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Committee on Constitutional Affairs

2010/2231(REG)

17.12.2010

AMENDMENTS

12 - 23

Draft report
Andrew Duff
(PE450.656v01-00)

on amendment of Rules 106 and 192 of, and Annex XVII to, Parliament's
Rules of Procedure
(2010/2231(REG))

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United in diversity

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Amendment 12
Algirdas Saudargas

Parliament's Rules of Procedure
Rule 106 – paragraph -1 (new)

Present text

Amendment

(-1) The President of Parliament shall invite the President-elect of the Commission to report on the composition of the proposed college and the distribution of portfolios to a joint meeting of the Conference of Presidents and the Conference of Committee Chairs.

Or. en

Justification

There is a need to use the same terminology as in Rules of procedure and the Lisbon treaty

Amendment 13
Paulo Rangel

Parliament's Rules of Procedure
Rule 192 – paragraph 2 a (new)

Present text

Amendment

2a. The coordinators shall be convened by their committee Chair in order to prepare the organisation of the hearings of Commissioners-designate. Following the hearings, the coordinators shall meet to prepare a draft decision on the evaluation of the nominees in accordance with the procedure laid down in Annex XVII.

Or. pt

Amendment 14
Enrique Guerrero Salom

Parliament's Rules of Procedure
Rule 192 – paragraph 2 a (new)

Present text

Amendment

2a. The coordinators shall be convened by their committee Chair in order to prepare the organisation of the hearings of Commissioners-designate. Following the hearings, the coordinators and, as necessary, the appointed rapporteur shall meet to evaluate the nominees in accordance with the procedure laid down in Annex XVII.

Or. xm

Justification

I consider to include the "rapporteur" in the evaluation as it is himself the one in charge of the follow-up of the hearing in its own commission.

Amendment 15
Rafal Trzaskowski

Parliament's Rules of Procedure
Annex XVII – paragraph 1 – point b – subparagraph 2 – introductory part

Present text

Amendment

The hearings shall be organised jointly by the Conference of Presidents and the Conference of Committee Chairs. Appropriate arrangements shall be made to associate relevant committees where portfolios are mixed. There are three options:

The hearings shall be organised jointly by the Conference of Presidents and the Conference of Committee Chairs. ***The Chair and coordinators of each committee shall be responsible for the detailed arrangements. Rapporteurs shall be appointed.***

Appropriate arrangements shall be made to associate relevant committees where portfolios are mixed. There are three options:

Amendment 16
Algirdas Saudargas

Parliament's Rules of Procedure
Annex XVII – paragraph 1 – point b – subparagraph 2

Present text

The hearings shall be organised jointly by the Conference of Presidents and the Conference of Committee Chairs. Appropriate arrangements shall be made to associate relevant committees where portfolios are mixed. There are three options:

- (i) if the portfolio of the Commissioner-designate falls within the remit of a single committee, the Commissioner-designate shall be heard by that committee alone;
- (ii) if the portfolio of the Commissioner-designate falls more or less equally within the remit of more than one committee, the Commissioner-designate shall be heard jointly by those committees; and
- (iii) if the portfolio of the Commissioner-designate falls mainly within the remit of one committee and only to a small extent within the remit of at least one other committee, the Commissioner-designate shall be heard by the committee mainly responsible, *which shall invite* the other committee or committees *to attend the hearing*.

Amendment

The hearings shall be organised jointly by the Conference of Presidents and the Conference of Committee Chairs. ***The Chair and coordinators of each committee shall be responsible for the detailed arrangements. Rapporteurs may be appointed.***

Appropriate arrangements shall be made to associate relevant committees where portfolios are mixed, ***mutatis mutandis in accordance with Rule 50***. There are three options:

- (i) if the portfolio of the Commissioner-designate falls within the remit of a single committee, the Commissioner-designate shall be heard by that committee alone (***the committee responsible***);
- (ii) if the portfolio of the Commissioner-designate falls more or less equally within the remit of more than one committee, the Commissioner-designate shall be heard jointly by those committees (***associated committees***); and
- (iii) if the portfolio of the Commissioner-designate falls mainly within the remit of one committee and only to a small extent within the remit of at least one other committee, the Commissioner-designate shall be heard by the committee mainly responsible, ***with the participation of*** the other committee or committees (***participating committees***).

Amendment 17
Morten Messerschmidt

Parliament's Rules of Procedure
Annex XVII – paragraph 1 – point b – subparagraph 5

Present text

Hearings shall take place in circumstances, and under conditions, in which Commissioners-designate enjoy an equal and fair opportunity to present themselves and their opinions.

Amendment

Each hearing shall be allocated a duration of at least three hours, though Commissioners-designate with large portfolios may be allowed more than three hours, depending on the Commissioner-designate in question.

Or. da

Justification

There are great differences between the portfolios of the individual Commissioners, and for that reason more time should be allocated for the Commissioners-designate with larger portfolios than for those whose portfolios are significantly smaller.

Amendment 18
Enrique Guerrero Salom

Parliament's Rules of Procedure
Annex XVII – paragraph 1 – point b – subparagraph 5

Present text

Hearings shall take place in circumstances, and under conditions, in which Commissioners-designate enjoy an equal and fair opportunity to present themselves and their opinions.

Amendment

Each hearing shall be scheduled to last three hours, and if during this process it becomes clear that further examination of a candidate is necessary, a second and final hearing may be arranged. Hearings shall take place in circumstances, and under conditions, in which Commissioners-designate enjoy an equal and fair opportunity to present themselves and their opinions.

Or. xm

Justification

In case of lack of time, non agreement during the evaluation meeting after the hearing, etc. it is important to leave the door opened to a second hearing.

Amendment 19

Enrique Guerrero Salom

Parliament's Rules of Procedure

Annex XVII – paragraph 1 – point b – subparagraph 6

Present text

Commissioners-designate shall be invited to make an opening oral statement of no longer than **20 minutes**. The conduct of the hearings shall aim to develop a pluralistic political dialogue between the Commissioners-designate and the Members. Before the end of the hearing, Commissioners-designate shall be given the opportunity to make a brief closing statement.

Amendment

Commissioners-designate shall be invited to make an opening oral statement of no longer than **15 minutes**. ***Where possible, questions shall be grouped together by theme. The bulk of the speaking time shall be allotted to political groups, mutatis mutandis in accordance with Rule 149.*** The conduct of the hearings shall aim to develop a pluralistic political dialogue between the Commissioners-designate and the Members. Before the end of the hearing, Commissioners-designate shall be given the opportunity to make a brief closing statement.

Or. xm

Justification

20 minutes is too much but 10 minutes is too short. I consider 15 minutes a good timing.

Amendment 20

Paulo Rangel

Parliament's Rules of Procedure

Annex XVII – paragraph 1 – point c – subparagraph 2

Present text

The **committees** shall meet without delay

Amendment

The **Chair and coordinators** shall meet

after the hearing to *evaluate* the individual Commissioners-designate. ***Those meetings shall be held in camera. The committees shall be invited to*** state whether, in their opinion, the Commissioners-designate are qualified both to be members of the College and to carry out the particular duties they have been assigned. If the committee is unable to reach a consensus on ***both of those points***, its Chair shall, as a last resort, put the two decisions to the vote by secret ballot. The committees' statements of evaluation shall be made public and presented at a joint meeting of the Conference of Presidents and the Conference of Committee Chairs, which shall be held in camera. Following an exchange of views, the Conference of Presidents and the Conference of Committee Chairs shall declare the hearings closed unless they decide to seek further information.

without delay after the hearing to ***prepare a draft decision on the evaluation of*** the individual Commissioners-designate, ***in which they shall*** state whether, in their opinion, the Commissioners-designate are qualified both to be members of the College and to carry out the particular duties they have been assigned. ***Following the meeting of the Chair and coordinators, the committees shall immediately meet to decide on the evaluation of the Commissioners and vote on the draft presented by the Chair and by the coordinators, as necessary.***

Those meetings shall be held in camera.

There shall be a single evaluation statement for each Commissioner-designate, which shall include the opinions of all the committees involved in the hearing. The Conference of Committee Chairs may design a pro forma template to assist the evaluation.

Where committees require further information in order to complete their evaluation, the President of Parliament shall write on their behalf to the President-elect of the Commission. The coordinators shall take the reply into consideration.

If the committee is unable to reach a consensus ***on the evaluation***, its Chair shall, as a last resort, put the two decisions to the vote by secret ballot.

The committees' statements of evaluation shall be made public ***within 24 hours*** and presented at a joint meeting of the Conference of Presidents and the Conference of Committee Chairs, which shall be held in camera. Following an

exchange of views, the Conference of Presidents and the Conference of Committee Chairs shall declare the hearings closed unless they decide to seek further information.

Or. pt

Amendment 21
Enrique Guerrero Salom

Parliament's Rules of Procedure
Annex XVII – paragraph 1 – point c – subparagraph 2

Present text

The committees shall meet without delay after the hearing to evaluate the individual Commissioners-designate. Those meetings shall be held in camera. The *committees* shall be invited to state whether, in their opinion, the Commissioners-designate are qualified both to be members of the college and to carry out the particular duties they have been assigned. If the *committee is* unable to reach a consensus on *both of those points, its Chair shall*, as a last resort, put the two decisions to the vote by secret ballot. The committees' statements of evaluation shall be made public and presented at a joint meeting of the Conference of Presidents and the Conference of Committee Chairs, which shall be held in camera. Following an exchange of views, the Conference of Presidents and the Conference of Committee Chairs shall declare the hearings closed unless they decide to seek further information.

Amendment

The Chair, the coordinators and the appointed rapporteurs shall meet without delay after the hearing to evaluate the individual Commissioners-designate. Those meetings shall be held in camera. The *coordinators* shall be invited to state whether, in their opinion, the Commissioners-designate are qualified both to be members of the College and to carry out the particular duties they have been assigned. *There shall be a single evaluation statement for each Commissioner-designate, which shall include the opinions of all the committees involved in the hearing. The Conference of Committee Chairs may design a pro forma template to assist the evaluation. Where committees require further information in order to complete their evaluation, the President of Parliament shall write on their behalf to the President-elect of the Commission. The coordinators shall take the reply into consideration. If the coordinators are unable to reach a consensus on the evaluation, the Chair shall convene a full committee meeting.* As a last resort, *the Chair shall* put the two decisions to the vote by secret ballot. The committees' statements of evaluation shall be made

public *within 24 hours* and presented at a joint meeting of the Conference of Presidents and the Conference of Committee Chairs, which shall be held in camera. Following an exchange of views, the Conference of Presidents and the Conference of Committee Chairs shall declare the hearings closed unless they decide to seek further information.

Or. xm

Justification

I consider to add "rapporteurs" in the first line of the amendment to be coherent with my amendment on rule 192, paragraph 2 a (new).

Amendment 22

Rafal Trzaskowski

Parliament's Rules of Procedure

Annex XVII – paragraph 1 – point c – subparagraph 2

Present text

The *committees* shall meet without delay after the hearing to evaluate the individual Commissioners-designate. Those meetings shall be held in camera. The *committees* shall be invited to state whether, in their opinion, the Commissioners-designate are qualified both to be members of the College and to carry out the particular duties they have been assigned. If the *committee is* unable to reach a consensus on *both of those points, its Chair shall, as* a last resort, put the two decisions to the vote by secret ballot. The committees' statements of evaluation shall be made public and presented at a joint meeting of the Conference of Presidents and the Conference of Committee Chairs, which shall be held in camera. Following an exchange of views, the Conference of Presidents and the Conference of

Amendment

The *Chair and the coordinators* shall meet without delay after the hearing to evaluate the individual Commissioners-designate. Those meetings shall be held in camera. The *coordinators* shall be invited to state whether, in their opinion, the Commissioners-designate are qualified both to be members of the College and to carry out the particular duties they have been assigned.

Committee Chairs shall declare the hearings closed unless they decide to seek further information.

There shall be a single evaluation statement for each Commissioner-designate, which shall include the opinions of all the committees involved in the hearing. The Conference of Committee Chairs shall design a pro forma template to assist the evaluation.

Where committees require further information in order to complete their evaluation, the President of Parliament shall write on their behalf to the President-elect of the Commission. The coordinators shall take the reply into consideration.

The Chair shall convene a full committee meeting to confirm the decision of the coordinators.

If the *coordinators are* unable to reach a consensus on *the evaluation*, *the Chair shall also convene a full committee meeting. As a last resort, the Chair shall* put the two decisions to the vote by secret ballot.

The committees' statements of evaluation shall be made public and presented at a joint meeting of the Conference of Presidents and the Conference of Committee Chairs, which shall be held in camera. Following an exchange of views, the Conference of Presidents and the Conference of Committee Chairs shall declare the hearings closed unless they decide to seek further information.

Or. en

Amendment 23
Algirdas Saudargas

Parliament's Rules of Procedure
Annex XVII – paragraph 1 – point c – subparagraph 2

Present text

The **committees** shall meet without delay after the hearing to evaluate the individual Commissioners-designate. Those meetings shall be held in camera. The **committees** shall be invited to state whether, in their opinion, the Commissioners-designate are qualified both to be members of the College and to carry out the particular duties they have been assigned. If the **committee is** unable to reach a consensus on **both of those points**, its Chair shall, **as a last resort**, put the two decisions to the vote by secret ballot. The committees' statements of evaluation shall be made public **and** presented at a joint meeting of the Conference of Presidents and the Conference of Committee Chairs, which shall be held in camera. Following an exchange of views, the Conference of Presidents and the Conference of Committee Chairs shall declare the hearings closed unless they decide to seek further information.

Amendment

The **Chair and the coordinators** shall meet without delay after the hearing to evaluate the individual Commissioners-designate. Those meetings shall be held in camera. The **coordinators** shall be invited to state whether, in their opinion, the Commissioners-designate are qualified both to be members of the College and to carry out the particular duties they have been assigned.

There shall be a single evaluation statement for each Commissioner-designate. The Conference of Committee Chairs may design a pro forma template to assist the evaluation.

Where committees require further information in order to complete their evaluation, the President of Parliament shall write on their behalf to the President-elect of the Commission. The coordinators shall take the reply into consideration.

The decision of the coordinators shall be confirmed by the committee. If the **coordinators are** unable to reach a consensus on **the evaluation**, the Chair shall put the decisions to the vote by secret ballot.

The committees' statements of evaluation shall be made public *after having been* presented at a joint meeting of the Conference of Presidents and the Conference of Committee Chairs, which shall be held in camera. Following an exchange of views, the Conference of Presidents and the Conference of Committee Chairs shall declare the hearings closed unless they decide to seek further information.

Or. en