Article 314 of the Treaty on the Functioning of the European Union.*

*3. As regards the estimates proper, the procedure for drawing up the estimates will begin as soon as the Bureau has taken a final decision on the establishment plan. The stages of that procedure will be those laid down in Rule 79. A conciliation procedure shall be opened in cases where the positions of the committee responsible for budgetary issues and of the Bureau are widely divergent.*

*(Rule 79(7) and Article 8 of Annex V are deleted.)*

#### Amendment 37

#### Parliament's Rules of Procedure

#### Rule 81 – paragraph 1

1. Where Parliament is requested to give its **assent** to a proposed act, it shall take a decision on the basis of a recommendation from the committee responsible to approve or reject the act.

Parliament shall take a decision on the act requiring its **assent** under the **EC** or **EU Treaty** by means of a single vote, and no amendments may be tabled. The majority required for the adoption of the **assent** shall be the majority indicated in the article of the **EC Treaty** or of the **EU Treaty** that constitutes the legal basis for the proposed act.

1. Where Parliament is requested to give its **consent** to a proposed act, it shall take a decision on the basis of a recommendation from the committee responsible to approve or reject the act.

Parliament shall take a decision on the act requiring its **consent** under the **Treaty on European Union** or **the Treaty on the Functioning of the European Union** by means of a single vote, and no amendments may be tabled. The majority required for the adoption of the **consent** shall be the majority indicated in the article of the **Treaty on European Union** or of the **Treaty on the Functioning of the European Union** that constitutes the legal basis for the proposed act.

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**Amendment 38**  
**Parliament's Rules of Procedure**  
**Rule 81 – paragraph 2**

2. For accession treaties and international agreements and determination of a serious and persistent breach of common principles by a Member State, Rules **89**, **90** **and 102** shall apply respectively. For an enhanced cooperation procedure in an area covered by the procedure ***laid down in Article 251 of the EC Treaty***, Rule **82** shall apply.

2. For accession treaties and international agreements and determination of a serious and persistent breach of common principles by a Member State, Rules **74c**, **74e** **and 90** shall apply respectively. For an enhanced cooperation procedure in an area covered by the **ordinary legislative** procedure, Rule **74g** shall apply.

(Horizontal amendment: the words 'procedure laid down in Article 251 of the EC Treaty' shall be replaced throughout the entire text of the Rules of Procedure by the words 'ordinary legislative procedure'.)

**Amendment 39**  
**Parliament's Rules of Procedure**  
**Rule 81 – paragraph 3**

3. Where Parliament's **assent** is required for a **legislative proposal**, the committee responsible may decide, in order to facilitate a positive outcome of the procedure, to present an interim report on the **Commission** proposal to Parliament with a motion for a resolution containing recommendations for modification or implementation of the **proposal**.

3. Where Parliament's **consent** is required for a **proposed legislative act or an envisaged international agreement**, the committee responsible may decide, in order to facilitate a positive outcome of the procedure, to present an interim report on the proposal to Parliament with a motion for a resolution containing recommendations for modification or implementation of the **proposed act**.

***If Parliament approves at least one recommendation the President shall request further discussion with the Council.***

***The committee responsible shall make its final recommendation for the assent of Parliament in the light of the outcome of the discussion with the Council.***

(Horizontal amendment: with the exception of Rules 56 and 57, the words 'Commission proposal' and 'legislative proposal' shall be replaced throughout the entire text of the Rules of Procedure by the words 'proposal for a legislative act' or 'proposed legislative act' as grammatically appropriate.)

**Amendment 76**  
**Parliament's Rules of Procedure**  
**Rule 87 a (new)**

**Rule 87a**

***Delegated acts***

***Where a legislative act delegates to the Commission the power to supplement or amend certain non-essential elements of a legislative act, the committee responsible:***



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- 
- *shall examine any draft delegated act where it is transmitted to Parliament for scrutiny;*
  - *may submit to Parliament in a motion for a resolution any appropriate proposal in accordance with the provisions of the legislative act.*
- The provisions of Rule 88(1), (2) and (3) shall apply mutatis mutandis.*

**Amendment 41**  
**Parliament's Rules of Procedure**  
**Title II a (new) (to be introduced before Chapter 12)**

**TITLE IIa**

**EXTERNAL RELATIONS**

**Amendment 42**  
**Parliament's Rules of Procedure**  
**Chapter 12 – title**

**TREATIES AND INTERNATIONAL AGREEMENTS**

**INTERNATIONAL AGREEMENTS**

**Amendment 43**  
**Parliament's Rules of Procedure**  
**Rule 92**

**Rule 92**

*deleted*

*Appointment of the High Representative for the common foreign and security policy*

*1. Prior to the appointment of a High Representative for the common foreign and security policy, the President shall invite the President-in-Office of the Council to make a statement to Parliament, pursuant to Article 21 of the EU Treaty. The President shall invite the President of the Commission to make a statement at the same time.*

*2. Upon the appointment of the new High Representative for the common foreign and security policy, pursuant to Article 207(2) of the EC Treaty, and before officially taking office, the High Representative shall be invited by the President to make a statement to, and answer questions from, the committee responsible.*

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PRESENT TEXT

AMENDMENT

3. *Following the statements and answers referred to in paragraphs 1 and 2 and at the initiative of the committee responsible, or in accordance with Rule 121, Parliament may make a recommendation.*

**Amendment 44**  
**Parliament's Rules of Procedure**  
**Rule 93 – title**

*Appointment of special representatives for the purposes of the common foreign and security policy*

Special representatives

**Amendment 45**  
**Parliament's Rules of Procedure**  
**Rule 93 – paragraph 4 a (new)**

*4a. A special representative appointed by the Council with a mandate in relation to particular policy issues may be invited by Parliament, or may ask to be invited, to make a statement to the committee responsible.*

*(Rule 94(3) is deleted.)*

**Amendment 46**  
**Parliament's Rules of Procedure**  
**Rule 94**

**Rule 94**

*deleted*

*Statements by the High Representative for the common foreign and security policy and by other special representatives*

*1. The High Representative shall be invited to make statements in Parliament at least four times a year. Rule 110 shall apply.*

*2. The High Representative shall be invited at least four times a year to attend meetings of the committee responsible in order to make a statement and answer questions. The High Representative may also be invited, or may ask to be invited, on other occasions, whenever the committee considers this to be necessary.*

*3. Whenever a special representative is appointed by the Council with a mandate in relation to particular policy issues, that special representative may be invited by Parliament, or may ask to be invited, to make a statement to the committee responsible.*

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PRESENT TEXT

AMENDMENT

**Amendment 47****Parliament's Rules of Procedure  
Rule 96 – paragraph 2**

2. The committees concerned shall seek to ensure that the **High Representative for the common foreign and security policy**, the Council and the Commission provide them with regular and timely information on the development and implementation of the Union's common foreign and security policy, on the costs envisaged each time that a decision entailing expenditure is adopted under that policy and on any other financial considerations relating to the implementation of actions under that policy. Exceptionally, at the request of the Commission, the Council or the High Representative, a committee may decide to hold its proceedings in camera.

2. The committees concerned shall seek to ensure that the **Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy**, the Council and the Commission provide them with regular and timely information on the development and implementation of the Union's common foreign and security policy, on the costs envisaged each time that a decision entailing expenditure is adopted under that policy and on any other financial considerations relating to the implementation of actions under that policy. Exceptionally, at the request of the Commission, the Council or the High Representative, a committee may decide to hold its proceedings in camera.

(Horizontal amendment: 'High Representative for the common foreign and security policy' shall be replaced throughout the entire text of the Rules of Procedure by 'Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy'.)

**Amendment 48****Parliament's Rules of Procedure  
Rule 96 – paragraph 3**

3. **An annual** debate shall be held on the consultative document established by the **Council** on the main aspects and basic choices of the common foreign and security policy, including the financial implications for the Union budget. The procedures laid down in Rule 110 shall apply.

3. **Twice a year, a** debate shall be held on the consultative document established by the **Vice-President/High Representative** on the main aspects and basic choices of the common foreign and security policy, including **the common security and defence policy and** the financial implications for the Union budget. The procedures laid down in Rule 110 shall apply.

**Amendment 49****Parliament's Rules of Procedure  
Chapter 14 – title**

**POLICE AND JUDICIAL COOPERATION IN CRIMINAL MATTERS** *deleted*

**Amendment 50****Parliament's Rules of Procedure  
Rule 99**

**Rule 99** *deleted*

**Provision of information to Parliament in the fields of police and judicial cooperation in criminal matters**

1. **The committee responsible shall ensure that Parliament is fully and regularly informed on the activities covered by police and judicial cooperation in criminal matters and that its opinions are duly taken into consideration when the Council adopts common positions defining the approach of the Union to a particular matter pursuant to Article 34(2)(a) of the EU Treaty.**

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PRESENT TEXT

AMENDMENT

2. Exceptionally, at the request of the Commission or the Council, a committee may decide to hold its proceedings in camera.

3. The debate referred to in Article 39(3) of the EU Treaty shall be held in accordance with the arrangements laid down in Rule 110(2), (3) and (4).

**Amendment 51**  
**Parliament's Rules of Procedure**  
**Rule 100**

**Rule 100***deleted*

*Consultation of Parliament in the fields of police and judicial cooperation in criminal matters*

*Consultation of Parliament pursuant to Article 34(2)(b), (c) and (d) of the EU Treaty shall be dealt with pursuant to Rules 36 to 39, 43, 44 and 55.*

*Where applicable, consideration of the proposal shall then be placed, at the latest, on the agenda of the last sitting to be held before expiry of the time-limit laid down in accordance with Article 39(1) of the EU Treaty.*

*When Parliament is consulted on the draft Council decision appointing the Director and Board members of Europol, Rule 108 shall apply mutatis mutandis.*

**Amendment 52**  
**Parliament's Rules of Procedure**  
**Rule 101**

**Rule 101***deleted*

*Recommendations in the fields of police and judicial cooperation in criminal matters*

1. *The committee responsible for matters relating to police and judicial cooperation in criminal matters may draw up recommendations to the Council in the field covered by Title VI of the EU Treaty after obtaining authorisation from the Conference of Presidents or on a proposal within the meaning of Rule 121.*

2. *In urgent cases the authorisation referred to in paragraph 1 may be granted by the President, who may likewise authorise an emergency meeting of the committee concerned.*

3. *Recommendations drawn up in this way shall be included on the agenda for the next part-session. Rule 97(4) shall apply mutatis mutandis.*

*(See also interpretation under Rule 121.)*

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PRESENT TEXT

AMENDMENT

**Amendment 53**  
**Parliament's Rules of Procedure**  
**Rule 105**

1. When the Council **has agreed on** a **nomination** for President of the Commission, the President shall request the **nominee** to make a statement and present his or her political guidelines to Parliament. The statement shall be followed by a debate.

The Council shall be invited to take part in the debate.

2. Parliament shall **approve or reject** the **nomination** by a majority of **the votes cast**.

The vote shall be taken by secret ballot.

3. If the **nominee** is elected, the President shall inform the Council accordingly, requesting it and the President-elect of the Commission to propose by common accord the nominees for the various posts of Commissioners.

4. If **Parliament** does not **approve** the **nomination**, the President shall **request** the Council to **nominate** a new candidate.

1. When the **European** Council **proposes** a **candidate** for President of the Commission, the President shall request the **candidate** to make a statement and present his or her political guidelines to Parliament. The statement shall be followed by a debate.

The **European** Council shall be invited to take part in the debate.

2. Parliament shall **elect** the **President of the Commission** by a majority of **its component Members**.

The vote shall be taken by secret ballot.

3. If the **candidate** is elected, the President shall inform the Council accordingly, requesting it and the President-elect of the Commission to propose by common accord the nominees for the various posts of Commissioners.

4. If **the candidate** does not **obtain** the **required majority**, the President shall **invite** the **European** Council to **propose** a new candidate **within one month for election in accordance with the same procedure**.

**Amendment 54**  
**Parliament's Rules of Procedure**  
**Rule 107 a (new)**

**Rule 107a**

***Nomination of Judges and Advocates-General at the Court of Justice of the European Union***

***On a proposal of its committee responsible, Parliament shall appoint its nominee to the panel of seven persons charged with scrutinising the suitability of candidates to hold the office of Judge or Advocate-General of the Court of Justice and the General Court.***

**Amendment 55**  
**Parliament's Rules of Procedure**  
**Rule 121 – paragraph 1**

1. A political group or at least forty Members may table a proposal for a recommendation to the Council concerning subjects under **Titles V and VI** of the **EU Treaty**, or where Parliament has not been consulted on an international agreement within the scope of Rule 90 or 91.

1. A political group or at least forty Members may table a proposal for a recommendation to the Council concerning subjects under **Title V** of the **Treaty on European Union**, or where Parliament has not been consulted on an international agreement within the scope of Rule 90 or 91.

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**Amendment 56****Parliament's Rules of Procedure  
Rule 124 – paragraph -1 (new)**

*-1. Where the Treaty on the Functioning of the European Union provides for consultation of the Economic and Social Committee, the President shall initiate the consultation procedure and inform Parliament thereof.*

**Amendment 57****Parliament's Rules of Procedure  
Rule 124 – paragraph 2 a (new)**

*2a. Opinions forwarded by the Economic and Social Committee shall be referred to the committee responsible.*

**Amendment 58****Parliament's Rules of Procedure  
Rule 125 – paragraph -1 (new)**

*-1. Where the Treaty on the Functioning of the European Union provides for consultation of the Committee of the Regions, the President shall initiate the consultation procedure and inform Parliament thereof.*

**Amendment 59****Parliament's Rules of Procedure  
Rule 125 – paragraph 2 a (new)**

*2a. Opinions forwarded by the Committee of the Regions shall be referred to the committee responsible.*

**Amendment 91****Parliament's Rules of Procedure  
Rule 129****Rule 129***deleted*

*Consequences of the Council failing to act following approval of its common position under the cooperation procedure*

*If, within three or, with the agreement of the Council, four months of the communication of the common position pursuant to Article 252 of the EC Treaty, Parliament has neither rejected nor amended the position, and the Council fails to adopt the proposed legislation in accordance with the common position, the President may, on behalf of Parliament and after consulting the committee responsible for legal affairs, bring an action against the Council in the Court of Justice under Article 232 of the EC Treaty.*

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PRESENT TEXT

AMENDMENT

**Amendment 61**  
**Parliament's Rules of Procedure**  
**Rule 132**

The Conference of Presidents shall designate members of Parliament's delegation to any **convention**, conference or similar body involving representatives of parliaments and confer a mandate upon it that conforms to any relevant Parliament resolutions. The delegation shall elect its chair and, where appropriate, one or more vice-chairs.

The Conference of Presidents shall designate members of Parliament's delegation to any conference or similar body involving representatives of parliaments and confer a mandate upon it that conforms to any relevant Parliament resolutions. The delegation shall elect its chair and, where appropriate, one or more vice-chairs.

**Amendment 65**  
**Parliament's Rules of Procedure**  
**Rule 149 – paragraph 12**

12. Without prejudice to **Article 197** of the **EC Treaty**, the President shall seek to reach an understanding with the Commission **and** Council on appropriate allocation of speaking time for them.

12. Without prejudice to **Article 230** of the **Treaty on the Functioning of the European Union**, the President shall seek to reach an understanding with the Commission, **the Council and the President of the European Council** on appropriate allocation of speaking time for them.

*(This paragraph shall become the last paragraph of Rule 149.)*

**Amendment 67**  
**Parliament's Rules of Procedure**  
**Rule 204 – title**

**Appointment** of the Ombudsman

**Election** of the Ombudsman

**Amendment 68**  
**Parliament's Rules of Procedure**  
**Rule 204 – paragraph 7**

7. The person **appointed** shall immediately be called upon to take an oath before the Court of Justice.

7. The person **elected** shall immediately be called upon to take an oath before the Court of Justice.

**Amendment 69**  
**Parliament's Rules of Procedure**  
**Annex V – Article 2**

**Article 2**

*deleted*

**Rate**

1. *Subject to the conditions set out below, any Member may table and speak in support of proposals for decisions fixing a new maximum rate.*

2. *Such proposals shall be admissible only if they are tabled in writing and bear the signatures of at least forty Members or are tabled on behalf of a political group or committee.*

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PRESENT TEXT

AMENDMENT

3. *The President shall set the time limit for the tabling of such proposals.*

4. *The committee responsible shall report on these proposals before they are discussed in Parliament.*

5. *Parliament shall then vote on the proposals.*

*Parliament shall act by a majority of its component Members and three fifths of the votes cast.*

*Where the Council has informed Parliament of its agreement to the fixing of a new rate, the President shall declare in Parliament that the amended rate has been adopted.*

*If this is not the case, the Council's position shall be referred to the committee responsible.*

**Amendment 70**  
**Parliament's Rules of Procedure**  
**Annex V – Article 5**

Article 5

*deleted*

*Consideration of the Council's deliberations – second stage*

1. *If the Council has modified one or more of the amendments adopted by Parliament, the text thus modified by the Council shall be referred to the committee responsible.*

2. *Subject to the conditions set out below, any Member may table and speak in support of draft amendments to the texts modified by the Council.*

3. *Such draft amendments shall be admissible only if they are presented in writing, bear the signature of at least forty Members or are tabled on behalf of a committee and ensure the maintenance of a balance between revenue and expenditure. Rule 49(5) shall not apply.*

*Draft amendments shall be admissible only if they refer to the texts modified by the Council.*

4. *The President shall set the time limit for the tabling of draft amendments.*

5. *The committee responsible shall pronounce on the texts modified by the Council and deliver its opinion on the draft amendments to the modified texts.*



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PRESENT TEXT

AMENDMENT

6. *Draft amendments to the texts modified by the Council shall be put to the vote in Parliament without prejudice to the provisions of Article 3(4) second subparagraph. Parliament shall act by a majority of its component Members and three fifths of the votes cast. If the draft amendments are adopted, the texts modified by the Council shall be deemed rejected. If they are rejected, the texts modified by the Council shall be deemed adopted.*

7. *The Council's summary of the results of its deliberations on the proposed modifications adopted by Parliament shall be debated and a motion for a resolution may then be put to the vote.*

8. *Upon completion of the procedure provided for in this Article, and subject to the provisions of Article 6, the President shall declare in Parliament that the budget has been finally adopted and shall arrange for its publication in the Official Journal.*

Amendment 71  
Parliament's Rules of Procedure  
Annex V – Article 6

Article 6

*deleted*

Total rejection

1. *A committee or at least forty Members may, for important reasons, table a proposal to reject the draft budget as a whole. Such a proposal shall be admissible only if it is accompanied by a written justification and tabled within the time limit set by the President. The reasons for rejection may not be contradictory.*

2. *The committee responsible shall deliver its opinion on such a proposal before it is put to the vote in Parliament.*

*Parliament shall act by a majority of its component Members and two thirds of the votes cast. If the proposal is adopted, the draft budget as a whole shall be referred back to the Council.*

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