



2021/0375(COD)

22.3.2022

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DRAFT 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 (recast)
(COM(2021)0734 – C9-0432/2021 – 2021/0375(COD))

Committee on Constitutional Affairs

Rapporteurs: Charles Goerens, Rainer Wieland

(Recast – Rule 110 of the Rules of Procedure)

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

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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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 (recast)

(COM(2021)0734 – C9-0432/2021 – 2021/0375(COD))

(Ordinary legislative procedure – recast)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2021)0734),
 - 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 (C9-00432/2021),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts²,
 - having regard to the letter of [...] sent by the Committee on Legal Affairs to the Committee on Constitutional Affairs in accordance with Rule 110(3) of its Rules of Procedure,
 - having regard to Rules 110 and 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Constitutional Affairs (A9-0000/2022),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the Commission proposal does not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;
1. Adopts its position at first reading hereinafter set out, taking into account the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the national parliaments.

Amendment 1

Proposal for a regulation

Article 2 – paragraph 1 – point 9

Text proposed by the Commission

(9) ‘own resources’ means income generated by own economic activities, such as conference fees and sales of publications;

Amendment

(9) ‘**ancillary** own resources’ means income generated by own economic activities, such as conference fees and sales of publications;

Or. en

Amendment 2

Proposal for a regulation

Article 4 – paragraph 1 – point j

Text proposed by the Commission

(j) its internal rules regarding gender balance.

Amendment

(j) ***a requirement that member parties publish on their websites information on the gender representation among the candidates at the last elections to the European Parliament and on the evolution of gender representations among their Members of the European Parliament and*** its internal rules regarding gender balance;

Or. en

Amendment 3

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. Each European political party shall transmit ***within five working days of the first dissemination*** to the Authority information concerning each political advertisement that it sponsors or publishes

Amendment

2. Each European political party shall transmit to the Authority information concerning each political advertisement that it sponsors or publishes directly to enable the wider context of the political

directly to enable the wider context of the political advertisement and its aims to be understood by citizens. That information shall include at least the information listed in point 1 of Annex II.

advertisement and its aims to be understood by citizens. That information shall include at least the information listed in point 1 of Annex II.

Or. en

Amendment 4

Proposal for a regulation Article 5 – paragraph 6

Text proposed by the Commission

Amendment

6. Member States shall designate one or more national regulatory authorities competent to supervise compliance with paragraphs 1, 2 and 4 and notify the Authority thereof. Such national regulatory authorities or bodies shall exercise their powers impartially and transparently and be legally distinct from the government and functionally independent of their respective governments and of any other public or private body. The Authority shall publish on its website and keep updated a list of Member States' national regulatory authorities. Decisions of national regulatory authorities shall be subject to effective legal remedies. Member States shall ensure that upon request of any interested party appropriate redress can be sought requiring the European Political Party to put an end to any violation of the obligations laid down in paragraphs 1, 2 or 4.

deleted

Or. en

Amendment 5

Proposal for a regulation Article 10 – paragraph 5

Text proposed by the Commission

5. Any amendments to the documents or statutes submitted as part of the application for registration in accordance with Article 9(2) shall be notified to the Authority, which shall update the registration in accordance with the procedures set out in Article 18(2) and (4), *mutatis mutandis*.

Amendment

5. Any amendments to the documents or statutes submitted as part of the application for registration in accordance with Article 9(2) shall be notified ***within 2 months*** to the Authority, which shall update the registration in accordance with the procedures set out in Article 18(2) and (4), *mutatis mutandis*.

Or. en

Justification

It is necessary to establish a deadline for the notification of the documents or statutes, so that the registration can be swiftly updated by the Authority.

Amendment 6

**Proposal for a regulation
Article 10 – paragraph 6**

Text proposed by the Commission

6. The updated list of member parties of a European political party, annexed to the party statutes in accordance with Article 4(2), shall be sent to the Authority each year. Any changes following which the European political party might no longer satisfy the condition laid down in Article 3(1), point (b), shall be communicated to the Authority within four weeks of any such change.

Amendment

6. The updated list of member parties of a European political party, annexed to the party statutes in accordance with Article 4(2), shall be sent to the Authority each year ***by 30 September***. Any changes following which the European political party might no longer satisfy the condition laid down in Article 3(1), point (b), shall be communicated to the Authority within two months of any such change.

Or. en

Amendment 7

**Proposal for a regulation
Article 11 – title**

Text proposed by the Commission

Amendment

Verification of compliance with registration conditions and requirements

Verification of compliance with registration conditions and requirements **and examination of grounds of removal from the Register by the Authority**

Or. en

Justification

This amendment is justified by pressing reasons relating to the internal logic of the text.

Amendment 8

Proposal for a regulation Article 11 – paragraph 1

Text proposed by the Commission

Amendment

1. Without prejudice to the procedure laid down in **paragraph 3 of this Article** , the Authority shall regularly verify that the conditions for registration laid down in Article 3, and the governance provisions set out in Article 4(1), points (a), (b), (d), (e) and (f), and Article 6(1), points (a) to (e) and (g) , continue to be complied with by registered European political parties and European political foundations.

1. Without prejudice to the procedure laid down in Article **11a**, the Authority shall regularly verify that the conditions for registration laid down in Article 3, and the governance provisions set out in Article 4(1), points (a), (b), (d), (e) and (f), and Article 6(1), points (a) to (e) and (g) , continue to be complied with by registered European political parties and European political foundations.

Or. en

Justification

Updated reference, since it is proposed to introduce a separate provision (Article 11a) for the special procedure concerning the case of a non-compliance with the values expressed in Article 2 TUE and another one (Article 11b) for the procedure concerning requests by Member States for non-compliance with obligations under national law. This amendment is justified by pressing reasons relating to the internal logic of the text.

Amendment 9

Proposal for a regulation Article 11 – paragraph 2

Text proposed by the Commission

2. If the Authority ***finds that any of the conditions for registration or governance provisions referred to in paragraph 1, with the exception of the conditions in Article 3(1), point (d), and Article 3(2), point (c), are no longer complied with, it shall notify the*** European political party or foundation concerned.

Amendment

2. If ***(a) following a verification conducted under paragraph 1, the Authority considers that one of the deregistration grounds under Article 19(1), point (a), points (i) or (ii), might apply to a European political party or a European political foundation; or (b) the Authority has knowledge of circumstances indicating that one of the deregistration grounds under Article 19(1), point (a), or under Article 19(2) might apply to a European political party or to a European political foundation, the Authority shall inform the party or foundation concerned without undue delay of those deregistration grounds, and invite the party or foundation concerned to submit observations within one month. That one month deadline may be extended by the Authority on a reasoned request by the party or foundation concerned if and in so far as the Authority considers the extension to be necessary and appropriate.***

Or. en

Justification

This amendment is justified by pressing reasons relating to the internal logic of the text.

Amendment 10

Proposal for a regulation

Article 11 – paragraph 3 – introductory part

Text proposed by the Commission

3. ***1 The European Parliament, acting on its own initiative or following a reasoned request from a group of citizens, submitted in accordance with the relevant provisions of its Rules of Procedure, or the Council or the Commission may lodge***

Amendment

3. ***In the event of non-compliance with Article 3(1), points (a) or (g), Article 3(2), points (a), (b),(e), (f) or (g) or the governance provisions mentioned in paragraph 1, the Authority shall give the*** European political party or European

with the Authority a request for verification of compliance by a specific European political party or European political foundation with the conditions laid down in Article 3(1), point (d), and Article 3(2), point (c) . In such cases, and in the cases referred to in Article 19(3), point (a), the Authority shall ask the committee of independent eminent persons referred to in Article 14 for an opinion on the subject. The committee shall give its opinion within two months.

political foundation concerned the opportunity to introduce the measures required to remedy the situation within the time limit provided for by paragraph 2.

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments.

Amendment 11

Proposal for a regulation

Article 11 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

Where the Authority becomes aware of facts which may give rise to doubts concerning compliance by a specific European political party or European political foundation with the conditions laid down in Article 3(1), point (d), and Article 3(2), point (c), it shall inform the European Parliament, the Council and the Commission with a view to allowing any of them to lodge a request for verification as referred to in the first subparagraph. Without prejudice to the first subparagraph, the European Parliament, the Council and the Commission shall indicate their intention within two months of receiving that information.

deleted

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Moved to 11a

Amendment 12

Proposal for a regulation

Article 11 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

The procedures laid down in the first and second subparagraphs shall not be initiated within a period of two months prior to elections to the European Parliament. That time limit shall not apply with regard to the procedure set out in Article 12. **deleted**

Or. en

Justification

Moved to 11a

Amendment 13

Proposal for a regulation

Article 11 – paragraph 3 – subparagraph 3

Text proposed by the Commission

Amendment

Having regard to the committee's opinion, the Authority shall decide whether to de-register the European political party or European political foundation concerned. The decision of the Authority shall be duly reasoned. **deleted**

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or

because the amendments are inextricably linked to other admissible amendments. Moved to 11a

Amendment 14

Proposal for a regulation

Article 11 – paragraph 3 – subparagraph 4

Text proposed by the Commission

Amendment

A decision of the Authority to de-register on grounds of non-compliance with the conditions set out in Article 3(1), point (d), or Article 3(2), point (c), may only be adopted in the event of manifest and serious breach of those conditions. It shall be subject to the procedure set out in paragraph 4.

deleted

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Moved to 11a

Amendment 15

Proposal for a regulation

Article 11 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. A decision of the Authority to de-register a European political party or foundation on the ground of a manifest and serious breach as regards compliance with the conditions set out in Article 3(1), point (d), or Article 3(2), point (c), shall be communicated to the European Parliament and the Council. The decision shall enter into force only if no objection is expressed by the European Parliament and the Council within a period of three months of the communication of the

4. Upon receipt of the observations from the European political party or the European political foundation concerned or, in absence of such observations, upon expiry of the deadline mentioned in paragraph 2, the Authority shall, without undue delay and in the light of the eventual observations submitted, as well as the eventual corrective measures taken by the party or the foundation, assess whether a de-registration ground under Article 19(1), point (a), or Article 19(2)

decision to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Authority that they will not object. In the event of an objection by the European Parliament and by the Council, the European political party or foundation shall remain registered.

applies to the party or foundation..

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Moved to 11a. This paragraph clarifies that Article 19(1), point (a), and Article 19(2) EP proposal constitute the legal basis for a decision to de-register a European political party or European political foundation, which is adopted following the procedure laid down in Article 11a

Amendment 16

Proposal for a regulation

Article 11 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Amendment

The European Parliament and the Council may object to the decision only on grounds related to the assessment of compliance with the conditions for registration set out of Article 3(1), point (d), and Article 3(2), point (c).

deleted

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Moved to 11a

Amendment 17

Proposal for a regulation

Article 11 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

The European political party or European political foundation concerned shall be informed that objections have been raised to the decision of the Authority to de-register it. *deleted*

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Moved to 11a

Amendment 18

Proposal for a regulation

Article 11 – paragraph 4 – subparagraph 3

Text proposed by the Commission

Amendment

The European Parliament and the Council shall adopt a position in accordance with their respective decision-making rules as established in conformity with the Treaties. Any objection shall be duly reasoned and shall be made public. *deleted*

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Moved to 11a

Amendment 19

Proposal for a regulation Article 11 – paragraph 5

Text proposed by the Commission

Amendment

5. A decision of the Authority to de-register a European political party or a European political foundation, to which no objections have been raised under the procedure laid down in paragraph 4, together with the detailed grounds for de-registration, shall be notified to the European political party or foundation concerned and published in the Official Journal of the European Union. The decision shall take effect upon notification in accordance with Article 297 TFEU. **deleted**

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Moved and consolidated to 19(3).

Amendment 20

Proposal for a regulation Article 11 – paragraph 6

Text proposed by the Commission

Amendment

6. 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 Register. **deleted**

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or

because the amendments are inextricably linked to other admissible amendments. Moved to 19(2)

Amendment 21

Proposal for a regulation Article 11 a (new) – title

Text proposed by the Commission

Amendment

Article 11 a

***Verification of the registration conditions
relating to the values on which the Union
is founded***

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Moved from 11(3)

Amendment 22

Proposal for a regulation Article 11 a (new) – paragraph 1

Text proposed by the Commission

Amendment

1. The European Parliament, acting on its own initiative or following a reasoned request from a group of citizens, submitted in accordance with the relevant provisions of its Rules of Procedure, or the Council or the Commission may lodge with the Authority a request for verification of compliance by a specific European political party or European political foundation with the conditions laid down in Article 3(1), points (d) and (e), and Article 3(2), points (c) and (d). In such cases, and in the cases referred to in paragraph 2 of Article 11b , the Authority

shall ask the committee of independent eminent persons referred to in Article 14 for an opinion on the subject. The committee shall give its opinion within two months.

Where the Authority gets knowledge of facts which cast doubt on the compliance by a specific European political party or European political foundation with the conditions laid down in Article 3(1), points (d) and (e), and Article 3(2), points (c) and (d), the Authority shall inform the European Parliament, the Council and the Commission with a view to allowing any of them to lodge a request for verification as referred to in the first subparagraph. Without prejudice to the first subparagraph, the European Parliament, the Council and the Commission shall indicate their intention to lodge a request for verification within two months of receiving that information.

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. It Moved from 11(3). The Commission introduces two new registration requirements in Article 3(1), point (e), COM proposal and Article 3(2), point (d), COM proposal, which concern observation of the values on which the Union is founded by the member parties/member organisations of a EPP/EPF.

Amendment 23

Proposal for a regulation Article 11 a (new) – paragraph 2

Text proposed by the Commission

Amendment

2. The procedures laid down in paragraph 1 shall not be initiated within a period of two months prior to elections to the European Parliament. That time limit

shall not apply with regard to the procedure set out in Article 12.

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments.

Amendment 24

**Proposal for a regulation
Article 11 a (new) – paragraph 3**

Text proposed by the Commission

Amendment

3. Having regard to the committee's opinion, the Authority shall decide whether to de-register the European political party or European political foundation concerned. The decision of the Authority shall be duly reasoned.

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments.

Amendment 25

**Proposal for a regulation
Article 11 a (new) – paragraph 4**

Text proposed by the Commission

Amendment

4. A decision of the Authority to de-register on grounds of non-compliance with the conditions set out in Article 3(1), points (d) or (e), or Article 3(2), points (c) or (d), shall only be adopted in the event

of manifest and serious breach of those conditions. It shall be subject to the procedure set out in paragraph 5.

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments.

Amendment 26

**Proposal for a regulation
Article 11 a (new) – paragraph 5**

Text proposed by the Commission

Amendment

5. A decision of the Authority to de-register a European political party or foundation on the ground of a manifest and serious breach as regards compliance with the conditions set out in Article 3(1), points (d) or (e), or Article 3(2), points (c) or (d), shall be communicated to the European Parliament and the Council. The decision shall enter into force only if no objection is expressed by the European Parliament and the Council within a period of three months of the communication of the decision to them or if, before the expiry of that period, the European Parliament and the Council have both informed the Authority that they will not object. In the event of an objection by the European Parliament and by the Council, the European political party or foundation shall remain registered.

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments.

Amendment 27

Proposal for a regulation Article 11 a (new) – paragraph 6

Text proposed by the Commission

Amendment

6. The European Parliament and the Council may object to the decision only on grounds related to the assessment of compliance with the conditions for registration set out of Article 3(1), points (d) or (e), and Article 3(2), points (c) or (d).

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments.

Amendment 28

Proposal for a regulation Article 11 a (new) – paragraph 7

Text proposed by the Commission

Amendment

7. The European political party or European political foundation concerned shall be informed by the Authority that objections have been raised to the decision of the Authority to de-register it.

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments.

Amendment 29

Proposal for a regulation

Article 11 a (new) – paragraph 8

Text proposed by the Commission

Amendment

8. The European Parliament and the Council shall adopt a position in accordance with their respective decision-making rules established in conformity with the Treaties. Any objection shall be duly reasoned and shall be made public.

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments.

Amendment 30

Proposal for a regulation

Article 11 b (new) – title

Text proposed by the Commission

Amendment

Article 11 b

Verification of obligations under national law

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments.

Amendment 31

Proposal for a regulation

Article 11 b (new) – paragraph 1

1. If a European political party or a European political foundation has failed to fulfil relevant obligations under national law applicable by virtue of the first subparagraph of Article 17(2) and if, in the light of the fundamental right of freedom of association enshrined in Article 12 EU Charter of Fundamental Rights and the need to ensure pluralism of political parties in Europe, that failure is serious enough to justify its de-registration, the Member State of the seat may address to the Authority a request for de-registration. This request shall be duly reasoned. In particular, it shall identify precisely and exhaustively the illegal actions and the specific national requirements that have not been complied with.

Or. en

Justification

This amendment is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. If a European political party or a European political foundation has failed to fulfil relevant obligations under national law applicable by virtue of the first subparagraph of Article 17(2) and if, in the light of the fundamental right of freedom of association enshrined in Article 12 EU Charter of Fundamental Rights and the need to ensure pluralism of political parties in Europe, this failure is seriously enough to justify its de-registration, the Member State of the seat may address to the Authority a request for de-registration. This request shall be duly reasoned. In particular, it shall identify precisely and exhaustively the illegal actions and the specific national requirements that have not been complied with. This addition intends to clarify the notion of “serious” failure of obligations under national law.

Amendment 32

**Proposal for a regulation
Article 11 b (new) – paragraph 2**

Text proposed by the Commission

Amendment

2. If the subject matter of the Member States' request relates exclusively or predominantly to elements affecting respect of the values on which the Union is founded, as expressed in Article 2 TEU, the Authority shall initiate a verification procedure in accordance with Article 11a.

Or. en

Justification

Article 19(3), first subparagraph, second sentence, point (a) of the proposal and Article 19(3), second subparagraph, COM proposal. This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 33

Proposal for a regulation

Article 11 b (new) – paragraph 3

Text proposed by the Commission

Amendment

3. For any other matter, where, in its request pursuant to paragraph 1, the Member State confirms that (a) an effective remedy against such a request exists on national level and (b) all remedies concerning such a request have been exhausted, the Authority shall, after hearing the representative of the European political party or European political foundation concerned, assess whether the de-registration ground under Article 19(1), point (d), applies to the European political party or European political foundation concerned.

Or. en

Justification

Article 19(3), third subparagraph, moved here. Clarification that the remedy on the national level must be effective. Corrective measures under Article 33 are not applicable as the authority does not have the relevant competence to verify compliance. This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 34

Proposal for a regulation

Article 11 b (new) – paragraph 4

Text proposed by the Commission

Amendment

4. In all cases, the Authority shall act without undue delay. The Authority shall inform the Member State concerned and the European political party or European political foundation concerned of how the reasoned request for de-registration has been followed up.

Or. en

Justification

Article 19(3), penultimate and last sentence moved here. This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 35

Proposal for a regulation

Article 12 – paragraph 4

Text proposed by the Commission

Amendment

4. Having regard to the committee's opinion, the Authority shall decide, pursuant to Article **30(2)**, point (a)(vii), whether to impose financial sanctions on the European political party or European political foundation concerned. The decision of the Authority shall be duly reasoned, in particular with regard to the

4. Having regard to the committee's opinion, the Authority shall decide, pursuant to Article **30(1)**, point (a)(vii), whether to impose financial sanctions on the European political party or European political foundation concerned. The decision of the Authority shall be duly reasoned, in particular with regard to the

committee's opinion, and shall be published expeditiously.

committee's opinion, and shall be published expeditiously.

Or. en

Justification

Updated reference. This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 36

**Proposal for a regulation
Article 12 – paragraph 5**

Text proposed by the Commission

Amendment

5. The procedure set out in this Article is without prejudice to the procedure set out in Article 11.

5. The procedure set out in this Article is without prejudice to the procedure set out in Article 11 **to 11b**.

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 37

**Proposal for a regulation
Article 19 – paragraph 1**

Text proposed by the Commission

Amendment

1. A European political party or a European political foundation shall lose its European legal personality **upon the notification of a decision pursuant to Article 11(5)** .

1. A European political party or a European political foundation shall lose its European legal personality upon **removal from the Register by a decision of the Authority:**

(a) if, in the context of the procedure laid down in Article 11, the Authority finds that

(i) one of the conditions for registration laid down in Article 3(1), points (a),(b), (c), (f) or (g), or in Article 3(2), points (a),

(b), (e), (f) or (g), is not complied with by the party or foundation in question;

(ii) one of the governance provisions set out Article 4(1), points (a), (b), (d), (e) and (f), or in Article 6(1), points (a) to (e) or (g), is not complied with by the party or foundation in question;

(iii) the party or foundation in question is in one of the situations of exclusion referred to in Article 136(1) of Regulation (EU, Euratom) 2018/1046;

(iv) the decision to register the party or foundation in question is based on information decisive for the registration decision that was incorrect or misleading and, , or where the decision has been obtained by deceit;

(b) if, in the context of the procedure laid down in Article 11a, the Authority finds that the conditions for registration laid down in Article 3(1), points (d) or (e), or Article 3(2), points (c) or (d), concerning respect for the values expressed in Article 2 TEU, have been manifestly and seriously breached by the European political party in question or by its member parties or by the European political foundation in question or its member organisations;

(c) at the request of the European political party or European political foundation concerned; or

(d) at the request of a Member State that fulfils the requirements laid down in Article 11b(1) and (3).

Or. en

Justification

Article 19(1) is moved here as it is preferable to start with the legal basis for the adoption of a de-registration decision before dealing with the rules governing its notification, entry into effect and publication. This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 38

Proposal for a regulation

Article 19 – paragraph 2 – introductory part

Text proposed by the Commission

2. A European political party *or* a European political foundation ***shall be removed*** from the Register ***by a decision of the Authority:***

Amendment

2. ***If the Authority decides to remove*** a European political party ***from the Register, it shall also remove*** a European political foundation ***affiliated to it*** from the Register.

Or. en

Justification

Proposal consolidates the rules, which were laid down in Article 11(6) of the proposal and Article 19(2), point (b), of the proposal, since it applies to all cases where a European political party to which the European political foundation is affiliated is removed from the Register according to revised Article 19(1) proposal. This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 39

Proposal for a regulation

Article 19 – paragraph 3

Text proposed by the Commission

3. ***If a European political party or a European political foundation has seriously failed to fulfil relevant obligations under national law applicable by virtue of the first subparagraph of Article 17(2), the Member State of the seat may address to the Authority a duly reasoned request for de-registration which shall identify precisely and exhaustively the illegal actions and the specific national requirements that have not been complied with. In such cases, the Authority shall:***

(a) for matters relating exclusively or predominantly to elements affecting respect for the values on which the Union is founded, as expressed in Article 2 TEU,

Amendment

deleted

initiate a verification procedure in accordance with Article 11(3) of this Regulation . Article 11(4), (5) and (6) of this Regulation shall also apply;

(b) for any other matter, and when the reasoned request of the Member State concerned confirms that all national remedies have been exhausted, decide to remove the European political party or European political foundation concerned from the Register.

If a European political party or a European political foundation has seriously failed to fulfil relevant obligations under national law applicable by virtue of the second subparagraph of Article 17(2), and if the matter relates exclusively or predominantly to elements affecting respect of the values on which the Union is founded, as expressed in Article 2 TEU, the Member State concerned may address a request to the Authority in accordance with the provisions of the first subparagraph of this paragraph. The Authority shall proceed in accordance with the first subparagraph, point (a), of this paragraph.

In all cases, the Authority shall act without undue delay. The Authority shall inform the Member State concerned and the European political party or European political foundation concerned of the follow-up given to the reasoned request for de-registration.

Or. en

Justification

Moved to 11b. This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 40

Proposal for a regulation Article 19 – paragraph 4

Text proposed by the Commission

4. ***The Authority shall fix the date of the publication referred to in paragraph 1 after consultation with the Member State in which the European political party or European political foundation has its seat.***

Amendment

4. ***The decision on the removal shall be addressed, to the European political party or European political foundation concerned. It shall take effect upon notification to the European political party or European political foundation concerned in accordance with Article 297 TFEU. The decision shall be published in the Official Journal of the European Union.***

Or. en

Justification

Article 11(5) of the proposal and Article 19(1) of the proposal have been consolidated here. Decisions on the removal fall within the scope of the Article 297(2) TFEU. Decision shall take effect upon notification, consultation with MS therefore has no practical effect. This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 41

Proposal for a regulation Article 20 – paragraph 3

Text proposed by the Commission

3. For the purposes of determining eligibility for funding from the general budget of the European Union in accordance with paragraph 1 of this Article and Article 3(1), point (b), and for the application of Article 22(1), a member of the European Parliament shall be considered as a member of only one European political party, which shall, ***where relevant***, be the one to which their national or regional political party is affiliated on the final date for the submission of applications for funding.

Amendment

3. For the purposes of determining eligibility for funding from the general budget of the European Union in accordance with paragraph 1 of this Article and Article 3(1), point (b), and for the application of Article 22(1), a member of the European Parliament shall be considered as a member of only one European political party, which shall, be the one to which their national or regional political party is affiliated on the final date for the submission of applications for funding.

Direct membership shall be accepted when a Member of the European Parliament is not member of a national or regional party affiliated to a European political party.

Or. en

Justification

This paragraph leaves a margin for interpretation concerning the prevalence of “indirect” membership (through a national or regional party) over “direct” membership. The amendments intends to clarify that both types of membership are relevant.

Amendment 42

**Proposal for a regulation
Article 21 – paragraph 2**

Text proposed by the Commission

2. The European political party and the European political foundation shall , at the time of its application, comply with the obligations listed in Article 26 From the date of its application until the end of the financial year or of the action covered by the contribution or grant, it shall remain registered in the Register and shall not be the subject of any of the sanctions provided for in Article 30(1) **and in Article 30(2)** , points (a) (v) **to (ix)** .

Amendment

2. The European political party and the European political foundation shall , at the time of its application, comply with the obligations listed in Article 26 From the date of its application until the end of the financial year or of the action covered by the contribution or grant, it shall remain registered in the Register and shall not be the subject of any of the sanctions provided for in Article 30(1), points (a) (v) **and (vi)** .

Or. en

Justification

Article 30(1) of the proposal should be deleted since de-registration decisions should not be qualified as sanctions. The legal bases for all the de-registration decisions have been consolidated in revised Article 19(1) and (2). Article 30(2) (vii) to (ix) of the proposal do not lead to the withdrawal of the funding decision.

Amendment 43

**Proposal for a regulation
Article 21 – paragraph 3**

Text proposed by the Commission

Amendment

3. A European political party shall include in its application evidence demonstrating that its EU member parties have, as a rule, published on their websites, in accordance with Article 4(1), point (i), , throughout the 12 months preceding the final date for submission of applications, the political programme and logo of the European political party. **deleted**

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text and is related to other admissible amendments. The proposal introduces financial sanctions related to the display of the logo and gender balance. They should not be criteria for funding as they are under the control of the Authority, whereas funding is under control of the EP Authorising officer.

Amendment 44

Proposal for a regulation Article 21 – paragraph 4

Text proposed by the Commission

Amendment

4. A European political party shall include in its application evidence demonstrating its compliance with Article 4(1), point (j), and that its member parties have continuously published on their websites, during 12 months preceding the moment at which the application is made, information on the gender representation among the candidates at the last elections to the European Parliament and on the evolution of gender representation among their Members of the European Parliament. **deleted**

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text and is related to other admissible amendments. The proposal introduces financial sanctions related to the display of the logo and gender balance. They should not be criteria for funding as they are under the control of the Authority, whereas funding is under control of the EP Authorising officer.

Amendment 45

Proposal for a regulation Article 23 – title

Text proposed by the Commission

Donations, contributions and own resources

Amendment

Donations, contributions and ***ancillary*** own resources

Or. en

Amendment 46

Proposal for a regulation Article 23 – paragraph 2 – introductory part

Text proposed by the Commission

2. European political parties and European political foundations shall, at the time of the submission of their annual financial statements in accordance with Article 26, also transmit a list of all donors with their corresponding donations, indicating both the nature and the value of the individual donations. This paragraph shall also apply to contributions made by member parties of European political parties and member organisations of European political foundations.

Amendment

2. European political parties and European political foundations shall, at the time of the submission of their annual financial statements in accordance with Article 26, also transmit a list of all donors with their corresponding donations, indicating both the nature and the value of the individual donations. This paragraph shall also apply to contributions made by member parties of European political parties and member organisations of European political foundations ***and to contributions exceeding EUR 1 500 made by individual members of European political parties and European political foundations.***

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 47

Proposal for a regulation

Article 23 – paragraph 2 – subparagraph 1

Text proposed by the Commission

For donations from natural persons the value of which exceeds EUR 1500 and is below or equal to EUR 3000, the European political party or European political foundation concerned shall indicate whether the corresponding *donors* have given their prior written consent to publication in accordance with Article 36(1), point (e).

Amendment

For donations *and contributions* from natural persons the value of which exceeds EUR 1 500 and is below or equal to EUR 3 000, the European political party or European political foundation concerned shall indicate whether the corresponding *natural persons* have given their prior written consent to publication in accordance with Article 36(1), point (e).

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 48

Proposal for a regulation

Article 23 – paragraph 5 – introductory part

Text proposed by the Commission

5. For all donations the value of which exceeds EUR 3000, European political parties and European political foundations shall request donors to provide the necessary information for their proper identification. European political parties and European political foundations shall transmit the information received to the Authority upon its request.

Amendment

5. For all donations the *cumulated annual* value of which exceeds EUR 3 000 *from the same donor*, European political parties and European political foundations shall request donors to provide the necessary information for their proper identification. European political parties and European political foundations shall transmit the information received to the Authority upon its request.

Or. en

Amendment 49

Proposal for a regulation Article 23 – paragraph 9

Text proposed by the Commission

9. Contributions from members of a European political party that have their seat in, or are citizens of, a Member State or from member parties that have their seat in a country belonging to the Council of Europe shall be permitted. The total value of contributions from members shall not exceed 40 % of the annual budget of a European political party. The value of contributions from member parties that have their seat in a country outside the Union shall not exceed **10%** of the total contributions from members.

Amendment

9. Contributions from members of a European political party that have their seat in, or are citizens of, a Member State or from member parties that have their seat in a country belonging to the Council of Europe shall be permitted. The total value of contributions from members shall not exceed 40 % of the annual budget of a European political party. The value of contributions from member parties that have their seat in a country outside the Union shall not exceed **20 %** of the total contributions from members.

Or. en

Amendment 50

Proposal for a regulation Article 23 – paragraph 10 – introductory part

Text proposed by the Commission

10. Contributions from members of a European political foundation that have their seat in, or are citizens of, a Member State or from member organisations that have their seat in a country belonging to the Council of Europe, and from the European political party with which it is affiliated, shall be permitted. The total value of contributions from members shall not exceed 40 % of the annual budget of a European political foundation and shall not derive from funds received by a European political party pursuant to this Regulation from the general budget of the European Union. The value of contributions from

Amendment

10. Contributions from members of a European political foundation that have their seat in, or are citizens of, a Member State or from member organisations that have their seat in a country belonging to the Council of Europe, and from the European political party with which it is affiliated, shall be permitted. The total value of contributions from members shall not exceed 40 % of the annual budget of a European political foundation and shall not derive from funds received by a European political party pursuant to this Regulation from the general budget of the European Union. The value of contributions from

member organisations that have their seat in a country outside the Union shall not exceed **10%** of the total contributions from members.

member organisations that have their seat in a country outside the Union shall not exceed **20 %** of the total contributions from members.

Or. en

Amendment 51

Proposal for a regulation Article 23 – paragraph 13

Text proposed by the Commission

13. The value of own resources of a European political party or of a European political foundation generated from own economic activities shall not exceed 5% of the **annual budget** of that European political party or European political foundation.

Amendment

13. The value of **ancillary** own resources of a European political party or of a European political foundation generated from own economic activities shall not exceed 5 % of the **generated by contributions** of that European political party or European political foundation.

Or. en

Justification

5% of the annual budget represents the co-financing level required in the funding procedure (95% by EU funding). This is covered by contributions plus donations plus ancillary own resources. Therefore to relate only the ancillary own resources to this percentage is not coherent

Amendment 52

Proposal for a regulation Article 25 – paragraph 1

Text proposed by the Commission

1. Notwithstanding Article 24(1), the funding of European political parties from the general budget of the European Union or from any other source shall not be used for the direct or indirect funding of other political **parties**, and in particular national parties or candidates. Those national

Amendment

1. Notwithstanding Article 24(1), the funding of European political parties from the general budget of the European Union or from any other source shall not be used for the direct or indirect funding of other political **entities**, and in particular national parties or candidates. Those national

political parties and candidates shall continue to be governed by national rules.

political parties and candidates shall continue to be governed by national rules.

Or. en

Justification

This amendment is justified by pressing reasons relating to the internal logic of the text. A strict application of the definition of a political party in article 2(1) would mean that this prohibition applies only for funding parties from EU. In practice, European parties have joint projects also with parties from non-EU countries. This prohibition should clearly apply to them too.

Amendment 53

Proposal for a regulation

Article 26 – paragraph 1 – introductory part

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 **Authority, with a copy to the** Authorising Officer of the European Parliament and to the competent National Contact Point of the Member State of their seat:

Amendment

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 Authorising Officer of the European Parliament **with a copy to the Authority** and to the competent National Contact Point of the Member State of their seat:

Or. en

Justification

This amendment is justified by pressing reasons relating to the internal logic of the text.

Amendment 54

Proposal for a regulation

Article 27 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Authority shall control compliance by European political parties and European political foundations with their obligations under this Regulation, in

Amendment

2. The Authority shall control compliance by European political parties and European political foundations with their obligations under this Regulation, in

particular in relation to Article 3, Article 4(1), points (a), (b), (d), (e) and (f), *of* Article 6(1), points (a) to (e) and (g), Article 10(5) and (6), and **Articles 23, 24 and 25**.

particular in relation to Article 3, Article 4(1), points (a), (b), (d), (e) and (f), Article 6(1), points (a) to (e) and (g), Article 10(5) and (6), and **Article 23**.

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 55

Proposal for a regulation

Article 27 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The Authorising Officer of the European Parliament shall control compliance by European political parties and European political foundations with the obligations relating to Union funding under this Regulation *in accordance with* Regulation (EU, Euratom) 2018/1046 . In carrying out such controls, the European Parliament shall take the necessary measures in the fields of the prevention of and the fight against fraud affecting the financial interests of the Union.

Amendment

The Authorising Officer of the European Parliament shall control compliance by European political parties and European political foundations with the obligations relating to Union funding under this Regulation *and under* Regulation (EU, Euratom) 2018/1046 . In carrying out such controls, the European Parliament shall take the necessary measures in the fields of the prevention of and the fight against fraud affecting the financial interests of the Union.

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. This modification clarifies that the European Parliament does not only control the obligations of this Regulation in the light of the Financial Regulation, but controls both, the obligations emanating from this Regulation as well as those emanating from the Financial Regulation.

Amendment 56

Proposal for a regulation

Article 30 – paragraph 1

- 1. In accordance with Article 19, the Authority shall decide to remove a European political party or a European political foundation from the Register by way of sanction in any of the following situations:**
- (a) where the party or foundation in question is in one of the situations of exclusion referred to in Article 136(1) of Regulation (EU, Euratom) 2018/1046 ;**
- (b) where it is established, in accordance with the procedures set out in Article 11(2) to (5), that it no longer fulfils one or more of the conditions set out in Article 3(1) or (2);**
- (c) where a decision to register the party or foundation in question is based on incorrect or misleading information for which the applicant is responsible, or where such a decision has been obtained by deceit;**
- (d) where a request by a Member State for de-registration on grounds of serious failure to fulfil obligations under national law meets the requirements set out in Article 19(3), point (b).**

deleted

Or. en

Justification

Article 30(1) of the proposal should be deleted as de-registration decisions should not be qualified as ‘sanctions’. The legal bases for all de-registration decisions have been consolidated in the revised Article 19(1) and (2).

Amendment 57

**Proposal for a regulation
Article 30 – paragraph 2 – point a – point viii**

Text proposed by the Commission

Amendment

(viii) in the event of failure to provide evidence on the use of logos and publication of political programmes in accordance with Article 21(3);

deleted

Or. en

Amendment 58

Proposal for a regulation

Article 30 – paragraph 2 – point a – point ix

Text proposed by the Commission

Amendment

(ix) in the event of failure to provide evidence on gender representation in accordance with Article 21(4).

deleted

Or. en

Amendment 59

Proposal for a regulation

Article 30 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. For the purposes of paragraphs **2 and 3**, the following financial sanctions shall be imposed on a European political party or a European political foundation:

4. For the purposes of paragraphs **1 and 2**, the following financial sanctions shall be imposed on a European political party or a European political foundation:

Or. en

Justification

This amendment is justified by pressing reasons relating to the internal logic of the text.

Amendment 60

Proposal for a regulation

Article 30 – paragraph 4 – point b – introductory part

Text proposed by the Commission

(b) in cases of quantifiable infringements, a fixed percentage of the amount of the irregular sums received or not reported in accordance with the following scale, up to a maximum of 10 % of the annual budget of the European political party or European political foundation concerned:

Amendment

(b) in cases of quantifiable infringements, a fixed percentage of the amount of the irregular sums received or not reported ***or of the sums used for prohibited funding activities***, in accordance with the following scale, up to a maximum of 10 % of the annual budget of the European political party or European political foundation concerned:

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. The wording in Article 27(4) COM proposal should be adapted to include expressly in its scope the infringements related to financing of campaigns and prohibition of funding.

Amendment 61

Proposal for a regulation

Article 30 – paragraph 4 – point b – paragraph 1

Text proposed by the Commission

For the application of the percentages indicated in the first subparagraph, each donation ***or*** contribution shall be considered separately.

Amendment

For the application of the percentages indicated in the first subparagraph, each donation, contribution ***or prohibited funding activity*** shall be considered separately.

Or. en

Amendment 62

Proposal for a regulation

Article 30 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. The Authority shall recover the corresponding amounts from the European political party or the European political foundation on which financial sanctions have been imposed.

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. There is no provision in the Regulation referring to the recovery of the amounts related to sanctions. This new provision aims to clarify that the Authority is responsible for the recovery of the amounts related to sanctions.

Amendment 63

Proposal for a regulation Article 33 – paragraph 1

Text proposed by the Commission

Amendment

1. With a view to fully comply with the obligations referred to in Article 38, before the Authority's final decision relating to any of the sanctions referred to in Article 30, the Authority or the Authorising Officer of the European Parliament shall give the European political party or the European political foundation concerned an opportunity to introduce the measures required to remedy the situation within a reasonable period of time, which shall not normally exceed one month. In particular, the Authority or the Authorising Officer of the European Parliament shall allow the possibility of correcting clerical and arithmetical errors, providing additional documents or information where necessary or correcting minor mistakes.

1. With a view to fully comply with the obligations referred to in Article 38, before the Authority's final decision relating to any of the sanctions referred to in Article **30(1), points (a)(i) to (iv)**, the Authority or the Authorising Officer of the European Parliament shall give the European political party or the European political foundation concerned an opportunity to introduce the measures required to remedy the situation within a reasonable period of time, which shall not normally exceed one month. In particular, the Authority or the Authorising Officer of the European Parliament shall allow the possibility of correcting clerical and arithmetical errors, providing additional documents or information where necessary or correcting minor mistakes.

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. Since it is suggested not to qualify de-registration decisions for non-compliance with conditions for registration as “sanctions” anymore and to delete Article 30(1) of the proposal, Article 33 of the proposal has to be adapted. The scope of Article 33 has been limited to cases where the possibility of corrective measures makes sense.

Amendment 64

Proposal for a regulation Article 33 – paragraph 3

Text proposed by the Commission

Amendment

3. Paragraphs 1 and 2 shall not apply in relation to the conditions set out Article 3(1), points (b) to (f) and in Article 3(2), point (c). **deleted**

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. Since the present Article should not apply to de-registration decisions anymore, Article 33(3) of the proposal has to be deleted.

Amendment 65

Proposal for a regulation Article 34 – title

Text proposed by the Commission

Amendment

Recovery

Withdrawal of the funding decision with effect for the future

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. The distinction between retroactive measures and measures with effect for the future has been maintained. Within the category of withdrawal of the funding decision, withdrawal with effect for the future (Article 34 revised) and retroactive withdrawal (Article 34a revised) are

distinguished. Some of the rules laid down in Article 34 of proposal have already been clarified in the Bureau decision. Where appropriate, these clarifications are proposed to be incorporated into the Regulation.

Amendment 66

Proposal for a regulation Article 34 – paragraph 1

Text proposed by the Commission

Amendment

1. On the basis of a decision of the Authority removing a European political party or a European political foundation from the Register, the Authorising Officer of the European Parliament shall withdraw or terminate any ongoing decision or agreement on Union funding, except in the cases provided for in Article 19(2), point (c), and in Article 3(1), points (b) and (f). They shall also recover any Union funding, including any unspent Union funds from previous years.

deleted

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. Reworded by amending paragraph 2.

Amendment 67

Proposal for a regulation Article 34 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. 1 A European political party or European political foundation on which a sanction has been imposed for any of the infringements listed in Article 30(1) and Article 30(2), points (a) (v) and (vi), shall for that reason no longer be in compliance with Article 21(2). As a result, the Authorising Officer of the European

2. 1. The Authorising Officer of the European Parliament shall *withdraw an ongoing funding decision addressed to a European political party or a European political foundation with effect for the future on the following grounds:*

Parliament shall 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, including any unspent Union funds from previous years. The Authorising Officer of the European Parliament shall also recover amounts unduly paid under the contribution or grant agreement or decision from a natural person in respect of whom a decision pursuant to Article 31 has been taken, taking into account, where applicable, exceptional circumstances relating to that natural person.

(a) on the basis of a decision by the Authority to remove the party or foundation from the Register, with the exception of a decision based on the de-registration ground laid down in Article 19(1)(a), point (iv);

b) on the basis of a sanction decision based on Article 30(1) points (a)(v) and (vi).

Other grounds for the withdrawal of a funding decision with effect for the future may be provided for in the contribution or grant agreement.

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. Under Article 30(1) of the proposal, in the case of a de-registration decision:- based on the grounds that one of the governance provisions set out in Article 4 or in Article 6(1), points of the proposal is no longer complied with by the party or foundation in question; and on Article 11(6) (=Article 19(2) revised proposal), by which the European political foundation is de-registered because its affiliated European political party is de-registered, the funding decision is withdrawn retroactively.

Amendment 68

Proposal for a regulation Article 34 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. *A decision to withdraw the funding decision with effect for the future shall take effect on the day specified in the withdrawal decision or, if no day is specified therein, on the day on which the withdrawal decision is notified to the European political party or European political foundation.*

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. Reflects Bureau decision, Article II.14.3, first paragraph, first sentence of the model funding agreement

Amendment 69

Proposal for a regulation Article 34 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. *The withdrawal of the funding decision with effect for the future shall have the following consequences:*

(a) the contribution or grant agreement will be terminate from the day that the withdrawal decision takes effect;

(b) payments by the Authorising Officer of the European Parliament will be limited to the reimbursable expenditure actually incurred by the European political party or the eligible costs actually incurred by the European political foundation up to the date when the withdrawal decision takes effect

(c) expenditure or costs incurred by the European political party or the European political foundation from the day that the withdrawal of the funding decision takes effect will be qualified as non-

reimbursable expenditure or ineligible costs;

d) the Authorising Officer of the European Parliament will recover all Union funds unduly paid, including

(i) Union funds that have been spent for non-reimbursable expenditure or ineligible costs: and

(ii) any unused Union pre-financing that has not been spent before the date on which the withdrawal decision takes effect, including unspent Union funds from previous years; and

(e) the Authorising Officer of the European Parliament shall recover any amounts unduly paid from a natural person in respect of whom a decision pursuant to Article 34 has been taken.

Or. en

Amendment 70

Proposal for a regulation Article 34 a (new)

Text proposed by the Commission

Amendment

Article 34a

Retroactive withdrawal of the funding decision

1. On the basis of a decision, taken by the Authority removing a European political party or a European political foundation from the Register, based on the de-registration ground laid down in Article 19(1), point (a) (iv), the Authorising Officer of the European Parliament shall withdraw funding decisions addressed to the party or foundation concerned with retroactive effect from the date of the adoption of those decisions.

2. The retroactive withdrawal of the funding decision shall have the following

consequences:

(a) the contribution or grant agreement will be terminated from the day of the notification of that termination to the party or foundation concerned;

(b) all expenditure or costs incurred by the European political party or the European political foundation will to be qualified as non-reimbursable expenditure or ineligible costs; and

(c) any amount paid under the contribution or grant agreement, along with any unspent Union funds from previous years, will be considered to be undue payments and will be recovered under the applicable rules of the Financial Regulation.

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. Retroactive withdrawal of a funding decision is justified in the case where the de-registration of the European political party or European political foundation concerned is based on the ground that the decision to register the party or foundation in question was based on incorrect or misleading information for which the applicant is responsible, or where such a decision has been obtained by deceit. It is proposed to extend the retroactive effect to all funding decisions, not only the ongoing one

Amendment 71

Proposal for a regulation

Article 36 – paragraph 1 – introductory part

Text proposed by the Commission

1. The European Parliament, under the authority of its Authorising Officer or under that of the Authority, shall make public the following on a *website* created for that purpose, in an open, machine readable format :

Amendment

1. The European Parliament *or the Authority*, under the authority of its Authorising Officer or under that of the Authority, shall, *in accordance with their respective responsibilities*, make public the following on a *websites* created for that purpose, in an open, machine readable format :

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. This modification aims to clarify that the European Parliament and the Authority are independent bodies.

Amendment 72**Proposal for a regulation****Article 36 – paragraph 1 – point f***Text proposed by the Commission*

(f) the contributions referred to in Article 23(9) and (10) and reported by European political parties and European political foundations in accordance with Article 23(2), including the identity of the member parties or organisations which made those contributions;

Amendment

(f) the contributions referred to in Article 23(9) and (10) and reported by European political parties and European political foundations in accordance with Article 23(2), including the identity of the ***individual members***, member parties or organisations which made those contributions, with the exception of ***contributions above EUR 1 500 up to and including EUR 3 000 per year from natural persons where those persons have not given their written consent to such publication.***

Justification

This amendment is required by pressing reasons relating to the internal logic of the text.

Amendment 73**Proposal for a regulation****Article 36 – paragraph 2***Text proposed by the Commission*

2. The ***European Parliament*** shall make public the list of legal persons who are members of a European political party, as annexed to the party statutes in

Amendment

2. The ***Authority*** shall make public the list of legal persons who are members of a European political party, as annexed to the party statutes in accordance with

accordance with Article 4(2) and updated in accordance with Article 10(6), as well as the total number of individual members.

Article 4(2) and updated in accordance with Article 10(6), as well as the total number of individual members.

Or. en

Justification

This amendment is required by pressing reasons relating to the internal logic of the text. Both Article 4(2) and 10(6) refer to competencies assigned to the Authority, who receives this information and any update from the parties.

Amendment 74

**Proposal for a regulation
Article 44 – paragraph 2**

Text proposed by the Commission

Amendment

2. Regarding the applications for funding for the first financial year following the entry into force of this Regulation, the Authorising Officer of the European Parliament shall only request the evidence referred to in Article 21(4) and (5) for the 6 months period preceding the application.

deleted

Or. en

Justification

This amendment is justified by pressing reasons relating to the internal logic of the text.

ANNEX: OPINION OF THE CONSULTATIVE WORKING PARTY OF THE LEGAL SERVICES OF THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COMMISSION



CONSULTATIVE WORKING PARTY
OF THE LEGAL SERVICES

Brussels, 22 March 2022

OPINION

**FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT
THE COUNCIL
THE COMMISSION**

**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 (recast)
COM(2021)0734 of XX.XX.20XX – 2021/0375(COD)**