

P7_TA(2012)0502

EP Rules of Procedure: amendment of Rule 123 on written declarations and Rule 42 on legislative initiatives

European Parliament decision of 13 December 2012 on amendment of Rules 123 and 42 of Parliament's Rules of Procedure: written declarations and legislative initiatives (2011/2058(REG))

The European Parliament,

- having regard to the letter from its President of 11 November 2010,
- having regard to its Policy Department's study entitled "Written declarations in the European Parliament – A review of process and impact" (PE 462.424),
- having regard to Rules 211 and 212 of its Rules of Procedure,
- having regard to the report of the Committee on Constitutional Affairs (A7-0242/2012),

Whereas:

- A. Parliament has over the years considerably extended its powers, securing for itself substantial tools enabling it to influence the decision-making process of the European Union in most of the Union's activities;
- B. the institutions to which a written declaration is addressed should ensure that it is properly followed up;
- C. written declarations serve as a useful vehicle for raising issues of particular concern to Union citizens;
- D. written declarations are used regularly but not in very great numbers; only a small percentage of them obtain the required support of a majority of Parliament's component members;
- E. the majority of written declarations lapse after the period laid down in the Rules of Procedure;
- F. the majority of adopted written declarations are addressed to the Commission, which is recognised to be the only institution that has responded to the issues raised therein;
- G. those responses are in most cases limited to reiterating ongoing activities of the Commission and only in exceptional cases include a specific activity prompted by a written declaration;
- H. in the light of Parliament's increased prerogatives, as well as the introduction of the European citizens' initiative, the significance of written declarations has changed, though they still can be a useful tool enabling Members to raise awareness on issues of public concern;

- I. written declarations have a very limited impact, in terms of both agenda-setting and influencing decisions taken by the institutions, and may give a misleading impression as to their effectiveness; when properly used, however, they still retain value as a popular campaigning tool; for proposals calling for a legislative action, Rule 42(2) should be used, giving individual Members a real opportunity to influence Union legislation and to incorporate a given proposal into the work of Parliament's committees;
 - J. the quality and relevance of some written declarations, and in particular their concordance with the competences of the Union as set out in Title I of Part I of the Treaty on the Functioning of the European Union, can be underwhelming; in the next term, therefore, Parliament might assess the impact of the new provisions of its Rules of Procedure concerning written declarations and examine their effectiveness;
1. Decides to amend its Rules of Procedure as shown below;
 2. Takes the view that the institutions to which a written declaration is addressed should inform Parliament about the intended follow-up within three months from receipt of such a declaration; intends, moreover, to seek an agreement with the Commission on this principle on the occasion of the next negotiations on the revision of the Framework Agreement on relations between the European Parliament and the European Commission;
 3. Points out that the amendments will enter into force on the first day of the next part-session;
 4. Welcomes the decision of the Bureau to limit extensive advertising of written declarations, thus allowing untroubled access to Parliament's Chamber for its Members;
 5. Instructs its President to forward this decision to the Council and the Commission, for information.

Amendment 6

Parliament's Rules of Procedure Rule 42 – paragraphs 2 and 3

Present text

2. Any Member may table a proposal for a Union act on the basis of the right of initiative granted to Parliament under Article 225 of the Treaty on the Functioning of the European Union.

3. The proposal shall be submitted to the President, who shall refer *it* to the committee responsible for *consideration*. Before such referral, the proposal shall be

Amendment

2. Any Member may table a proposal for a Union act on the basis of the right of initiative granted to Parliament under Article 225 of the Treaty on the Functioning of the European Union. ***Such a proposal may be tabled together by up to 10 Members. The proposal shall indicate its legal basis and may be accompanied by an explanatory statement of no more than 150 words.***

3. The proposal shall be submitted to the President, who shall ***verify whether the legal requirements are fulfilled. He may refer the proposal for an opinion on the***

translated into those official languages which the Chair of that committee considers necessary in order to make summary consideration possible. The committee shall take a decision on further action within three months of the referral, and after having heard the *author* of the proposal.

Where the committee decides to submit the proposal to Parliament in accordance with the procedure set out in Rule 48, the author of the proposal shall be named in the title of the report.

appropriateness of the legal basis to the committee responsible for such verification. If the President declares the proposal admissible, he shall announce it in plenary and refer it to the committee responsible.

Before such referral *to the committee responsible*, the proposal shall be translated into those official languages which the Chair of that committee considers necessary in order to make summary consideration possible.

The committee may recommend to the President that the proposal be opened for signature by any Member, subject to the modalities and deadlines set out in Rule 123(1a), 123(2) and 123(5).

Where such a proposal is signed by a majority of Parliament's component members, the report on the proposal shall be deemed to be authorised by the Conference of Presidents. The committee shall draw up a report in accordance with Rule 48, after having heard the authors of the proposal.

Where a proposal is not opened for additional signatures or is not signed by a majority of Parliament's component Members the committee responsible shall take a decision on further action within three months of the referral, and after having heard the authors of the proposal.

The *authors* of the proposal shall be named in the title of the report.

Amendment 1

Parliament's Rules of Procedure Rule 123 – paragraph 1

Present text

1. *Up to five* Members may submit a written declaration of not more than 200 words *on* a matter falling within the competence of the European Union *which*

Amendment

1. *At least 10* Members *from at least three political groups* may submit a written declaration of not more than 200 words *relating exclusively to* a matter falling

does not cover issues that are the subject of an ongoing legislative process.

Authorisation *shall be given* by the President *on a case-by-case basis*. Written declarations shall be *printed* in the official languages and distributed. They shall be entered with the names of the signatories, in *a* register. This register shall be public and shall be *kept outside the entrance to the Chamber during part-sessions and in an appropriate location, to be determined by the College of Quaestors, between part-sessions.*

within the competence of the European Union. *The contents of such a declaration may not go beyond the form of a declaration. In particular, it may not call for any legislative action, contain any decision on matters for which specific procedures and competences are laid down in these Rules of Procedure or deal with the subject of ongoing proceedings in Parliament.*

1a. The authorisation to proceed further shall be subject to a reasoned decision by the President pursuant to paragraph 1 in any given case. Written declarations shall be *published* in the official languages *on Parliament's website* and distributed *electronically to all Members*. They shall be entered, with the names of the signatories, in *an electronic* register. This register shall be public and shall be *accessible through Parliament's website. Hard copies of written declarations with signatures will be also kept by the President.*

Amendment 2

Parliament's Rules of Procedure Rule 123 – paragraph 2

Present text

2. The signature of any Member may be added to a declaration entered in the register.

Amendment

2. The signature of any Member may be added to a declaration entered in the *electronic* register. *It may be withdrawn at any time before the end of a period of three months from the entry of the declaration in the register. In the event of such a withdrawal the Member concerned shall not be permitted to add his or her signature again to the declaration.*

Amendment 7

Parliament's Rules of Procedure Rule 123 – paragraph 3

Present text

3. Where a declaration is signed by a majority of Parliament's component Members, the President shall notify Parliament accordingly **and publish** the names of the signatories ***in the minutes and the declaration as a text adopted.***

Amendment

3. Where, ***at the end of a period of three months from its being entered in the register,*** a declaration is signed by a majority of Parliament's component Members, the President shall notify Parliament accordingly. ***Without binding Parliament, the declaration shall be published in the minutes with*** the names of its signatories.

Amendment 4

**Parliament's Rules of Procedure
Rule 123 – paragraph 4 a (new)**

Present text

4a. Where the institutions to which the adopted declaration has been addressed do not inform Parliament about the intended follow-up within three months from its receipt, the matter shall, at the request of one of the authors of the declaration, be placed on the agenda of a subsequent meeting of the committee responsible.

Amendment

Amendment 5

**Parliament's Rules of Procedure
Rule 123 – paragraph 5**

Present text

5. A written declaration that has remained in the register for over three months and ***has not been*** signed by at least one half of the component Members of Parliament shall lapse.

Amendment

5. A written declaration that has remained in the register for over three months and ***is*** not signed by at least one half of the component Members of Parliament shall lapse, ***without any possibility of that three-month period being extended.***