REPORT

on amendment of Parliament's Rules of Procedure with regard to parliamentary questions
(2013/2083(REG))

Committee on Constitutional Affairs

Rapporteur: Zita Gurmai
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PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

on amendment of Parliament's Rules of Procedure with regard to parliamentary questions
(2013/2083(REG))

The European Parliament,

– having regard to the letter from its President of 13 February 2013,
– having regard to Rules 211 and 212 of its Rules of Procedure,
– having regard to the report of the Committee on Constitutional Affairs (A7-0123/2014),

1. Decides to amend its Rules of Procedure as shown below;

2. Decides that the amendments shall enter into force on the first day of the first part-session of the eighth parliamentary term;

3. Decides that the ballot system established by the amendments for determining the Members allowed to put a question shall be assessed after a trial period of one year from the beginning of the eighth parliamentary term;

4. Instructs its President to forward this decision to the Council and the Commission, for information.

Amendment 1

Parliament's Rules of Procedure
Rule 116

<table>
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<tr>
<th>Present text</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>1. Question Time with the Commission shall be held at each part-session <em>at times decided by Parliament on a proposal from</em> the Conference of Presidents.</td>
<td>1. Question Time with the Commission shall be held at each part-session <em>for a duration of 90 minutes on one or more specific horizontal themes to be decided upon by</em> the Conference of Presidents <em>one month in advance of the part-session.</em></td>
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<tr>
<td>2. No Member may put more than one question to the Commission at any given part-session.</td>
<td>2. <em>The Commissioners invited to participate by the Conference of Presidents shall have a portfolio related to the specific horizontal theme or themes on</em></td>
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RR\1019890EN.doc 3/18 PE519.814v02-00
3. Questions shall be submitted in writing to the President, who shall rule on their admissibility and on the order in which they are to be taken. The questioner shall be notified immediately of this decision.

4. The detailed procedure shall be governed by guidelines laid down in an annex to these Rules of Procedure.17

5. In accordance with guidelines established by the Conference of Presidents, specific question hours may be held with the Council, with the President of the Commission, with the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and with the President of the Eurogroup.

17See Annex II.

Amendment 2

Parliament's Rules of Procedure
Rule 117 – paragraph 1

Present text

1. Any Member may put questions for written answer to the President of the European Council, the Council, the Commission or the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy in accordance with guidelines laid down in an annex to these Rules of Procedure.18. The content of questions shall be the sole responsibility of their authors.

Amendment

1. Any Member may put questions for written answer to the President of the European Council, the Council, the Commission or the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy in accordance with criteria laid down in an annex to these Rules of Procedure.18. The content of questions shall be the sole responsibility of their authors.
Amendment 3

Parliament's Rules of Procedure
Rule 117 – paragraph 2

**Present text**

2. Questions shall be submitted *in writing* to the President *who shall forward them to the addressees*. Doubts concerning the admissibility of a question shall be settled by the President. The questioner shall be notified of *his* decision.

**Amendment**

2. Questions shall be submitted to the President. Doubts concerning the admissibility of a question shall be settled by the President. *The President's decision shall be based not solely on the provisions of the annex referred to in paragraph 1 but on the provisions of these Rules of Procedure in general.* The questioner shall be notified of *the President's* decision.

Amendment 4

Parliament's Rules of Procedure
Rule 117 – paragraph 2 a (new)

**Present text**

2a. Questions shall be submitted in electronic format. Each Member may submit a maximum of five questions per month.

*By way of exception, additional questions may be submitted in the form of a paper document tabled and signed personally by the Member concerned in the relevant service of the Secretariat.*

*After a period expiring one year from the beginning of the eighth parliamentary term, the Conference of Presidents shall carry out an assessment of the regime in respect of additional questions.*
### Amendment 5

**Parliament's Rules of Procedure**  
Rule 117 – paragraph 4 – subparagraph 1

<table>
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<tr>
<th>Present text</th>
<th>Amendment</th>
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<tr>
<td>Questions which require an immediate answer but not detailed research (priority questions) shall be answered within three weeks of being forwarded to the addressees. Each Member may table one priority question each month.</td>
<td>deleted</td>
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</table>

### Amendment 6

**Parliament's Rules of Procedure**  
Rule 117 – paragraph 4 – subparagraph 2

<table>
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<tr>
<th>Present text</th>
<th>Amendment</th>
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| Other questions *(non-priority questions)* shall be answered within six weeks of being forwarded to the addressees. | Questions shall be answered within six weeks of being notified to the addressees.  
*In justified cases of urgency, the President may request that a question be answered within three weeks.* |

### Amendment 7

**Parliament's Rules of Procedure**  
Rule 117 – paragraph 4 – subparagraph 3

<table>
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<th>Present text</th>
<th>Amendment</th>
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<tr>
<td>Members shall indicate which type of question they are submitting. The final decision shall be taken by the President.</td>
<td>deleted</td>
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</table>
Amendment 8

Parliament's Rules of Procedure
Rule 117 – paragraph 5

Present text


Amendment

5. Questions and answers shall be published on Parliament’s website.

Amendment 9

Parliament's Rules of Procedure
Rule 118 – paragraph 1

Present text

1. Any Member may put questions for written answer to the European Central Bank in accordance with guidelines laid down in an annex to these Rules of Procedure.\(^{19}\)

Amendment

1. Any Member may put a maximum of six questions per month for written answer to the European Central Bank in accordance with criteria laid down in an annex to these Rules of Procedure.\(^{19}\). The content of questions shall be the sole responsibility of their authors.

\(^{19}\) See Annex III.

Amendment 10

Parliament's Rules of Procedure
Rule 118 – paragraph 2

Present text

2. Such questions shall be submitted in writing to the Chair of the committee responsible, who shall forward them to the European Central Bank.

Amendment

2. Such questions shall be submitted in writing to the Chair of the committee responsible, who shall notify them to the European Central Bank. Doubts concerning the admissibility of a question shall be settled by the Chair. The questioner shall be notified of the Chair's decision.
**Amendment 11**

Parliament's Rules of Procedure  
Rule 118 – paragraph 3

<table>
<thead>
<tr>
<th>Present text</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>3. The questions and answers shall be published in the Official Journal of the European Union.</td>
<td>3. Questions and answers shall be published on Parliament’s website.</td>
</tr>
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</table>

**Amendment 12**

Parliament's Rules of Procedure  
Annex II

<table>
<thead>
<tr>
<th>Present text</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>Conduct of Question Time under Rule 116</td>
<td>Conduct of Question Time with the Commission</td>
</tr>
<tr>
<td><strong>A. Guidelines</strong></td>
<td></td>
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<tr>
<td>1. Questions shall be admissible only where they</td>
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<tr>
<td>– are concise and are drafted so as to permit a brief answer to be given;</td>
<td>– a ballot box shall be placed at the entrance to the Chamber one hour before the start of Question Time;</td>
</tr>
<tr>
<td>– fall within the competence and sphere of responsibility of the addressee and are of general interest;</td>
<td>– Members wishing to put a question write their name on a form and place it in the ballot box;</td>
</tr>
<tr>
<td>– concern in particular, in the case of specific questions to the Council, the exercise of its functions in defining, coordinating and implementing Union policies, or concern its powers relating to appointment procedures or the operation of the institutions, agencies and bodies of the European Union or a revision of the Treaties,</td>
<td>– Members wishing to put a question may submit no more than one form;</td>
</tr>
<tr>
<td>– do not require extensive prior study or research by the institution concerned;</td>
<td>– the President opens Question Time and closes the ballot box;</td>
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<tr>
<td></td>
<td>– the President draws one ballot at a time and calls on the chosen Member to put his</td>
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</table>
– are clearly worded and relate to a specific matter;

– do not contain assertions or opinions;

– do not relate to strictly personal matters;

– are not aimed at procuring documents or statistical information;

– are interrogatory in form.

2. A question shall be inadmissible if the agenda already provides for the subject to be discussed with the participation of the institution concerned, or if it relates to the exercise of the Council’s legislative and budgetary functions referred to in Article 16(1), first sentence, of the Treaty on European Union.

3. A question shall be inadmissible if an identical or similar question has been put down and answered during the preceding three months, or to the extent that it merely seeks information on the follow-up to a specific resolution of Parliament of a kind which the Commission has already provided in 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.

Supplementary questions

4. Each Member may follow up the reply with a supplementary question to any question and may put in all two
supplementary questions.

5. Supplementary questions shall be subject to the rules of admissibility laid down in these Guidelines.

6. The President shall rule on the admissibility of supplementary questions and shall limit their number so that each Member who has put down a question may receive an answer to it.

The President shall not be obliged to declare a supplementary question admissible, even if it satisfies the foregoing conditions of admissibility, if:

a) it is likely to upset the normal conduct of Question Time, or

b) the main question to which it relates has already been adequately covered by other supplementary questions, or

c) it has no direct bearing on the main question.

Answers to questions

7. The institution concerned shall ensure that answers are concise and are relevant to the subject of the question.

8. If the content of the questions concerned permits it, the President may decide, after consulting the questioners, that the institution concerned should answer them together.

9. A question may be answered only if the questioner is present or has notified the President in writing, before Question Time begins, of the name of a substitute.

10. If neither the questioner nor a substitute is present, the question shall lapse.

11. If a Member tables a question, but neither that Member nor a substitute is present at Question Time, the President shall remind the Member in writing of his or her responsibility to be present or substituted. If the President has to send such a letter three times in the space of
any twelve-month period, the Member concerned shall lose the right to table questions at Question Time for a six-month period.

12. Questions that remain unanswered for lack of time shall be answered in accordance with Rule 117(4), first subparagraph, unless their authors request the application of Rule 117(3).

13. The procedure for answers in writing shall be governed by Rule 117(3) and (5).

Time limits

14. Questions shall be tabled at least one week before Question Time begins. Questions not tabled within this time limit may be taken during Question Time with the consent of the institution concerned.

Questions declared admissible shall be distributed to Members and forwarded to the institutions concerned.

B. Recommendations

(extract from resolution of Parliament of 13 November 1986)

The European Parliament,

1. Recommends stricter application of the guidelines for the conduct of Question Time under Rule 43, and in particular of point 1 of those guidelines concerning admissibility;

2. Recommends more frequent use of the power conferred on the President of the European Parliament by Rule 43(3) to group questions for Question Time according to subject; considers, however, that only the questions falling within the first half of the list of questions tabled for a given part-session should be subject to such grouping;

3. Recommends, as regards supplementary questions, that as a general rule the President should allow one supplementary question from the questioner and one or at most two
supplementaries put by Members belonging preferably to a different political group and/or Member State from the author of the main question; recalls that supplementary questions must be concise and interrogatory in form and suggests that their duration should not exceed 30 seconds;

4. Invites the Commission and the Council, pursuant to point 7 of the guidelines, to ensure that answers are concise and relevant to the subject of the question.

27 Now Rule 116.
28 Now Rule 116(3).

Amendment 13
Parliament’s Rules of Procedure
Annex III – title

<table>
<thead>
<tr>
<th>Present text</th>
<th>Amendment</th>
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<tr>
<td>Guidelines for questions for written answer under Rules 117 and 118</td>
<td>Criteria for questions for written answer under Rules 117 and 118</td>
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Justification

These are not mere guidelines, but applicable admissibility criteria.

Amendment 14
Parliament’s Rules of Procedure
Annex III – paragraph 1 – indent 2

<table>
<thead>
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<th>Present text</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>– fall within the competence and sphere of responsibility of the addressee and be of general interest;</td>
<td>– fall exclusively within the limits of the competences of the institutions as laid down in the relevant Treaties and within the sphere of responsibility of the</td>
</tr>
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</table>
addressee, and be of general interest;

Amendment 15
Parliament's Rules of Procedure
Annex III – paragraph 1 – indent 3 a (new)

Present text
Amendment
– not exceed 200 words;

Amendment 16
Parliament's Rules of Procedure
Annex III – paragraph 1 – indent 5 a (new)

Present text
Amendment
– not contain more than three sub-questions.

Amendment 17
Parliament's Rules of Procedure
Annex III – paragraph 2

Present text
Amendment
2. If a question does not comply with these guidelines, the Secretariat shall provide the author with advice on how the question may be drafted in order to be admissible.
2. Upon request, the Secretariat shall provide authors with advice on how to comply in an individual case with the criteria laid down in paragraph 1.

Amendment 18
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, or to the extent that a question merely seeks information on the follow-up to a specific resolution of Parliament of a kind which the Commission has already provided in 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.

Amendment

3. If an identical or similar question has been put and answered during the preceding six months, or to the extent that a question merely seeks information on the follow-up to a specific resolution of Parliament of a kind which the Commission has already provided in 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 President so decides in the light of significant new developments and in response to a reasoned request by the author.

Amendment 19

Parliament’s Rules of Procedure
Annex III – paragraph 4

Present text

4. If a question seeks factual or statistical information that is already available to Parliament’s library, the latter shall inform the Member, who may withdraw the question.

Amendment

4. If a question seeks factual or statistical information that is already available to Parliament’s research services, it shall not be forwarded to the addressee but to those services, unless the President decides otherwise upon request by the author.

Amendment 20

Parliament’s Rules of Procedure
Annex III – paragraph 5

Present text

5. Questions concerning related matters may be answered together.

Amendment

5. Questions concerning related matters may be merged into a single question by
the Secretariat and answered together.
EXPLANATORY STATEMENT

1) Background

In June 2011 the Conference of Presidents revised the format for Question Time with the Commission, with a view to improving its quality and liveliness. The new format was foreseen to run for a trial period from September 2011 and be subject to an evaluation before any changes were made definitive.

At its meeting of 17 January 2013, the Conference of Presidents examined an evaluation report on the trial period drafted and presented by the Vice-President responsible, Mr Mcmillan-Scott, and decided to confirm the revised format of Question time, which should continue to take place on a monthly basis for a duration of ninety minutes.

The Conference of Presidents further specified that:

- the number of participating Commissioners should, as a general rule, be limited to two per session, with the possibility of including a third depending on the topic;
- the Conference of Presidents should in principle decide upon the specific topic for discussion a month in advance of the part-session concerned, with a view to ensuring the presence of the appropriate Commissioners; nonetheless, some flexibility must be retained on this point in order to facilitate plenary agenda planning.

The Conference of Presidents decided finally that the regular 'catch the eye' system be replaced by a ballot system and to evaluate this system at a later stage.

By letter of 13 February 2013, the President informed the Chair of the Committee on Constitutional Affairs of this decision and referred the matter for consideration under Rule 211 with a view to a possible modification of Rule 116 and Annex II.

2) Modification of the Rules

The modification of Rule 116 and Annex II proposed by this draft report is consistent with the decision of the Conference of Presidents.

The main features of the modification are:

- the selection of Members called to put their question through the 'catch the eye' method is substituted by a ballot system guaranteeing absolute objectivity;

- questions are not submitted in writing in advance and no verification of their admissibility takes place except where questions are not directly related to the specific horizontal theme chosen;

- Annex II which establishes in great length guidelines for the verification of the admissibility of questions, supplementary questions and time-limits has been adapted to the new ballot
The Committee on Constitutional Affairs decided on 26 November 2013 to modify the subject of the report to cover besides Rule 116, Question Time, Rules 117 and 118, Questions for Written Answer, because of the vicinity of the subjects involved and informed the President accordingly.
RESULT OF FINAL VOTE IN COMMITTEE

<table>
<thead>
<tr>
<th>Date adopted</th>
<th>11.2.2014</th>
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| Result of final vote | +: 18  
|                 | –: 1  
|                 | 0: 1  |
| Members present for the final vote | Andrew Henry William Brons, Zdravka Bušić, Carlo Casini, Andrew Duff, Ashley Fox, Roberto Gualtieri, Zita Gurmai, Gerald Häfner, Daniel Hannan, Stanimir Ilchev, Constance Le Grip, Morten Messerschmidt, Sandra Petrović Jakovina, Paulo Rangel, Tadeusz Ross, Algirdas Saudargas, Indrek Tarand, Luis Yáñez-Barnuevo García |
| Substitute(s) present for the final vote | Elmar Brok, Zuzana Brzobohatá, Vital Moreira, Helmut Scholz, György Schöpflin, Rainer Wieland |