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*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council
on the statute and funding of European political parties and European political
foundations
(COM(2012)0499 – C7-0288/2012 – 2012/0237(COD))

Committee on Constitutional Affairs

Rapporteur: Marietta Giannakou

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	46
OPINION OF THE COMMITTEE ON BUDGETS.....	47
OPINION OF THE COMMITTEE ON LEGAL AFFAIRS	61
PROCEDURE	69

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations (COM(2012)0499 – C7-0288/2012 – 2012/0237(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2012)0499),
 - having regard to Article 294(2) and Article 224 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0288/2012),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the Court of Auditors of 7 February 2013¹,
 - having regard to the opinion of the Economic and Social Committee of 13 February 2013²,
 - having regard to the opinion of the Committee of the Regions of 31 January 2013³,
 - having regard to its resolution of 6 April 2011 on the application of Regulation (EC) No 2004/2003 on the regulations governing political parties at European level and the rules regarding their funding⁴,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Constitutional Affairs and the opinions of the Committee on Budgets and the Committee on Legal Affairs (A7-0140/2013),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 67, 7.3.2013, p. 1.

² Not yet published in the Official Journal.

³ OJ C 62, 2.3.2013, p. 77.

⁴ OJ C 296 E, 2.10.2012, p. 46.

Amendment 1

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The European Union is required to function on the basis of the principle of representative democracy, as stated in Article 10(1) of the Treaty on European Union.

Amendment 2

Proposal for a regulation Recital 4

Text proposed by the Commission

Amendment

(4) Truly transnational European political parties and their affiliated European political foundations have a key role to play in articulating the voices of citizens at European level ***by bridging the gap between politics at national and Union level.***

(4) Truly transnational European political parties and their affiliated European political foundations have a key role to play in articulating the voices of citizens at European level.

Amendment 3

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) European political parties and European political foundations will have rights, obligations and special responsibilities under this Regulation and should therefore follow compatible organisational patterns.

Amendment 4

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The procedures to be followed by European political parties and their affiliated European political foundations to obtain a European legal status pursuant to this Regulation should be laid down, as should the procedures and criteria to be respected in arriving at a decision on whether to grant such a European legal status. It is also necessary to lay down **the** procedures for cases where a European political party or a European political foundation may forfeit, lose or give up its European legal status.

Amendment

(8) The procedures to be followed by European political parties and their affiliated European political foundations to obtain a European legal status pursuant to this Regulation should be laid down, as should the procedures and criteria to be respected in arriving at a decision on whether to grant such a European legal status. It is also necessary to lay down **impartial and transparent** procedures for cases where a European political party or a European political foundation may forfeit, lose or give up its European legal status.

Amendment 5

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) **The** European political parties and **the** European political foundations should be governed by the substantive rules set out in this Regulation, and by national law in the Member States, in particular that of the Member State where they have their **respective** seat **and for the purposes of which they should identify the appropriate legal form, which must correspond to a form of legal entity recognised in the legal order of that Member State.**

Amendment

(9) European political parties and European political foundations should be governed by the substantive rules set out in this Regulation, and, **in matters not, or only partly, regulated by this Regulation,** by national law in the Member States, in particular that of the Member State where they have their seat.

Amendment 6

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) To increase the transparency of European political party funding, and in order to avoid potential abuse of the funding rules, a Member of the European Parliament should, for the purposes of funding only, be considered as a member of only one European political party, which should, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of applications.

Amendment

(13) To increase the transparency of European political party ***recognition and*** funding, and in order to avoid potential abuse of the funding rules, a Member of the European Parliament should, for the purposes of funding only, be considered as a member of only one European political party, which should, where relevant, be the one to which his or her national or regional political party is affiliated on the final date for the submission of applications.

Amendment 7

Proposal for a regulation

Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) Membership of a European political party and participation in its political activities on a voluntary basis should not be considered as a payment or benefit in kind, but as an act of voluntary dedication.

Amendment 8

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) European political parties should be able to finance campaigns conducted in the context of elections to the European

Amendment

(17) European political parties should be able to finance ***their own*** campaigns conducted in the context of elections to the

Parliament, while the funding and limitation of election expenses for parties and candidates at such elections should be governed by the rules applicable in each Member State. In order to help raise the European political awareness of citizens of the Union and to promote the transparency of the European electoral process, European political parties should be encouraged to inform citizens during elections to the European Parliament of the ties between them and their affiliated national political parties and candidates.

European Parliament, while the funding and limitation of election expenses for parties and candidates at such elections should be governed by the rules applicable in each Member State. In order to help raise the European political awareness of citizens of the Union and to promote the transparency of the European electoral process, European political parties should be encouraged to inform citizens during elections to the European Parliament of the ties between them and their affiliated national political parties and candidates.

Amendment 9

Proposal for a regulation Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) European political parties should be able to finance campaigns conducted in the context of referenda in one or several Member States which directly concern matters relating to the European Union.

Amendment 10

Proposal for a regulation Recital 18

Text proposed by the Commission

Amendment

(18) European political parties should not fund, directly or indirectly, other political parties and in particular national parties or candidates. European political foundations should not fund, directly or indirectly, European or national political parties or candidates. Moreover, European political parties and their affiliated European political foundations should not finance national *referenda* campaigns. ***These principles reflect Declaration No 11 on***

(18) European political parties should not fund, directly or indirectly, other political parties and in particular national parties or candidates. European political foundations should not fund, directly or indirectly, European or national political parties or candidates. Moreover, European political parties and their affiliated European political foundations should not finance national, ***regional or local*** campaigns ***conducted in the context of referenda***

Article 191 of the Treaty establishing the European Community annexed to the Final Act of the Treaty of Nice.

which do not concern matters relating to the European Union.

Amendment 11

Proposal for a regulation Recital 27

Text proposed by the Commission

(27) Technical assistance to be afforded by **the European Parliament** to European political parties should be guided by the principle of equal treatment, should be supplied against invoice and payment and **shall** be subject **to** a regular public report.

Amendment

(27) Technical assistance to be afforded by **institutions of the European Union** to European political parties should be guided by the principle of equal treatment, should be supplied against invoice and payment and **should** be subject **of** a regular public report **by the relevant institution**.

Amendment 12

Proposal for a regulation Recital 28

Text proposed by the Commission

(28) The application of key aspects of this Regulation should be presented on a dedicated website and examined in an annual report from the European Parliament which should be published.

Amendment

(28) The application of key aspects of this Regulation should be presented on a dedicated website and examined in an annual report from the European Parliament which should be published **in both a printed and an online version**.

Amendment 13

Proposal for a regulation Article 2 – paragraph 1 – point 1

Text proposed by the Commission

(1) 'political party' means an association of

Amendment

(1) 'political party' means an association of citizens which pursues political objectives

citizens which pursues political objectives,

and which is either recognised by, or established in accordance with, the legal order of at least one Member State;

Justification

To make sure that only parties which are legally correct, also with regard to their internal democratic order, can be taken into account for the registration conditions. This wording is identical with the Regulation which is in force (Article 2 (1)).

Amendment 14

**Proposal for a regulation
Article 2 – point 3**

Text proposed by the Commission

(3) ‘European political party’ means a ‘political alliance’ which pursues political objectives and is registered with the European Parliament in accordance with the conditions and procedures laid down in this Regulation,

Amendment

(3) ‘European political party’ means a political alliance which pursues political objectives, *in particular by campaigning for votes and seats at elections to the European Parliament*, and *which* is registered with the European Parliament in accordance with the conditions and procedures laid down in this Regulation;

Amendment 15

**Proposal for a regulation
Article 2 – point 3a (new)**

Text proposed by the Commission

Amendment

(3a) ‘affiliated member party’ means a political party belonging to a European political party;

Amendment 16

**Proposal for a regulation
Article 2 – point 3b (new)**

Text proposed by the Commission

Amendment

(3b) ‘individual members’ means natural

persons belonging directly to a European political party, where the statutes of the party permit this;

Amendment 17

Proposal for a regulation Article 2 – point 5

Text proposed by the Commission

(5) ‘regional *Parliament*’ or ‘regional assembly’ means a body *whose members either hold a regional electoral mandate or are politically accountable to an elected assembly,*

Amendment

(5) ‘regional *parliament*’ or ‘regional assembly’ means a body *endowed with legislative powers under the national law of a Member State and notified as such to the European Parliament by that Member State;*

Amendment 18

Proposal for a regulation Article 2 – point 6 – footnote 18

Text proposed by the Commission

18. At the date of adoption of the *present* proposal, the *College will also adopt* a *Commission* working document on a proposal to amend the Financial Regulation introducing a new Title on the financing of European political parties by means of contributions. The introduction of ‘contributions’ for European political parties will be confirmed after *the latter proposal* has been adopted by the *co-legislators*.

Amendment

18. At the date of adoption of the proposal *for this Regulation*, the *Commission* also *adopted* a working document on a proposal to amend the Financial Regulation introducing a new Title on the financing of European political parties by means of contributions. The introduction of ‘contributions’ for European political parties will be confirmed after *such amendment of the Financial Regulation* has been adopted by the *European Parliament and the Council, ensuring continued coherence and clarity of definitions across both regulations*.

Justification

This clarification is required to ensure that sufficient consideration is given to the relationship between the two proposals.

Amendment 19

Proposal for a regulation Article 2 – point 7

Text proposed by the Commission

(7) ‘donation’ means **cash offerings and other donations** in kind (goods or services) **that constitute** an economic advantage for the European political party or **the** European political foundation concerned.

Amendment

(7) ‘donation’ means **a payment or benefit** in kind (goods or services) **constituting** an economic **or financial** advantage for the European political party or European political foundation concerned, **with the exception of contributions to the organisation of joint events.**

Amendment 20

Proposal for a regulation Article 2 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Within two months of the entry into force of this Regulation and within two months of any subsequent change in their national legal order, Member States shall notify the European Parliament of their regional parliaments and their regional assemblies within the meaning of point (5) of paragraph 1.

Amendment 21

Proposal for a regulation Article 3 – paragraph 1

Text proposed by the Commission

1. A political alliance, as defined in Article 2 point (2), shall be entitled to apply to register its statutes as a European political party with the European Parliament subject to the following conditions:

Amendment

1. A political alliance, as defined in Article 2 point (2), **which observes the values on which the European Union is founded, as referred to in Article 2 of the Treaty on European Union**, shall be entitled to apply to register its statutes as a European political party with the European

(a) it must have its seat in a Member State,
(b) it must be represented, in at least one quarter of the Member States, by Members of the European Parliament or *in the* national *Parliaments*, regional *Parliaments* or *regional* assemblies, or

it must have received, in at least one quarter of the Member States, at least three per cent of the votes cast in each of those Member States at the most recent elections to the European Parliament,

(c) it must observe, *in particular in its programme and in its activities, and through those of its members*, the values on which the European Union is founded, namely respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities,

(d) it must have participated in elections to the European Parliament, or have expressed publicly the intention to participate in the next elections to the European Parliament,

(e) it must not pursue profit goals.

Parliament subject to the following conditions:

(a) it must have its seat in a Member State;
(b) it *or its nationally recognised affiliated member parties* must be represented, in at least one quarter of the Member States, by Members of the European Parliament or *by members of* national *parliaments* or *members of* regional *parliaments* or assemblies, or

it must have received, in at least one quarter of the Member States, at least three per cent of the votes cast in each of those Member States at the most recent *national elections or* elections to the European Parliament;

(c) it must observe the values on which the European Union is founded, namely respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities;

(d) it *or its affiliated member parties* must have participated in elections to the European Parliament, or have expressed publicly the intention to participate in the next elections to the European Parliament;

(e) it must not pursue profit goals;

(ea) its statutes must include the provisions prescribed in Article 4(1).

Amendment 22

Proposal for a regulation Article 3 – paragraph 2

Text proposed by the Commission

2. A political foundation shall be entitled to apply to register its statutes as a European political foundation with the European

Amendment

2. A political foundation *which observes the values on which the European Union is founded, as referred to in Article 2 of*

Parliament subject to the following conditions:

- (a) it must be affiliated with a European political party recognised in accordance with the conditions and procedures laid down in this Regulation, as certified by the registered statutes of that party,
- (b) it must have its seat in a Member State,
- (c) it must observe, *in particular in its programme and in its activities*, the values on which the European Union is founded, namely respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities,
- (d) its objectives must complement the objectives of the European political party with which it is formally affiliated,
- (e) its governing body must be composed of members from at least one quarter of the Member States,
- (f) it must not pursue profit goals.

Amendment 23

Proposal for a regulation

Article 3 – paragraph 2 a (new)

Text proposed by the Commission

the Treaty on European Union, shall be entitled to apply to register its statutes as a European political foundation with the European Parliament subject to the following conditions:

- (a) it must be *formally* affiliated with a European political party recognised in accordance with the conditions and procedures laid down in this Regulation, as certified by the registered statutes of that party;
 - (b) it must have its seat in a Member State;
 - (c) it must observe the values on which the European Union is founded, namely respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities;
 - (d) its objectives must complement the objectives of the European political party with which it is formally affiliated;
 - (e) its governing body must be composed of members from at least one quarter of the Member States;
 - (f) it must not pursue profit goals;
- (fa) its statutes must include the provisions prescribed in Article 5.*

Amendment

2a. A Member of the European Parliament, of a national parliament or of a regional parliament or regional assembly shall be considered to be a member of only one European political party, which shall, where relevant, be the one to which his or her national or

regional political party is affiliated.

Amendment 24

Proposal for a regulation

Article 3 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. For the purposes of ascertaining compliance with the condition set out in point (c) of paragraph 1, in the case of a European political party, or in point (c) of paragraph 2, in the case of a European political foundation, the principles of impartiality and neutrality shall be observed particularly strictly, in order to safeguard pluralism to the greatest possible extent.

Amendment 25

Proposal for a regulation

Article 4 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the name of the party, which **must** be clearly distinguishable, also in its short form, from that of any existing European political party,

(a) the name of the party, which **shall** be clearly distinguishable, also in its short form, from that of any existing European political party, **and its emblem or logo;**

Amendment 26

Proposal for a regulation

Article 4 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the legal form of the party, as recognised in the legal order of the Member State in which it has its seat,

deleted

Justification

The legal construction as proposed by the Commission means that, before a "political alliance" can apply for being registered in order to obtain legal personality under Union-law, it must already have and maintain a legal personality under the law of one Member State. It must also have and maintain its seat in the same Member State (see Article 3 (1) (a), Article 4 (1) (c), Article 10 (2) and Article 11 (4)). The legal personality under Union law has to be seen therefore as merely complementing and "over-arching" a pre-existing legal personality based on the law of one Member State. This was not the intention of the promoters of a statute for the European political parties as formulated by Parliament in its resolution of 6 April 2011: "... is convinced that authentic legal status for the European political parties and a legal personality of their own, based directly on the law of the European Union, will enable the European political parties and their foundations to act as representative agents of the European public interest." (paragraph 8). Besides being politically inopportune such a "double legal personality" is not necessary either.

Amendment 27

Proposal for a regulation

Article 4 – paragraph 1 – point i

Text proposed by the Commission

(i) the bodies or **natural persons** holding, in each of the Member States concerned, the power of legal representation, in particular for the purposes of the acquisition or disposal of movable and immovable property and of being a party to legal proceedings,

Amendment

(i) the bodies or **office-holders** holding, in each of the Member States concerned, the power of legal representation, in particular for the purposes of the acquisition or disposal of movable and immovable property and of being a party to legal proceedings;

Amendment 28

Proposal for a regulation

Article 4 – paragraph 1 – point j

Text proposed by the Commission

(j) the dissolution of the entity as a recognised European political party.

Amendment

(j) the **procedure for** dissolution of the entity as a recognised European political party, **including the necessary methods for implementing such dissolution.**

Amendment 29

Proposal for a regulation

Article 4 – paragraph 2 – point a

Text proposed by the Commission

(a) the admission, resignation and exclusion of *the party's members, with the list of members annexed to it,*

Amendment

(a) the admission, resignation and exclusion of *affiliated member parties and, if any, individual members of the European political party;*

Amendment 30

Proposal for a regulation

Article 4 – paragraph 2 – point b

Text proposed by the Commission

(b) the rights and duties associated with all types of membership, including the rules guaranteeing the representation rights of all members, *be they natural or legal persons,* and the relevant voting rights,

Amendment

(b) the rights and duties associated with all types of membership, including the rules guaranteeing the representation rights of all members, and the relevant voting rights;

Amendment 31

Proposal for a regulation

Article 4 – paragraph 2 – point d

Text proposed by the Commission

(d) the democratic election of and democratic decision-making processes for all other governing bodies, specifying for each its powers, responsibilities and composition, and including the modalities for the appointment and dismissal of its members and clear and transparent criteria for the selection of candidates and the election of office-holders, whose mandate must be limited in time but may be renewable,

Amendment

(d) the democratic election of, and democratic decision-making processes for, all other governing bodies, specifying for each its powers, responsibilities and composition, and including the modalities for the appointment and dismissal of its members and clear and transparent criteria for the selection of candidates, *which shall be based on a democratic procedure,* and the election of office-holders, whose mandate must be limited in time but may be renewable;

Amendment 32

Proposal for a regulation

Article 4 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) the democratic selection of the candidate supported by the party for the post of President of the European Commission or any other Union political office;

Amendment 33

Proposal for a regulation

Article 4 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) the democratic standards to be met by affiliated member parties in the interest of internal party democracy at all political levels, in particular when lists of candidates are being drawn up;

Amendment 34

Proposal for a regulation

Article 4 – paragraph 2 – point g a (new)

Text proposed by the Commission

Amendment

(ga) promotion of gender balance in its general assembly, in its governing bodies and in the composition of electoral lists.

Amendment 35

Proposal for a regulation Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the legal form of the foundation, as recognised in the legal order of the Member State in which it has its seat,

deleted

Amendment 36

Proposal for a regulation Article 5 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) a list of the foundation's bodies, specifying for each its powers, responsibilities and composition, and including the modalities for the appointment and dismissal of its members and managers,

(g) the powers and democratic decision-making procedures of the foundation's bodies and their composition;

Amendment 37

Proposal for a regulation Article 5 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) the rules on the appointment of members of the foundation's bodies by secret ballot, their re-election and their dismissal;

Amendment 38

Proposal for a regulation

Article 5 – paragraph 1 – point g b (new)

Text proposed by the Commission

Amendment

(gb) the other internal rules of the European political foundation on the taking of decisions, elections, quorums and amendment of its statutes;

Amendment 39

Proposal for a regulation

Article 5 – paragraph 1 – point j

Text proposed by the Commission

Amendment

(j) the procedure for amending the statutes,

deleted

Justification

See amendment on Article 5 point g b (new).

Amendment 40

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

Amendment

1. The European Parliament shall establish a registry (hereinafter referred to as 'the Registry') for the purposes of the registration of *a* European political party and *a* European political foundation.

1. The European Parliament shall establish a registry (hereinafter referred to as 'the Registry') for the purposes of the registration of European political parties and European political foundations. ***The Register in which such political parties and foundations are registered shall be available online.***

Amendment 41

Proposal for a regulation Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The European Parliament shall publish all documentation submitted to it by political alliances and foundations as part of their application.

Amendment 42

Proposal for a regulation Article 6 – paragraph 4

Text proposed by the Commission

Amendment

4. A political foundation may register its statutes with the Registry only through the European political party with which it is affiliated.

4. A ***European*** political foundation may register its statutes with the Registry only through the European political party with which it is ***formally*** affiliated.

Amendment 43

Proposal for a regulation Article 6 – paragraph 5

Text proposed by the Commission

Amendment

5. Within three months following *the reception* of the application for registration, the European Parliament shall ***adopt a decision, which it shall publish in the Official Journal of the European Union, together with the party or foundation statutes or, where an application has not been approved, the grounds for rejection.***

5. Within three months following *receipt* of the application for registration, the European Parliament shall ***register the European political party or the European political foundation in the Registry and publish its statutes in the Official Journal of the European Union unless it finds that any of the conditions laid down in points (a) to (ea) of Article 3(1) or in points (a) to (fa) of Article 3(2), respectively, have not been met. In such cases the applicant shall be informed without delay of the reasons .***

Amendment 44

Proposal for a regulation Article 6 – paragraph 7

Text proposed by the Commission

7. The updated list of *members* of a European political party, *annexed to the party statutes in accordance with Article 4(2)*, shall be sent to the European Parliament on a yearly basis, but within four weeks of any changes following which the European political party may no longer satisfy the requirement in Article 3(1)(b).

7. The updated list of *affiliated member parties* of a European political party *and the number of individual members of a European political party, if any*, shall be sent to the European Parliament on a yearly basis, but within four weeks of any changes following which the European political party may no longer satisfy the requirement *laid down in point (b) of Article 3(1)*.

Amendment 45

Proposal for a regulation Article 7

Text proposed by the Commission

1. The European Parliament shall verify *annually* that the conditions and requirements set out in *Articles 3, 4 and 5* continue to be met by *the* European political parties and *the* European political foundations.

Where relevant, the timing of the annual verification referred to in this paragraph shall be aligned with the application procedure for funding set out in Article 13, in order for the Registry and the Authorising officer to coordinate and exchange information as necessary.

2. Whenever requested to do so by one quarter of its members, representing at least three political groups in the European Parliament, the European Parliament shall

Amendment

1. *Without prejudice to the procedure laid down in paragraph 2*, the European Parliament shall *continuously* verify that the conditions and requirements set out in *Article 3* continue to be met by European political parties and European political foundations.

2. Whenever requested to do so by one quarter of its members, representing at least three political groups in the European Parliament, *by the Commission or by the*

decide *by a majority of its members* whether *the condition in Article 3(1)(c)* for a European political party *and in Article 3(2)(c)* for a European political foundation continues to *be met*.

Before reaching its decision, the European Parliament shall hear the representatives of the European political party or European political foundation concerned and ask a committee of independent eminent persons to give an opinion on the subject within a reasonable *time* period.

This committee shall consist of three members, with the European Parliament, the Council and the Commission each appointing one member within six months after the end of the first session of the European Parliament following elections to the European Parliament. The secretariat and funding of the committee shall be provided by the European Parliament.

3. Any natural or legal person may, at any moment, introduce a motivated request to the European Parliament to verify that one or more of the conditions and requirements referred to in paragraph 1 continue to be met. A breach of the values on which the Union is founded by a European political party, including its members, or a European political foundation can only be established in accordance with paragraph 2.

4. If the European Parliament finds that any of the conditions or requirements referred to in paragraph 1 are no longer satisfied, the provisions *provided for in* Article 11 or *in* Article 22 or *in* both shall apply, having due regard to the provisions of Article 23.

Council, the European Parliament shall decide whether a European political party *or* a European political foundation continues to *respect the values on which the European Union is founded referred to in Article 2 of the Treaty on European Union*.

Before reaching its decision, the European Parliament shall hear the representatives of the European political party or European political foundation concerned and ask a committee of independent eminent persons to give an opinion on the subject within a reasonable period. *The opinion of the committee shall be published. The European Parliament shall take its decision within one month.*

That committee shall consist of three members, with the European Parliament, the Council and the Commission each appointing one member within six months after the end of the first session of the European Parliament following elections to the European Parliament. The secretariat and funding of the committee shall be provided by the European Parliament.

4. If the European Parliament finds that any of the conditions or requirements referred to in paragraph 1 are no longer satisfied, the provisions *of* Article 11 or Article 22 or both shall apply, having due regard to the provisions of Article 23.

4a. If the European Parliament finds that the condition of respect of the values on which the European Union is founded referred to in Article 2 of the Treaty on European Union is no longer satisfied by a European political party, that European political party, together with its affiliated European political foundation, shall be removed from the Registry. If the European Parliament finds that the condition of respect of those values is no longer met by a European political foundation, that European political foundation shall be removed from the Registry.

5. A European political foundation shall automatically forfeit its status if the European political party with which it is affiliated is removed from the Registry. The Authorising Officer responsible shall reduce the amount of or terminate the contribution or grant agreement or decision on Union funding received under this Regulation, and recover amounts unduly paid under the contribution or grant agreement or decision as well as any unspent Union funding at the date of the decision adopted on the basis of Article 11.

5. A European political foundation shall automatically forfeit its status ***as such*** if the European political party with which it is affiliated is removed from the Registry. The Authorising Officer responsible shall reduce the amount of, or terminate the contribution or grant agreement or decision on, Union funding received under this Regulation, and ***shall*** recover amounts unduly paid under the contribution or grant agreement or decision as well as any unspent Union funding at the date of the decision adopted on the basis of Article 11.

Amendment 46

Proposal for a regulation Article 9

Text proposed by the Commission

The European political party and the European political foundation shall have full legal ***recognition and*** capacity in all Member States.

Amendment

1. The European political party and the European political foundation shall have full legal capacity in all Member States.

Justification

Full legal capacity implies "legal recognition".

Amendment 47

Proposal for a regulation

Article 9 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Unless restricted by their statutes, the European political party and the European political foundation shall have all rights necessary to pursue their activities, including the right to own movable and immovable property, and may carry on activities in all Member States and in third countries.

Amendment 48

Proposal for a regulation

Article 9 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. If acts have been performed in the name of a European political party or European political foundation before registration in accordance with Articles 3 and 6, and the European political party or European political foundation in question does not assume the obligations arising out of such acts, the natural persons, parties or legal entities which performed those acts shall remain jointly and severally liable therefor.

Justification

Clarifies the situation with regard to liability under national legislation before the registration of a European political party or its affiliated foundation.

Amendment 49

Proposal for a regulation

Article 9 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1c. Member States shall ensure that the designations "European political party" and "European political foundation" may be used only by political alliances or foundations registered in conformity with this Regulation.

Amendment 50

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

Amendment

2. ***For*** matters ***not*** regulated by this Regulation or, ***where matters are partly regulated by it, for those aspects not covered by it,*** the European political party and the European political foundation shall be governed ***in the Member State in which it has its seat by those national laws applicable to the legal form referred to in the party or foundation statutes.*** Activities carried out by the European political party and the European political foundation in other Member States shall be governed by the relevant national laws of those Member States.

2. ***In*** matters ***that are not, or that are only partly,*** regulated by this Regulation or ***by their respective statutes,*** the European political party and the European political foundation shall be governed ***by the laws of the Member State in which they have their seat.*** Activities carried out by the European political party and the European political foundation in other Member States shall be governed by the relevant national laws of those Member States.

Justification

The Commission proposal refers to the provisions which, in the Member State where the party or foundation has its seats, are applicable to the legal form which the party or foundation has chosen. This is another expression of the concept of a "parallel-party" existing under the law of a Member State and the law of the Union, which is not necessary and inadequate (see also amendments on Articles 4(1c) and 11 (4)).

Amendment 51

Proposal for a regulation

Article 11 – paragraph 1 – point a

Text proposed by the Commission

(a) its **governing** body decides to wind up the European political party or the European political foundation,

Amendment

(a) its **competent** body decides to wind up the European political party or the European political foundation;

Amendment 52

Proposal for a regulation

Article 11 – paragraph 1 – point b

Text proposed by the Commission

(b) its **governing** body decides to convert the European political party or the European political foundation into a legal entity recognised in the legal order of a Member State,

Amendment

(b) its **competent** body decides to convert the European political party or the European political foundation into a legal entity recognised in the legal order of a Member State;

Amendment 53

Proposal for a regulation

Article 11 – paragraph 1 – point d

Text proposed by the Commission

(d) it is removed from the Registry *pursuant to the provisions in Article 22(1) or (4) or in accordance with Article 7(5).*

Amendment

(d) it is removed from the Registry.

Amendment 54

Proposal for a regulation

Article 11 – paragraph 3

Text proposed by the Commission

3. A European political party or a

Amendment

3. A European political party or a

European political foundation *in one of the cases provided for under paragraph 1 points (a), (b) or (c)* shall have any ongoing decision on Union funding received under this Regulation withdrawn or any ongoing agreement on such funding terminated and any unspent Union funding recovered, including any unspent Union funds from previous years.

European political foundation *removed from the Register* shall have any ongoing decision on Union funding received under this Regulation withdrawn or any ongoing agreement on such funding terminated and any unspent Union funding recovered, including any unspent Union funds from previous years, *in accordance with the relevant provisions of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union*¹.

¹ OJ L 298, 26.10.2012, p. 1.

Justification

This clarification is required to ensure that sufficient consideration is given to the relationship between the two proposals.

Amendment 55

Proposal for a regulation Article 11 – paragraph 4

Text proposed by the Commission

4. Winding up, insolvency, cessation of payments and similar procedures shall be governed by the legal provisions which apply to *the legal form referred to in the statutes of the European political party or the European political foundation* in the Member State *in which it* has its seat.

Amendment

4. Winding up, insolvency, cessation of payments and similar procedures shall be governed by the legal provisions which apply to political *parties* or political *foundations* in the Member State *where the European political party or the European political foundation in question* has its seat.

Justification

Complements Article 10 as modified with regard to procedures which have to take place in a predetermined locality.

Amendment 56

Proposal for a regulation Article 12 – paragraph 4

Text proposed by the Commission

4. Financial contributions or grants from the general budget of the European Union may not exceed 90% of the annual reimbursable expenditure of a European political party and 95% of the annual eligible costs indicated in the budget of a European political foundation. European political parties may use any unused part of the *EU* contribution awarded to cover reimbursable expenditure within the following two financial years after its award. Amounts unused ***following those two financial years*** shall be recovered in accordance with the Financial Regulation.

Amendment

4. Financial contributions or grants from the general budget of the European Union may not exceed 90% of the annual reimbursable expenditure of a European political party and 95% of the annual eligible costs indicated in the budget of a European political foundation. European political parties ***and their affiliated European political foundations*** may use any unused part of the *Union* contribution ***or grant*** awarded to cover reimbursable expenditure within the following two financial years after its award. Amounts unused shall be recovered in accordance with the Financial Regulation.

Amendment 57

Proposal for a regulation Article 13 – paragraph 3

Text proposed by the Commission

3. A European political foundation shall include in its application its annual work programme.

Amendment

3. A European political foundation shall include in its application its annual work programme ***and may apply for funding from the general budget of the European Union only through the European political party with which it is formally and directly affiliated.***

Amendment 58

Proposal for a regulation Article 14 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

For the purposes of allocating the appropriations, a Member of the European Parliament may be considered as belonging to only one European political party, which shall, where relevant, be the party to which his or her national or regional party is affiliated on the final date for the submission of applications.

Amendment 59

Proposal for a regulation

Article 15 – paragraph 5 – point b

Text proposed by the Commission

Amendment

(b) donations from the budgets of political groups in the European Parliament,

(b) donations from the budgets of political groups in the European Parliament,
although contributions to the organisation of joint events shall not be considered as donations;

Justification

On many occasions, when it is serving common political or social goals, European political parties and political groups of the European Parliament organise events jointly (e.g.: conferences, seminars, public debates). In these specific cases contribution to the organisational costs on behalf of a political group of the European Parliament shall be fully allowed and shall not be considered as a donation.

Amendment 60

Proposal for a regulation

Article 15 – paragraph 5 – point c

Text proposed by the Commission

Amendment

(c) donations from any undertaking over which the public authorities may exercise directly or indirectly a dominant influence by virtue of their ownership *of it*, their

(c) donations from any undertaking over which the public authorities may exercise, directly or indirectly, a dominant influence by virtue of their ownership, their financial

financial participation *therein*, or the rules which govern *it*,

participation, or the rules which govern *the undertaking concerned*;

Amendment 61

Proposal for a regulation

Article 15 – paragraph 5 – point d

Text proposed by the Commission

(d) donations from any public authority from a third country, including from any undertaking over which the public authorities may exercise directly or indirectly a dominant influence by virtue of their ownership *of it*, their financial participation *therein*, or the rules which govern *it*.

Amendment

(d) donations from any public authority from a third country, including from any undertaking over which the public authorities may exercise, directly or indirectly, a dominant influence by virtue of their ownership, their financial participation, or the rules which govern *the undertaking concerned*.

Amendment 62

Proposal for a regulation

Article 15 – paragraph 5 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Contributions to the organisation of joint events shall not be considered donations.

Amendment 63

Proposal for a regulation

Article 15 – paragraph 7

Text proposed by the Commission

7. Contributions to a European political party from its *members* shall be admissible. *These* contributions shall not exceed 40 % of the annual budget of that European political party.

Amendment

7. Contributions to a European political party from its *affiliated member parties* shall be admissible. *Those* contributions shall not exceed 40 % of the annual budget of that European political party.

Amendment 64

Proposal for a regulation Article 16 – paragraph 2

Text proposed by the Commission

2. Any natural or legal person **donating** to a European political party or European political foundation within or across borders shall benefit from the same tax treatment *that* is applicable to donations made to a political party or political foundation that has its seat in the Member State where the donor is resident for tax purposes.

Amendment

2. ***Without prejudice to existing national thresholds and the autonomy of Member States' tax law***, any natural or legal person **making a donation** to a European political party or European political foundation within or across borders shall benefit from the same tax treatment *as* is applicable to donations made to a political party or political foundation that has its seat in the Member State where the donor is resident for tax purposes.

Justification

This amendment seeks to clarify the scope of the present Regulation, which is unclear from the Commission text.

Amendment 65

Proposal for a regulation Article 17 – paragraph 1

Text proposed by the Commission

1. The funding of European political parties from the general budget of the European Union or from any other source may be used to **finance** campaigns **conducted by the European political parties** in the context of *the* elections to the European Parliament, in which they participate as required in *Article 3(1)(d)*.

Amendment

1. The funding of European political parties from the general budget of the European Union or from any other source may be used **to cover expenses related to** campaigns in the context of elections to the European Parliament in which they participate as required in **point (d) of Article 3(1)**. **Subject to the limitations laid down in Article 18(1), European political parties may contribute to the dissemination of information to the public in order to raise awareness of significant European policy matters. In so doing, they must observe the rules governing the conduct of election campaigns in the**

respective Member States, in particular the rules applicable to parties and candidates on funding and on the limitation of election expenses.

In accordance with Article 8 of the Act concerning the election of the members of the European Parliament by direct universal suffrage, the funding and limitation of election expenses for all parties and candidates at elections to the European Parliament is governed in each Member State by national provisions.

In accordance with Article 8 of the Act concerning the election of the members of the European Parliament by direct universal suffrage, the funding and limitation of election expenses for all parties and candidates at elections to the European Parliament is governed in each Member State by national provisions, *save as regards referenda concerning policies of the European Union or the ratification of treaties related to the European Union.*

Amendment 66

Proposal for a regulation Article 17 – paragraph 2

Text proposed by the Commission

2. Expenditure *linked to* campaigns conducted in the context of elections to the European Parliament shall be clearly identified as such by the European political parties in their annual financial statements.

Amendment

2. Expenditure *incurred by parties and candidates in connection with* campaigns conducted in the context of elections to the European Parliament shall be clearly identified as such by the European political parties in their annual financial statements.

Amendment 67

Proposal for a regulation Article 18 – paragraph 2

Text proposed by the Commission

2. The funding of European political foundations from the general budget of the European Union or from any other source shall not be used for any other purpose than for financing their tasks as defined in *Article 2 point (4)* and to meet expenditure directly linked to the objectives set out in

Amendment

2. The funding of European political foundations from the general budget of the European Union or from any other source shall not be used for any other purpose than for financing their tasks as defined in *point (4) of Article 2* and to meet expenditure directly linked to the

their statutes *according to* Article 5. It shall in particular not be used for the direct or indirect funding of European, national, regional or local elections, political parties, candidates or foundations.

objectives set out in their statutes *in accordance with* Article 5. It shall in particular not be used for the direct or indirect funding of European, national, regional or local elections *or referenda*, political parties, candidates or foundations.

Amendment 68

Proposal for a regulation Article 18 – paragraph 3

Text proposed by the Commission

3. The funding of European political parties and European political foundations from the general budget of the European Union or from any other source shall not be used to *finance* national, regional or local referenda campaigns.

Amendment

3. The funding of European political parties and European political foundations from the general budget of the European Union or from any other source shall not be used to *cover expenses related to* national, regional or local referenda campaigns, *save in the case of European political parties when the subject of the referendum in question is Union legislation, the functioning of a Union institution, or the ratification of changes to treaties related to the European Union.*

Amendment 69

Proposal for a regulation Article 18 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The funding of European political parties and European political foundations from the general budget of the European Union or from any other source shall not be used to finance affiliated political parties which have their seat in a third country.

Amendment 70

Proposal for a regulation

Article 19 – paragraph 1 – introductory wording

Text proposed by the Commission

1. At the latest within *six* months following the end of the financial year, European political parties and European political foundations shall submit to the Registry and to the competent national authorities in the Member States:

Amendment

1. At the latest within ***four*** months following the end of the financial year, European political parties and European political foundations shall submit to the Registry and to the competent national authorities in the Member States:

Amendment 71

Proposal for a regulation

Article 20 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Where, under the terms of this Regulation, funds are withdrawn from a European political party in accordance with the Financial Regulation or a fine is imposed, the amounts in question shall, in accordance with Article 14, be entered additionally under appropriations for the current year.

Justification

Horizontal provision applicable to Article 12(4), Article 15(6), Article 22(1) and Article 22(4), for example.

Amendment 72

Proposal for a regulation

Article 20 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The national authorities and the European Parliament ***shall*** agree practical arrangements in order to share information

Amendment

To that end, the European Parliament ***may*** agree ***with national authorities*** practical arrangements in order to share information.

on the European political parties and the European political foundations.

Justification

The European Parliament should be, besides the Court of Auditors, an external auditor and OLAF, the principal control authority.

Amendment 73

**Proposal for a regulation
Article 21 – paragraph 1**

Text proposed by the Commission

All technical support from the European Parliament to European political parties shall be based on the principle of equal treatment. It shall be granted on conditions no less favourable than those granted to other external organisations and associations that may be accorded similar facilities and shall be supplied against invoice and payment.

Amendment

All technical support from the European Parliament *or other Union institutions* to European political parties shall be based on the principle of equal treatment. It shall be granted on conditions no less favourable than those granted to other external organisations and associations that may be accorded similar facilities and shall be supplied against invoice and payment.

Amendment 74

**Proposal for a regulation
Article 21 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

The European Parliament shall adopt implementing provisions laying down the conditions under which political groups may, together with the European political parties which they represent in the European Parliament, organise events which could be regarded as indirect support, particularly if they are held on European Parliament premises.

Amendment 75

Proposal for a regulation Article 22 – paragraph 1

Text proposed by the Commission

1. If the European Parliament finds, in accordance with Article 7(2), that a European political party or a European political foundation has failed to respect the values on which the Union is founded or has been the subject of a *judgement* which has the force of res judicata for illegal activities detrimental to the financial interests of the Union as defined in Article [93(1)(e)] of the Financial Regulation, or that a European political party has failed to *respect* the minimum rules on internal democracy required by Article 4(2), the European political party or the European political foundation in question may be removed from the Registry, *forfeit* its status in accordance with Article 11, and *have* any ongoing decision on Union funding received under this Regulation withdrawn or any ongoing agreement on such funding terminated and any Union funding recovered, including any unspent Union funds from previous years.

Amendment

1. If the European Parliament finds, in accordance with Article 7(2), that a European political party or a European political foundation has failed to respect the values on which the Union is founded or has been the subject of a *judgment* which has the force of res judicata for illegal activities detrimental to the financial interests of the Union as defined in Article 106(1)(e) of the Financial Regulation, or that a European political party has failed to *comply with* the minimum rules on internal democracy required by Article 4(2), the European political party or the European political foundation in question may be *censured or fined, or may be* removed from the Registry, *thereby forfeiting* its status *as such* in accordance with Article 11, and any ongoing decision on Union funding received under this Regulation *may be* withdrawn or any ongoing agreement on such funding terminated and any Union funding recovered, including any unspent Union funds from previous years.

Amendment 76

Proposal for a regulation Article 22 – paragraph 3

Text proposed by the Commission

3. When setting the amount of a fine imposed on a European political party or a European political foundation pursuant to paragraph 2, the European Parliament shall take into account the gravity, duration and, where relevant, recurrence of the

Amendment

3. When setting the amount of a fine imposed on a European political party or a European political foundation pursuant to paragraph 2, the European Parliament shall take into account the gravity, duration and, where relevant, recurrence of the

infringement, the time that has elapsed, the intention or degree of negligence, and any measures taken to comply with the conditions and requirements of this Regulation. Any fine must be effective and dissuasive, and may not exceed 10% of the annual budget of the European political party or the European political foundation in question corresponding to the year in which the sanction is imposed.

infringement, the time that has elapsed, the intention or degree of negligence, and ***the appropriateness and timing of*** any measures taken ***by the European political party or European political foundation in question*** to comply with the conditions and requirements of this Regulation, ***while ensuring that the amount of the fine is at least twice the value of the advantage obtained***. Any fine must be effective and dissuasive, and may not exceed 10% of the annual budget of the European political party or the European political foundation in question corresponding to the year in which the sanction is imposed. ***In certain circumstances the fine may be paid in appropriate instalments.***

Amendment 77

Proposal for a regulation Article 22 – paragraph 6

Text proposed by the Commission

6. A European political party or a European political foundation may, in addition, be excluded from funding for up to ***five*** years in cases of grave professional misconduct established by the Authorising Officer in accordance with Article [93(1)(c)] of the Financial Regulation.

Amendment

6. A European political party or a European political foundation may, in addition, be excluded from funding for up to ***three*** years in cases of grave professional misconduct established by the Authorising Officer in accordance with Article 106(1)(e) of the Financial Regulation.

Amendment 78

Proposal for a regulation Article 22 – paragraph 7

Text proposed by the Commission

7. The penalties imposed pursuant to this Article shall apply to all European political parties and European political foundations ***irrespective of*** whether they receive Union

Amendment

7. The penalties imposed pursuant to this Article shall apply to all European political parties and European political foundations ***which are recognised pursuant to this***

funding. The *Authorising Officer* responsible may impose administrative and/or financial penalties in accordance with *Article [96(2)]* of the Financial Regulation and Article [145] of its Rules of Application on any European political party or European political foundation that *is in* one of the cases referred to in *Article [96(1)]* of the Financial Regulation not covered by the paragraphs above.

Regulation, regardless of whether or not they receive Union funding. The *contracting authority* may impose administrative and/or financial penalties in accordance with *Article 109(2)* of the Financial Regulation and Article 145 of its Rules of Application on any European political party or European political foundation that *falls within the ambit* of one of the cases referred to in *Article 109(1)* of the Financial Regulation not covered by the paragraphs above.

Justification

For clarification: a Party or Foundation is still subject to the rules of transparency of donations even if it has not yet applied for or received Union funding in addition to its own resources.

Amendment 79

Proposal for a regulation Article 23 – paragraph 1

Text proposed by the Commission

1. Before ***taking*** a final decision related to any of the penalties in Article 22, the European Parliament shall give the European political party or the European political foundation concerned the opportunity to present its observations and, where relevant and appropriate, to introduce the measures required to remedy the situation within a reasonable ***time*** period.

Amendment

1. Before a final decision related to any of the penalties in Article 22 ***is taken***, the European Parliament shall give the European political party or the European political foundation concerned the opportunity to present its observations and, where relevant and appropriate, to introduce the measures required to remedy the situation within a reasonable period.

Amendment 80

Proposal for a regulation Article 23 – paragraph 2

Text proposed by the Commission

2. If the European Parliament considers it

Amendment

2. Before taking a final decision, the

necessary, it may hear other natural or legal persons, including any complainants referred to in Article 7(3).

European Parliament shall consult the committee of independent eminent persons referred to in Article 7(2). If the European Parliament considers it necessary, it may hear other natural or legal persons, including any complainants referred to in Article 7(2).

Amendment 81

Proposal for a regulation

Article 24 – paragraph 1 – introductory wording

Text proposed by the Commission

1. The Registry shall publish on a website created for the purpose the following:

Amendment

1. ***At the latest four weeks after the communication date or after the European Parliament has adopted its decision,*** the Registry shall publish on a website created for the purpose the following:

Justification

Instead of being confined to the details specified in points (a) and (b), the one-month deadline for publication on the website should be standard for all types of information.

Amendment 82

Proposal for a regulation

Article 24 – paragraph 1 – point a

Text proposed by the Commission

(a) the names and statutes of all registered European political parties and European political foundations, together with the documents submitted as part of the application for registration in accordance with Article 6(3), ***at the latest four weeks after the European Parliament has adopted its decision*** and, ***beyond this*** date, any amendments notified to the European Parliament pursuant to Article 6(6) and (7),

Amendment

(a) the names and statutes of all registered European political parties and European political foundations, together with the documents submitted as part of the application for registration in accordance with Article 6(3), and, ***after the date of adoption of the European Parliament's decision,*** any amendments notified to the European Parliament pursuant to Article 6(6) and (7);

Justification

Technical adjustment necessitated by the amendment to the first sentence of Article 24(1).

Amendment 83

Proposal for a regulation

Article 24 – paragraph 1 – point b

Text proposed by the Commission

(b) a list of those applications that have not been approved, together with the documents submitted as part of the application for registration in accordance with Article 6(3) and the grounds for rejection, ***at the latest four weeks after the European Parliament has adopted its decision,***

Amendment

(b) a list of those applications that have not been approved, together with the documents submitted as part of the application for registration in accordance with Article 6(3) and the grounds for rejection;

Justification

Technical adjustment necessitated by the amendment to the first sentence of Article 24(1).

Amendment 84

Proposal for a regulation

Article 24 – paragraph 1 – point d

Text proposed by the Commission

(d) the annual financial statements and external audit reports referred to in Article 19(1), and, for the European political foundations, the final reports on the implementation of the work programmes,

Amendment

(d) the annual financial statements and external audit reports referred to in Article 19(1), and, for the European political foundations, the final reports on the implementation of the work programmes. ***This information shall be published at the latest six weeks following receipt thereof, with all financial information provided in comparable, table-based formats, including as open data;***

Amendment 85

Proposal for a regulation Article 24 – paragraph 1 – point e

Text proposed by the Commission

(e) the names of donors and their corresponding donations reported by the European political parties and European political foundations in accordance with Article 15(2), (3) and (4), with the exception of donations from natural persons not exceeding a value of EUR 1 000 per year and per donor which shall be reported as ‘minor donations’,

Amendment

(e) the names of donors and their corresponding donations reported by the European political parties and European political foundations in accordance with Article 15(2), (3) and (4), with the exception of donations from natural persons not exceeding a value of EUR 1 000 per year and per donor, which shall be reported as ‘minor donations’. ***This information shall be published at the latest six weeks following receipt thereof, with all financial information provided in comparable, table-based formats, including as open data;***

Amendment 86

Proposal for a regulation Article 24 – paragraph 1 – point g

Text proposed by the Commission

(g) the details of and reasons for any final decisions taken by the European Parliament pursuant to Article 22, ***including, where relevant, the opinions adopted by the committee of independent eminent persons in accordance with Article 7(2)***, having due regard to the provisions of Regulation (EC) No 45/2001,

Amendment

(g) the details of, and reasons for, any final decisions taken by the European Parliament pursuant to Article 22, having due regard to the provisions of Regulation (EC) No 45/2001;

Amendment 87

Proposal for a regulation Article 24 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Any information published by the

Registry pursuant to points (c) to (g) of paragraph 1 shall remain publicly accessible on the website for at least five years.

Amendment 88

Proposal for a regulation Article 24 – paragraph 2

Text proposed by the Commission

2. From the list of members of a European political party, annexed to the party statutes in accordance with Article 4(2) and updated in accordance with Article 6(7), the European Parliament shall publish the total number of members, the identity of the legal persons that are members, as well as the names of those natural persons who have given their express written consent to their publication. European political parties shall request this consent as a matter of course from all natural persons who are members.

Amendment

2. The European Parliament shall publish the list of affiliated member parties, updated in accordance with Article 6(7).

Amendment 89

Proposal for a regulation Article 24 – paragraph 2 a (new)

Text proposed by the Commission

2a. The European Parliament shall publish on an annual lists of all Members of the European Parliament, of national parliaments, and of regional parliaments or assemblies who are members of European political parties, along with their respective party affiliation.

Amendment

Amendment 90

Proposal for a regulation
Article 26 – paragraph 1

Text proposed by the Commission

1. The European Parliament shall provide for administrative appeal procedures in relation to any decisions linked to the registration of statutes, funding or penalties.

Amendment

1. The European Parliament shall provide for ***swift and transparent*** administrative appeal procedures in relation to any decisions linked to the registration of statutes, funding or penalties.

Justification

This amendment seeks to reinforce the need for robust and appropriate administrative appeal procedures given the potential penalties.

Amendment 91

Proposal for a regulation
Article 30 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

European political parties and European political foundations shall, within one year from the date of application of this Regulation, adapt their statutes so that they fully comply with the requirements of this Regulation.

EXPLANATORY STATEMENT

European political party development is critical for the activation of public interest in EU affairs. Designing a reform package for European political parties as a means of mobilizing the democratic energies of individual and organized citizens is not an easy task, not least due to the EU's systemic complexity. But this may be turned into an advantage, should one clarify the 'constitutive mission' of European political parties and how an informed and principled dialogue on their political development can facilitate the emergence of a plural demos.

The rapporteur strongly welcomes the establishment of a special and uniform European legal status under the Union law for the European political parties and their political foundations for the reasons especially of organisational convergence European political parties. The reforms proposed by the Secretary General report of 2010, the Bureau decisions of the 13th December 2011, the Giannakou report of 6th April 2011 on the evaluation of the application of the previous Regulation 2004/2003 as amended in 2007, and the new proposal for a Regulation both for the European political parties and their political foundations are the result of thorough analysis of the present situation, providing an overall positive answer to the questions, preoccupations and remarks of the European political parties. In the draft report the proposals are oriented towards an organisational uniformity of the European political parties.

With regard to the recognition criteria, the rapporteur proposes that only national or regional parties should be entitled to set up a European party. For the formation of European Parties, the Statute for European Parties takes equal account of European, national and regional elected representatives. The possibility of recognition of regional elected representatives should therefore be retained for the purpose of forming parties but only in the case of regions with legislative powers notified as such to the European Parliament. To be funded by the European Parliament, a European political party must be represented in the European Parliament by at least one MEP. Furthermore, it should be taken into consideration the criteria of fully respected internal democracy and gender equality in the composition and in the formation of the European political parties and within their affiliated European political foundations. A party that does not fulfil the internal democracy condition does not count for the requirement of being represented in at least seven Member States.

The European Parliament shall verify annually the conditions and registration criteria of the European Political Parties and their European political foundations. The rapporteur believes that this verification should be carried out annually or following a motivated and duly justified request by any natural or legal person and that the most effective procedure will be that of the responsible committee for the constitutional affairs of the European Parliament. This committee shall organize any hearing to this end and shall give its opinion to the European Parliament within two months from the request.

24.1.2013

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Constitutional Affairs

on the proposal for a regulation of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations (COM(2012)0499 – C7-0288/2012 – 2012/0237(COD))

Rapporteur: Edit Herczog

SHORT JUSTIFICATION

The draftswoman shares the view of the Commission that greater and more effective involvement of European political parties and foundations can serve to promote citizens' understanding of the connection between the political processes at the national and European levels and is one way of encouraging the emergence of a European public sphere. Accordingly, the European political parties and foundations will have a greater role in European parliamentary elections organised every five year and in potential referendum campaigns where the subject is explicitly under the competence of the European Union or it is concerning the functioning of the European Union itself.

The draftswoman strongly believes that European political parties and foundations must respect in their programmes, in their activities and through their members the values on which the European Union is founded, namely respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.

The introduction of a degree of necessary financial flexibility with respect to the working methods and activities of the European political parties and foundations is welcomed, and the new method of financing, namely the contributions together with the system of operating grants and donations, is supported. Related to this the rapporteur wishes to emphasis that contributions to the organisation of joint events shall not be considered as donations, and that no limit should be defined on donations accepted by European political parties and foundations from natural or legal persons.

The draftswoman agrees with the approach that the European Parliament shall verify annually

the conditions and registration criteria of European political parties and foundations, and supports the idea that a committee that consist of three members - independent eminent persons, with the European Parliament, the Council and the Commission each appointing one member - should give an opinion on the subject within a reasonable time period.

Finally, the draftswoman is convinced that besides the role the European Parliament is playing in the process of registration and annual verification, it shall be the competent national authorities in the Member State in which the European political parties and foundations have their respective seat that should exercise control over the funding received from sources other than the budget of the European Union, and all expenditure.

AMENDMENTS

The Committee on Budgets calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The procedures to be followed by European political parties and their affiliated European political foundations to obtain a European legal status pursuant to this Regulation should be laid down, as should the procedures and criteria to be respected in arriving at a decision on whether to grant such a European legal status. It is also necessary to lay down the procedures for cases where a European political party or a European political foundation may forfeit, lose or give up its European legal status.

Amendment

(8) The procedures to be followed by European political parties and their affiliated European political foundations to obtain a European legal status pursuant to this Regulation should be laid down, as should the procedures and criteria to be respected in arriving at a decision on whether to grant such a European legal status. It is also necessary to lay down the ***impartial and transparent*** procedures for cases where a European political party or a European political foundation may forfeit, lose or give up its European legal status.

Amendment 2

Proposal for a regulation Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) Membership of a European political party and participation in its political activities on a voluntary basis should not be considered as payment or donations in kind, but as voluntary dedication.

Justification

The recital sets out the reasoning behind the change to Article 2(7).

Amendment 3

Proposal for a regulation

Article 2 – paragraph 1 – point 6 – footnote 18

Text proposed by the Commission

Amendment

18. At the date of adoption of the present proposal, the College will also adopt a Commission working document on a proposal to amend the Financial Regulation introducing a new Title on the financing of European political parties by means of contributions. The introduction of ‘contributions’ for European political parties will be confirmed after the latter proposal has been adopted by the co-legislators.

18. At the date of adoption of the present proposal, the College will also adopt a Commission working document on a proposal to amend the Financial Regulation introducing a new Title on the financing of European political parties by means of contributions. The introduction of ‘contributions’ for European political parties will be confirmed after the latter proposal has been adopted by the co-legislators, ***ensuring continued coherence and clarity of definitions across both proposals.***

Justification

This clarification is required to ensure that sufficient consideration is given to the relationship between the two proposals.

Amendment 4

Proposal for a regulation

Article 2 – paragraph 1 – point 7

Text proposed by the Commission

(7) ‘donation’ means cash offerings and other donations in kind (goods or services) that constitute an economic advantage for the European political party or the European political foundation concerned.

Amendment

(7) ‘donation’ means cash offerings and other donations in kind (goods or services) that constitute an economic advantage for the European political party or the European political foundation concerned.
Membership of a European political party and participation in its political activities on a voluntary basis does not constitute a donation.

Justification

See new recital 15a.

Amendment 5

**Proposal for a regulation
Article 10 – paragraph 2**

Text proposed by the Commission

2. For matters not regulated by this Regulation ***or, where matters are partly regulated by it, for those aspects not covered by it***, the European political party and the European political foundation shall be governed in the Member State in which it has its seat by those national laws applicable to the legal form referred to in the party or foundation statutes. Activities carried out by the European political party and the European political foundation in other Member States shall be governed by the relevant national laws of those Member States.

Amendment

2. For matters not ***explicitly*** regulated by this Regulation, the European political party and the European political foundation shall be governed in the Member State in which it has its seat by those national laws applicable to the legal form referred to in the party or foundation statutes. Activities carried out by the European political party and the European political foundation in other Member States shall be governed by the relevant national laws of those Member States.

Justification

This amendment seeks to clarify the scope of the present Regulation, which is unclear from the Commission text.

Amendment 6

Proposal for a regulation
Article 11 – paragraph 3

Text proposed by the Commission

3. A European political party or a European political foundation in one of the cases provided for under paragraph 1 points (a), (b) or (c) shall have any ongoing decision on Union funding received under this Regulation withdrawn or any ongoing agreement on such funding terminated and any unspent Union funding recovered, including any unspent Union funds from previous years.

Amendment

3. A European political party or a European political foundation in one of the cases provided for under paragraph 1 points (a), (b) or (c) shall have any ongoing decision on Union funding received under this Regulation withdrawn or any ongoing agreement on such funding terminated and any unspent Union funding recovered, including any unspent Union funds from previous years ***in accordance with the relevant provisions of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union¹ (Financial Regulation).***

¹ OJ L 298, 26.10.2012, p. 1.

Justification

This clarification is required to ensure that sufficient consideration is given to the relationship between the two proposals.

Amendment 7

Proposal for a regulation
Article 12 – paragraph 4

Text proposed by the Commission

4. Financial contributions or grants from the general budget of the European Union may not exceed 90% of the annual reimbursable expenditure of a European political party and 95% of the annual eligible costs indicated in the budget of a European political foundation. European political parties may use any unused part of the EU contribution awarded ***to cover***

Amendment

4. Financial contributions or grants from the general budget of the European Union may not exceed 90% of the annual reimbursable expenditure of a European political party and 95% of the annual eligible costs indicated in the budget of a European political foundation. European political parties ***and their affiliated European political foundations*** may use

reimbursable expenditure within the following two financial years after its award. Amounts unused following those two financial years shall be recovered in accordance with the Financial Regulation.

any unused part of the EU contribution *or grant* awarded within the following two financial years after its award. Amounts unused following those two financial years shall be recovered in accordance with the Financial Regulation.

Justification

Public financing provided for European political parties and foundations contributes to the stability and continuity of their activities and serves the main purpose of forming European political awareness and expressing the will of European citizens. European political parties and foundations should be able to accumulate their necessary campaign funding with the help of carry-overs from the previous financial years.

Amendment 8

Proposal for a regulation Article 15 – paragraph 1

Text proposed by the Commission

1. European political parties and European political foundations may accept donations from natural or legal persons *of up to a value of EUR 25 000 per year and per donor*, without prejudice to paragraph 5.

Amendment

1. European political parties and European political foundations may accept donations from natural or legal persons without prejudice to paragraph 5.

Justification

With the aim of encouraging the political parties to generate own resources, the proposal aims to cease the limit on the value of donation per year per donor

Amendment 9

Proposal for a regulation Article 15 – paragraph 5 – point b

Text proposed by the Commission

(b) donations from the budgets of political groups in the European Parliament,

Amendment

(b) donations from the budgets of political groups in the European Parliament, *although contributions to the organisation of joint events shall not be*

considered as donations,

Justification

On many occasions, when it is serving common political or social goals, European political parties and political groups of the European Parliament organise events jointly (e.g.: conferences, seminars, public debates). In these specific cases contribution to the organisational costs on behalf of a political group of the European Parliament shall be fully allowed and shall not be considered as a donation.

Amendment 10

Proposal for a regulation

Article 15 – paragraph 5 – point c

Text proposed by the Commission

(c) donations from any undertaking over which the public authorities may exercise directly or indirectly a dominant influence by virtue of their ownership of it, their financial participation therein, or the rules which govern *it*,

Amendment

(c) donations from any undertaking over which the public authorities may exercise directly or indirectly a dominant influence by virtue of their ownership of it, their financial participation therein, or the rules which govern *the individual undertaking concerned*,

Amendment 11

Proposal for a regulation

Article 15 – paragraph 5 – point d

Text proposed by the Commission

(d) donations from any public authority from a third country, including from any undertaking over which the public authorities may exercise directly or indirectly a dominant influence by virtue of their ownership of it, their financial participation therein, or the rules which govern *it*.

Amendment

(d) donations from any public authority from a third country, including from any undertaking over which the public authorities may exercise directly or indirectly a dominant influence by virtue of their ownership of it, their financial participation therein, or the rules which govern *the individual undertaking concerned*.

Amendment 12

Proposal for a regulation
Article 16 – paragraph 2

Text proposed by the Commission

2. Any natural or legal person donating to a European political party or European political foundation within or across borders shall benefit from the same tax treatment that is applicable to donations made to a political party or political foundation that has its seat in the Member State where the donor is resident for tax purposes.

Amendment

2. Without prejudice to existing national thresholds and the autonomy of Member State tax law, any natural or legal person donating to a European political party or European political foundation within or across borders shall benefit from the same tax treatment that is applicable to donations made to a political party or political foundation that has its seat in the Member State where the donor is resident for tax purposes.

Justification

This amendment seeks to clarify the scope of the present Regulation, which is unclear from the Commission text.

Amendment 13

Proposal for a regulation
Article 18 – paragraph 3

Text proposed by the Commission

3. The funding of European political parties and European political foundations from the general budget of the European Union or from any other source shall not be used to finance national, regional or local referenda campaigns.

Amendment

3. The funding of European political parties and European political foundations from the general budget of the European Union or from any other source shall not be used to finance national, regional or local referenda campaigns, **with an exception allowed for European political parties when their subject is European Union legislation or the referendum directly concerns the functioning of an EU institution.**

Justification

European political parties cannot be excluded from national, regional or local referendum campaigns when they relate to the functioning of the European Union or issues under the EU competence. Representing a truly European point of view, European political parties have to

be part of this democratic process.

Amendment 14

Proposal for a regulation

Article 22 – paragraph 7

Text proposed by the Commission

7. The penalties imposed pursuant to this Article shall apply to all European political parties and European political foundations ***irrespective of*** whether they receive Union funding. The *Authorising Officer* responsible may impose administrative and/or financial penalties in accordance with *Article [96(2)]* of the Financial Regulation and Article [145] of its Rules of Application on any European political party or European political foundation that is in one of the cases referred to in *Article [96(1)]* of the Financial Regulation not covered by the paragraphs above.

Amendment

7. The penalties imposed pursuant to this Article shall apply to all European political parties and European political foundations ***which are recognised according to the provisions of this Regulation, notwithstanding*** whether they receive Union funding. The *contracting authority* may impose administrative and/or financial penalties in accordance with *Article 109(2)* of the Financial Regulation and Article 145 of its Rules of Application on any European political party or European political foundation that is in one of the cases referred to in *Article 109(1)* of the Financial Regulation not covered by the paragraphs above.

Justification

For clarification: a Party or Foundation is still subject to the rules of transparency of donations even if it has not yet applied for or received Union funding in addition to its own resources.

Amendment 15

Proposal for a regulation

Article 24 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Registry shall publish on a website created for the purpose the following:

Amendment

1. ***At the latest four weeks after the communication date or after the European Parliament has adopted its decision,*** the Registry shall publish on a website created for the purpose the following:

Justification

Instead of being confined to the details specified in points (a) and (b), the one-month deadline for publication on the website should be standard for all types of information.

Amendment 16

Proposal for a regulation

Article 24 – paragraph 1 – point a

Text proposed by the Commission

(a) the names and statutes of all registered European political parties and European political foundations, together with the documents submitted as part of the application for registration in accordance with Article 6(3), ***at the latest four weeks after the European Parliament has adopted its decision*** and, beyond this date, any amendments notified to the European Parliament pursuant to Article 6(6) and (7),

Amendment

(a) the names and statutes of all registered European political parties and European political foundations, together with the documents submitted as part of the application for registration in accordance with Article 6(3), and, beyond this date, any amendments notified to the European Parliament pursuant to Article 6(6) and (7),

Justification

Technical adjustment necessitated by the amendment to the first sentence of Article 24(1).

Amendment 17

Proposal for a regulation

Article 24 – paragraph 1 – point b

Text proposed by the Commission

(b) a list of those applications that have not been approved, together with the documents submitted as part of the application for registration in accordance with Article 6(3) and the grounds for rejection, ***at the latest four weeks after the European Parliament has adopted its decision,***

Amendment

(b) a list of those applications that have not been approved, together with the documents submitted as part of the application for registration in accordance with Article 6(3) and the grounds for rejection,

Justification

Technical adjustment necessitated by the amendment to the first sentence of Article 24(1).

Amendment 18

Proposal for a regulation

Article 25 – paragraph 3

Text proposed by the Commission

3. The European Parliament and the committee referred to in Article 7(2) shall ensure that personal data collected by them pursuant to this Regulation are not used for any purpose other than to ensure the legality, regularity and transparency of the funding of European political parties and European political foundations and the membership of European political parties. They shall destroy those personal data at the latest **24 months** after publication of the relevant parts in accordance with Article 24.

Amendment

3. The European Parliament and the committee referred to in Article 7(2) shall ensure that personal data collected by them pursuant to this Regulation are not used for any purpose other than to ensure the legality, regularity and transparency of the funding of European political parties and European political foundations and the membership of European political parties. They shall destroy those personal data at the latest **36 months** after publication of the relevant parts in accordance with Article 24.

Justification

Departing from Article 13 of the Financial Regulation, the Commission proposal is offering a more generous ‘n+2’ carry-over arrangement, allowing the appropriations for a given financial year to be used over a time-span encompassing three financial years in all. The time limit for destroying personal data should correspondingly be raised to 36 months.

Amendment 19

Proposal for a regulation

Article 26 – paragraph 1

Text proposed by the Commission

1. The European Parliament shall provide for administrative appeal procedures in relation to any decisions linked to the registration of statutes, funding or penalties.

Amendment

1. The European Parliament shall provide for **swift and transparent** administrative appeal procedures in relation to any decisions linked to the registration of statutes, funding or penalties.

Justification

This amendment seeks to reinforce the need for robust and appropriate administrative appeal procedures given the potential penalties.

PROCEDURE

Title	Statute and funding of European political parties and European political foundations
References	COM(2012)0499 – C7-0288/2012 – 2012/0237(COD)
Committee responsible Date announced in plenary	AFCO 22.10.2012
Opinion by Date announced in plenary	BUDG 22.10.2012
Rapporteur Date appointed	Edit Herczog 3.10.2012
Date adopted	23.1.2013
Result of final vote	+: 29 -: 1 0: 3
Members present for the final vote	Marta Andreasen, Zuzana Brzobohatá, Jean-Luc Dehaene, José Manuel Fernandes, Eider Gardiazábal Rubial, Salvador Garriga Polledo, Ingeborg Gräßle, Lucas Hartong, Monika Hohlmeier, Anne E. Jensen, Ivailo Kalfin, Sergej Kozlík, Jan Kozłowski, Alain Lamassoure, Giovanni La Via, Claudio Morganti, Jan Mulder, Juan Andrés Naranjo Escobar, Nadezhda Neynsky, Dominique Riquet, Potito Salatto, Alda Sousa, László Surján, Derek Vaughan, Angelika Werthmann
Substitute(s) present for the final vote	François Alfonsi, Edit Herczog, Paul Rübig, Peter Šťastný, Georgios Stavrakakis, Theodor Dumitru Stolojan, Gianluca Susta, Nils Torvalds

23.1.2013

OPINION OF THE COMMITTEE ON LEGAL AFFAIRS

for the Committee on Constitutional Affairs

on the proposal for a regulation of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations (COM(2012)0499 – C7-0288/2012 – 2012/0237(COD))

Rapporteur: Luigi Berlinguer

SHORT JUSTIFICATION

The rapporteur for opinion welcomes the Commission proposal for a regulation on the statute and funding of European political parties and European political foundations. The proposal includes some important suggestions contained in the EP's resolution of April 2011 and therefore lays down the possibility for a full and functioning recognition of the role of political parties across the EU, as stated in the Lisbon Treaty (Article 10 TEU) and in the Charter of Fundamental Rights.

The new legal personality of the European political parties is one of the key points of interest for the Committee on Legal Affairs. The legal personality under Union-law, as presented in the proposal, is defined as complementing and "over-arching" to a pre-existing legal personality under national law. The goal is to avoid "double standards" in the Member States between rules applying to national parties and other criteria addressed to the European parties on the other side. That aims as well at minimising the reluctance of the member States with regard to the proposal.

In fact, before they can be registered in order to obtain the legal personality under Union-law, the party or foundation must already have legal personality under the law of one Member State (association or other) and its seat there.

For the competences of the Committee on Legal Affairs, the rules on the internal governance are also extremely important as they set not only advanced common criteria of accountability and transparency, but as they pave the way to a positive spill-over effect on the internal rules and conducts of the national parties as well.

The proposal suggests the elements which must be dealt with in the statute in order to guarantee a democratic internal functioning, such as rights and duties of membership,

functioning of a general assembly, election and decision-making processes for all other governing bodies. Certainly very important, in this respect, is also the reference to the possibility to remove a party from the Registry for non-respect of the minimum rules on internal democracy.

The timetable of the discussion on the proposal within the European Parliament is at the outmost importance for the Committee on Legal Affairs: in order to guarantee an effective adoption of the regulation, the Committee on Legal Affairs recommends the adoption of the European Parliament's position in due time for the preparation of the European elections of spring 2014.

AMENDMENTS

The Committee on Legal Affairs calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following amendments into its report:

Amendment 1

Proposal for a regulation Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) European political parties and foundations should be entitled to employ their staff under Article 2 c) of the Conditions of employment of other servants of the European Union, on an equal footing with the political groups of the European Parliament.

Amendment 2

Proposal for a regulation Recital 10

Text proposed by the Commission

Amendment

(10) European political parties and their affiliated European political foundations, which wish to obtain recognition as such at the European level through a European legal status and to receive public funding

(10) European political parties and their affiliated European political foundations, which wish to obtain recognition as such at the European level through a European legal status and to receive public funding

from the general budget of the European Union, should respect certain principles and fulfil certain conditions. In particular, it is necessary for European political parties and their affiliated European political foundations to respect the values on which the European Union is founded, as set out in Article 2 of the Treaty on European Union and the Charter of Fundamental Rights of the European Union.

from the general budget of the European Union, should respect certain principles and fulfil certain conditions. In particular, it is necessary for European political parties and their affiliated European political foundations to respect the values on which the European Union is founded, as set out in Article 2 of the Treaty on European Union and the Charter of Fundamental Rights of the European Union. ***In order to allow new formations to enter the political contest and thus contribute to a vibrant democratic life in the European Union, as well as to ensure that a maximum number of party alliances fall under the transparency and supervision rules of this Regulation, the threshold for registering a European political party should be easy to meet for formally well organised transnational political alliances, without the precondition of electoral success.***

Amendment 3

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) Principles and minimum requirements for the governance and internal organisation of European political parties should be laid down, in particular to ensure a commitment to and respect for high standards of internal party democracy. The statutes of a European political party or a European political foundation should also contain a series of basic administrative and legal provisions.

Amendment

(11) Principles and minimum requirements for the governance and internal organisation of European political parties should be laid down, in particular to ensure a commitment to and respect for high standards of internal party democracy, ***especially concerning the procedures for the selection of candidates and composition of electoral lists for the elections to the European Parliament through their constituent member parties.*** The statutes of a European political party or a European political foundation should also contain a series of basic administrative and legal provisions.

Amendment 4

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Eligibility for funding from the general budget of the European Union should be limited to European political parties and their affiliated European political foundations that have been recognised as such and obtained a European legal status. While it is crucial to ensure that the conditions to become a European political party are not excessive but can be readily met by organised and serious transnational alliances of political parties or natural persons or both, it is also necessary to establish proportionate *criteria* in order to allocate limited resources from the EU budget, which objectively demonstrate the European ambition and genuine electoral support of a European political party. Such a criterion is best based on the outcome of elections to the European Parliament, in which the European political parties are required to participate under this Regulation, providing a precise indication of the electoral recognition of a European political party. It should reflect the role the European Parliament has of directly representing the Union's citizens, assigned to it by Article 10(2) of the Treaty on European Union, as well as the objective for European political parties to participate fully in the democratic life of the Union and to become active actors of Europe's representative democracy, in order to effectively express the views, opinions and political will of the citizens of the Union. Eligibility for funding from the general budget of the European Union should therefore be limited to European political parties which

Amendment

(12) Eligibility for funding from the general budget of the European Union should be limited to European political parties and their affiliated European political foundations that have been recognised as such and obtained a European legal status. While it is crucial to ensure that the conditions to become a European political party are not excessive but can be readily met by organised and serious transnational alliances of political parties or natural persons or both, it is also necessary to establish proportionate *criteria* in order to allocate limited resources from the EU budget, which objectively demonstrate the European ambition and genuine electoral support of a European political party. Such a criterion is best based on the outcome of elections to the European Parliament, in which the European political parties are required to participate under this Regulation, providing a precise indication of the electoral recognition of a European political party. It should reflect the role the European Parliament has of directly representing the Union's citizens, assigned to it by Article 10(2) of the Treaty on European Union, as well as the objective for European political parties to participate fully in the democratic life of the Union and to become active actors of Europe's representative democracy, in order to effectively express the views, opinions and political will of the citizens of the Union. Eligibility for funding from the general budget of the European Union should therefore be limited to European political parties which

are represented in the European Parliament by at least one of their members and to European political foundations which apply through a European political party that is represented in the European Parliament by at least one of its members.

are represented in the European Parliament by at least one of their members *or have obtained a minimum level of electoral support across a significant number of Member States at the most recent elections to the European Parliament* and to European political foundations which apply through a European political party that is represented in the European Parliament by at least one of its members.

Amendment 5

Proposal for a regulation

Article 3 – paragraph 1 – point b – first subparagraph

Text proposed by the Commission

(b) it must be represented, in at least one quarter of the Member States, by Members of the European Parliament *or in the* national Parliaments, regional Parliaments or *regional* assemblies, or

Amendment

(b) it *or its member parties* must be represented, in at least one quarter of the Member States, by Members of the European Parliament, *by Members of* national Parliaments *or by Members of* regional Parliaments or assemblies *which are endowed with legislative powers and have been notified as such to the European Parliament*, or

Amendment 6

Proposal for a regulation

Article 3 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) it must ensure gender representation in its internal bodies and promote gender parity with regard to the composition of electoral lists.

Amendment 7

Proposal for a regulation

Article 4 – paragraph 2 – point d

Text proposed by the Commission

(d) the democratic election of and democratic decision-making processes for all other governing bodies, specifying for each its powers, responsibilities and composition, and including the modalities for the appointment and dismissal of its members and clear and transparent criteria for the selection of candidates and the election of office-holders, whose mandate must be limited in time but may be renewable,

Amendment 8

Proposal for a regulation

Article 4 – paragraph 2 – point e a (new)

Text proposed by the Commission

Text proposed by the Commission

The European political party and the European political foundation shall have full legal **recognition and** capacity in all Member States.

Amendment

(d) the democratic election of and democratic decision-making processes for all other governing bodies, specifying for each its powers, responsibilities and composition, and including the modalities for the appointment and dismissal of its members and clear and transparent criteria for the selection of candidates **which shall be based on a democratic procedure** and the election of office-holders, whose mandate must be limited in time but may be renewable,

Amendment

(ea) an obligation of its member parties to select candidates for the elections to the European Parliament in an open, democratic process that allows all party members to take part, actively and passively in the selection process and in the decisions about the order of candidates on the electoral lists,

Amendment 9

Proposal for a regulation

Article 9

Text proposed by the Commission

Amendment

The European political party and the European political foundation shall have full legal capacity in all Member States.

Amendment 10

Proposal for a regulation Article 10 – paragraph 2

Text proposed by the Commission

2. **For** matters *not* regulated by this Regulation *or, where matters are partly regulated by it, for those aspects not covered by it*, the European political party and the European political foundation shall be governed *in* the Member State in which it has its seat *by those national laws applicable to the legal form referred to in the party or foundation statutes*. Activities carried out by the European political party and the European political foundation in other Member States shall be governed by the relevant national laws of those Member States.

Amendment

2. **In** matters *that are not, or only partly*, regulated by this Regulation *or the respective statutes*, the European political party and the European political foundation shall be governed *by the laws of* the Member State in which it has its seat. Activities carried out by the European political party and the European political foundation in other Member States shall be governed by the relevant national laws of those Member States.

Amendment 11

Proposal for a regulation Article 18 – paragraph 3

Text proposed by the Commission

3. The funding of European political parties and European political foundations from the general budget of the European Union or from any other source shall not be used to finance national, regional or local referenda campaigns.

Amendment

3. The funding of European political parties and European political foundations from the general budget of the European Union or from any other source shall not be used to finance national, regional or local referenda campaigns, *except where the referenda deal with questions related to the European Union*.

PROCEDURE

Title	Statute and funding of European political parties and European political foundations
References	COM(2012)0499 – C7-0288/2012 – 2012/0237(COD)
Committee responsible Date announced in plenary	AFCO 22.10.2012
Opinion by Date announced in plenary	JURI 22.10.2012
Rapporteur Date appointed	Luigi Berlinguer 10.10.2012
Discussed in committee	18.12.2012
Date adopted	22.1.2013
Result of final vote	+: 21 –: 1 0: 1
Members present for the final vote	Raffaele Baldassarre, Luigi Berlinguer, Sebastian Valentin Bodu, Françoise Castex, Christian Engström, Giuseppe Gargani, Lidia Joanna Geringer de Oedenberg, Sajjad Karim, Antonio Masip Hidalgo, Jiří Maštálka, Evelyn Regner, Francesco Enrico Speroni, Dimitar Stoyanov, Rebecca Taylor, Rainer Wieland, Cecilia Wikström, Tadeusz Zwiefka
Substitute(s) present for the final vote	Piotr Borys, Vytautas Landsbergis, Eva Lichtenberger, Dagmar Roth-Behrendt, József Szájer, Axel Voss

PROCEDURE

Title	Statute and funding of European political parties and European political foundations			
References	COM(2012)0499 – C7-0288/2012 – 2012/0237(COD)			
Date submitted to Parliament	12.9.2012			
Committee responsible Date announced in plenary	AFCO 22.10.2012			
Committee(s) asked for opinion(s) Date announced in plenary	BUDG 22.10.2012	JURI 22.10.2012		
Rapporteur(s) Date appointed	Marietta Giannakou 17.9.2012			
Discussed in committee	9.10.2012	26.11.2012	18.12.2012	21.1.2013
	4.2.2013	18.2.2013	14.3.2013	19.3.2013
Date adopted	15.4.2013			
Result of final vote	+: -: 0:	14 8 1		
Members present for the final vote	Andrew Henry William Brons, Carlo Casini, Andrew Duff, Roberto Gualtieri, Enrique Guerrero Salom, Daniel Hannan, Stanimir Ilchev, Constance Le Grip, David Martin, Paulo Rangel, Algirdas Saudargas, Rafał Trzaskowski, Manfred Weber, Luis Yáñez-Barnuevo García			
Substitute(s) present for the final vote	John Stuart Agnew, Zuzana Brzobohatá, Marietta Giannakou, Helmut Scholz, György Schöpflin, Alexandra Thein			
Substitute(s) under Rule 187(2) present for the final vote	François Alfonsi, Syed Kamall, Georgios Koumoutsakos			
Date tabled	24.4.2013			