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Committee on Constitutional Affairs

2010/2291(ACI)

1.4.2011

AMENDMENTS

1 - 38

Draft report
Carlo Casini
(PE458.636v01-00)

on conclusion of an interinstitutional agreement between the European Parliament and the Commission on a common Transparency Register (2010/2291(ACI))

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United in diversity

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Amendment 1
Andrew Duff

Proposal for a decision
Paragraph 1

Proposal for a decision

1. Regards the agreement as ***an important*** step towards greater transparency;

Amendment

1. Regards the agreement as ***only one*** step towards greater transparency ***and intends in due course to propose that standards be raised to ensure the consistent integrity of the public administration of the Union and a strengthening of the institutional rules, in particular with a view to making the register compulsory and requiring full financial disclosure;***

Or. en

Amendment 2
Thijs Berman

Proposal for a decision
Paragraph 1

Proposal for a decision

1. Regards the agreement as an important step towards greater transparency;

Amendment

1. Regards the agreement as an important step towards ***a compulsory register and*** greater transparency;

Or. nl

Amendment 3
Andreas Mölzer

Proposal for a decision
Paragraph 1

Proposal for a decision

1. Regards the agreement as an important

Amendment

1. Regards the agreement as an important

step towards greater transparency;

first step towards greater transparency;

Or. de

Amendment 4
Thijs Berman

Proposal for a decision
Paragraph 2 a (new)

Proposal for a decision

Amendment

2a. Regrets the fact that entry in the Transparency Register is not compulsory for interest representatives who obtain access to European Parliament buildings on the basis of a day pass;

Or. nl

Amendment 5
Gerald Häfner, Sandrine Bélier, Indrek Tarand

Proposal for a decision
Paragraph 4

Proposal for a decision

Amendment

4. Is of the opinion that the agreement ***meets, de facto, Parliament's demand for obligatory registration because it remains impossible for anyone to procure a badge giving access to Parliament without first registering;***

4. Is of the opinion that the agreement ***will provide a strong incentive for registration since it will render it impossible for anyone to procure a badge giving access to Parliament without first registering;***

Or. en

Amendment 6
Andreas Mölzer

Proposal for a decision
Paragraph 4

Proposal for a decision

4. Is of the opinion that the agreement ***meets, de facto***, Parliament's demand for obligatory registration because it remains impossible for anyone to procure a badge giving access to Parliament without first registering;

Amendment

4. Is of the opinion that the agreement ***does not meet*** Parliament's demand for obligatory registration because ***lobbying activities can also take place outside Parliament; notes that*** it remains impossible for anyone to procure a badge giving access to Parliament without first registering;

Or. de

Amendment 7

Gerald Häfner, Sandrine Bélier, Indrek Tarand

Proposal for a decision

Paragraph 4 a (new)

Proposal for a decision

Amendment

4a. Reaffirms, however, its call for the mandatory registration of all lobbyists on the Transparency Register and calls for the necessary steps to prepare for a transition to mandatory registration to be taken in the forthcoming review process;

Or. en

Amendment 8

Matthias Groote

Proposal for a decision

Paragraph 5

Proposal for a decision

Amendment

5. Recalls its wish that the Council should become a party to the agreement;

5. Calls on the Council to join the common register as soon as possible;

Or. de

Amendment 9
Thijs Berman

Proposal for a decision
Paragraph 5

Proposal for a decision

5. ***Recalls its wish*** that the Council ***should become*** a party to the agreement;

Amendment

5. ***Points out again*** that ***it is crucial for*** the Council ***to be*** a party to the agreement ***in order to ensure transparency at all stages in the law-making process at EU level;***

Or. nl

Amendment 10
Anneli Jäätteenmäki

Proposal for a decision
Paragraph 5

Proposal for a decision

5. ***Recalls its wish*** that the Council ***should*** become a party to the agreement;

Amendment

5. ***Regrets*** that the Council ***has not yet*** become a party to the agreement; ***welcomes, however, the fact that the Council has indicated that it will become a party to the agreement;***

Or. fi

Amendment 11
Rainer Wieland

Proposal for a decision
Paragraph 6 – point b

Proposal for a decision

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the

Amendment

(b) the scope of the register, which covers all relevant actors but excludes, among others – ***particularly in paragraphs 11, 12***

social dialogue, as well as churches, political parties and local, regional and municipal authorities;

and 13 – social partners as actors in the social dialogue, as well as churches, political parties and local, regional and municipal authorities;

Or. de

Amendment 12
Andrew Duff

Proposal for a decision
Paragraph 6 – point b

Proposal for a decision

(b) the scope of the register, which covers all relevant actors but ***excludes, among others, social partners as actors in the social dialogue, as well as*** churches, political parties and local, regional and municipal authorities;

Amendment

(b) the scope of the register which covers all relevant actors but, ***with respect to the*** social partners, churches, political parties and local, regional and municipal authorities, ***distinguishes between their role as lobbyists and their role as official interlocutors of the Union institutions;***

Or. en

Amendment 13
Søren Bo Søndergaard, Cornelis de Jong

Proposal for a decision
Paragraph 6 – point b

Proposal for a decision

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the social dialogue, ***as well as churches,*** political parties and local, regional and municipal authorities;

Amendment

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the social dialogue. ***Churches and*** political parties and local, regional and municipal authorities ***are likewise exempted from the register. However, their representation offices or legal bodies, offices and networks created to represent them towards the European institutions, as well as their associations, are expected to***

register.

Or. en

Amendment 14
Alexandra Thein

Proposal for a decision
Paragraph 6 – point b

Proposal for a decision

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the social dialogue, as well as churches, political parties and local, regional and municipal authorities;

Amendment

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the social dialogue, as well as churches, political parties and local, regional and municipal authorities; ***in addition, representations to the EU from the authorities listed receive preferential treatment, as theirs is, according to the Treaties, an institutional role and they do not, under paragraphs 10(b) and 13(1) of the agreement, fall within the scope of the register;***

Or. de

Amendment 15
Elmar Brok, Matthias Groote, Estelle Grelier, Monika Hohlmeier

Proposal for a decision
Paragraph 6 – point b

Proposal for a decision

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the social dialogue, as well as churches, political parties and local, regional and municipal authorities;

Amendment

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the social dialogue, as well as churches, political parties and local, regional and municipal authorities – ***including representations belonging to their administrations – as theirs is, according to***

the Treaties, an institutional role and they do not, under paragraphs 10(b), 11, 12 and 13 of the agreement, fall within the scope of the register;

Or. de

Amendment 16
Morten Messerschmidt

Proposal for a decision
Paragraph 6 – point b

Proposal for a decision

(b) the scope of the register, which covers all relevant actors ***but excludes, among others, social partners as actors in the social dialogue, as well as churches, political parties and local, regional and municipal authorities;***

Amendment

(b) the scope of the register, which covers all relevant actors;

Or. en

Amendment 17
Michael Gahler

Proposal for a decision
Paragraph 6 – point b

Proposal for a decision

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the social dialogue, as well as churches, political parties and local, regional and municipal authorities;

Amendment

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the social dialogue, as well as churches, political parties and local, regional and municipal authorities ***as well as their representative offices or legal bodies and therefore demands that section 13, phrase 2 be deleted from the agreement;***

Or. en

Amendment 18
Andreas Mölzer

Proposal for a decision
Paragraph 6 – point b

Proposal for a decision

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the social dialogue, as well as churches, political parties **and** local, regional and municipal authorities;

Amendment

(b) the scope of the register, which covers all relevant actors but excludes, among others, social partners as actors in the social dialogue, as well as churches, political parties, local, regional and municipal authorities **and their official representations in Brussels**;

Or. de

Amendment 19
Carlo Casini

Proposal for a decision
Paragraph 6 – point c

Proposal for a decision

(c) the division of the register into separate sections and subsections, which makes it possible for different kinds of organisations and associations to be entered in the register;

Amendment

(c) the fact that the register creates transparency for the wide range of contacts of the European institutions and, in particular, brings together representatives of specific interests, civil society representatives and representatives of public authorities;

Or. fr

Amendment 20
Morten Messerschmidt

Proposal for a decision
Paragraph 6 – point c

Proposal for a decision

(c) the division of the register into separate sections and subsections, which makes it possible for **different** kinds of organisations and associations to be entered in the register;

Amendment

(c) the division of the register into separate sections and subsections, which makes it possible for **all** kinds of organisations and associations to be entered in the register;

Or. en

Amendment 21

Søren Bo Søndergaard, Cornelis de Jong

Proposal for a decision
Paragraph 6 – point d

Proposal for a decision

(d) the demand for relevant financial information;

Amendment

(d) the demand for relevant financial information, ***while being of the opinion that all interest representatives, including consultancies and law firms when their purpose is to influence policy rather than case-law, must declare their clients' expenditure in the same way with reference to bandwidths of EUR 10,000.***

Or. en

Amendment 22

Søren Bo Søndergaard, Cornelis de Jong

Proposal for a decision
Paragraph 6 – points d a, d b and d c (new)

Proposal for a decision

(da) the establishment of a 'joint Register Secretariat' which must scrutinise and ensure the accuracy of the information in the register, while considering it important that sufficient resources (staff and money) be granted for that purpose;

Amendment

(db) the suggested sanctions in the case of non-compliance with the rules such as suspension or exclusion from the register or withdrawal of the access badges to the European Parliament , while believing that a decision to apply such sanctions must be published on the register's website;

(dc) the requirement for interest representatives always to declare the entity or entities for which they work or which they represent in accordance with the code of conduct, while believing that , if applicable, interest representatives should reveal by whom their clients are funded;

Or. en

Amendment 23
Matthias Groote

Proposal for a decision
Paragraph 6 – point d a (new)

Proposal for a decision

Amendment

(da) binding measures in the event of failure to comply with the code of conduct;

Or. de

Amendment 24
Gerald Häfner, Sandrine Bélier, Indrek Tarand

Proposal for a decision
Paragraph 6 a (new)

Proposal for a decision

Amendment

6a. Demands, however, that regional representation offices which are units of the public administration of their federal

state or region and hence public authorities are exempted from the register; demands further that point 13 of the agreement is amended accordingly;

Or. en

Amendment 25
Rainer Wieland

Proposal for a decision
Paragraph 6 a (new)

Proposal for a decision

Amendment

6a. Underlines that the representations and other bodies maintained by the actors listed in paragraphs 11, 12 and 13 must be given preferential treatment when implementing paragraphs 13 to 27 of the agreement, with particular regard to paragraph 17;

Or. de

Amendment 26
Carlo Casini

Proposal for a decision
Paragraph 6 a (new)

Proposal for a decision

Amendment

6a. Believes that the rules applicable to representatives of public authorities should not be the same as those applicable to representatives of particular interests and considers, in particular, that the invitation to register addressed to organisations with public status can only apply to autonomous organisations but not to public authorities themselves; their staff are, however, invited to register and provide information on the total budget

for their representations from publicly available sources;

Or. fr

Amendment 27

Helmut Scholz

Proposal for a decision

Paragraph 6 a (new)

Proposal for a decision

Amendment

6a. Underlines that application of the agreement to organisations whose activities oblige them to serve the public interest, fulfil constitutional tasks and observe fundamental rights must comply fully with these specific arrangements;

Or. de

Amendment 28

Gaston Franco, Dominique Vlasto

Proposal for a decision

Paragraph 6 a (new)

Proposal for a decision

Amendment

6a. Regrets nevertheless that local, regional and municipal authorities' institutional representations based in Brussels fall within the scope of the register under Article 13 of the agreement and calls for their exclusion;

Or. fr

Amendment 29
Thijs Berman

Proposal for a decision
Paragraph 6 a (new)

Proposal for a decision

Amendment

6a. Regrets that the Transparency Register does not require members and staff of the EU institutions to identify, in a logbook, interest representatives with whom discussions have been held on items of legislation;

Or. nl

Amendment 30
Andrew Duff, Diana Wallis

Proposal for a decision
Paragraph 6 a (new)

Proposal for a decision

Amendment

6a. Requests that the Bureau of Parliament devise a system whereby all lobbyists falling within the scope of the register who obtain a meeting with a relevant Member about a specific legislative dossier are recorded as having done so in an explanatory memorandum to the report or recommendation relating to the draft legislative act;

Or. en

Amendment 31
Mario Mauro, Potito Salatto, Oreste Rossi, Sergio Berlato

Proposal for a decision
Paragraph 7

Proposal for a decision

7. **Approves** conclusion of the agreement below and decides to **annex it to its Rules of Procedure**;

Amendment

7. **Does not approve** conclusion of the agreement and decides to **reopen the negotiations**;

Or. en

Amendment 32

Gerald Häfner, Sandrine Bélier, Indrek Tarand

**Proposal for a decision
Paragraph 7**

Proposal for a decision

7. **Approves** conclusion of the agreement below **and decides to annex it to its Rules of Procedure**;

Amendment

7. **Does not approve** conclusion of the agreement below **unless the agreement is amended in accordance with paragraph 6a**;

Or. en

Amendment 33

Alyn Smith, Frieda Brepoels

**Proposal for a decision
Paragraph 7**

Proposal for a decision

7. **Approves conclusion of the agreement below and decides to annex it to its Rules of Procedure**;

Amendment

7. **Adopts its position hereinafter set out**;

Or. en

Amendment 34
Andreas Mølzer

Proposal for a decision
Paragraph 7

Proposal for a decision

7. Approves conclusion of the agreement below and decides to annex it to its Rules of Procedure;

Amendment

7. Approves conclusion of the agreement below, ***taking into account the contents of this report***, and decides to annex it to its Rules of Procedure;

Or. de

Amendment 35
Søren Bo Søndergaard, Cornelis de Jong

Proposal for a decision
Paragraphs 7 a and 7 b (new)

Proposal for a decision

Amendment

7a. Calls on the Bureau of the Parliament to establish a triviality limit for the requirement on Members to register gifts, services and the like rendered to them;

7b. Further believes that interest representatives should be obliged to disclose the same information on lobbying expenditure spent on Members as Members are obliged to disclose in their financial declarations, applying the same triviality limit;

Or. en

Amendment 36
Søren Bo Søndergaard, Cornelis de Jong

Proposal for a decision
Paragraph 7 c (new)

Proposal for a decision

Amendment

7c. Recalls the importance of a thorough review of the common register no later than two years following its initial entry into force; considers that that review should be used to move towards mandatory registration and improve the quality of data in the register (e.g. financial information);

Or. en

Amendment 37
Alyn Smith, Frieda Brepoels

Draft Agreement
Article 13

Draft Agreement

Amendment

13. Local, regional and municipal authorities are not concerned by the register. ***However their representation offices or legal bodies, offices and networks created to represent them towards the European institutions, as well as their associations, are expected to register.***

13. Local, regional and municipal authorities are not concerned by the register.

Or. en

Amendment 38
Alyn Smith, Frieda Brepoels

Draft Agreement on a "Transparency Register"
Annex 1 – point VI - first subsection

Draft Agreement

Amendment

subsection Local & regional Authorities (subnational level)

deleted

Legal entities, representation offices,

*associations or networks set up to
represent local & regional authorities
(subnational level)*

Or. en