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Committee on Constitutional Affairs

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DRAFT REPORT

on the adaptation of Parliament's Rules of Procedure to the revised framework agreement on relations between the European Parliament and the Commission (2010/2127(REG))

Committee on Constitutional Affairs

Rapporteur: Paulo Rangel

CONTENTS

Page

| | |
|---------------------------------------------------|---|
| PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION | 3 |
|---------------------------------------------------|---|

PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

on the adaptation of Parliament's Rules of Procedure to the revised framework agreement on relations between the European Parliament and the Commission (2010/2127(REG))

The European Parliament,

- having regard to Rules 127, 211 and 212 of its Rules of Procedure,
 - having regard to its decision of ... on the revision of the framework agreement on relations between the European Parliament and the Commission (2010/2118(ACI))¹,
 - having regard to the report of the Committee on Constitutional Affairs (A7-0000/2010),
1. Decides to amend its Rules of Procedure as shown below;
 2. Points out that the amendments will enter into force on the first day after the entry into force of the revised framework agreement;
 3. Instructs its President to forward this decision to the Council and Commission, for information.

Amendment 1

Parliament's Rules of Procedure

Rule 9 – paragraph 2 – subparagraph 2 a (new)

Present text

Amendment

Failure to comply with the rules concerning the treatment of confidential documents may lead to the application of the measures provided for in Rule 153.

(This provision replaces Annex VIII – part A – paragraph 5 which shall be deleted if this amendment is adopted)

Or. en

(Amendment to Rule 9 – paragraph 3 – subparagraph 3a (new) and Amendment to Rule 23 – paragraph 11 a (new) are connected and should be voted together)

¹ Texts adopted, P7_TA(....)....

Amendment 2

Parliament's Rules of Procedure Rule 23 – paragraph 11 a (new)

Present text

Amendment

11a. The Bureau shall lay down rules concerning the treatment of confidential documents by Parliament and its bodies, taking into account any interinstitutional agreement concluded on such matters. Those rules shall be published in the Official Journal of the European Union and annexed to these Rules of Procedure.

(This provision replaces Annex VIII – part A – paragraph 1 – subparagraph 4 which shall be deleted if this amendment is adopted)

Or. en

(Amendment to Rule 9 – paragraph 3 – subparagraph 3a (new) and Amendment to Rule 23 – paragraph 11a (new) are connected and should be voted together)

Amendment 3

Parliament's Rules of Procedure Rule 35

Present text

Amendment

The Commission's ***legislative and work programme***

1. Parliament shall work together with the Commission and the Council to determine the legislative planning of the European Union.

Parliament and the Commission shall cooperate in preparing the Commission's ***annual legislative and work programme*** in accordance with the timetable and arrangements agreed between the two institutions and annexed to these Rules of Procedure.

The Commission's ***Work Programme***

1. Parliament shall work together with the Commission and the Council to determine the legislative planning of the European Union.

Parliament and the Commission shall cooperate in preparing the Commission's ***Work Programme - which is the Commission's contribution to the Union's annual and multiannual programming*** - in accordance with the timetable and arrangements agreed between the two institutions and annexed to these Rules of

2. In urgent and unforeseen circumstances, an institution may, on its own initiative and in accordance with the procedures laid down in the Treaties, propose adding a legislative measure to those proposed in the ***annual legislative and work programme***.

3. The President shall forward the resolution adopted by Parliament to the other institutions which participate in the European Union's legislative procedure and to the parliaments of the Member States.

The President shall ask the Council to express an opinion on the Commission's ***annual legislative and work programme*** and on Parliament's resolution.

4. Where an institution is unable to comply with the timetable laid down it is required to notify the other institutions as to the reasons for the delay and to propose a new timetable.

Procedure.

2. In urgent and unforeseen circumstances, an institution may, on its own initiative and in accordance with the procedures laid down in the Treaties, propose adding a legislative measure to those proposed in the ***Work Programme***.

3. The President shall forward the resolution adopted by Parliament to the other institutions which participate in the European Union's legislative procedure and to the parliaments of the Member States.

The President shall ask the Council to express an opinion on the Commission's ***Work Programme*** and on Parliament's resolution.

4. Where an institution is unable to comply with the timetable laid down it is required to notify the other institutions as to the reasons for the delay and to propose a new timetable.

Or. en

Justification

The Commission's annual legislative and work programme is being replaced by the Work Programme. Adjustment to new provisions of the paragraph 41 c (new) of the Framework Agreement.

Amendment 4

Parliament's Rules of Procedure

Rule 43 – paragraph 1 – subparagraph 3

Present text

In cases where a proposal is listed in the ***Annual Legislative*** Programme the committee responsible may decide to appoint a rapporteur to follow the preparatory phase of the proposal.

Amendment

In cases where a proposal is listed in the ***Work*** Programme the committee responsible may decide to appoint a rapporteur to follow the preparatory phase of the proposal.

Or. en

Justification

The Commission's annual legislative and work programme is being replaced by the Work Programme.

Amendment 5

Parliament's Rules of Procedure

Rule 44 – paragraph 3 – subparagraph 1 a (new)

Present text

Amendment

The committee shall not adopt its report before receiving the Commission's position on the initiative.

Or. en

Justification

Adjustment to new provisions of the paragraph 31 (new) of the Framework Agreement.

Amendment 6

Parliament's Rules of Procedure

Rule 45 – paragraph 2

Present text

Amendment

2. Following a decision on the procedure to be followed, and if Rule 46 does not apply, the committee shall appoint a rapporteur on the proposal for a legislative act from among its members or permanent substitutes if it has not yet done so on the basis of the ***annual legislative and work programme*** agreed under Rule 35.

2. Following a decision on the procedure to be followed, and if Rule 46 does not apply, the committee shall appoint a rapporteur on the proposal for a legislative act from among its members or permanent substitutes if it has not yet done so on the basis of the ***Work Programme*** agreed under Rule 35.

Or. en

Justification

The Commission's annual legislative and work programme is being replaced by the Work Programme.

Amendment 7

Parliament's Rules of Procedure

Rule 90 – paragraph 1 – subparagraph -1 (new)

Present text

Amendment

1. The Commission shall inform the Parliament about its intention to propose the start of negotiations at the same time as it informs the Council. When the Commission proposes draft negotiating directives with a view to their adoption by the Council, the Commission shall at the same time present them to the Parliament.

Or. en

Justification

Adjustment to new provisions of the Annex 3, paragraphs 1 and 2 of the Framework Agreement.

Amendment 8

Parliament's Rules of Procedure

Rule 90 – paragraph 4

Present text

Amendment

4. Throughout the negotiations the Commission and the Council shall inform the committee responsible regularly and fully of their progress, if necessary on a confidential basis.

4. Throughout the negotiations the Commission and the Council shall inform the committee responsible regularly and fully of their progress, if necessary on a confidential basis. ***Before the agreement is initialled by the Commission, the Commission shall explain whether and how the Parliament's observations were incorporated in the texts under negotiation. If those observations were not incorporated into the text, the Commission shall give the reasons therefor.***

Or. en

Justification

Adjustment to new provisions of the annex 3, paragraph 4 of the Framework Agreement.

Amendment 9

**Parliament's Rules of Procedure
Rule 91 – paragraph - 1 (new)**

Present text

Amendment

The Commission shall inform Council and the Parliament simultaneously and in due time of its intention to propose to the Council the provisional application or the suspension of an international agreement and the reasons therefor.

Or. en

Justification

Adjustment to new provisions of the annex 3, paragraphs 6 and 7 of the Framework Agreement.

Amendment 10

**Parliament's Rules of Procedure
Rule 137 – paragraph 1 – subparagraph 1**

Present text

Amendment

1. Before each part-session the draft agenda shall be drawn up by the Conference of Presidents on the basis of recommendations by the Conference of Committee Chairs taking into account the agreed ***annual legislative and work programme*** referred to in Rule 35.

1. Before each part-session the draft agenda shall be drawn up by the Conference of Presidents on the basis of recommendations by the Conference of Committee Chairs taking into account the agreed ***Work Programme*** referred to in Rule 35.

Or. en

Justification

The Commission's annual legislative and work programme is being replaced by the Work Programme.

Amendment 11

Parliament's Rules of Procedure

Rule 193 – paragraph 2 – interpretation subparagraph 3 a (new)

Present text

Amendment

Provisions of this paragraph shall be interpreted in accordance with the paragraph 40 of the framework agreement on relations between the European Parliament and the Commission (Annex XIV).

Or. en

Amendment 12

Parliament's Rules of Procedure

Annex II – part A – paragraph 3

Present text

Amendment

3. A question shall be inadmissible if an identical or similar question has been put down and answered during the preceding three months unless there are new developments or the author is seeking further information. In the first case a copy of the question and the answer shall be given to the author.

3. A question shall be inadmissible if an identical or similar question has been put down and answered during the preceding three months, ***or the Commission has already informed Parliament of its position concerning the issues addressed by that question through a written follow-up communication,*** unless there are new developments or the author is seeking further information. In the first case a copy of the question and the answer shall be given to the author.

Or. en

Justification

Adjustment to new provisions of the paragraph 14 of the Framework Agreement.

Amendment 13

Parliament's Rules of Procedure

Annex III – paragraph 3

Present text

3. If an identical or similar question has been put and answered during the preceding six months, the Secretariat shall transmit a copy of the previous question and answer to the author. The renewed question shall not be forwarded to the addressee unless the author invokes new significant developments or is seeking further information.

Amendment

3. If an identical or similar question has been put and answered during the preceding six months, ***or the Commission has already informed Parliament of its position concerning the issues addressed by that question through a written follow-up communication***, the Secretariat shall transmit a copy of the previous question and answer to the author. The renewed question shall not be forwarded to the addressee unless the author invokes new significant developments or is seeking further information.

Or. en

Justification

Adjustment to new provisions of the paragraph 14 of the Framework Agreement.