

# EUROPEAN PARLIAMENT



COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT

*- THE SECRETARIAT -*

## **G U I D E**

**for members**

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## **I. TASKS OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT**

1. The main task of a parliamentary committee such as the Committee on Agriculture is to draw up:
  - legislative reports (or opinions for the committee responsible) on Commission proposals to the Council each time that Parliament's opinion is required (consultation)
  - own-initiative reports on subjects of current interest or Commission communications.
2. Under Annex VII of the Rules of Procedure, the Committee on Agriculture and Rural Development is responsible for:
  1. the operation and development of the common agricultural policy;
  2. rural development, including the activities of the relevant financial instruments;
  3. legislation on:
    - (a) veterinary and plant-health matters, animal feedingstuffs provided such measures are not intended to protect against risks to human health,
    - (b) animal husbandry and welfare;
  4. the improvement of the quality of agricultural products;
  5. supplies of agricultural raw materials;
  6. the Community Plant Variety Office;
  7. forestry.

## **II. THE COMMITTEE AND THE EUROPEAN PARLIAMENT'S LEGISLATIVE ROLE**

3. In the agricultural field, Parliament is most often consulted under Article 37(2) of the EC Treaty, as codecision will not apply to the common agricultural policy until the Treaty of Lisbon comes into force.

In brief, the **consultation** procedure takes place as follows.

- The Commission draws up a proposal (for a Council regulation, directive or decision)<sup>1</sup> which it forwards to the Council.

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<sup>1</sup> See Article 249 of the EC Treaty:

‘A regulation has general application. It is binding in its entirety and directly applicable in all Member States; a directive is binding, as to the result to be achieved, upon each Member State to which it is addressed, but leaves the choice of form and methods to the national authorities; a decision is binding in its entirety upon those to whom it is addressed.’

- Each time it is required to do so under the Treaty, the Council asks the European Parliament for its opinion on the Commission proposal. It then forwards the proposal to the President of Parliament.
- The President refers the Commission's proposal to one committee as the committee responsible and to the other committees concerned for their opinions.

4. If the Committee on Agriculture is the committee responsible, it may:
  - (a) either draw up a report and accordingly appoint a **rapporteur** (Rule 45);
  - (b) or apply the simplified procedure under Rule 46.
5. If the Committee on Agriculture is only asked for its opinion (Rule 49), it will draw up an opinion for the committee responsible and appoint a **rapporteur for the opinion**. It may also decide not to deliver an opinion.
6. Rapporteurs and rapporteurs for opinions are as a general rule appointed on a proposal from the political group coordinators (see Section VI), who allocate reports and opinions under a points system. The system has been devised to ensure a fair distribution of reports and opinions according to the numerical strength of each of the groups represented on the committee.

#### A. Legislative reports

7. Until the Treaty of Lisbon comes into force, the Committee on Agriculture and Rural Development will as a rule continue to be consulted on acts requiring a **single reading** (ordinary consultation); the only exceptions will generally be issues related to animal health or animal welfare. The simple consultation procedure is as follows:
  - when a Commission proposal is referred to a committee, under Rule 37 it may, after obtaining the opinion of the Legal Affairs Committee, contest the validity or appropriateness of the legal basis chosen by the Commission.
  - when a rapporteur is appointed, he or she draws up, generally with the assistance of the secretariat, a **draft report** (Rule 45) consisting of:
    - draft amendments, if any, to the proposal, accompanied, if appropriate, by short justifications. These are optional and the rapporteur's responsibility; they are not put to the vote (such justifications may not exceed 500 characters; if they do, the justification will not be translated);
    - a draft legislative resolution in which the rapporteur must state only whether Parliament approves, rejects or proposes amendments to the Commission's proposal (Rule 55(2));
    - if appropriate, an explanatory statement that explains the position in the first part described above (maximum of 3000 characters). As in the case of justifications, the explanatory statement is the responsibility of the rapporteur alone; it is not put to the vote. The explanatory statement may be accompanied by a financial statement which establishes the scale of any financial impact of the report and its compatibility with the multiannual financial framework.

In general, the rapporteur should submit his draft report to the committee secretariat three weeks before it is to be considered by the committee so that it can be translated, printed, and distributed in time.

The final reports adopted by the parliamentary committees may be entered on the agenda for a part-session if they have been verified and tabled no later than:

- (a) one month before the relevant part-session in the case of first-reading legislative reports (COD);
- (b) the Friday of the fourth week preceding the relevant part-session in the case of legislative reports adopted under the consultation procedure (CNS) and own-initiative reports (INI);
- (c) the Friday of the third week preceding the relevant part-session in the case of other reports.<sup>1</sup>

## **B. Legislative reports under the simplified procedure**

- 8. Under Rule 46(1), Procedure, Parliament may consider Commission proposals under the **simplified procedure**, if for instance they do not require thorough study (extension of deadlines, measures implementing existing regulations, etc.).
- 9. In that case, at the end of first discussion on a legislative proposal, the chair of the Committee on Agriculture may propose that it be approved **without amendment**. Unless at least one-tenth of the members of the committee object, the chair will present to Parliament a report approving the proposal. In this case Rule 138 (procedure in plenary without amendment and debate) applies.
- 10. Rule 46(2) states that the chair may alternatively propose that he/she or the rapporteur draft a set of amendments reflecting the committee's discussion. If the committee so agrees, these amendments are sent to the members of the committee. Members then have at least 21 days to study them and if, after this time limit, at least one-tenth of the committee members have not objected, the report is deemed adopted. The report and amendments are then presented for Parliament's approval without debate, pursuant to Rule 138(1), last paragraph, (2) and (4).
- 11. However, if one-tenth of the members oppose this procedure, the amendments are put to the vote at the next committee meeting (Rule 46(3)).  
In practice, this simplified procedure is not used for codecision dossiers if the Council intends to amend the Commission proposal.

## **C. Opinions for other parliamentary committees (Rule 49)**

- 12. A committee is asked for its opinion in its area of responsibility, either by the President of Parliament when he/she names the committee responsible or at the request of the committee responsible or if a committee wishes to give its opinion on the subject referred to the committee responsible. In the latter two cases the committees concerned ask the President that the matter should be referred to them, pursuant to Rule 188(3).

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<sup>1</sup> Code of conduct on multilingualism adopted by the Bureau on 17 November 2008.

The committee asked for an opinion appoints a rapporteur for the opinion, who draws up a draft opinion for the committee responsible, which for legislative texts consists only of proposed amendments to the text referred to the committee, accompanied by short justifications if necessary. The justifications are the sole responsibility of the rapporteur for the opinion but the committee may also present a short written justification for the opinion as a whole. The committee responsible sets a deadline by which the committee asked for an opinion must deliver its opinion if it is to be taken into account by the committee responsible. If the committee responsible does not take account of the amendments adopted by the committee asked for an opinion, the latter cannot table its amendments in plenary sitting (Rule 49(5)). The amendments concerned can be tabled only by a political group or at least 46 Members (Rule 156(1)).

#### **D. Budget procedure**

13. The most important opinion drafted by the committee is its opinion on the draft general budget of the European Union. In this case, the Committee on Agriculture
- drafts an opinion for the Committee on Budgets;
  - tables **draft amendments** or **proposed modifications** to the sections of the draft budget dealing with agricultural matters. Such draft amendments or proposed modifications are considered by the Committee on Budgets and subsequently put to the vote in plenary sitting by Parliament, which, together with the Council, constitutes the budgetary authority.

**Draft amendments** concern non-compulsory expenditure (NCE), on which Parliament has the final say. **Proposed modifications** relate to compulsory expenditure (CE), which is adopted by the Council (see Article 272 of the EC Treaty). The budget rules are described in more detail in Annex IV to the Rules of Procedure.

The Treaty of Lisbon removes the distinction between non-compulsory expenditure and compulsory expenditure. The budget procedure will therefore be brought into line with the rules on codecision. Given that the budget will have to be adopted jointly by Parliament and the Council, the opinion of the Committee on Agriculture and Rural Development will take on added importance, since agricultural expenditure accounts for a significant proportion of the budget. The role of the Committee on Agriculture's rapporteur for the opinion in the annual budget procedure will also be strengthened.

#### **E. Associated committees (Rule 50)**

14. Where a question of competence has been referred to the Conference of Presidents and the Conference of Presidents considers that the matter falls almost equally within the competence of two or more committees, or that different parts of the matter fall under the competence of two or more committees, it may decide that the committees concerned should be involved as associated committees. This means that:
- the timetable is agreed jointly;

- the rapporteur and the rapporteurs for opinions keep each other informed and endeavour to agree on the texts and on their position regarding amendments;
- the chairs, rapporteur and rapporteurs for opinions endeavour to jointly identify areas of the text falling within their exclusive or joint competences and agree on the precise arrangements for their cooperation;
- the committee responsible accepts without a vote amendments from an associated committee where they concern matters which the chair of the committee responsible considers to fall under the exclusive competence of the associated committee and which do not contradict other elements of the report;
- in the event of a conciliation procedure taking place on the proposal, Parliament's delegation will include the rapporteur of any associated committee.

(See Rule 50 for further details.)

If the matter is of major importance, the Conference of Presidents may decide that a procedure with joint meetings of committees and a joint vote must be applied (Rule 51).

### **III. THE COMMITTEE AND THE EUROPEAN PARLIAMENT'S ROLE AS PRIME MOVER**

#### **A. Legislative initiative (Rule 42)**

15. Under Article 192, second paragraph, of the EC Treaty, Parliament may request the Commission to submit legislative proposals on matters which, in Parliament's opinion, need to be covered in a Union act (a new act or amendment of an existing act), for which no provision is made in the Commission programme.

When such a request has been made, the committee responsible, subject to authorisation of the Conference of Presidents, draws up an own-initiative report to be put to the vote in Parliament. The resolution contained in that report must be adopted by a majority of Parliament's component Members. Parliament's resolution states the relevant legal basis and includes detailed recommendations on the content of the proposal, which must respect fundamental rights and the principle of subsidiarity. If the proposal has financial implications, Parliament has to indicate how sufficient financial resources can be provided.

#### **B. Own-initiative reports (Rule 48)**

16. On a proposal from its chair or one or more of its members, the Committee on Agriculture may decide to ask the Conference of Presidents for authorisation to draw up an own-initiative report on topical subjects and/or matters of major importance which, in most cases, have not been given sufficient consideration by the Commission or the Council.

Once authorisation has been given, the Committee on Agriculture draws up a **non-legislative report** (Rule 47) consisting of a motion for a resolution of a political nature and an explanatory statement. After adoption in committee, the report is placed on the agenda for debate in plenary, and a simple majority will suffice for it to be adopted. Except in special cases, amendments may only be considered in plenary if tabled by the rapporteur (to take account of new information) or by at least one-tenth of the Members of Parliament. Political groups may nevertheless table alternative motions for resolutions.

Committees may not draw up more than six non-legislative reports at any one time, except in special cases (Annex XVIII to the Rules of Procedure), such as legislative own-initiative reports (Rule 42).

### **C. Non-legislative reports based on a motion for a resolution (Rule 120)**

17. Any Member may table a motion for a resolution, of not more than 200 words, on a matter falling within the sphere of activities of the Union. If the issue comes within the terms of reference of the Committee on Agriculture, the President of Parliament refers the motion for a resolution to the committee for consideration.

In that event, the Committee on Agriculture may decide to:

- consider the motion for a resolution together with other motions for resolutions or reports;
- deliver an opinion, which may take the form of a letter; or
- draw up an own-initiative report (Rule 48). The authorisation of the Conference of Presidents is required for this.

The authors of the motion for a resolution are informed of the decisions taken by the committee and the Conference of Presidents.

### **D. Non-legislative opinions**

For non-legislative texts, the opinion offers suggestions for the motion for a resolution drawn up by the committee responsible (Rule 49(2)). Short written justifications may be provided for individual amendments or the amendments as a whole.

### **E. Amendments to be put to the vote in committee**

18. Any committee member may table amendments in committee:
- to a Commission legislative text (in which case they should be set out with the text proposed by the Commission in the left-hand column and the amended text in the right-hand column);
  - to a draft legislative resolution; or
  - to a motion for a resolution contained in an own-initiative report.

Amendments must be tabled in writing and translated into all languages before being put to the vote. They must comply with the deadlines set by the chair.



When several amendments relate to the same point of a legislative text or a motion for a resolution, compromise amendments may be tabled. They are given priority in voting over all the amendments included in the compromise. In general such amendments are proposed by the rapporteur, unless they are the result of a joint initiative by several political groups or the chair.

#### **IV. CONSIDERATION OF REPORTS IN PLENARY**

##### **A. Part-session agenda**

19. The draft agenda for a part-session is drawn up by the Conference of Presidents on the basis of recommendations by the Conference of Committee Chairs (Rule 137).
20. However, because of the overlapping of part-sessions and committee meetings, there may not be sufficient time for reports to be placed on the agenda for the part-session immediately following their adoption in committee.

When that is the case, the committee concerned may seek to amend the draft agenda by:

- requesting urgent procedure (Rule 142), if the report has been drawn up following consultation; or
- proposing amendments to the draft agenda (Rule 140), be it in connection with reports drawn up following consultation or with own-initiative reports.

Amendments are put to Parliament for approval.

##### **B. Referral back to committee**

21. A report may be referred back to committee:

- at the request of a political group or at least 40 Members (Rule 175(1)).

Such requests may be made when the agenda is established, before the start of a debate or before or during a vote. A request may be made only once at each of these three procedural stages.

- If the Commission does not withdraw a proposal which has been rejected in plenary sitting or which is the subject of a motion for rejection that has been adopted, the proposal is referred back to the committee responsible, which must draw up another report within two months (Rule 56), unless Parliament decides to proceed to the vote on the draft legislative resolution.
- The same procedure applies if the Commission does not accept all the amendments to its proposal adopted by Parliament. If the rapporteur or committee chair asks for the vote to be held over (to allow for negotiations with the Commission and putting pressure on it) and Parliament agrees, the matter is

deemed to have been referred back to the committee responsible for reconsideration (Rule 57(2)).

In the last case too, the committee responsible must report to Parliament within two months.

### **C. Procedure in plenary without amendment and debate (Rule 138)**

22. If fewer than one-tenth of the members of the committee vote against the adoption of a legislative or non-legislative report, that report is placed on the draft agenda of Parliament for vote without amendment and consequently without debate.

However, if, before the final draft agenda is drawn up by the Conference of Presidents, political groups or individual MEPs who together constitute one-tenth of the Members of Parliament have requested in writing authorisation to table amendments, the President of Parliament will fix a deadline for tabling amendments.

Parliament may also decide to hold a debate on the report, either when its agenda is adopted at the beginning of the part-session, or on the Conference of Presidents' proposal, or at the request of a political group or at least 40 MEPs.

23. When an item is taken without debate, the rapporteur or chair of the committee responsible may make a statement of not more than two minutes immediately before the vote.

## **V. OTHER ACTIVITIES**

### **A. Questions for oral answer with debate (Rule 115)**

24. Any committee may put **questions for oral answer with debate** to the Commission or Council of the Union in order to obtain additional information on a specific subject or enable Parliament to exercise its power of control over the Union's executive authority.

Questions are submitted in writing to the President of Parliament who refers them to the Conference of Presidents. The Conference of Presidents decides whether they should be entered on Parliament's agenda.

The deadline for tabling such questions to the Commission is at least one week before the opening of the sitting on whose agenda the question is to appear. In the case of questions to the Council, the deadline is three weeks.

In order to wind up the debate in plenary sitting, the committee may table a motion for a resolution with a request that an early vote be taken on it (Rule 110(2)).

### **B. Public hearings (Rule 193)**

25. Subject to authorisation of the Conference of Presidents, any committee may hold a public hearing and invite experts or representatives of the parties concerned to attend.

In accordance with the practice followed hitherto, three or four hearings a year may be held, and not more than 16 experts in total may attend. The sums required to finance refunds of experts' expenses are charged to Parliament's budget.

Workshops may also be held on the subjects chosen by the coordinators. At these workshops, experts are invited to present a briefing note on the chosen topic. The experts (two to four in general) are paid for by the policy department's experts budget.

At the request of the coordinators, external expert panels may also be organised to provide permanent support to the members of the Committee on Agriculture on a major issue. These experts are also paid for by the policy department's experts budget.

### **C. Annual legislative programme**

26. Before the end of each year, Parliament and the Commission agree on an annual legislative programme covering all planned legislative activity (Rule 35). The Committee on Agriculture may submit comments to the President of Parliament on the parts of the programme falling within its terms of reference.

### **D. Consultation of the Economic and Social Committee and/or the Committee of the Regions**

27. A committee may ask the President of Parliament that the Economic and Social Committee (Rule 124) and/or the Committee of the Regions (Rule 125) be consulted on matters of a general nature or on specific points, such as an own-initiative report for example. The committee indicates the deadline for the ESC and CoR to deliver their opinions. Requests to consult the ESC and/or the CoR are tabled in plenary for approval without debate.

### **E. Delegations**

28. Committees are entitled to set up delegations that may travel outside the three places of work. These delegations must be justified in order to receive authorisation from Parliament's Bureau. A maximum of 25 members can take part in such delegations every year. A delegation may not comprise more than 12 members. As a rule there are three or four delegations each year. In principle, the duration of missions is restricted to three days (including journey times). In principle, such missions are confined to the territory of the European Union.

## **VI. COORDINATORS AND APPOINTMENT OF RAPPORTEURS (Rule 192)**

29. In each committee, a **coordinator** (spokesperson) is appointed for each political group. The coordinators meet regularly (normally before the start of business on the second day of the meeting), at the chair's invitation, to allocate reports and opinions, decide on own-

initiative reports and hearings and discuss any matters relating to internal organisation of business such as application of the simplified procedure. The vice-chairs may be invited to participate in the meetings of committee coordinators in a consultative role.

30. **Rapporteurs are appointed** by the committee on a proposal from the coordinators. The political groups may for each report designate a shadow rapporteur to follow the progress of the relevant report and find compromises within the committee on behalf of the group. The committee, on a proposal from the coordinators, may in particular decide to involve the shadow rapporteurs in seeking an agreement with the Council in codecision procedures. To ensure that all the political groups are treated reasonably fairly over the long term, the procedure set out below has been followed to date:

- each group is entitled to a percentage of reports/opinions corresponding to its numerical strength within the committee;
- the coordinators assign a rating to each report/opinion according to its political importance (from 0.5 to 6 in the case of reports and 0.5 to 3 in the case of opinions);
- whenever a report or opinion has been allocated, the sum of each group's ratings is converted into a percentage of the total points awarded, and that percentage is measured against the groups' individual percentage entitlements.

In this way it is possible to see what percentage of their entitlements the groups have still to use up and to work out a 'league table'.

31. It is obvious, however, that reports are not automatically allocated according to positions in the league table. The process hinges upon political assessments and choices, and when no agreement can be reached a vote is taken (each coordinator is entitled to as many votes as there are members of his group serving on the committee). In exceptional cases the group chairs are also consulted.

The points table compiled by the secretariat, therefore, merely provides an update of the situation and is one of the factors to be borne in mind by the coordinators when taking their decisions.

## VII. OTHER INFORMATION

32. The members of the Committee on Agriculture are appointed at the first part-session of a newly elected Parliament and again two and a half years thereafter. On a proposal from the political groups, the committee, at its constituent meeting, appoints its **Bureau** consisting of a chair and three vice-chairs.

33. The political groups may also appoint a number of **permanent substitutes** for each committee equal to the number of full members representing them on the committee.

Permanent substitutes are entitled to attend and speak at committee meetings and, when the full members for whom they are deputising are not present, to take part in votes. They also have the right to be appointed rapporteurs or rapporteurs for opinions.

34. The Committee on Agriculture meets when convened by its chair who draws up the **draft agenda**. The quorum required is one quarter of the members (Rule 195(2)).

After each meeting, **minutes** are drafted and subsequently submitted to the committee for its approval. Minutes are limited to recording decisions taken in committee on the various agenda items. They also indicate who spoke in a discussion.

Meetings are held in public unless the committee decides otherwise.

35. The procedure for voting in committees is similar to that for plenary sittings.

36. The following rules apply to the length of texts, as decided by Parliament's Bureau<sup>1</sup>:

Explanatory statements and preparatory working documents:

- seven pages for a non-legislative report,
- six pages for a legislative report,
- three pages for an opinion.

Motions for resolutions:

- four pages, including recitals but not citations.

'Conclusions' of non-legislative opinions:

- one page.

Justifications of amendments:

- optional but in any case no more than 500 characters.

A page is understood to comprise a body of text of 1500 characters, printed without spacing.

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<sup>1</sup> Code of conduct on multilingualism adopted by the Bureau on 17 November 2008 .