



# RULES OF PROCEDURE

**Draft Provisional Edition**

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**Note to the reader:**

In accordance with Parliament's decisions on the use of gender-neutral language in its documents, the Rules of Procedure have been adapted to take account of the guidelines on that subject approved by the High Level Group on Gender Equality and Diversity on 13 February 2008 and endorsed by the Bureau on 19 May 2008.

Interpretations of the Rules (pursuant to Rule 226) are in *italic script*.

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# TITLE I

## MEMBERS, PARLIAMENT BODIES AND POLITICAL GROUPS

### CHAPTER 1

#### MEMBERS OF THE EUROPEAN PARLIAMENT

##### **Rule 1**

###### **The European Parliament**

1. The European Parliament is the assembly elected pursuant to the Treaties, the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage and national legislation deriving from the Treaties.

2. Persons elected to the European Parliament shall be referred to as:

"Членове на Европейския парламент" in Bulgarian,

"Diputados al Parlamento Europeo" in Spanish,

"Poslanci Evropského parlamentu" in Czech,

"Medlemmer af Europa-Parlamentet" in Danish,

"Mitglieder des Europäischen Parlaments" in German,

"Euroopa Parlamendi liikmed" in Estonian,

"Βουλευτές του Ευρωπαϊκού Κοινοβουλίου" in Greek,

"Members of the European Parliament" in English,

"Députés au Parlement européen" in French,

"Feisirí de Pharlaimint na hEorpa" in Irish,

"Zastupnici u Europskom parlamentu" in Croatian,

"Deputati al Parlamento europeo" in Italian,

"Eiropas Parlamenta deputāti" in Latvian,

"Europos Parlamento nariai" in Lithuanian,

"Európai Parlamenti Képviselők" in Hungarian,

"Membri tal-Parlament Ewropew" in Maltese,

"Leden van het Europees Parlement" in Dutch,

"Posłowie do Parlamentu Europejskiego" in Polish,

"Deputados ao Parlamento Europeu" in Portuguese,

"Deputați în Parlamentul European" in Romanian,

"Poslanci Európskeho parlamentu" in Slovak,

"Poslanci Evropskega parlamenta" in Slovene,

"Euroopan parlamentin jäsenet" in Finnish,

"Ledamöter av Europaparlamentet" in Swedish.

## Rule 2

### The independent mandate

In accordance with Article 6(1) of the Act of 20 September 1976 and with Article 2(1) and Article 3(1) of the Statute for Members of the European Parliament, Members shall exercise their mandate freely and independently, shall not be bound by any instructions and shall not receive a binding mandate.

## Rule 3

### Verification of credentials

1. Following elections to the European Parliament, the President shall invite the competent authorities of the Member States to notify Parliament without delay of the names of the elected Members so that all Members may take their seats in Parliament with effect from the opening of the first sitting following the elections.

At the same time, the President shall draw the attention of those authorities to the relevant provisions of the Act of 20 September 1976 and invite them to take the necessary measures to avoid any incompatibility with the office of Member of the European Parliament.

2. Members whose election has been notified to Parliament shall declare in writing, before taking their seat in Parliament, that they do not hold any office incompatible with that of Member of the European Parliament within the meaning of Article 7(1) or (2) of the Act of 20 September 1976. Following general elections, the declaration shall be made, where possible, no later than six days prior to Parliament's constitutive sitting. Until such time as Members' credentials have been verified or a ruling has been given on any dispute, and provided that they have previously signed the above-mentioned written declaration, they shall take their seat in Parliament and on its bodies and shall enjoy all the rights attaching thereto.

Where it is established from facts verifiable from sources available to the public that a Member holds an office incompatible with that of Member of the European Parliament, within the meaning of Article 7(1) and (2) of the Act of 20 September 1976, Parliament, on the basis of the information provided by its President, shall establish that there is a vacancy.

3. On the basis of a report by the committee responsible, Parliament shall verify credentials without delay and rule on the validity of the mandate of each of its newly elected Members and also on any disputes referred to it pursuant to the provisions of the Act of 20 September 1976, other than those which, under that Act, fall exclusively under the national provisions to which that Act refers.

The committee's report shall be based on the official notification by each Member State of the full results of the election, specifying the names of the candidates elected and those of any substitutes, together with their ranking in accordance with the results of the vote.

The validity of the mandate of a Member may not be confirmed unless the written declarations required under this Rule and Annex I to these Rules of Procedure have been made.

4. On the basis of a proposal by the committee responsible, Parliament shall, without delay, verify the credentials of individual Members who are replacing outgoing Members and may at any

time rule on any dispute as to the validity of the mandate of any of its Members.

5. Where the appointment of a Member is due to the withdrawal of candidates from the same list, the committee shall ensure that the withdrawals in question have taken place in accordance with the spirit and the letter of the Act of 20 September 1976 and Rule 4(2).

6. The committee shall ensure that any information which may affect the eligibility of the Member of the European Parliament or the eligibility or the ranking of the substitutes is forwarded to Parliament without delay by the authorities of the Member States or of the Union, with an indication of the date of effect in the case of an appointment.

Should the competent authorities of the Member States initiate a procedure which might lead to the disqualification of a Member from holding office, the President shall ask them to keep him regularly informed of the stage reached in the procedure and shall refer the matter to the committee responsible. On a proposal from that committee, Parliament may adopt a position on the matter.

#### **Rule 4**

##### **Term of office of Members**

1. A Member's term of office begins and ends as laid down in Articles 5 and 13 of the Act of 20 September 1976.

2. Members who resign shall notify the President of their resignation and of the date on which that resignation is to take effect, which may not be more than three months after notification. This notification shall take the form of an official record drawn up in the presence of the Secretary-General or his representative, signed by the latter and by the Member concerned and immediately submitted to the committee responsible, which shall enter it on the agenda of its first meeting following receipt of the document.

If the committee responsible considers that the resignation is in accordance with the Act of 20 September 1976, a vacancy shall be declared with effect from the date indicated by the resigning Member in the official record, and the President shall inform Parliament thereof.

If the committee responsible considers that the resignation is not in compliance with the Act of 20 September 1976, it shall propose to Parliament that it not declare a vacancy.

3. Where no meeting of the committee responsible is scheduled before the next part-session, the rapporteur of the committee responsible shall immediately examine any resignation that has been duly notified. Where delay in considering the notification would be prejudicial, the rapporteur shall refer the matter to the committee chair, requesting, pursuant to paragraph 2, that:

- the President be informed on behalf of the committee that a vacancy may be declared; or
- an extraordinary meeting of the committee be convened to examine specific difficulties noted by the rapporteur.

4. Where either the competent authorities of the Member States or of the Union or the Member concerned notifies the President of an appointment or election to an office that is incompatible with the office of Member of the European Parliament within the meaning of Article 7(1) or (2) of the Act of 20 September 1976, the President shall inform Parliament thereof, and Parliament shall declare that a vacancy exists from the date of the incompatibility.

Where the competent authorities of the Member States notify the President of the end of the term of office of a Member of the European Parliament as a result either of an additional

incompatibility established by the law of that Member State in accordance with Article 7(3) of the Act of 20 September 1976 or of the withdrawal of the Member's mandate pursuant to Article 13(3) of that Act, the President shall inform Parliament that the term of office of that Member ended on the date communicated by the Member State. Where no such date is communicated, the date of the end of the term of office shall be the date of the notification by that Member State.

5. Where the authorities of the Member States or of the Union inform the President of an assignment they intend to confer on a Member, the President shall refer to the committee responsible the question of the compatibility of the proposed assignment with the Act of 20 September 1976 and shall inform Parliament, the Member and the authorities concerned of the conclusions reached by that committee.

6. When Parliament has established a vacancy, the President shall inform the Member State concerned thereof, and invite it to fill the seat without delay.

7. Where acceptance or termination of office appears to be based on material inaccuracy or vitiated consent, Parliament may declare the appointment under consideration to be invalid or may refuse to establish the vacancy.

## **Rule 5**

### **Privileges and immunities**

1. Members enjoy the privileges and immunities laid down in the Protocol on the Privileges and Immunities of the European Union.

2. In exercising its powers on privileges and immunities, Parliament shall act to uphold its integrity as a democratic legislative assembly and to ensure the independence of its Members in the performance of their duties. Parliamentary immunity is not a Member's personal privilege but a guarantee of the independence of Parliament as a whole and of its Members.

3. A laissez-passer of the European Union allowing a Member to circulate freely in the Member States and in other countries which recognise it as a valid travel document shall be issued by the European Union to a Member on request and subject to authorisation by the President of the Parliament.

4. For the purpose of performing their duties, all Members shall have the right to participate actively in the work of Parliament's committees and delegations in accordance with the provisions of these Rules of Procedure.

5. Members shall be entitled to inspect any files held by Parliament or a committee, other than personal files and accounts which only the Members concerned shall be allowed to inspect. Exceptions to this rule for the handling of documents to which public access may be refused pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents are laid down in Rule 210a.

With the approval of the Bureau, a Member may, on the basis of a reasoned decision, be denied the right to inspect a Parliament document if, after hearing the Member concerned, the Bureau comes to the conclusion that such inspection would cause unacceptable damage to Parliament's institutional interests or to the public interest, and that the Member concerned is seeking to inspect the document for private and personal reasons. The Member may lodge a written appeal against such a decision within one month of notification thereof. In order to be admissible, written appeals must include reasons. Parliament shall reach a decision on the appeal without debate during the part-session that follows its being lodged.

## **Rule 6**

### **Waiver of immunity**

1. Any request for waiver of immunity shall be evaluated in accordance with Articles 7, 8 and 9 of the Protocol on the Privileges and Immunities of the European Union and with the principles referred to in Rule 5(2).
2. Where Members are required to appear as witnesses or expert witnesses, there is no need to request a waiver of immunity, provided:

- that they will not be obliged to appear on a date or at a time which prevents them from performing their parliamentary duties, or makes it difficult for them to perform those duties, or that they will be able to provide a statement in writing or in any other form which does not make it difficult for them to perform their parliamentary duties; and
- that they are not obliged to testify concerning information obtained confidentially in the exercise of their mandate which they do not see fit to disclose.

## **Rule 7**

### **Defence of privileges and immunity**

1. In cases where it is alleged that an infringement of the privileges and immunities of a Member or former Member by the authorities of a Member State has occurred or is about to occur, a request for a Parliament decision as to whether those privileges and immunities have been or are likely to be breached may be made in accordance with Rule 9(1).
2. In particular, such a request for the defence of privileges and immunities may be made if it is considered that the circumstances would constitute an administrative or other restriction on the free movement of Members travelling to or from the place of meeting of Parliament or on an opinion expressed or a vote cast in the performance of their duties, or that they would fall within the scope of Article 9 of the Protocol on the Privileges and Immunities of the European Union.
3. A request for the defence of the privileges and immunities of a Member shall not be admissible if a request for the waiver or defence of that Member's immunity has already been received in respect of the same facts, whether or not a decision was taken at that time.
4. No further consideration shall be given to a request for the defence of the privileges and immunities of a Member if a request for the waiver of that Member's immunity is received in respect of the same facts.
5. In cases where a decision has been taken not to defend the privileges and immunities of a Member, the Member may exceptionally make a request for reconsideration of the decision, by submitting new evidence in accordance with Rule 9(1). The request for reconsideration shall be inadmissible if proceedings have been instituted against the decision under Article 263 of the Treaty on the Functioning of the European Union, or if the President considers that the new evidence submitted is not sufficiently substantiated to warrant reconsideration.

## **Rule 8**

### **Urgent action by the President to assert immunity**

1. As a matter of urgency, in circumstances where a Member is arrested or has his or her freedom of movement curtailed in apparent breach of his or her privileges and immunities, the President, after consulting the chair and rapporteur of the committee responsible, may take an

initiative to assert the privileges and immunities of the Member concerned. The President shall notify the committee of that initiative and inform Parliament.

2. When the President makes use of the powers conferred on him by paragraph 1, the committee shall take cognisance of the President's initiative at its next meeting. Where the committee deems it necessary, it may prepare a report for submission to Parliament.

## **Rule 9**

### **Procedures on immunity**

1. Any request addressed to the President by a competent authority of a Member State that the immunity of a Member be waived, or by a Member or a former Member that privileges and immunities be defended, shall be announced in Parliament and referred to the committee responsible.

2. With the agreement of the Member or the former Member concerned, the request may be made by another Member, who shall be permitted to represent the Member or former Member concerned at all stages of the procedure.

The Member who represents the Member or the former Member concerned shall not be involved in the decisions taken by the committee.

3. The committee shall consider without delay, but having regard to their relative complexity, requests for the waiver of immunity or requests for the defence of privileges and immunities.

4. The committee shall make a proposal for a reasoned decision which recommends the adoption or rejection of the request for the waiver of immunity or for the defence of privileges and immunities. Amendments shall be inadmissible. If a proposal is rejected, the contrary decision shall be deemed to have been adopted.

5. The committee may ask the authority concerned to provide any information or explanation which the committee deems necessary in order for it to form an opinion on whether immunity should be waived or defended.

6. The Member concerned shall be given an opportunity to be heard and may present any documents or other written evidence deemed by that Member to be relevant.

The Member shall not be present during debates on the request for waiver or defence of his or her immunity, except for the hearing itself.

The chair of the committee shall invite the Member to be heard, indicating a date and time. The Member may renounce the right to be heard.

If the Member fails to attend the hearing pursuant to that invitation, he or she shall be deemed to have renounced the right to be heard, unless he or she has asked to be excused from being heard on the date and at the time proposed, giving reasons. The chair of the committee shall rule on whether such a request to be excused is to be accepted in view of the reasons given, and no appeals shall be permitted on this point.

If the chair of the committee grants the request to be excused, he or she shall invite the Member to be heard at a new date and time. If the Member fails to comply with the second invitation to be heard, the procedure shall continue without the Member having been heard. No further requests to be excused, or to be heard, may then be accepted.

7. Where the request seeks the waiver or the defence of immunity on several counts, each of these may be the subject of a separate decision. The committee's report may, exceptionally,

propose that the waiver or the defence of immunity should apply solely to prosecution proceedings and that, until a final sentence is passed, the Member should be immune from any form of detention or remand or any other measure which prevents that Member from performing the duties proper to the mandate.

8. The committee may offer a reasoned opinion as to the competence of the authority in question and the admissibility of the request, but shall not, under any circumstances, pronounce on the guilt or otherwise of the Member nor on whether or not the opinions or acts attributed to him or her justify prosecution, even if, in considering the request, it acquires detailed knowledge of the facts of the case.

9. The committee's proposal for a decision shall be placed on the agenda of the first sitting following the day on which it was tabled. No amendments may be tabled to such a proposal.

Discussion shall be confined to the reasons for and against each proposal to waive or uphold immunity, or to defend a privilege or immunity.

Without prejudice to Rule 164, the Member whose privileges or immunities are under consideration shall not speak in the debate.

The proposal(s) for a decision contained in the report shall be put to the vote at the first voting time following the debate.

After Parliament has considered the matter, a separate vote shall be taken on each of the proposals contained in the report. If a proposal is rejected, the contrary decision shall be deemed adopted.

10. The President shall immediately communicate Parliament's decision to the Member concerned and to the competent authority of the Member State concerned, with a request that the President be informed of any developments in the relevant proceedings and of any judicial rulings made as a consequence. When the President receives this information, he shall transmit it to Parliament in the way he considers most appropriate, if necessary after consulting the committee responsible.

11. The committee shall treat these matters and handle any documents received with the utmost confidentiality. The committee shall always consider requests relating to procedures on immunity in camera.

12. Parliament shall only examine requests for the waiver of a Member's immunity that have been transmitted to it by the judicial authorities or by the Permanent Representations of the Member States.

13. The committee shall lay down principles for the application of this Rule.

14. Any inquiry as to the scope of Members' privileges or immunities made by a competent authority shall be dealt with in accordance with the above rules.

## **Rule 10**

**(Deleted)**

## **Rule 11**

### **Members' financial interests and standards of conduct**

1. Parliament shall lay down rules governing the transparency of its Members' financial

interests in the form of a Code of Conduct which shall be adopted by a majority of its component Members and attached to these Rules of Procedure as an annex<sup>1</sup>.

Those rules shall not otherwise prejudice or restrict Members in the exercise of their office or of any related political or other activity.

2. Members should adopt the systematic practice of only meeting interest representatives that have registered in the Transparency Register<sup>2</sup>.

3. Members' conduct shall be characterised by mutual respect, be based on the values and principles laid down in the Treaties, and particularly in the Charter of Fundamental Rights, and respect the dignity of Parliament. Furthermore, it shall not compromise the smooth conduct of parliamentary business, the maintenance of security and order on Parliament's premises or the functioning of Parliament's equipment.

Members shall not resort to defamatory, racist or xenophobic language or behaviour in parliamentary debates, nor in that context shall they unfurl banners.

Members shall comply with Parliament's rules on the treatment of confidential information.

Failure to comply with those standards and rules may lead to application of measures in accordance with Rules 165, 166 and 167.

4. The application of this Rule shall not otherwise detract from the liveliness of parliamentary debates nor undermine Members' freedom of speech.

It shall be based on full respect for Members' prerogatives, as laid down in primary law and the Statute for Members.

It shall be based on the principle of transparency and be so undertaken that the relevant provisions are made clear to Members, who shall be informed individually of their rights and obligations.

5. Where a person employed by a Member, or another person for whom the Member has arranged access to Parliament's premises or equipment, fails to comply with the standards of conduct set out in paragraph 3, the penalties defined in Rule 166 may, where appropriate, be imposed upon the Member concerned.

6. The Quaestors shall determine to what extent the code of conduct is applicable to persons who, whilst in possession of a long-term access badge, do not fall within the scope of the agreement.

7. The code of conduct and the rights and privileges of former Members shall be laid down by a decision of the Bureau. No distinction shall be made in the treatment of former Members.

## **Rule 12**

### **Internal investigations conducted by the European Anti-Fraud Office (OLAF)**

The common rules laid down in the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-Fraud Office (OLAF) comprising the measures needed to facilitate the smooth running of investigations conducted by the Office shall be applicable within Parliament, pursuant to Parliament Decision of 18 November 1999 concerning

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<sup>1</sup> See Annex I.

<sup>2</sup> Register established by means of the Agreement between the European Parliament and the European Commission on the transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation (OJ L 277, 19.9.2014, p. 11).

the terms and conditions for internal investigations in relation to the prevention of fraud, corruption and any illegal activity detrimental to the Communities' interests.

## **Rule 13**

### **Observers**

1. Where a Treaty on the accession of a State to the European Union has been signed, the President, after obtaining the agreement of the Conference of Presidents, may invite the parliament of the acceding State to appoint from among its own members a number of observers equal to the number of future seats in the European Parliament allocated to that State.

2. Those observers shall take part in the proceedings of Parliament pending the entry into force of the Treaty of Accession, and shall have a right to speak in committees and political groups. They shall not have the right to vote or to stand for election to positions in Parliament, nor shall they represent the Parliament externally. Their participation shall not have any legal effect on Parliament's proceedings.

3. Their treatment shall be assimilated to that of a Member of Parliament as regards the use of Parliament's facilities and the reimbursement of travel and subsistence expenses incurred in their activities as observers.

## **CHAPTER 2**

### **OFFICERS OF PARLIAMENT**

## **Rule 14**

### **Provisional Chair**

1. At the sitting provided for under Rule 146(2), and at any other sitting held for the purpose of electing the President and the Bureau, the outgoing President or, failing him or her, one of the outgoing Vice-Presidents in order of precedence or, in the absence of any of them, the Member having held office for the longest period shall take the chair until the President has been elected.

2. No business shall be transacted while a Member is provisionally in the chair by virtue of paragraph 1 unless it concerns the election of the President or the verification of credentials in accordance with the second subparagraph of Rule 3(2). Any other matter relating to the verification of credentials raised when he or she is in the chair shall be referred to the committee responsible.

## **Rule 15**

### **Nominations and general provisions**

1. The President, shall be elected by secret ballot, followed by the Vice-Presidents and the Quaestors, in accordance with Rule 180a.

Nominations shall be with consent of the nominee, and may only be made by a political group or Members reaching at least the low threshold. New nominations may be handed in before each ballot.

If the number of nominations does not exceed the number of seats to be filled, the candidates shall be elected by acclamation, unless at least Members or political group(s) reaching at least the high threshold request a secret ballot.

In the event of a single ballot for more than one office holder, the ballot paper shall only be valid if

more than half of the available votes have been cast.

2. When electing the President, Vice-Presidents and Quaestors, account should be taken of the need to ensure an overall fair representation of political views, as well as gender and geographical balance.

## **Rule 16**

### **Election of President - opening address**

1. Nominations for President shall be handed to the Member provisionally in the chair by virtue of Rule 14, who shall announce them to Parliament. If after three ballots no candidate has obtained an absolute majority of the votes cast, the fourth ballot shall, by way of derogation from Rule 15(1), be confined to the two Members who have obtained the highest number of votes in the third ballot. In the event of a tie the older candidate shall be declared elected.

2. As soon as the President has been elected, the Member who is provisionally in the chair by virtue of Rule 14 shall vacate the chair. Only the elected President may deliver an opening address.

## **Rule 17**

### **Election of Vice-Presidents**

1. The Vice-Presidents shall then be elected on a single ballot. Those who on the first ballot, up to the number of 14, secure an absolute majority of the votes cast shall be declared elected in order of the number of votes obtained. If the number of candidates elected is less than the number of seats to be filled, a second ballot shall be held under the same conditions to fill the remaining seats. Should a third ballot be necessary, a relative majority shall suffice for election to the remaining seats. In the event of a tie the oldest candidates shall be declared elected.

2. Subject to the provisions of Rule 20(1), the Vice-Presidents shall take precedence in the order in which they were elected and, in the event of a tie, by age.

Where they are elected by acclamation, a secret ballot shall be held to determine the order of precedence.

## **Rule 18**

### **Election of Quaestors**

Parliament shall elect five Quaestors by the same procedure as that used for the election of the Vice-Présidents.

## **Rule 19**

### **Term of office of Officers**

1. The term of office of the President, Vice-Presidents and Quaestors shall be two-and-a-half years.

*When Members change political groups they shall retain, for the remainder of their two-and-a-half year term of office, any seat they hold in the Bureau or as Quaestors.*

2. Should a vacancy for one of these positions occur before the expiry of this term of office, the Member elected shall serve only for the remaining period of his or her predecessor's term of office.

## **Rule 20**

### **Vacancies**

1. Should it be necessary for the President, a Vice-President or a Quaestor to be replaced, the successor shall be elected in accordance with the above rules.

A newly elected Vice-President shall take the place of his or her predecessor in the order of precedence.

2. If the President's seat becomes vacant, a Vice-President, determined in accordance with the order of precedence, shall act as President until a new President is elected.

## **Rule 21**

### **Early termination of an office**

The Conference of Presidents may, acting by a majority of three-fifths of the votes cast, representing at least three political groups, propose to Parliament that it terminate the holding of office of the President, a Vice-President, a Quaestor, a Chair or Vice-Chair of a committee, a Chair or Vice-Chair of an interparliamentary delegation, or any other holder of an office elected within the Parliament, where it considers that the Member in question has been guilty of serious misconduct. Parliament shall take a decision on that proposal by a majority of two-thirds of the votes cast, constituting a majority of its component Members.

Where a rapporteur breaches the provisions of the Code of Conduct for Members of the European Parliament with respect to financial interests and conflicts of interest, the committee which appointed him or her may, on the initiative of the President and on a proposal by the Conference of Presidents, terminate the holding of that office. The majorities laid down in the first paragraph shall apply mutatis mutandis to each stage of this procedure.

## **CHAPTER 3**

### **BODIES AND DUTIES**

## **Rule 22**

### **Duties of the President**

1. The President shall direct all the activities of Parliament and its bodies in accordance with these Rules and shall enjoy all the powers necessary to preside over the proceedings of Parliament and to ensure that they are properly conducted.

2. The duties of the President shall be to open, suspend and close sittings; to rule on the admissibility of amendments and other texts put to the vote, as well as on the admissibility of parliamentary questions; to ensure observance of these Rules, to maintain order, to call upon speakers, to close debates, to put matters to the vote and announce the results of votes; and to refer to committees any communications that concern them.

3. The President may speak in a debate only to sum up or to call speakers to order. Should he wish to take part in a debate, he shall vacate the chair and shall not reoccupy it until the debate is over.

4. Parliament shall be represented in international relations, on ceremonial occasions and in administrative, legal and financial matters by the President, who may delegate these powers.

5. The President is responsible for the security and the inviolability of the premises of the

European Parliament.

## **Rule 23**

### **Duties of the Vice-Presidents**

1. If the President is absent or unable to discharge his duties, or if he wishes to take part in a debate pursuant to Rule 22(3), he shall be replaced by one of the Vice-Presidents in accordance with Rule 17(2).
2. The Vice-Presidents shall also carry out the duties conferred upon them under Rules 25, 27(3) and (5) and 71(3).
3. The President may delegate to the Vice-Presidents any duties such as representing Parliament at specific ceremonies or acts. In particular, the President may designate a Vice-President to take charge of the responsibilities conferred on the President in Rules 129 and 130(2).

## **Rule 24**

### **Composition of the Bureau**

1. The Bureau shall consist of the President and the 14 Vice-Presidents of Parliament.
2. The Quaestors shall be members of the Bureau in an advisory capacity.
3. If voting in the Bureau results in a tie, the President shall have the casting vote.

## **Rule 25**

### **Duties of the Bureau**

1. The Bureau shall carry out the duties assigned to it under the Rules of Procedure.
2. The Bureau shall take financial, organisational and administrative decisions on matters concerning the internal organisation of Parliament, its Secretariat and its bodies.
3. The Bureau shall take financial, organisational and administrative decisions on matters concerning Members on a proposal of the Secretary-General or of a political group.
4. The Bureau shall take decisions on matters relating to the conduct of sittings.
5. The Bureau shall adopt the provisions referred to in Rule 35 concerning non-attached Members.
6. The Bureau shall decide the establishment plan of the Secretariat and lay down regulations concerning the administrative and financial situation of officials and other servants.
7. The Bureau shall draw up Parliament's preliminary draft budget estimates.
8. The Bureau shall adopt the guidelines for the Quaestors and may request that they carry out certain tasks.
9. The Bureau shall be the authority responsible for authorising meetings or missions of committees away from the usual places of work, hearings as well as study and fact-finding journeys by rapporteurs.

Where such meetings or missions are authorised, the language arrangements shall be determined on the basis of the Code of Conduct on multilingualism adopted by the Bureau. The same rule shall also apply to delegations.

10. The Bureau shall appoint the Secretary-General in accordance with Rule 222.
11. The Bureau shall lay down the implementing rules relating to the regulations governing political parties and foundations at European level and the rules regarding their funding.
12. The Bureau shall lay down rules concerning the treatment of confidential information by Parliament and its bodies, office-holders and other Members, taking into account any interinstitutional agreement concluded on such matters. Those rules shall be published in the Official Journal of the European Union.
13. The President and/or the Bureau may entrust one or more members of the Bureau with general or specific tasks lying within the competence of the President and/or the Bureau. At the same time the ways and means of carrying them out shall be laid down.
14. The Bureau shall nominate two Vice-Presidents who shall be entrusted with the implementation of relations with national parliaments.
15. The Bureau shall nominate a Vice-President who shall be entrusted with the implementation of structured consultation with European civil society on major topics.
16. The Bureau shall be responsible for the application of the Statute for Members and shall decide on the amounts of the allowances on the basis of the annual budget.

## **Rule 26**

### **Composition of the Conference of Presidents**

1. The Conference of Presidents shall consist of the President of Parliament and the Chairs of the political groups. The Chair of a political group may arrange to be represented by a member of that group.
2. The President of Parliament shall, after giving the opportunity to non-attached Members to express their views, invite one of them to attend meetings of the Conference of Presidents, without the right to vote.
3. The Conference of Presidents shall endeavour to reach a consensus on matters referred to it.

Where a consensus cannot be reached, the matter shall be put to a vote subject to a weighting based on the number of Members in each political group.

## **Rule 27**

### **Duties of the Conference of Presidents**

1. The Conference of Presidents shall carry out the duties assigned to it under these Rules of Procedure.
2. The Conference of Presidents shall take decisions on the organisation of Parliament's work and matters of legislative planning.
3. The Conference of Presidents shall be the authority responsible for matters concerning relations with the other institutions and bodies of the European Union and with the national parliaments of Member States. Decisions concerning the mandate and composition of the delegation from the European Parliament, that is to participate in consultations within the Council and in other European Union Institutions on fundamental issues concerning the development of the European Union (Sherpa process) shall be taken on the basis of relevant positions adopted by

Parliament and taking into account the diversity of political views represented within Parliament. The Vice-Presidents who have been entrusted with the implementation of relations with national parliaments shall regularly report back to the Conference of Presidents on their activities in that regard.

4. The Conference of Presidents shall be the authority responsible for matters concerning relations with non-member countries and with non-Union institutions and organisations.

5. The Conference of Presidents shall be responsible for organising structured consultation with European civil society on major topics. This may include holding public debates, open to participation by interested citizens, on subjects of general European interest. The Vice-President responsible for the implementation of such consultation shall regularly report back to the Conference of Presidents on his or her activities in that regard.

6. The Conference of Presidents shall draw up the draft agenda of Parliament's part-sessions.

7. The Conference of Presidents shall make proposals to Parliament concerning the composition and competence of committees, committees of inquiry, joint parliamentary committees and standing delegations. The Conference of Presidents shall be responsible for authorising ad hoc delegations.

8. The Conference of Presidents shall decide how seats in the Chamber are to be allocated pursuant to Rule 36.

9. The Conference of Presidents shall be the authority responsible for authorising the drawing up of own-initiative reports.

10. The Conference of Presidents shall submit proposals to the Bureau on administrative and budgetary matters concerning the political groups.

## **Rule 28**

### **Duties of the Quaestors**

The Quaestors shall be responsible for administrative and financial matters directly concerning Members, in accordance with guidelines laid down by the Bureau, as well as for other tasks entrusted to them.

## **Rule 29**

### **Conference of Committee Chairs**

1. The Conference of Committee Chairs shall consist of the Chairs of all standing or special committees. It shall elect its chair.

2. In the absence of the Chair, the meeting of the Conference shall be chaired by the oldest Member present.

3. The Conference of Committee Chairs may make recommendations to the Conference of Presidents about the work of committees and the drafting of the agenda of part-sessions.

4. The Bureau and the Conference of Presidents may instruct the Conference of Committee Chairs to carry out specific tasks.

## **Rule 30**

### **Conference of Delegation Chairs**

1. The Conference of Delegation Chairs shall consist of the Chairs of all standing interparliamentary delegations. It shall elect its chair.
2. In the absence of the Chair, the meeting of the Conference shall be chaired by the oldest Member present.
3. The Conference of Delegation Chairs may make recommendations to the Conference of Presidents about the work of the delegations.
4. The Bureau and the Conference of Presidents may instruct the Conference of Delegation Chairs to carry out specific tasks.

## **Rule 30a**

### **Continuity of an office during the election period**

When a new Parliament is elected, all bodies and office holders of the outgoing Parliament shall continue to exercise their functions until the first sitting of the new Parliament.

## **Rule 31**

### **Accountability of the Bureau and the Conference of Presidents**

1. The minutes of the Bureau and the Conference of Presidents shall be translated into the official languages and distributed to all Members of Parliament, and shall be accessible to the public, unless the Bureau or the Conference of Presidents exceptionally, for reasons of confidentiality, subject to Article 4(1) to (4) of European Parliament and Council Regulation (EC) No 1049/2001, decides otherwise with regard to certain items of the minutes.
2. Any Member may ask questions concerning the performance by the Bureau, the Conference of Presidents and the Quaestors of their respective duties. Such questions shall be submitted to the President in writing, notified to Members and published on Parliament's website within 30 days of tabling, together with the answers given.

## **CHAPTER 4**

### **POLITICAL GROUPS**

## **Rule 32**

### **Establishment and dissolution of political groups**

1. Members may form themselves into groups according to their political affinities.

*Parliament need not normally evaluate the political affinity of members of a group. In forming a group together under this Rule, the Members concerned accept by definition that they have political affinity. Only when this is denied by the Members concerned is it necessary for Parliament to evaluate whether the group has been constituted in accordance with the Rules.*

2. A political group shall comprise Members elected in at least one-quarter of the Member States. The minimum number of Members required to form a political group shall be 25.
3. If a group falls below one of the required thresholds, the President, with the agreement of the Conference of Presidents, may allow it to continue to exist until Parliament's next constitutive

sitting, provided the following conditions are met:

- the members continue to represent at least one-fifth of the Member States;
- the group has been in existence for a period longer than a year.

The President shall not apply this derogation where there is sufficient evidence to suspect that it is being abused.

4. A Member may not belong to more than one political group.

5. The President shall be notified in a statement when a political group is set up. This statement shall specify the name of the group and the names of its members and bureau members. It shall be signed by all members of the group.

6. The statement shall be annexed to the minutes of the part-session during which the announcement of the establishment of the political group is made.

7. The President shall announce the establishment of political groups in Parliament. Such announcement shall have retroactive legal effect from the moment when the group notified its establishment to the President in conformity with this Rule.

The President shall also announce the dissolution of political groups in Parliament. Such announcement will have legal effect on the day following that on which the conditions for the political group's existence were no longer met.

## **Rule 33**

### **Activities and legal situation of the political groups**

1. The political groups shall carry out their duties as part of the activities of the Union, including the tasks allocated to them by these Rules of Procedure. The political groups shall be provided with a secretariat on the basis of the establishment plan of the Secretariat, with administrative facilities and with the appropriations entered for that purpose in Parliament's budget.

2. At the beginning of each parliamentary term, the Conference of Presidents shall endeavour to agree procedures for reflecting the political diversity of Parliament in the committees and delegations and the decision-making bodies.

3. The Bureau shall, having regard to any proposal made by the Conference of Presidents, lay down the rules relating to the provision, implementation and monitoring of those facilities and appropriations, as well as to the related delegations of budget implementation powers and the consequences of any failure to respect them.

4. Those rules shall determine the administrative and financial consequences in the event of the dissolution of a political group.

## **Rule 34**

### **Intergroups**

1. Individual Members may form Intergroups or other unofficial groupings of Members, to hold informal exchanges of views on specific issues across different political groups, drawing on members of different parliamentary committees, and to promote contact between Members and civil society.

2. Such groupings shall be fully transparent in their actions and may not engage in any

activities which might result in confusion with the official activities of Parliament or of its bodies. Provided that the conditions laid down in the rules governing their establishment adopted by the Bureau are met, political groups may facilitate their activities by providing them with logistical support.

3. Intergroups shall be required to declare annually any support, whether in cash or in kind (e.g. secretarial assistance), which if offered to Members as individuals would have to be declared under Annex I.

4. The Quaestors shall keep a register of the declarations referred to in paragraph 3. That register shall be published on the Parliament's website. The Quaestors shall adopt detailed rules on those declarations and shall ensure the effective enforcement of this Rule.

## **Rule 35**

### **Non-attached Members**

1. Members who do not belong to a political group shall be provided with a secretariat. The detailed arrangements shall be laid down by the Bureau on a proposal from the Secretary-General.

2. The Bureau shall determine the status and parliamentary rights of such Members.

3. The Bureau shall lay down the rules relating to the provision, implementation and auditing of appropriations entered in Parliament's budget to cover the secretarial expenses and administrative facilities of non-attached Members.

## **Rule 36**

### **Allocation of seats in the Chamber**

The Conference of Presidents shall decide how seats in the Chamber are to be allocated to the political groups, the non-attached Members and the institutions of the European Union.

## TITLE II

# LEGISLATIVE, BUDGETARY, DISCHARGE AND OTHER PROCEDURES

## CHAPTER 1

### LEGISLATIVE PROCEDURES - GENERAL PROVISIONS

#### **Rule 37**

##### **Annual programming**

1. Parliament shall work together with the Commission and the Council to determine the legislative planning of the European Union.

Parliament and the Commission shall cooperate in preparing the Commission Work Programme – which is the Commission's contribution to the Union's annual and multiannual programming – in accordance with the timetable and arrangements agreed between the two institutions<sup>3</sup>.

2. After the adoption of the Commission Work Programme, the Parliament, the Council and the Commission will, pursuant to paragraph 7 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>4</sup>, exchange views and agree on a joint declaration on annual interinstitutional programming setting out broad objectives and priorities.

Before negotiating with the Council and the Commission on the joint declaration, the President shall hold an exchange of views with the Conference of Presidents and the Conference of Committee Chairs regarding Parliament's broad objectives and priorities.

Before signing the joint declaration, the President shall seek the approval of the Conference of Presidents.

3. The President shall forward any resolution adopted by Parliament concerning legislative planning and priorities to the other institutions which participate in the European Union's legislative procedure and to the parliaments of the Member States.

4. If the Commission intends to withdraw a proposal, the competent Commissioner shall be invited by the committee responsible to a meeting to discuss that intention. The Presidency of the Council may also be invited to such meeting. If the committee responsible disagrees with the intended withdrawal, it may request that the Commission make a statement to Parliament. Rule 123 shall apply.

#### **Rule 38**

##### **Respect for fundamental rights**

1. Parliament shall in all its activities fully respect the rights, freedoms and principles recognised by Article 6 of the Treaty on European Union, and the values enshrined in Article 2 thereof.

2. Where the committee responsible for the subject matter, a political group or Members reaching at least the low threshold are of the opinion that a proposal for a legislative act or parts of it do not comply with the fundamental rights of the European Union, the matter shall, at their

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<sup>3</sup> Framework Agreement on relations between the European Parliament and the European Commission (OJ L 304, 20.11.2010, p. 47).

<sup>4</sup> OJ L 123, 12.5.2016, p. 1.

request, be referred to the committee responsible for the protection of fundamental rights.

3. That request shall be submitted within four working weeks of the announcement in Parliament of referral to committee.

4. The opinion of the committee responsible for the protection of fundamental rights shall be annexed to the report of the committee responsible for the subject-matter.

## **Rule 39**

### **Verification of legal basis**

1. In the case of all proposals for legally binding acts, the committee responsible for the subject-matter shall first verify the legal basis.

2. If that committee disputes the validity or the appropriateness of the legal basis, including in the context of the verification under Article 5 of the Treaty on European Union, it shall request the opinion of the committee responsible for legal affairs.

3. The committee responsible for legal affairs may also on its own initiative take up questions concerning the legal basis at any stage of the legislative procedure. In such cases it shall duly inform the committee responsible for the subject-matter.

4. Where appropriate, after the exchange of views with the Council and the Commission in accordance with the arrangements agreed at interinstitutional level<sup>5</sup>, if the committee responsible for legal affairs decides to dispute the validity or the appropriateness of the legal basis, it shall report its conclusions to Parliament. Without prejudice to Rule 63, Parliament shall vote on this before voting on the substance of the proposal.

5. Amendments tabled in Parliament to change the legal basis without the committee responsible for the subject-matter or the committee responsible for legal affairs having disputed the validity or appropriateness of the legal basis shall be inadmissible.

## **Rule 40**

### **Delegation of legislative powers and conferral of implementing powers**

1. When scrutinising a proposal for a legislative act which delegates powers to the Commission as provided for in Article 290 of the Treaty on the Functioning of the European Union, Parliament shall pay particular attention to the objectives, content, scope and duration of the delegation, and to the conditions to which it is subject.

2. When scrutinising a proposal for a legislative act which confers implementing powers pursuant to Article 291 of the Treaty on the Functioning of the European Union, Parliament shall pay particular attention to the fact that in exercising an implementing power, the Commission may neither amend nor supplement the legislative act, even as to its non-essential elements.

3. The committee responsible for the subject-matter may at any time request the opinion of the committee responsible for the interpretation and application of Union law.

4. The committee responsible for the interpretation and application of Union law may also, on its own initiative, take up questions concerning the delegation of legislative powers and the conferral of implementing powers. In such cases it shall duly inform the committee responsible for the subject-matter.

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<sup>5</sup> Interinstitutional Agreement of 13 April 2016 on Better-Law Making, paragraph 25 (OJ L 123, 12.5.2016, p. 1).

## **Rule 41**

### **Verification of financial compatibility**

1. Where a proposal for a legally binding act has financial implications, Parliament shall establish whether sufficient financial resources are provided.
2. The committee responsible for the subject-matter shall verify that any proposal for a legally binding act is financially compatible with the multiannual financial framework regulation.
3. When the committee responsible for the subject-matter amends the financial endowment of the act it is considering, it shall request the opinion of the committee responsible for budgetary issues.
4. The committee responsible for budgetary issues may also on its own initiative take up questions concerning the financial compatibility of proposals for legally binding acts. In such cases it shall duly inform the committee responsible for the subject-matter.
5. If the committee responsible for budgetary issues decides to dispute the financial compatibility of the proposal, it shall report its conclusions to Parliament before Parliament votes on the proposal.

## **Rule 42**

### **Examination of respect for the principles of subsidiarity and proportionality**

1. During the examination of a proposal for a legislative act, Parliament shall pay particular attention to respect for the principles of subsidiarity and proportionality.
2. Only the committee responsible for respect of the principle of subsidiarity may decide to make recommendations for the attention of the committee responsible for the subject-matter in respect of a proposal for a legislative act.
3. Except in the cases of urgency referred to in Article 4 of Protocol No 1 on the role of national parliaments in the European Union, the committee responsible for the subject-matter shall not proceed to its final vote before the expiry of the deadline of eight weeks laid down in Article 6 of Protocol No 2 on the application of the principles of subsidiarity and proportionality.
4. If a national parliament sends the President a reasoned opinion in accordance with Article 3 of the Protocol on the role of national parliaments in the European Union, that document shall be referred to the committee responsible for the subject-matter and forwarded, for information, to the committee responsible for respect of the principle of subsidiarity.
5. Where reasoned opinions on the non-compliance of a proposal for a legislative act with the principle of subsidiarity represent at least one third of all the votes allocated to the national parliaments or a quarter in the case of a proposal for a legislative act submitted on the basis of Article 76 of the Treaty on the Functioning of the European Union, Parliament shall not take a decision until the author of the proposal has stated how it intends to proceed.
6. Where, under the ordinary legislative procedure, reasoned opinions on the non-compliance of a proposal for a legislative act with the principle of subsidiarity represent at least a simple majority of the votes allocated to the national parliaments, the committee responsible for the subject-matter, having considered the reasoned opinions submitted by the national parliaments and the Commission, and having heard the views of the committee responsible for respect of the principle of subsidiarity, may recommend to Parliament that it reject the proposal on the grounds of infringement of the principle of subsidiarity or submit to Parliament any other recommendation, which may include suggestions for amendments related to respect of the principle of subsidiarity.

The opinion given by the committee responsible for respect of the principle of subsidiarity shall be annexed to any such recommendation.

The recommendation shall be submitted to Parliament for a debate and vote. If a recommendation to reject the proposal is adopted by a majority of the votes cast, the President shall declare the procedure closed. Where Parliament does not reject the proposal, the procedure shall continue, taking into account any recommendations approved by Parliament.

#### **Rule 43**

##### **Access to documents and provision of information to Parliament**

1. Throughout the legislative procedure Parliament and its committees shall request access to all documents relating to proposals for legislative acts under the same conditions as the Council and its working parties.

2. During the examination of a proposal for a legislative act, the committee responsible shall ask the Commission and the Council to keep it informed of the progress of that proposal in the Council and its working parties and in particular to inform it of any emerging compromises which will substantially amend the original proposal, or of the author's intention to withdraw its proposal.

#### **Rule 44**

##### **Representation of Parliament in Council meetings**

When the Council invites Parliament to take part in a Council meeting, the President shall ask the Chair or rapporteur of the committee responsible for the subject matter, or another Member designated by the committee, to represent Parliament.

#### **Rule 45**

##### **Right of Parliament to submit proposals**

In cases where the Treaties confer a right of initiative on Parliament, the committee responsible may decide to draw up an own-initiative report in accordance with Rule 52.

The report shall comprise:

- (a) a motion for a resolution;
- (b) a draft proposal;
- (c) an explanatory statement including, where appropriate, a financial statement.

Where the adoption of an act by Parliament requires the approval or the consent of the Council and the opinion or the consent of the Commission, Parliament may, following the vote on the proposed act, and on a proposal by the rapporteur, decide to postpone the vote on the motion for a resolution until the Council or the Commission have stated their position.

#### **Rule 46**

##### **Requests to the Commission for submission of proposals**

1. Parliament may request the Commission, pursuant to Article 225 of the Treaty on the Functioning of the European Union, to submit to it any appropriate proposal for the adoption of a new act or the amendment of an existing act, by adopting a resolution on the basis of an own-initiative report drawn up by the committee responsible in accordance with Rule 52. The resolution shall be adopted by a majority of the component Members of Parliament in the final vote.

Parliament may, at the same time, set a deadline for the submission of such a proposal.

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 jointly by up to 10 Members. The proposal shall indicate the legal basis on which it is made and may be accompanied by an explanatory statement of no more than 150 words.

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 appropriateness of the legal basis to the committee responsible for such verification. If the President declares the proposal admissible, he or she 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 responsible shall take a decision on further action within three months of the referral, after giving the authors of the proposal the opportunity to address the committee.

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

3. Parliament's resolution shall indicate the appropriate legal basis and be accompanied by recommendations as to the content of the required proposals.

4. Where a proposal has financial implications, Parliament shall indicate how sufficient financial resources can be provided.

5. The committee responsible shall monitor the progress of preparation of any proposed Union legal act drawn up following a particular request by Parliament.

6. The Conference of Committee Chairs shall regularly monitor whether the Commission is complying with paragraph 10 of the Interinstitutional Agreement on Better Law-Making, according to which the Commission is to reply to requests for submission of proposals within three months by adopting a specific communication stating the intended follow-up actions to be taken. It shall regularly report on the results of such monitoring to the Conference of Presidents.

## **Rule 47**

### **Consideration of legally binding acts**

1. Proposals for legally binding acts received from other institutions or Member States shall be referred by the President to the committee responsible, for its consideration.

2. In cases of doubt, the President may, before the announcement in Parliament of a referral to the committee responsible, submit a question concerning competence to the Conference of Presidents. The Conference of Presidents shall adopt its decision on the basis of a recommendation from the Conference of Committee Chairs, or the latter's Chair, in accordance with Rule 201a(2).

3. The committee responsible may, at any time, decide to appoint a rapporteur to follow the preparatory phase of a proposal. It shall give particular consideration to doing so where the proposal is listed in the Commission Work Programme.

4. In the event of a conflict between a provision of the Rules of Procedure relating to the second and third readings and any other provision of the Rules, the provision relating to the second and third readings shall take precedence.

## **Rule 47a**

### **Acceleration of legislative procedures**

The acceleration of legislative procedures in coordination with the Council and Commission regarding specific proposals, selected in particular from among those identified as priorities in the joint declaration on annual interinstitutional programming pursuant to Rule 37(2), may be agreed by the committee or committees responsible.

## **Rule 48**

### **Legislative procedures on initiatives originating from institutions other than the Commission or from Member States**

1. When dealing with initiatives originating from institutions other than the Commission or from Member States, the committee responsible may invite representatives of the institutions or the originating Member States to present their initiative to the committee. The representatives of the originating Member States may be accompanied by the Presidency of the Council.
2. Before the committee responsible proceeds to the vote, it shall ask the Commission whether it is preparing an opinion on the initiative, or if it intends to submit an alternative proposal within a short period of time. If the answer that it receives is in the affirmative, the committee shall not adopt its report before receiving the Commission's opinion or alternative proposal.
3. When two or more proposals originating from the Commission and/or another institution and/or the Member States with the same legislative objective have been submitted to Parliament simultaneously or within a short period of time, Parliament shall deal with them in a single report. In its report, the committee responsible shall indicate to which text it has proposed amendments and it shall refer to all other texts in the legislative resolution.

## **CHAPTER 2**

### **PROCEDURE IN COMMITTEE**

## **Rule 49**

### **Legislative reports**

1. The Chair of the committee to which a proposal for a legally binding act is referred shall propose to the committee the procedure to be followed.
2. Following a decision on the procedure to be followed, and if the simplified procedure under Rule 50 does not apply, the committee shall appoint a rapporteur on the proposal for a legislative act from among its members or permanent substitutes if it has not yet done so on the basis of Rule 47(3).
3. The committee's report shall comprise:
  - (a) amendments, if any, to the proposal, accompanied, if appropriate, by short justifications which shall be the responsibility of the author and shall not be put to the vote;
  - (b) a draft legislative resolution, in accordance with Rule 59(5);
  - (c) if appropriate, an explanatory statement including, where necessary, a financial statement which establishes the magnitude of any financial impact of the report and its compatibility with the multiannual financial framework;

- (d) if available, a reference to the Impact Assessment by Parliament.

## Rule 50

### Simplified procedure

1. Following a first discussion of a proposal for a legislative act, the Chair may propose that it be approved without amendment. Unless members or political group(s) reaching at least the medium threshold in the committee object, the proposed procedure shall be deemed to have been approved. The Chair, or the rapporteur if one has been appointed, shall present to Parliament a report approving the proposal. Rule 150(1), second subparagraph, (2) and (4) shall apply.

2. Alternatively, the Chair may propose that a set of amendments be drafted by the chair or by the rapporteur reflecting the committee's discussion. Unless members or political group(s) reaching at least the medium threshold in the committee object, the proposed procedure shall be deemed to have been approved and the amendments shall be sent to the members of the committee.

Unless members or political group(s) reaching at least the medium threshold in the committee object to the amendments within a set time limit, which may not be less than 10 working days from the date of dispatch, the report shall be deemed to have been adopted by the committee. In this case the draft legislative resolution and the amendments shall be submitted to Parliament without debate pursuant to Rule 150(1), second subparagraph, (2) and (4).

If members or political group(s) reaching at least the medium threshold in the committee object to the amendments, they shall be put to the vote at the next meeting of the committee.

3. With the exception of the provisions concerning the submission to Parliament, this Rule shall apply, mutatis mutandis, to committee opinions within the meaning of Rule 53.

## Rule 51

### Non-legislative reports

1. Where a committee draws up a non-legislative report, it shall appoint a rapporteur from among its members or permanent substitutes.

2. The committee's report shall comprise:

- (a) a motion for a resolution;
- (b) an explanatory statement including, where necessary, a financial statement which establishes the magnitude of any financial impact of the report and its compatibility with the multiannual financial framework;
- (c) the texts of any motions for resolutions to be included under Rule 133(7).

## Rule 52

### Own-initiative reports

1. A committee intending to draw up a non-legislative report or a report under Rule 45 or 46 on a subject within its competence on which no referral has taken place, may do so only with the authorisation of the Conference of Presidents.

The Conference of Presidents shall take a decision on requests for authorisation to draw up reports submitted pursuant to the first subparagraph on the basis of implementing provisions, which it shall lay down.

2. Where such authorisation is withheld the reason for withholding it shall always be stated.

Where the subject of the report comes under Parliament's right of initiative referred to in Rule 45, authorisation may be withheld only on the grounds that the conditions set out in the Treaties are not met.

3. In the cases referred to in Rule 45 and Rule 46, the Conference of Presidents shall take a decision within two months.

4. Motions for resolutions submitted to Parliament shall be examined under the short presentation procedure set out in Rule 151. Amendments to such motions for resolutions and requests for split votes or separate votes shall only be admissible for consideration in plenary if they are tabled either by the rapporteur to take account of new information or by at least one-tenth of the Members of Parliament. Political groups may table alternative motions for resolutions in accordance with Rule 170(3). Rule 180 shall apply to the committee's motion for a resolution and amendments thereto. Rule 180 shall also apply to the single vote on alternative motions for resolutions.

5. Paragraph 4 shall not apply in cases where the subject of the report qualifies for a key debate in plenary, where the report is drawn up pursuant to the right of initiative referred to in Rule 45 or 46, or where the report has been authorised as a strategic report<sup>6</sup>.

## **Rule 52a**

### **Drafting of reports**

1. The rapporteur shall be responsible for preparing the committee's report and for presenting it to Parliament on behalf of the committee.

2. The explanatory statement shall be the responsibility of the rapporteur and shall not be put to the vote. It must, however, accord with the text of the motion for a resolution as adopted and any amendments proposed by the committee. If it fails to do so, the chair of the committee may delete the explanatory statement.

3. The report shall state the result of the vote taken on the report as a whole and shall indicate in line with Rule 208(3), how each member voted.

4. Minority positions may be expressed when the vote on the text as a whole is taken and may, at the request of their authors, be the subject of a written declaration not exceeding 200 words in length, annexed to the explanatory statement.

The Chair shall settle any disputes which may arise as a result of the application of this paragraph.

5. On a proposal from its Chair, a committee may set a deadline within which the rapporteur must submit the draft report. This deadline may be extended or a new rapporteur appointed.

6. Once the deadline has expired, the committee may instruct its Chair to ask for the matter referred to it to be placed on the agenda of one of the next sittings of Parliament. The debates and votes may then be conducted on the basis of an oral report by the committee concerned.

## **Rule 53**

### **Opinions of committees**

1. If the committee to which a matter was first referred wishes to hear the views of another

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<sup>6</sup> See the relevant decision of the Conference of Presidents.

committee, or if another committee wishes to make known its views to the committee to which a matter was first referred, such committees may ask the President in accordance with Rule 201(2) for one committee to be named as the committee responsible and the other as the committee asked for an opinion.

The opinion giving committee may appoint a rapporteur for opinion from among its members or permanent substitutes or send its views in the form of a letter from the Chair.

2. Where the opinion concerns a proposal for a legally binding act, it shall consist of amendments to the text referred to the committee, accompanied where appropriate by short justifications. Such justifications shall be the responsibility of their author and shall not be put to the vote. If necessary the committee asked for an opinion may submit a short written justification for the opinion taken as a whole. Such short written justification shall be the responsibility of the rapporteur.

Where the opinion does not concern a proposal for a legally binding act, it shall consist of suggestions for parts of the motion for a resolution submitted by the committee responsible.

The committee responsible shall put these amendments or suggestions to the vote.

The opinions shall deal solely with those matters that fall within the areas of responsibility of the committee asked for an opinion.

3. The committee responsible shall set a deadline within which the committee asked for an opinion must deliver it if it is to be taken into account by the committee responsible. Any changes to the announced timetable shall be immediately communicated by the committee responsible to the committee(s) asked for an opinion. The committee responsible shall not reach its final conclusions before that time-limit has expired.

4. Alternatively, the opinion-giving committee may decide to present its position in the form of amendments to be tabled directly in the committee responsible following their adoption. These amendments shall be tabled by the Chair or the rapporteur on behalf of the committee.

5. The opinion-giving committee shall table the amendments referred to in paragraph 4 within the deadline for amendments set by the committee responsible.

6. All opinions and amendments adopted by the opinion giving committee shall be annexed to the report of the committee responsible.

7. Opinion giving committees within the meaning of this Rule cannot table amendments for consideration by Parliament.

8. The Chair and rapporteur of the committee asked for an opinion shall be invited to take part in an advisory capacity in meetings of the committee responsible, insofar as these relate to the matter of common concern.

## **Rule 54**

### **Associated committee procedure**

1. Where a question of competence is referred to the Conference of Presidents pursuant to Rule 201a, and the Conference of Presidents, on the basis of Annex V, considers that the matter falls almost equally within the competence of two or more committees, or that different parts of the matter fall within the competence of two or more committees, Rule 53 shall apply with the following additional provisions:

- the timetable shall be jointly agreed by the committees concerned;

- the rapporteurs concerned shall keep each other informed and shall endeavour to agree on the texts they propose to their committees and on their position regarding amendments;
- the Chairs and rapporteurs concerned are bound by principle of good and sincere cooperation and shall jointly identify areas of the text falling within their exclusive or shared competence and agree on the precise arrangements for their cooperation. In the event of disagreement about the delimitation of competences the matter shall be submitted, at the request of one of the committees involved, to the Conference of Presidents, which may decide on the question of the respective competences or decide that the joint committee procedure under Rule 55 is to apply. That decision shall be taken in accordance with the procedure and within the deadline set out in Rule 201a.
- the committee responsible shall accept without a vote amendments from an associated committee where they concern matters which fall within the exclusive competence of the associated committee. If the committee responsible fails to respect the exclusive competence of the associated committee, the associated committee may table amendments directly in plenary. If amendments on matters which fall within the shared competence of the committee responsible and an associated committee are not adopted by the former, the associated committee may table those amendments directly in plenary;
- in the event of a conciliation procedure taking place on the proposal, Parliament's delegation shall include the rapporteur of any associated committee.

*The Conference of Presidents' decision to apply the procedure with associated committees applies at all stages of the procedure in question.*

*The rights attaching to the status of "committee responsible" are exercised by the lead committee. In exercising those rights, the lead committee must take due account of the prerogatives of the associated committee, and in particular must comply with the obligation to observe the principle of sincere cooperation as regards the timetable and respect the right of the associated committee to determine the amendments submitted in plenary which fall within its exclusive competence.*

2. The procedure laid down in this Rule shall not apply to the recommendations to be adopted by the committee responsible under Rule 99.

## **Rule 55**

### **Joint committee procedure**

1. When a question of competence is referred to it pursuant to Rule 201a, the Conference of Presidents may decide that the procedure with joint meetings of committees and a joint vote is to be applied, provided that:

- by virtue of Annex V, the matter falls indissociably within the competences of several committees; and
- it is satisfied that the question is of major importance.

2. In that event, the respective rapporteurs shall draw up a single draft report, which shall be examined and voted on by the committees concerned, under the joint chairmanship of the committee Chairs.

At all stages of the procedure, the rights attaching to the status of committee responsible may be

exercised by the committees concerned only when they are acting jointly. The committees involved may set up working groups to prepare the meetings and votes.

3. At the second-reading stage of the ordinary legislative procedure, the Council position shall be considered at a joint meeting of the committees concerned, which, should no agreement be reached between their Chairs, shall be held on the Wednesday of the first week set aside for meetings of parliamentary bodies following the communication of the Council's position to Parliament. Should no agreement be reached on the convening of a further meeting, any such meeting shall be convened by the Chair of the Conference of Committee Chairs. The vote on the recommendation for second reading shall be taken at a joint meeting on the basis of a joint text drafted by the respective rapporteurs of the committees concerned or, in the absence of a joint text, on the basis of the amendments tabled in the committees concerned.

At the third-reading stage of the ordinary legislative procedure, the Chairs and rapporteurs of the committees concerned shall be ex officio members of the delegation to the Conciliation Committee.

#### **Rule 56**

**(Deleted)**

### **CHAPTER 3**

### **ORDINARY LEGISLATIVE PROCEDURE**

#### **SECTION 1 - FIRST READING**

##### **Rule 57**

**(Deleted)**

##### **Rule 58**

**(Deleted)**

##### **Rule 59**

###### **Vote in Parliament – first reading**

1. Parliament may approve, amend or reject the draft legislative act.

2. Parliament shall first vote on any proposal for the immediate rejection of the draft legislative act that has been tabled in writing by the committee responsible, a political group or Members reaching at least the low threshold.

If that proposal for rejection is adopted, the President shall ask the originating institution to withdraw the draft legislative act.

If the originating institution does so, the President shall declare the procedure closed.

If the originating institution does not withdraw the draft legislative act, the President shall announce that the first reading of Parliament is concluded, unless, on a proposal of the Chair or

rapporteur of the committee responsible or of a political group or Members reaching at least the low threshold, Parliament decides to refer the matter back to the committee responsible for reconsideration.

If that proposal for rejection is not adopted, Parliament shall then proceed in accordance with paragraphs 3 to 5.

3. Any provisional agreement tabled by the committee responsible under Rule 69f(4) shall be given priority in voting and shall be put to a single vote, unless, at the request of a political group or Members reaching at least the low threshold, Parliament decides instead to proceed with the vote on amendments in accordance with paragraph 4. In that case, Parliament shall also decide whether the vote on the amendments shall take place immediately. If not, Parliament shall set a new deadline for amendments and the vote shall take place at a subsequent sitting.

If, in a single vote, the provisional agreement is adopted, the President shall announce that the first reading of Parliament has been concluded.

If, in a single vote, the provisional agreement fails to secure the majority of the votes cast, the President shall set a new deadline for amendments to the draft legislative act. Such amendments shall then be put to the vote at a subsequent sitting in order for Parliament to conclude its first reading.

4. Save where a proposal for rejection has been adopted in accordance with paragraph 2 or a provisional agreement has been adopted in accordance with paragraph 3, any amendments to the draft legislative act shall then be put to the vote, including, where applicable, individual parts of the provisional agreement where requests have been made for split or separate votes, or competing amendments have been tabled.

Before voting on the amendments, the President may ask the Commission to state its position and the Council to comment.

After the vote on those amendments has taken place, Parliament shall vote on the whole draft legislative act, amended or otherwise.

If the whole draft legislative act, amended or otherwise, is adopted, the President shall announce that the first reading has been concluded, unless, on a proposal of the Chair or the rapporteur of the committee responsible or of a political group or Members reaching at least the low threshold, Parliament decides to refer the matter back to the committee responsible, for interinstitutional negotiations in accordance with Rules 59a, 69c and 69f.

If the whole draft legislative act, as amended or otherwise, fails to secure a majority of the votes cast, the President shall announce that the first reading has been concluded, unless, on a proposal of the Chair or rapporteur of the committee responsible or of a political group or Members reaching at least the low threshold, Parliament decides to refer the matter back to the committee responsible for reconsideration.

5. After the votes taken under paragraphs 2 to 4, and the votes subsequently taken on amendments to the draft legislative resolution relating to procedural requests, if any, the legislative resolution shall be deemed to have been adopted. If necessary, the legislative resolution shall be modified, pursuant to Rule 193(2), in order to reflect the outcome of the votes taken under paragraphs 2 to 4.

The text of the legislative resolution and of Parliament's position shall be forwarded, by the President, to the Council and the Commission, as well as, where the draft legislative act originates from them, to the originating group of Member States, the Court of Justice or the European Central Bank.

## **Rule 59a**

### **Referral back to the committee responsible**

If in accordance with Rule 59, a matter is referred back to the committee responsible for reconsideration or for interinstitutional negotiations in accordance with Rules 69c and 69f, the committee responsible shall, orally or in writing, report to Parliament within four months, which period may be extended by the Conference of Presidents.

*Following a referral back to committee, the lead committee must, before taking a decision on the procedure to be followed, allow an associated committee, as Rule 54 provides, to make choices as to the amendments which fall within its exclusive competence, and in particular to choose which amendments are to be resubmitted in plenary.*

*Nothing prevents Parliament from deciding to hold, if appropriate, a concluding debate following the report by the Committee responsible to which the matter was referred back.*

## **Rule 60**

**(Deleted)**

## **Rule 61**

**(Deleted)**

## **Rule 62**

**(Deleted)**

## **Rule 63**

### **Renewed referral to Parliament**

1. The President shall, at the request of the committee responsible, ask the Commission to refer its proposal again to Parliament where:

- the Commission replaces, substantially amends or intends to substantially amend its initial proposal after Parliament has adopted its position, except where this is done in order to take account of Parliament's position;
- the nature of the problem with which the proposal is concerned substantially changes as a result of passage of time or changes in circumstances; or
- new elections to Parliament have taken place since it adopted its position, and the Conference of Presidents considers it desirable.

2. Where a modification of the legal basis of a proposal is envisaged which would result in the ordinary legislative procedure no longer applying to that proposal, the Parliament, Council and Commission will, pursuant to paragraph 25 of the Interinstitutional agreement on Better Law Making, exchange views thereon through their respective Presidents or their representatives.

3. Following the exchange of views referred to in paragraph 2, the President shall, at the

request of the committee responsible, ask the Council to refer the draft legally binding act to Parliament again, where the Commission or the Council intends to modify the legal basis provided for in Parliament's position at first reading, with the result that the ordinary legislative procedure would no longer apply.

## **Rule 63a**

### **First-reading agreement**

Where, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union, the Council has informed Parliament that it has approved Parliament's position, the President, following finalisation in accordance with Rule 193, shall announce in Parliament that the legislative act has been adopted in the wording which corresponds to the position of Parliament.

## **SECTION 2 - SECOND READING**

### **Rule 64**

#### **Communication of the Council's position**

1. Communication of the Council's position pursuant to Article 294 of the Treaty on the Functioning of the European Union takes place when it is announced by the President in Parliament. The President shall make the announcement after receiving the documents which contain the position itself, all declarations made in the Council minutes when it adopted the position, the reasons which led the Council to adopt its position, and the Commission's position, duly translated into the official languages of the European Union. The President's announcement shall be made during the part-session following the receipt of such documents.

*Before making the announcement, the President establishes, after consulting the Chair of the committee responsible and/or the rapporteur, that the text received is indeed a Council's first reading position and that the circumstances described in Rule 63 do not apply. Failing this, the President, together with the committee responsible and, where possible, in agreement with the Council, seeks an appropriate solution.*

2. On the day of its announcement in Parliament, the Council's position shall be deemed to have been referred automatically to the committee responsible at first reading.

3. A list of such communications shall be published in the minutes of the sitting together with the name of the committee responsible.

### **Rule 65**

#### **Extension of time limits**

1. The President shall, at the request of the Chair of the committee responsible, extend the time-limits for second reading in accordance with Article 294(14) of the Treaty on the Functioning of the European Union.

2. The President shall notify Parliament of any extension of time limits under Article 294(14) of the Treaty on the Functioning of the European Union, whether on the initiative of Parliament or of the Council.

### **Rule 66**

#### **Procedure in the committee responsible**

1. The Council's position shall be entered as a priority item on the agenda of the first meeting

of the committee responsible following the date of its communication. The Council may be invited to present its position.

2. Unless otherwise decided, the rapporteur at second reading shall be the same as at first reading.

3. The provisions concerning the admissibility of the amendments to the Council's position in Rule 69(2) and (3) shall apply to the proceedings in the committee responsible; only members or permanent substitutes of that committee may table proposals for rejection and amendments. The committee shall decide by a majority of the votes cast.

4. The committee responsible shall submit a recommendation for second reading proposing the approval, amendment or rejection of the position adopted by the Council. The recommendation shall include a short justification for the decision proposed.

5. Rules 49, 50, 53 and 188 shall not apply during second reading.

## **Rule 67**

### **Submission to Parliament**

1. The Council's position and, where available, the recommendation for second reading of the committee responsible shall automatically be placed on the draft agenda for the part-session whose Wednesday falls before and closest to the day of expiry of the period of three months or, if extended in accordance with Rule 65, of four months, unless the matter has been dealt with at an earlier part-session.

## **Rule 67a**

### **Vote in Parliament – second reading**

1. Parliament shall first vote on any proposal for the immediate rejection of Council's position that has been tabled in writing by the committee responsible, a political group or Members reaching at least the low threshold. For it to be adopted, such a proposal shall require the votes of a majority of the component Members of Parliament.

If that proposal for rejection is adopted, resulting in the rejection of the Council's position, the President shall announce in Parliament that the legislative procedure is closed.

If that proposal for rejection is not adopted, Parliament shall then proceed in accordance with paragraphs 2 to 5.

2. Any provisional agreement tabled under Rule 69f(4) by the committee responsible shall be given priority in voting and put to a single vote, unless, at the request of a political group or Members reaching at least the low threshold, Parliament decides to proceed immediately with the vote on amendments in accordance with paragraph 3.

If, in a single vote, the provisional agreement secures the votes of a majority of the component Members of Parliament, the President shall announce that the second reading of Parliament has been concluded.

If, in a single vote, the provisional agreement fails to secure the majority of the component Members of Parliament, Parliament shall then proceed in accordance with paragraphs 3 to 5.

3. Save where a proposal for rejection has been adopted in accordance with paragraph 1 or a provisional agreement has been adopted in accordance with paragraph 2, any amendments to the Council's position, including those contained in the provisional agreement tabled by the committee

responsible under Rule 69f(4), shall then be put to the vote. Any amendment to the Council's position shall be adopted only if it secures the votes of a majority of the component Members of Parliament.

Before voting on the amendments, the President may ask the Commission to state its position and the Council to comment.

4. Notwithstanding a vote by Parliament against the initial proposal to reject the Council's position under paragraph 1, Parliament may, on the proposal of the Chair or the rapporteur of the committee responsible or of a political group or Members reaching at least the low threshold, consider a further proposal for rejection after voting on the amendments under paragraphs 2 or 3. For it to be adopted, such a proposal shall require the votes of a majority of the component Members of Parliament.

If the Council's position is rejected, the President shall announce in Parliament that the legislative procedure is closed.

5. After the votes taken under paragraphs 1 to 4 and the votes subsequently taken on amendments to the draft legislative resolution relating to procedural requests, the President shall announce that the second reading of Parliament has been concluded and the legislative resolution shall be deemed to have been adopted. If necessary, the legislative resolution shall be modified, pursuant to Rule 193(2), in order to reflect the outcome of the votes taken under paragraphs 1 to 4 or the application of Rule 69a.

The text of the legislative resolution and of Parliament's position, if any, shall be forwarded by the President to the Council and to the Commission.

Where no proposal to reject or amend the Council's position has been tabled, it shall be deemed to have been approved.

## **Rule 68**

**(Deleted)**

## **Rule 69**

### **Admissibility of amendments to the Council's position**

1. The committee responsible, a political group or Members reaching at least the low threshold may table amendments to the Council's position for consideration in Parliament.

2. An amendment to the Council's position shall be admissible only if it complies with Rules 169 and 170 and seeks:

- (a) to restore wholly or partly the position adopted by Parliament at its first reading; or
- (b) to reach a compromise between the Council and Parliament; or
- (c) to amend a part of the text of a Council position which was not included in - or differs in content from - the proposal submitted at first reading; or
- (d) to take account of a new fact or legal situation which has arisen since the adoption of Parliament's position at first reading.

The President's discretion to declare an amendment admissible or inadmissible may not be questioned.

3. If new elections have taken place since the first reading, but Rule 63 has not been invoked, the President may decide to waive the restrictions on admissibility laid down in paragraph 2.

### **Rule 69a**

#### **Second-reading agreement**

Where no proposal to reject the Council's position and no amendments to that position are tabled under Rules 67a and 69 within the time limits set for tabling and voting on amendments or proposals to reject, the President shall announce in Parliament that the proposed act has been finally adopted.

## **SECTION 3 - INTERINSTITUTIONAL NEGOTIATIONS DURING THE ORDINARY LEGISLATIVE PROCEDURE**

### **Rule 69b**

#### **General provisions**

1. Negotiations with the other institutions aimed at reaching an agreement in the course of a legislative procedure may only be entered into following a decision taken in accordance with the Rules 69c to 69e or following a referral back by Parliament for interinstitutional negotiations. Such negotiations shall be conducted having regard to the Code of Conduct laid down by the Conference of Presidents<sup>7</sup>.

### **Rule 69c**

#### **Negotiations ahead of Parliament's first reading**

1. Where a committee has adopted a legislative report pursuant to Rule 49, it may decide, by a majority of its members, to enter into negotiations on the basis of that report.

2. Decisions to enter into negotiations shall be announced at the beginning of the part-session following their adoption in committee. By the end of the day following the announcement in Parliament, Members or political group(s) reaching at least the medium threshold may request in writing that a committee decision to enter into negotiations be put to the vote. Parliament shall vote on such requests during the same part-session.

If no such request is received by the expiry of the deadline laid down in subparagraph 1, the President shall inform the Parliament that this is the case. If a request is made, the President may, immediately prior to the vote, give the floor to one speaker in favour and to one speaker against. Each speaker may make a statement lasting no more than two minutes.

3. If Parliament rejects the committee's decision to enter into negotiations, the draft legislative act and the report of the committee responsible shall be placed on the agenda of the following part-session, and the President shall set a deadline for amendments. Rule 59(4) shall apply.

4. Negotiations may start at any time after the deadline laid down in the first subparagraph of paragraph 2 has expired without a request for a vote in Parliament on the decision to enter into negotiations being made. If such a request has been made, negotiations may start at any time after the committee decision to enter into negotiations has been approved in Parliament.

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<sup>7</sup> Code of Conduct for negotiating in the context of the ordinary legislative procedures.

## **Rule 69d**

### **Negotiations ahead of Council's first reading**

Where the Parliament has adopted its position at first reading, this shall constitute the mandate for any negotiations with other institutions. The committee responsible may decide, by a majority of its members, to enter into negotiations at any time thereafter. Such decisions shall be announced in Parliament during the part-session following the vote in committee and reference to them shall be included in the minutes.

## **Rule 69e**

### **Negotiations ahead of Parliament's second reading**

Where the Council position at first reading has been referred to the committee responsible, Parliament's position at first reading shall, subject to Rule 69, constitute the mandate for any negotiations with other institutions. The committee responsible may decide to enter into negotiations at any time after.

Where the Council position contains elements not covered by the draft legislative act or by the Parliament's position at first reading, the committee may adopt guidelines, including in the form of amendments to the Council position, for the negotiating team.

## **Rule 69f**

### **Conduct of negotiations**

1. Parliament's negotiating team shall be led by the rapporteur and shall be presided over by the Chair of the committee responsible or by a Vice-Chair designated by the Chair. It shall comprise at least the shadow rapporteurs from each political group that wishes to participate.

2. Any document intended to be discussed at a meeting with the Council and the Commission ("trilogue") shall be circulated to the negotiating team at least 48 hours or, in cases of urgency, at least 24 hours in advance of that trilogue.

3. After each trilogue, the Chair of the negotiating team and the Rapporteur, on behalf of the negotiating team, shall report back to the next meeting of the committee responsible.

Where it is not feasible to convene a meeting of the committee in a timely manner, the Chair of the negotiating team and the Rapporteur, on behalf of the negotiating team, shall report back to a meeting of the committee coordinators.

4. If negotiations lead to a provisional agreement, the committee responsible shall be informed without delay. Documents reflecting the outcome of the concluding trilogue shall be made available to the committee and shall be published. The provisional agreement shall be submitted to the committee responsible, which shall decide by way of a single vote by a majority of the votes cast. If approved, it shall be tabled for consideration by Parliament, in a presentation which clearly indicates the modifications to the draft legislative act.

5. In the event of disagreement between the committees concerned under Rules 54 and 55, the detailed rules for the opening of negotiations and the conduct of such negotiations shall be determined by the Chair of the Conference of Committee Chairs in accordance with the principles set out in those Rules.

## **SECTION 4 - CONCILIATION AND THIRD READING**

### **Rule 69g**

#### **Extension of time limits**

1. The President shall, at the request of Parliament's delegation to the conciliation committee, extend the time limits for third reading in accordance with Article 294(14) of the Treaty on the Functioning of the European Union.
2. The President shall notify Parliament of any extension of time limits under Article 294(14) of the Treaty on the Functioning of the European Union, whether on the initiative of Parliament or of the Council.

### **Rule 70**

#### **Convening of the Conciliation Committee**

Where the Council informs Parliament that it is unable to approve all Parliament's amendments to the Council's position, the President shall, together with the Council, agree to a time and place for a first meeting of the Conciliation Committee. The six-week or, if extended, eight-week deadline provided for in Article 294(10) of the Treaty on the Functioning of the European Union shall run from the day on which the Committee first meets.

### **Rule 71**

#### **Delegation to the Conciliation Committee**

1. Parliament's delegation to the Conciliation Committee shall consist of a number of members equal to the number of members of the Council delegation.
2. The political composition of the delegation shall correspond to the composition of Parliament by political groups. The Conference of Presidents shall determine the exact number of Members from each political group.
3. The members of the delegation shall be appointed by the political groups for each conciliation case, preferably from among the members of the committee responsible, except for three members who shall be appointed as permanent members of successive delegations for a period of 12 months. The three permanent members shall be appointed by the political groups from among the Vice-Presidents and shall represent at least two different political groups. The chair and the rapporteur in second reading of the committee responsible as well as the rapporteur of any associated committee shall in each case be members of the delegation.
4. The political groups represented on the delegation shall appoint substitutes.
5. Political groups not represented on the delegation may each send one representative to any internal preparatory meeting of the delegation. If the delegation does not include any non-attached Members, one non-attached Member may attend any internal preparatory meeting of the delegation.
6. The delegation shall be led by the President or by one of the three permanent members.
7. The delegation shall decide by a majority of its members. Its deliberations shall not be public.

The Conference of Presidents shall lay down further procedural guidelines for the work of the delegation to the Conciliation Committee.

8. The results of the conciliation shall be reported by the delegation to Parliament.

### **Rule 72**

#### **Joint text**

1. Where agreement on a joint text is reached within the Conciliation Committee, the matter shall be placed on the agenda of a sitting of Parliament to be held within six or, if extended, eight weeks of the date of approval of the joint text by the Conciliation Committee.

2. The Chair or another designated member of Parliament's delegation to the Conciliation Committee shall make a statement on the joint text, which shall be accompanied by a report.

3. No amendments may be tabled to the joint text.

4. The joint text as a whole shall be the subject of a single vote. The joint text shall be approved if it secures a majority of the votes cast.

5. If no agreement is reached on a joint text within the Conciliation Committee, the Chair or another designated member of Parliament's delegation to the Conciliation Committee shall make a statement. This statement shall be followed by a debate.

6. During the conciliation procedure between Parliament and the Council following the second reading, no referral back to committee shall take place.

7. Rules 49, 50 and 53 shall not apply during third reading.

## **SECTION 5 - CONCLUSION OF THE PROCEDURE**

### **Rule 73**

**(Deleted)**

### **Rule 74**

**(Deleted)**

### **Rule 75**

**(Deleted)**

### **Rule 76**

**(Deleted)**

### **Rule 77**

**(Deleted)**

## **Rule 78**

### **Signing and publication of adopted acts**

After finalisation of the text adopted in accordance with Rule 193 and Annex VII and once it has been verified that all the procedures have been duly completed, acts adopted in accordance with the ordinary legislative procedure shall be signed by the President and the Secretary-General.

The Secretaries-General of Parliament and of the Council shall then arrange for the publication of the act in the Official Journal of the European Union.

## **CHAPTER 4**

### **PROVISIONS SPECIFIC TO THE CONSULTATION PROCEDURE**

#### **Rule 78a**

##### **Modified proposal for a legally binding act**

If the Commission intends to replace or modify its proposal for a legally binding act, the committee responsible may postpone its examination of the matter until it has received the new proposal or the amendments of the Commission.

#### **Rule 78b**

##### **Commission position on amendments**

Before the committee responsible proceeds to the final vote on a proposal for a legally binding act, it may ask the Commission to state its position on all the amendments to the proposal adopted by the committee.

If appropriate, that position shall be included in the report.

#### **Rule 78c**

##### **Vote in Parliament**

Rule 59 (1), (2), (4) and (5) shall apply mutatis mutandis.

#### **Rule 78d**

##### **Follow-up to Parliament's position**

1. In the period following the adoption by Parliament of its position on a draft legally binding act, the Chair and the rapporteur of the committee responsible shall monitor the progress of that draft act over the course of the procedure leading to its adoption by the Council, in particular in order to ensure that any undertakings given by the Council or the Commission to Parliament concerning its position are properly observed. They shall report back to the committee regularly.

2. The committee responsible may invite the Commission and the Council to discuss the matter with it.

3. At any stage of the follow-up procedure, the committee responsible may, if it deems it to be necessary, table a motion for a resolution recommending that Parliament:

- call upon the Commission to withdraw its proposal,
- call upon the Commission or the Council to refer the matter to Parliament once

again pursuant to Rule 78e, or upon the Commission to present a new proposal, or

- decide to take any other action that it deems to be appropriate.

This motion shall be placed on the draft agenda of the part-session following the adoption of the motion by the committee.

### **Rule 78e**

#### **Renewed referral to Parliament**

1. At the request of the committee responsible, the President shall call on the Council to reconsult Parliament in the same circumstances and under the same conditions as those set out in Rule 63(1), as well as where the Council substantially amends or intends to amend the draft legally binding act on which Parliament originally delivered its position, except where this is done in order to incorporate Parliament's amendments.
2. The President shall also request that a draft legally binding act be referred again to Parliament in the circumstances defined in this Rule where Parliament so decides on a proposal from a political group or Members reaching at least the low threshold.

## **CHAPTER 5**

### **CONSTITUTIONAL MATTERS**

#### **Rule 79**

#### **Ordinary Treaty revision**

1. In accordance with Rules 45 and 52 the committee responsible may submit to Parliament a report containing proposals to the Council for amendment of the Treaties.
2. Where Parliament is consulted, in accordance with Article 48(3) of the Treaty on European Union, on a proposal for a decision of the European Council in favour of examining amendments to the Treaties, the matter shall be referred to the committee responsible. The committee shall draw up a report comprising:
  - a motion for a resolution which states whether Parliament approves or rejects the proposed decision and which may contain proposals for the attention of the Convention or of the conference of representatives of the governments of the Member States;
  - if appropriate, an explanatory statement.
3. If the European Council decides to convene a Convention, the representatives of Parliament shall be appointed by Parliament upon a proposal by the Conference of Presidents. Parliament's delegation shall elect its leader and its candidates for membership of any steering group or bureau set up by the Convention.
4. Where the European Council requests Parliament's consent in relation to a decision not to convene a Convention for the examination of proposed amendments of the Treaties, the matter shall be referred to the committee responsible in accordance with Rule 99.

## **Rule 80**

### **Simplified Treaty revision**

1. In accordance with Rules 45 and 52 the committee responsible may submit to Parliament, in accordance with the procedure laid down in Article 48(6) of the Treaty on European Union, a report containing proposals to the European Council for revision of all or part of the provisions of Part Three of the Treaty on the Functioning of the European Union.

2. Where Parliament is consulted, in accordance with Article 48(6) of the Treaty on European Union, on a proposal for a decision of the European Council amending Part Three of the Treaty on the Functioning of the European Union, Rule 79(2) shall apply *mutatis mutandis*. In that event, the motion for a resolution may contain proposals for amendments only of provisions of Part Three of the Treaty on the Functioning of the European Union.

## **Rule 81**

### **Accession treaties**

1. Any application by a European State to become a member of the European Union in accordance with Article 49 of the Treaty on European Union shall be referred for consideration to the committee responsible.

2. Parliament may decide, on a proposal from the committee responsible, a political group or Members reaching at least the low threshold, to request the Commission and the Council to take part in a debate before negotiations with the applicant State commence.

3. The committee responsible shall request the Commission and the Council to provide it with full and regular information about the progress of negotiations, if necessary on a confidential basis.

4. At any stage of the negotiations Parliament may, on the basis of a report from the committee responsible, adopt recommendations and require these to be taken into account before the conclusion of a Treaty for the accession of an applicant State to the European Union.

5. When the negotiations are completed, but before any agreement is signed, the draft agreement shall be submitted to Parliament for consent in accordance with Rule 99. In accordance with Article 49 of the Treaty on European Union, the consent of Parliament shall require the votes of a majority of its component members.

## **Rule 82**

### **Withdrawal from the Union**

If a Member State decides, pursuant to Article 50 of the Treaty on European Union, to withdraw from the Union, the matter shall be referred to the committee responsible. Rule 81 shall apply *mutatis mutandis*. Parliament shall decide on consent to an agreement on the withdrawal by a majority of the votes cast.

## **Rule 83**

### **Breach by a Member State of fundamental principles and values**

1. Parliament may, on the basis of a specific report of the committee responsible drawn up in accordance with Rules 45 and 52:

- (a) vote on a reasoned proposal calling on the Council to act pursuant to Article 7(1) of the Treaty on European Union;

- (b) vote on a proposal calling on the Commission or the Member States to submit a proposal pursuant to Article 7(2) of the Treaty on European Union;
- (c) vote on a proposal calling on the Council to act pursuant to Article 7(3) or, subsequently, Article 7(4) of the Treaty on European Union.

2. Any request from the Council for consent in relation to a proposal submitted pursuant to Article 7(1) and (2) of the Treaty on European Union along with the observations submitted by the Member State in question shall be announced to Parliament and referred to the committee responsible in accordance with Rule 99. Except in urgent and justified circumstances, Parliament shall take its decision on a proposal from the committee responsible.

3. In accordance with Article 354 of the Treaty on the Functioning of the European Union, decisions under paragraphs 1 and 2 shall require a two-thirds majority of the votes cast, constituting a majority of Parliament's component Members.

4. Subject to the authorisation of the Conference of Presidents, the committee responsible may submit an accompanying motion for a resolution. That motion for a resolution shall set out Parliament's views on a serious breach by a Member State, on the appropriate measures to be taken and on varying or revoking those measures.

5. The committee responsible shall ensure that Parliament is fully informed and, where necessary, asked for its views on all follow-up measures to its consent as given pursuant to paragraph 3. The Council shall be invited to outline developments as appropriate. On a proposal from the committee responsible, drawn up with the authorisation of the Conference of Presidents, Parliament may adopt recommendations to the Council.

## **Rule 84**

### **Composition of Parliament**

In due time before the end of a parliamentary term, Parliament may, on the basis of a report drawn up by its committee responsible in accordance with Article 14(2) of the Treaty on European Union and with Rules 45 and 52, make a proposal to modify its composition. The European Council's draft decision establishing the composition of Parliament shall be examined in accordance with Rule 99.

## **Rule 85**

### **Enhanced cooperation between Member States**

1. Requests for the introduction of enhanced cooperation between Member States pursuant to Article 20 of the Treaty on European Union shall be referred by the President to the committee responsible for consideration. Rule 99 shall apply.

2. The committee responsible shall verify compliance with Article 20 of the Treaty on European Union and Articles 326 to 334 of the Treaty on the Functioning of the European Union.

3. Acts subsequently proposed under enhanced cooperation, once it is established, shall be dealt with in Parliament under the same procedures as when enhanced cooperation does not apply. Rule 47 shall apply.

## CHAPTER 6

### BUDGETARY PROCEDURES

#### Rule 86

##### **Multiannual financial framework**

Where the Council requests Parliament's consent concerning the proposal for a regulation laying down the multiannual financial framework, the matter shall be dealt with in accordance with Rule 99. In accordance with Article 312(2) of the Treaty on the Functioning of the European Union, Parliament's consent shall require the votes of a majority of its component Members.

#### Rule 86a

##### **Annual budgetary procedure**

The committee responsible may decide to draw up any report that is deemed to be appropriate concerning the budget, having regard to the Annex to the Interinstitutional Agreement of 2 December 2013 on budgetary discipline, on cooperation in budgetary matters and on sound financial management<sup>8</sup>.

Any other committee may deliver an opinion within the time limit set by the committee responsible.

#### Rule 87

##### **(Deleted)**

#### Rule 88

##### **Parliament's position on the draft budget**

1. Amendments to the Council's position on the draft budget may be tabled in the committee responsible by individual Members.

Amendments to the Council's position may be tabled in Parliament by a political group or Members reaching at least the low threshold or on behalf of a committee.

2. Amendments shall be presented and justified in writing, bear the signature of their authors and specify the budget line to which they refer.

3. The President shall set the time limit for the tabling of amendments.

4. The committee responsible shall vote on the amendments before they are discussed in Parliament.

5. Amendments tabled in Parliament which have been rejected in the committee responsible may only be put to the vote if this has been requested in writing, before a deadline to be set by the President, by a committee or by a political group or Members reaching at least the low threshold; that deadline may on no account be less than 24 hours before the start of the vote.

6. Amendments to the estimates of Parliament which are similar to those already rejected by

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<sup>8</sup> OJ C 373, 20.12.2013, p. 1.

Parliament at the time when the estimates were drawn up shall be discussed only where the committee responsible has delivered a favourable opinion.

7. Parliament shall take successive votes on:

- the amendments to Council's position on the draft budget, by section,
- a motion for a resolution concerning the draft budget.

However, Rule 174(4) to (10) shall apply.

8. Articles, chapters, titles and sections of the draft budget in respect of which no amendments have been tabled shall be deemed to have been adopted.

9. In accordance with Article 314(4)(a) of the Treaty on the Functioning of the European Union, amendments shall require for adoption the votes of a majority of the component Members of Parliament.

10. If Parliament has amended the Council's position on the draft budget, the position thus amended shall be forwarded to the Council and the Commission, together with the justifications and the minutes of the sitting at which the amendments were adopted.

## **Rule 89**

**(Deleted)**

## **Rule 90**

### **Budgetary conciliation**

1. The President shall convene the Conciliation Committee in accordance with Article 314(4) of the Treaty on the Functioning of the European Union.

2. The delegation representing Parliament at meetings of the Conciliation Committee in the budgetary procedure shall consist of a number of members equal to that of the Council delegation.

3. The members of the delegation shall be appointed by the political groups each year prior to Parliament's vote on the Council's position, preferably from amongst the members of the committee responsible for budgetary issues and other committees concerned. The delegation shall be led by the President of Parliament. The President may delegate this role to a Vice-President having experience in budgetary matters or to the Chair of the committee responsible for budgetary issues.

4. Rule 71(2), (4), (5), (7) and (8) shall apply.

5. Where agreement on a joint text is reached within the Conciliation Committee, the matter shall be placed on the agenda of a sitting of Parliament to be held within 14 days from the date of that agreement. The joint text shall be made available to all Members. Rule 72(2) and (3) shall apply.

6. The joint text as a whole shall be subject to a single vote. The vote shall be taken by a roll-call vote. The joint text shall be deemed to be approved unless it is rejected by a majority of the component Members of the Parliament.

7. If Parliament approves the joint text whilst the Council rejects it, the committee responsible may table all or some of Parliament's amendments to the Council's position for a confirmation in

accordance with point (d) of Article 314(7) of the Treaty on the Functioning of the European Union.

The vote on the confirmation shall be placed on the agenda of a sitting of Parliament to be held within 14 days from the date of the communication by the Council of its rejection of the joint text.

The amendments shall be deemed to be confirmed if they are approved by a majority of the component Members of Parliament and three fifths of the votes cast.

## **Rule 91**

### **Definitive adoption of the budget**

Where the President considers that the budget has been adopted in accordance with the provisions of Article 314 of the Treaty on the Functioning of the European Union, he shall declare in Parliament that the budget has been definitively adopted. He shall arrange for its publication in the Official Journal of the European Union.

## **Rule 92**

### **Provisional twelfths system**

1. Any decision by the Council authorising expenditure in excess of the provisional one twelfth for expenditure shall be referred to the committee responsible.
2. The committee responsible may table a draft decision to reduce the expenditure referred to in paragraph 1. Parliament shall decide on it within 30 days after the adoption of the Council's decision.
3. Parliament shall act by a majority of its component Members.

## **Rule 92a**

### **Implementation of the budget**

1. Parliament shall monitor the implementation of the current year's budget. It shall entrust this task to the committees responsible for the budget and budgetary control and to the other committees concerned.
2. Each year it shall consider, before its reading of the draft budget for the following financial year, the problems involved in the implementation of the current budget, where appropriate on the basis of a motion for a resolution tabled by its committee responsible.

## **Rule 93**

### **Discharge to the Commission in respect of implementation of the budget**

The provisions concerning the procedures for the granting of discharge to the Commission in respect of the implementation of the budget in accordance with the financial provisions of the Treaty on the Functioning of the European Union and the Financial Regulation are attached to these Rules as an annex<sup>9</sup>.

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<sup>9</sup> See Annex IV.

## **Rule 94**

### **Other discharge procedures**

The provisions governing the procedure for granting discharge to the Commission, in accordance with Article 319 of the Treaty on the Functioning of the European Union, in respect of the implementation of the budget, shall likewise apply to the procedure for granting discharge to:

- the President of the European Parliament in respect of the implementation of the budget of the European Parliament;
- the persons responsible for the implementation of the budgets of other institutions and bodies of the European Union such as the Council, the Court of Justice of the European Union, the Court of Auditors, the European Economic and Social Committee and the Committee of the Regions;
- the Commission in respect of the implementation of the budget of the European Development Fund;
- the bodies responsible for the budgetary management of legally independent entities which carry out Union tasks, insofar as their activities are subject to legal provisions requiring discharge by the European Parliament.

## **Rule 94a**

### **Inter-institutional cooperation**

In accordance with Article 324 of the Treaty on the Functioning of the European Union, the President shall participate in regular meetings between the Presidents of the European Parliament, the Council and the Commission convened, on the initiative of the Commission, under the budgetary procedures referred to in Title II of Part Six of the Treaty on the Functioning of the European Union. The President shall take all necessary steps to promote consultation and reconciliation of the positions of the institutions in order to facilitate the implementation of the procedures aforementioned.

The President of Parliament may delegate this task to a Vice-President having experience in budgetary matters or to the Chair of the committee responsible for budgetary issues.

## **Rule 95**

**(Deleted)**

# **CHAPTER 7**

## **INTERNAL BUDGETARY PROCEDURES**

### **Rule 96**

#### **Estimates of Parliament**

1. The Bureau shall draw up the preliminary draft estimates on the basis of a report prepared by the Secretary-General.
2. The President shall forward the preliminary draft estimates to the committee responsible, which shall draw up the draft estimates and report to Parliament.

3. The President shall set a time limit for tabling amendments to the draft estimates.

The committee responsible shall give its opinion on these amendments.

4. Parliament shall adopt the estimates.

5. The President shall forward the estimates to the Commission and the Council.

6. The foregoing provisions shall also apply to estimates for amending budgets.

## **Rule 97**

### **Procedure to be applied when drawing up Parliament's estimates**

1. As regards Parliament's budget, the Bureau and the committee responsible for budgetary issues shall take decisions in successive stages on:

- (a) the establishment plan;
- (b) the preliminary draft and the draft estimates.

2. The decisions concerning the establishment plan will be taken in accordance with the following procedure:

- (a) the Bureau shall draw up the establishment plan for each financial year;
- (b) a conciliation procedure between the Bureau and the committee responsible for budgetary issues shall be opened in cases where the opinion of the latter diverges from the initial decisions taken by the Bureau;
- (c) at the end of the procedure, the Bureau shall take the final decision on the estimates for the establishment plan, in accordance with Rule 222(3), without prejudice to decisions taken pursuant to Article 314 of the Treaty on the Functioning of the European Union.

3. As regards the estimates proper, the procedure for drawing up the estimates will begin as soon as the Bureau has taken a final decision on the establishment plan. The stages of that procedure will be those laid down in Rule 96. A conciliation procedure shall be opened in cases where the positions of the committee responsible for budgetary issues and of the Bureau are widely divergent.

## **Rule 98**

### **Power to incur and settle expenditure, to approve accounts and to grant discharge**

1. The President shall incur and settle, or cause to be incurred and settled, the expenditure covered by the internal financial regulations issued by the Bureau after consulting the appropriate committee.

2. The President shall forward the draft annual accounts to the committee responsible.

3. On the basis of a report by the committee responsible, Parliament shall approve its accounts and decide on the granting of a discharge.

## CHAPTER 8

### CONSENT PROCEDURE

#### **Rule 99**

##### **Consent procedure**

1. Where Parliament is asked to give its consent to a legally binding act, the committee responsible shall submit to Parliament a recommendation to approve or reject the proposed act.

The recommendation shall include citations but not recitals. Amendments in committee shall be admissible only if they aim to reverse the recommendation proposed by the rapporteur.

The recommendation may be accompanied by a short explanatory statement, which shall be the responsibility of the rapporteur and shall not be put to the vote. Rule 52a(2) shall apply mutatis mutandis.

2. If necessary, the committee responsible may also table a report including a motion for a non-legislative resolution setting out the reasons why Parliament should give or refuse its consent and, where appropriate, making recommendations for the implementation of the proposed act.

3. The committee responsible shall deal with the request for consent without undue delay. If the committee responsible has not adopted its recommendation within six months after the request for consent was referred to it, the Conference of Presidents may either place the matter on the agenda for consideration at a subsequent part-session or, in duly substantiated cases, decide to extend the six-month period.

4. Parliament shall decide on the proposed act by means of a single vote on consent, irrespective of whether the recommendation from the committee responsible is to approve or reject the act, and no amendments may be tabled. If the majority required is not obtained, the proposed act shall be deemed to have been rejected.

5. Where Parliament's consent is required, the committee responsible may, at any time, present an interim report to Parliament, including a motion for a resolution containing recommendations for modification or implementation of the proposed act.

## CHAPTER 9

### OTHER PROCEDURES

#### **Rule 100**

##### **Procedure for delivering opinions on derogations to the adoption of the euro**

1. When Parliament is consulted pursuant to Article 140(2) of the Treaty on the Functioning of the European Union, it shall deliberate on the basis of a report by its committee responsible advocating approval or rejection of the proposed act.

2. Parliament shall then take a single vote on the proposed act, to which no amendments may be tabled.

#### **Rule 101**

##### **Procedures relating to dialogue between management and labour**

1. Any document drawn up by the Commission pursuant to Article 154 of the Treaty on the

Functioning of the European Union or agreements reached by management and labour pursuant to Article 155(1) of the Treaty, and any proposals submitted by the Commission under Article 155(2) of the Treaty shall be referred by the President to the committee responsible for consideration.

2. Where management and labour inform the Commission of their wish to initiate the process provided for in Article 155 of the Treaty on the Functioning of the European Union, the committee responsible may draw up a report on the substantive issue in question.

3. Where management and labour have reached an agreement and have requested jointly that the agreement be implemented by a Council decision on a proposal from the Commission under Article 155(2) of the Treaty on the Functioning of the European Union, the committee responsible shall table a motion for a resolution recommending the adoption or rejection of the request.

## **Rule 102**

### **Procedures for scrutiny of envisaged voluntary agreements**

1. Where the Commission informs Parliament of its intention to explore the use of voluntary agreements as an alternative to legislation, the committee responsible may draw up a report on the substantive issue in question pursuant to Rule 52.

2. When the Commission announces that it intends to enter into a voluntary agreement, the committee responsible may table a motion for a resolution recommending approval or rejection of the proposal, and under what conditions.

## **Rule 103**

### **Codification**

1. When a proposal for codification of Union legislation is submitted to Parliament, it shall be referred to the committee responsible for legal affairs. The latter shall examine it in accordance with the arrangements agreed at interinstitutional level<sup>10</sup> in order to ascertain that it is a straightforward codification, with no changes of a substantive nature.

2. The committee which was responsible for the acts to be codified may, at its own request or at the request of the committee responsible for legal affairs, be asked to deliver an opinion on the desirability of codification.

3. Amendments to the text of the proposal shall be inadmissible.

However, at the rapporteur's request, the Chair of the committee responsible for legal affairs may submit for the latter's approval technical adaptations, provided that those adaptations are necessary in order to ensure that the proposal complies with the codification rules and that they do not involve any substantive change to the proposal.

4. If the committee responsible for legal affairs concludes that the proposal does not entail any substantive change to Union legislation, it shall refer it to Parliament for approval.

If the committee takes the view that the proposal entails a substantive change, it shall propose that Parliament reject the proposal.

In either case, Parliament shall take a decision by means of a single vote, without amendment or debate.

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<sup>10</sup> Interinstitutional Agreement of 20 December 1994, Accelerated working method for official codification of legislative texts, point 4 (OJ C 102, 4.4.1996, p. 2).

## **Rule 104**

### **Recasting**

1. When a proposal recasting Union legislation is submitted to Parliament, that proposal shall be referred to the committee responsible for legal affairs and to the committee responsible for the subject-matter.

2. The committee responsible for legal affairs shall examine the proposal in accordance with the arrangements agreed at interinstitutional level<sup>11</sup> with a view to checking that it entails no substantive changes other than those identified as such in the proposal.

For the purpose of that examination, amendments to the text of the proposal shall be inadmissible. However, the second subparagraph of Rule 103(3) shall apply to provisions which remain unchanged in the recasting proposal.

3. If the committee responsible for legal affairs considers that the proposal does not entail any substantive changes other than those identified as such in the proposal, it shall inform the committee responsible.

In such a case, over and above the conditions laid down in Rules 169 and 170, amendments shall be admissible within the committee responsible for the subject-matter only if they concern those parts of the proposal which contain changes.

However, amendments to parts of the proposal which remain unchanged may, by way of exception and on a case-by-case basis, be accepted by the Chair of the committee responsible for the subject matter if he or she considers that this is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Such reasons must be stated in a written justification to the amendments.

4. If the committee responsible for legal affairs considers that the proposal entails substantive changes other than those which have been identified as such in the proposal, it shall propose that Parliament reject the proposal and shall inform the committee responsible for the subject-matter that it has done so.

In such a case the President shall ask the Commission to withdraw the proposal. If the Commission does so, the President shall hold the procedure to be superfluous and shall inform the Council accordingly. If the Commission does not withdraw its proposal, Parliament shall refer the matter back to the committee responsible for the subject-matter, which shall consider it in accordance with the normal procedure.

## **CHAPTER 10**

### **DELEGATED AND IMPLEMENTING ACTS**

## **Rule 105**

### **Delegated acts**

1. When the Commission forwards a delegated act to Parliament, the President shall refer it to the committee responsible for the basic legislative act, which may decide to designate one of its members to consider one or more delegated acts.

2. During the part-session following its reception, the President shall announce to Parliament

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<sup>11</sup> Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, point 9 (OJ C 77, 28.3.2002, p. 1).

the date on which the delegated act was received in all the official languages and the period during which objections may be raised. The period in question shall commence on the date of reception.

The announcement shall be published in the minutes of the sitting together with the name of the committee responsible.

3. In accordance with the provisions of the basic legislative act and – if the committee responsible considers it appropriate to do so – after consulting any committees concerned, the committee responsible may table a reasoned motion for a resolution objecting to the delegated act. If, 10 working days prior to the start of the part-session of which the Wednesday falls before and closest to the day of expiry of the deadline referred to in paragraph 5, the committee responsible has not tabled such a motion for a resolution, a political group or Members reaching at least the low threshold may table a motion for a resolution on the matter for inclusion on the agenda for the part-session referred to above.

4. Any motion for a resolution tabled in accordance with paragraph 3 shall state the reasons for Parliament's objections and may incorporate a request calling on the Commission to submit a new delegated act which takes account of Parliament's recommendations.

5. Parliament shall approve such a motion by the deadline laid down in the basic legislative act and, in accordance with Article 290(2) of the Treaty on the Functioning of the European Union, by the majority of its component Members.

Where the committee responsible considers that it is appropriate to extend the deadline for raising objections to the delegated act in accordance with the provisions of the basic legislative act, the committee chair shall notify the Council and the Commission, on behalf of Parliament, of that extension.

6. If the committee responsible recommends that, prior to the expiry of the deadline set in the basic legislative act, Parliament should declare that it has no objections to the delegated act:

- it shall inform the Chair of the Conference of Committee Chairs by means of a letter setting out its reasons and table a recommendation to that effect;
- if no objections are raised at the next meeting of the Conference of Committee Chairs, or, on grounds of urgency, by written procedure, the Chair of that body shall inform the President of Parliament, who shall in turn inform the plenary as soon as possible;
- if, within 24 hours following the announcement in plenary, a political group or Members reaching at least the low threshold object to the recommendation, it shall be put to the vote;
- if, within the same period, no objections are raised, the proposed recommendation shall be deemed to have been approved;
- the adoption of such a recommendation shall render inadmissible any subsequent proposal objecting to the delegated act.

7. The committee responsible may, in accordance with the provisions of the basic legislative act, submit to Parliament a motion for a resolution revoking, in full or in part, the delegation of powers or opposing the tacit extension of the delegation of powers provided for by that act.

In accordance with Article 290(2) of the Treaty on the Functioning of the European Union, a decision to revoke the delegation of powers shall require the votes of a majority of Parliament's component Members.

8. The President shall inform the Council and Commission of the positions taken under this Rule.

## Rule 106

### Implementing acts and measures

1. When the Commission forwards a draft implementing act or measure to Parliament, the President shall refer it to the committee responsible for the basic legislative act, which may decide to designate one of its members to consider one or more draft implementing acts or measures.

2. The committee responsible may table a reasoned motion for a resolution stating that a draft implementing act or measure goes beyond the implementing powers provided for in the basic legislative act or is not consistent with Union law in other respects.

3. The motion for a resolution may incorporate a request to the Commission to withdraw the draft implementing act or measure, to amend it in keeping with the objections raised by Parliament, or to submit a new legislative proposal. The President shall inform the Council and the Commission of the decision taken.

4. If the implementing acts envisaged by the Commission fall under the regulatory procedure with scrutiny provided for by Council Decision 1999/468/EC laying down procedures for the exercise of the implementing powers conferred on the Commission, the following additional provisions shall apply:

- (a) the time for scrutiny shall start to run when the draft implementing measure has been submitted to Parliament in all the official languages. Where the shorter time limit for scrutiny provided for in Article 5a(5)(b) of Council Decision 1999/468/EC applies, and in the urgent cases provided for in Article 5a(6) of Decision 1999/468/EC, the time for scrutiny shall, unless the Chair of the committee responsible objects, start to run from the date of receipt by Parliament of the final draft implementing measure in the language versions submitted to the members of the committee set up in accordance with Decision 1999/468/EC. Rule 158 shall not apply in the two instances mentioned in the previous sentence;
- (b) if the draft implementing measure is based on paragraph 5 or 6 of Article 5a of Decision 1999/468/EC, which prescribes curtailed time limits for opposition by Parliament, a motion for a resolution opposing the adoption of the draft measure may be tabled by the chair of the committee responsible if that committee has not been able to meet in the time available;
- (c) Parliament, acting by a majority of its component Members, may adopt a resolution opposing the adoption of the draft implementing measure and indicating that the draft exceeds the implementing powers provided for in the basic act, is not compatible with the aim or the content of the basic act or does not respect the principles of subsidiarity or proportionality;

If, 10 working days prior to the start of the part-session of which the Wednesday falls before and closest to the day of expiry of the deadline for opposing the adoption of the draft implementing measure, the committee responsible has not tabled a motion for such a resolution, a political group or Members reaching at least the low threshold may table a motion for a resolution on the matter for inclusion on the agenda for the part-session referred to above.

- (d) if the committee responsible recommends, by means of a letter to the Chair of the Conference of Committee Chairs setting out its reasons, that Parliament should

declare that it has no objections to the proposed measure prior to the expiry of the normal time limit laid down in Article 5a(3)(c) and/or Article 5a(4)(e) of Decision 1999/468/EC, the procedure provided for in Rule 105(6) shall apply<sup>12</sup>.

## **Rule 107**

### **Consideration under the procedure with associated committees or the procedure with joint committee meetings**

1. If the basic legislative act was adopted by Parliament under the procedure provided for in Rule 54, the following additional provisions shall apply to the consideration of delegated acts and draft implementing acts or measures:

- the delegated act or draft implementing act or measure shall be forwarded to the committee responsible and the associated committee;
- the chair of the committee responsible shall set a deadline by which the associated committee may draw up proposals on matters falling within its exclusive competence or the two committees' joint competence;
- if the delegated act or draft implementing act or measure falls mainly within the exclusive competence of the associated committee, the latter's proposals shall be accepted without a vote by the committee responsible; failing that, the President may authorise the associated committee to table a motion for a resolution in plenary.

2. If the basic legislative act was adopted by Parliament under the procedure provided for in Rule 55, the following additional provisions shall apply to the consideration of delegated acts and draft implementing acts or measures:

- upon receipt of the delegated act or draft implementing act or measure, the President shall determine which committee is responsible or which committees are jointly responsible for its consideration, in accordance with the criteria laid down in Rule 55 and any agreements reached between the chairs of the committees concerned;
- if a delegated act or a draft implementing act or measure has been forwarded for consideration under the procedure with joint committee meetings, each committee may request that a joint meeting be convened to consider a motion for a resolution. If the chairs of the committees concerned fail to reach agreement, the joint meeting shall be convened by the Chair of the Conference of Committee Chairs.

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<sup>12</sup> Rule 106(4) shall be deleted from the Rules of Procedure as soon as the regulatory procedure with scrutiny has been removed from any existing legislation.

## TITLE III

### EXTERNAL RELATIONS

#### CHAPTER 1

##### INTERNATIONAL AGREEMENTS

###### **Rule 108**

###### **International agreements**

1. When it is intended to open negotiations on the conclusion, renewal or amendment of an international agreement, the committee responsible may decide to draw up a report or otherwise monitor this preparatory phase. It shall inform the Conference of Committee Chairs of that decision.

2. The committee responsible shall, as soon as possible, ascertain from the Commission, the chosen legal basis for concluding the international agreements referred to in paragraph 1. The committee responsible shall verify that chosen legal basis in accordance with Rule 39.

3. Parliament may, on a proposal from the committee responsible, a political group or Members reaching at least the low threshold, ask the Council not to authorise the opening of negotiations until Parliament has stated its position on the proposed negotiating mandate on the basis of a report from the committee responsible.

4. At any stage of the negotiations and from the end of the negotiations to the conclusion of the international agreement, Parliament may, on the basis of a report from the committee responsible, drawn up on its own initiative or after considering any relevant proposal tabled by a political group or Members reaching at least the low threshold, adopt recommendations to the Council, the Commission or the Vice President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and require them to be taken into account before the conclusion of that agreement.

5. Requests by the Council for Parliament's consent or opinion shall be referred by the President to the committee responsible for consideration in accordance with Rule 99 or Rule 47(1).

6. At any time before Parliament votes on a request for consent or opinion, the committee responsible or at least one-tenth of Parliament's component Members may propose that Parliament seek an opinion from the Court of Justice on the compatibility of an international agreement with the Treaties.

Before Parliament votes on that proposal, the President may request the opinion of the committee responsible for legal affairs, which shall report its conclusions to Parliament.

If Parliament approves the proposal to seek an opinion from the Court of Justice, the vote on a request for consent or opinion shall be adjourned until the Court has delivered its opinion.

7. Where Parliament is requested to give its consent to the conclusion, renewal or amendment of an international agreement, it shall decide by a single vote in accordance with Rule 99.

If Parliament declines to give its consent, the President shall inform the Council that the agreement in question cannot be concluded, renewed or amended.

Without prejudice to Rule 99(3), Parliament may decide, on the basis of a recommendation from the committee responsible, to postpone its decision on the consent procedure for no longer than

one year.

8. Where Parliament is requested to give its opinion on the conclusion, renewal or amendment of an international agreement, no amendments to the text of the agreement shall be admissible. Without prejudice to Rule 170(1), amendments to the draft Council decision shall be admissible.

If the opinion adopted by Parliament is unfavourable, the President shall ask the Council not to conclude the agreement in question.

9. The Chairs and rapporteurs of the committee responsible and of any associated committees shall jointly check that, in accordance with Article 218(10) of the Treaty on the Functioning of the European Union, the Council, the Commission and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy provide Parliament with immediate, regular and full information, if necessary on a confidential basis, at all stages of the preparations for the negotiation, the negotiation and the conclusion of international agreements, including information on the draft and the finally adopted text of negotiating directives, as well as information relating to the implementation of those agreements.

## **Rule 109**

### **Provisional application or suspension of the application of international agreements or establishment of the Union's position in a body set up by an international agreement**

Where the Commission or the Vice-President/High Representative informs Parliament and the Council of its intention to propose the provisional application or suspension of an international agreement, Parliament may invite the Council, the Commission or the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy to make a statement, following which there shall be a debate. Parliament may issue recommendations on the basis of a report by the committee responsible or pursuant to Rule 113, which may include, in particular, the request to the Council not to provisionally apply an agreement until the Parliament has given consent.

The same procedure shall apply when the Commission or the Vice-President/High Representative proposes positions to be adopted on the Union's behalf in a body set up by an international agreement.

## **CHAPTER 2**

### **EXTERNAL REPRESENTATION OF THE UNION AND THE COMMON FOREIGN AND SECURITY POLICY**

## **Rule 110**

### **Special representatives**

1. Where the Council intends to appoint a special representative under Article 33 of the Treaty on European Union, the President, at the request of the committee responsible, shall invite the Council to make a statement and answer questions concerning the mandate, the objectives and other relevant matters relating to the tasks and role to be performed by the special representative.

2. Once the special representative has been appointed, but prior to taking up the position, the appointee may be invited to appear before the committee responsible to make a statement and answer questions.

3. Within two months of the hearing, the committee responsible may make recommendations

to the Council, the Commission or the Vice President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy relating directly to the appointment.

4. The special representative shall be invited to keep Parliament fully and regularly informed as to the practical implementation of the mandate.

## **Rule 111**

### **International representation**

1. When the head of a Union external delegation is to be appointed, the nominee may be invited to appear before the committee responsible to make a statement and answer questions.

2. Within two months of the hearing provided for in paragraph 1, the committee responsible may adopt a resolution or make a recommendation, as appropriate, relating directly to the appointment.

## **Rule 112**

### **(Deleted)**

## **CHAPTER 3**

## **RECOMMENDATIONS ON THE UNION'S EXTERNAL ACTION**

### **Rule 113**

#### **Recommendations on the Union's external policies**

1. The committee responsible may draw up draft recommendations to the Council, the Commission or the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy on subjects under Title V of the Treaty on European Union (the Union's external action) or in cases where an international agreement falling within the scope of Rule 108 has not been referred to Parliament or Parliament has not been informed thereof under Rule 109.

2. In urgent cases, the President may authorise an emergency meeting of the committee concerned.

3. During the procedure for adopting these draft recommendations at committee stage, it shall be necessary for a written text to be put to the vote.

4. In the urgent cases referred to in paragraph 2, Rule 158 shall not apply at committee stage and oral amendments shall be admissible. Members may not object to oral amendments being put to the vote in committee.

5. The draft recommendations drawn up by the committee shall be included on the agenda for the next part-session. In urgent cases decided upon by the President, recommendations may be included on the agenda for a current part-session.

6. Recommendations shall be deemed to have been adopted unless, before the beginning of the part-session, a political group or Members reaching at least the low threshold submit a written objection. Where such an objection is submitted, the committee's draft recommendations shall be included on the agenda of the same part-session. Such recommendations shall be the subject of a debate, and any amendment tabled by a political group or Members reaching at least the low

threshold shall be put to the vote.

### **Rule 113a**

#### **Consultation of, and provision of information to, Parliament within the framework of the common foreign and security policy**

1. When Parliament is consulted pursuant to Article 36 of the Treaty on European Union, the matter shall be referred to the committee responsible, which may draw up draft recommendations pursuant to Rule 113.

2. The committees concerned shall seek to ensure that the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy provides them with regular and timely information on the development and implementation of the Union's common foreign and security policy, on the costs envisaged each time that a decision entailing expenditure is adopted under that policy and on any other financial considerations relating to the implementation of actions under that policy. Exceptionally, at the request of the Vice-President/High Representative, a committee may decide to hold its proceedings in camera.

3. Twice a year, a debate shall be held on the consultative document drawn up by the Vice-President/High Representative on the main aspects and basic choices of the common foreign and security policy, including the common security and defence policy and the financial implications for the Union budget. The procedures laid down in Rule 123 shall apply.

4. The Vice-President/High Representative shall be invited to every plenary debate that involves either foreign, security or defence policy.

### **Rule 114**

#### **Breach of human rights**

At each part-session, without requiring authorisation, the committees responsible may each table a motion for a resolution under the same procedure as laid down in Rule 113(5) and (6) concerning cases of breaches of human rights.

## TITLE IV

### TRANSPARENCY OF BUSINESS

#### Rule 115

##### **Transparency of Parliament's activities**

1. Parliament shall ensure that its activities are conducted with the utmost transparency, in accordance with the second paragraph of Article 1 of the Treaty on European Union, Article 15 of the Treaty on the Functioning of the European Union and Article 42 of the Charter of Fundamental Rights of the European Union.

2. Debates in Parliament shall be public.

3. Committees shall normally meet in public. They may, however, decide, at the latest when the agenda for a meeting is adopted, to divide that agenda into items open to the public and items closed to the public. However, if a meeting is held in camera, the committee may decide to make documents from the meeting available for public access.

#### Rule 116

##### **Public access to documents**

1. Any citizen of the Union and any natural or legal person residing or having its registered office in a Member State has a right of access to Parliament documents in accordance with Article 15 of the Treaty on the Functioning of the European Union, subject to the principles, conditions and limits laid down in Regulation (EC) No 1049/2001 of the European Parliament and of the Council.

Access to Parliament documents shall as far as possible be granted to other natural or legal persons in the same way.

2. For the purposes of access to documents, the term 'Parliament documents' means any content within the meaning of Article 3(a) of Regulation (EC) No 1049/2001 which has been drawn up or received by officers of Parliament within the meaning of Title I, Chapter 2, of these Rules, by Parliament's governing bodies, committees or interparliamentary delegations, or by Parliament's Secretariat.

In accordance with Article 4 of the Statute for Members of the European Parliament, documents drawn up by individual Members or political groups are Parliament documents for the purposes of access to documents only if they are tabled in accordance with the Rules of Procedure.

The Bureau shall lay down rules to ensure that all Parliament documents are registered.

3. Parliament shall establish a public register website of Parliament documents. Legislative documents and certain other categories of documents shall, in accordance with Regulation (EC) No 1049/2001, be made directly accessible through Parliament's public register website. References to other Parliament documents shall as far as possible be included in the public register website.

Categories of documents which are directly accessible through Parliament's public register website shall be set out in a list adopted by the Bureau and published on Parliament's public register website. This list shall not restrict the right of access to documents not falling within the categories listed; those documents may be made available on written application in accordance with Regulation (EC) No 1049/2001.

The Bureau shall adopt rules for access to documents, pursuant to Regulation (EC) No 1049/2001, which shall be published in the *Official Journal of the European Union*.

4. The Bureau shall designate the bodies responsible for the handling of initial applications (Article 7 of Regulation (EC) No 1049/2001) and for the adoption of decisions on confirmatory applications (Article 8 of the Regulation) and on applications for access to sensitive documents (Article 9 of the Regulation).

5. One of the Vice-Presidents shall be responsible for supervising the handling of applications for access to documents.

6. The Bureau shall adopt the annual report referred to in Article 17(1) of Regulation (EC) No 1049/2001.

7. Parliament's committee responsible shall regularly examine the transparency of Parliament's activities and submit a report with its conclusions and recommendations to the plenary.

The committee responsible may also examine and evaluate the reports adopted by the other institutions and agencies in accordance with Article 17 of the Regulation.

8. The Conference of Presidents shall designate Parliament's representatives on the interinstitutional committee established pursuant to Article 15(2) of Regulation (EC) No 1049/2001.

## **Rule 116a**

### **Access to Parliament**

1. Access badges for Members, Members' assistants and third persons shall be issued on the basis of the rules laid down by the Bureau. Those rules shall also govern the use and withdrawal of access badges.

2. Badges shall not be issued to individuals within a Member's entourage who fall within the scope of the Agreement between the European Parliament and the European Commission on the transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation<sup>13</sup>.

3. Entities listed in the transparency register, and their representatives who have been issued with long-term access badges to the European Parliament must respect:

- the Code of Conduct for Registrants annexed to the agreement;
- the procedures and other obligations laid down by the agreement; and
- the provisions implementing this Rule.

Without prejudice to the applicability of the general rules governing the withdrawal or temporary de-activation of long-term access badges, and unless there are significant arguments to the contrary, the Secretary-General shall, with the authorisation of the Quaestors, withdraw or deactivate a long-term access badge where its holder has been disbarred from the transparency register for a breach of the Code of Conduct for Registrants, has been guilty of a serious breach of the obligations laid down in this paragraph, or has refused to comply with a formal summons to attend a hearing or committee meeting or to cooperate with a committee of inquiry, without offering a sufficient justification.

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<sup>13</sup> OJ L 277, 19.9.2014, p. 11.

4. The Quaestors may determine to what extent the Code of Conduct referred to in paragraph 3 is applicable to persons who, whilst in possession of a long-term access badge, do not fall within the scope of the agreement.

5. The Bureau, acting on a proposal from the Secretary-General, shall lay down the measures needed to implement the transparency register, in accordance with the provisions of the agreement on the establishment of that register.

## TITLE V

### RELATIONS WITH OTHER BODIES

#### CHAPTER 1

##### APPOINTMENTS

###### **Rule 117**

###### **Election of the President of the Commission**

1. When the European Council proposes a candidate for President of the Commission, the President shall request the candidate to make a statement and present his or her political guidelines to Parliament. The statement shall be followed by a debate.

The European Council shall be invited to take part in the debate.

2. In accordance with Article 17(7) of the Treaty on European Union, Parliament shall elect the President of the Commission by a majority of its component Members.

The vote shall be taken by secret ballot.

3. If the candidate is elected, the President shall inform the Council accordingly, asking it and the President-elect of the Commission to propose by common accord the nominees for the various posts of Commissioners.

4. If the candidate does not obtain the required majority, the President shall invite the European Council to propose a new candidate within one month for election in accordance with the same procedure.

###### **Rule 118**

###### **Election of the Commission**

1. The President shall invite the President-elect of the Commission to inform Parliament about the allocation of portfolio responsibilities in the proposed College of Commissioners in accordance with the political guidelines of the President-elect.

2. The President shall, after consulting the President-elect of the Commission, request the nominees proposed by the President-elect of the Commission and by the Council for the various posts of Commissioner to appear before the appropriate committees or bodies according to their prospective fields of responsibility.

3. The hearings shall be conducted by the committees.

Exceptionally, a hearing may be carried out in a different format when a Commissioner-designate has responsibilities which are primarily horizontal, provided that such a hearing involves the committees responsible. The hearings shall be held in public.

4. The appropriate committee or committees shall invite the Commissioner-designate to make a statement and answer questions. The hearings shall be organised in such a way as to enable Commissioners-designate to disclose to Parliament all relevant information. Provisions relating to the organisation of the hearings shall be laid down in an annex to these Rules of Procedure<sup>14</sup>.

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<sup>14</sup> See Annex VI.

5. The President-elect shall be invited to present the college of Commissioners and their programme at a sitting of Parliament which the President of the European Council and the President of the Council shall be invited to attend. The statement shall be followed by a debate.

6. In order to wind up the debate, any political group or Members reaching at least the low threshold may table a motion for a resolution. Rule 123(3) to (8) shall apply.

7. Following the vote on the motion for a resolution, Parliament shall elect or reject the Commission by a majority of the votes cast, by roll call. Parliament may defer the vote until the next sitting.

8. The President shall inform the Council of the election or rejection of the Commission.

9. In the event of a substantial portfolio change or a change in the composition of the Commission during the Commission's term of office, the Commissioners concerned or any other Commissioners designate shall be invited to participate in a hearing held in accordance with paragraphs 3 and 4.

10. In the event of a change in the Commissioner's portfolio or in the financial interests of a Commissioner during her or his term of office, this situation shall be subject to scrutiny by Parliament in accordance with Annex VI.

If a conflict of interests is identified during a Commissioner's term of office and the President of the Commission fails to implement Parliament's recommendations for resolving that conflict of interests, Parliament may ask the President of the Commission to withdraw confidence in the Commissioner in question, pursuant to paragraph 5 of the Framework agreement on relations between the European Parliament and the European Commission and, where appropriate, to take action with a view to depriving the Commissioner in question of his right to a pension or other benefits in lieu of pension in accordance with the second paragraph of Article 245 of the Treaty on the Functioning of the European Union.

## **Rule 118a**

### **Multiannual programming**

Upon the appointment of a new Commission, the Parliament, the Council and the Commission will, pursuant to paragraph 5 of the Interinstitutional Agreement on Better Law-Making, exchange views and agree on joint conclusions on multiannual programming.

To that effect, and before negotiating with the Council and the Commission on the joint conclusions on multiannual programming, the President shall hold an exchange of views with the Conference of Presidents regarding the principal policy objectives and priorities for the new legislative term. This exchange of views will take into consideration, *inter alia*, the priorities presented by the President-elect of the Commission, as well as the replies given by Commissioners-designate during the hearings provided for in Rule 118.

Before signing the joint conclusions, the President shall seek the approval of the Conference of Presidents.

## **Rule 119**

### **Motion of censure on the Commission**

1. A motion of censure on the Commission may be submitted to the President by one tenth of the component Members of Parliament. If a motion of censure has been voted on in the preceding two months, a new one may be tabled only by one fifth of the component Members of Parliament.

2. The motion shall be called 'motion of censure' and shall state reasons. It shall be forwarded to the Commission.

3. The President shall announce to Members that a motion of censure has been tabled immediately after receiving it.

4. The debate on censure shall not take place until at least 24 hours after the receipt of a motion of censure is announced to Members.

5. The vote on the motion shall be by roll call and shall not be taken until at least 48 hours after the beginning of the debate.

6. Without prejudice to paragraphs 4 and 5, the debate and the vote shall take place, at the latest, during the part-session following the submission of the motion.

7. In accordance with Article 234 of the Treaty on the Functioning of the European Union, the motion of censure shall be adopted if it secures a two-thirds majority of the votes cast, representing a majority of the component Members of Parliament. The President of the Council and the President of the Commission shall be notified of the result of the vote.

## **Rule 120**

### **Nomination of Judges and Advocates-General at the Court of Justice of the European Union**

On a proposal of its committee responsible, Parliament shall appoint its nominee to the panel of seven persons charged with scrutinising the suitability of candidates to hold the office of Judge or Advocate-General of the Court of Justice and the General Court. The committee responsible shall select the nominee it wishes to propose by holding a vote by simple majority. For that purpose, the coordinators of that committee shall establish a shortlist of candidates.

## **Rule 121**

### **Appointment of the Members of the Court of Auditors**

1. Candidates nominated as Members of the Court of Auditors shall be invited to make a statement before the committee responsible and to answer questions put by members. The committee shall vote on each nomination separately by secret ballot.

2. The committee responsible shall make a recommendation to Parliament as to whether the nomination should be approved.

3. The vote in plenary shall take place within two months of receipt of the nomination unless Parliament, at the request of the committee responsible, a political group or Members reaching at least the low threshold, decides otherwise. Parliament shall vote on each nomination separately by secret ballot.

4. If the opinion adopted by Parliament on an individual nomination is unfavourable, the President shall ask the Council to withdraw its nomination and to submit a new nomination to Parliament.

## **Rule 122**

### **Appointment of the Members of the Executive Board of the European Central Bank**

1. The candidate nominated as President, Vice-President or Member of the Executive Board of the European Central Bank shall be invited to make a statement before the committee responsible and to answer questions put by members.

2. The committee responsible shall make a recommendation to Parliament as to whether the nomination should be approved.

3. The vote shall take place within two months of receipt of the nomination unless Parliament, at the request of the committee responsible, a political group or Members reaching at least the low threshold, decides otherwise. Parliament shall vote on each nomination separately by secret ballot.

4. If the opinion adopted by Parliament on a nomination is unfavourable, the President shall ask for the withdrawal of the nomination and for the submission of a new nomination to Parliament.

### **Rule 122a**

#### **Appointments to the economic governance bodies**

1. This Rule shall apply to the appointment of:

- the Chair and the Vice-Chair of the Supervisory Board of the Single Supervisory Mechanism;
- the Chair, the Vice-Chair and the full-time members of the Single Resolution Board of the Single Resolution Mechanism;
- the Chairs and Executive Directors of the European Supervisory Authority ( European Banking Authority, European Securities and Markets Authority, European Insurance and Occupational Pensions Authority) ; and
- the Managing Director and Deputy Managing Director of the European Fund for Strategic Investments.

2. Each candidate shall be invited to make a statement before the committee responsible and to answer questions put by Members.

3. The committee responsible shall make a recommendation to Parliament on each proposal for appointment.

4. The vote shall take place within two months of receipt of the proposal for appointment unless Parliament, at the request of the committee responsible, a political group or Members reaching at least the low threshold, decides otherwise. Parliament shall vote on each appointment separately by secret ballot.

5. If the decision adopted by Parliament on a proposal for appointment is unfavourable, the President shall ask for its withdrawal and for the submission of a new proposal to Parliament.

## **CHAPTER 2**

### **STATEMENTS**

#### **Rule 123**

#### **Statements by the Commission, Council and European Council**

1. Members of the Commission, the Council and the European Council may at any time ask the President of Parliament for permission to make a statement. The President of the European Council shall make a statement after each of its meetings. The President of Parliament shall decide when the statement may be made and whether it is to be followed by a full debate or by 30 minutes of brief and concise questions from Members.

2. When placing a statement with debate on its agenda, Parliament shall decide whether or not to wind up the debate with a resolution. It shall not do so if a report on the same matter is scheduled for the same or the next part-session, unless the President, for exceptional reasons, proposes otherwise. If Parliament decides to wind up a debate with a resolution, a committee, a political group or Members reaching at least the low threshold may table a motion for a resolution.

3. Motions for resolutions shall be put to the vote at the earliest possible voting time. The President shall decide on any exceptions. Explanations of vote shall be admissible.

4. A joint motion for a resolution shall replace the motions for resolutions tabled previously by its signatories, but not those tabled by other committees, political groups or Members.

5. If a joint motion for a resolution is tabled by political groups representing a clear majority, the President may put that motion to the vote first.

6. After a resolution has been adopted, no further motions may be put to the vote unless the President, exceptionally, decides otherwise.

7. The author or authors of a motion for a resolution tabled under paragraph 2 or Rule 135(2) shall be entitled to withdraw it before the final vote.

8. A withdrawn motion for a resolution may be taken over and retabled immediately by a group, a committee or the same number of Members as is entitled to table it. Paragraph 7 and this paragraph shall apply also to resolutions tabled under Rules 105 and 106.

## **Rule 124**

### **Statements explaining Commission decisions**

The President shall invite the President of the Commission, the Commissioner responsible for relations with the European Parliament or, by agreement, another Commissioner, to make a statement to Parliament after each meeting of the Commission, explaining the main decisions taken, unless, for timetabling reasons or because of the relative political relevance of the subject-matter, the Conference of Presidents decides that this is not necessary. The statement shall be followed by a debate of at least 30 minutes in which Members may put brief and concise questions.

## **Rule 125**

### **Statements by the Court of Auditors**

1. In the context of the discharge procedure or of Parliament's activities in the sphere of budgetary control, the President of the Court of Auditors may be invited to make a statement in order to present the comments contained in the Annual Report, special reports or opinions of the Court, or in order to explain the Court's work programme.

2. Parliament may decide to hold a separate debate on any questions raised in such statements with the participation of the Commission and Council, in particular when irregularities in financial management have been reported.

## **Rule 126**

### **Statements by the European Central Bank**

1. The President of the European Central Bank shall be invited to present to Parliament the Bank's Annual Report on the activities of the European System of Central Banks and on the monetary policy of both the previous and the current year.

2. This presentation shall be followed by a general debate.
3. The President of the European Central Bank shall be invited to attend meetings of the committee responsible at least four times a year in order to make a statement and to answer questions.
4. If they or Parliament so request, the President, Vice-President and other Members of the Executive Board of the European Central Bank shall be invited to attend additional meetings.
5. A verbatim report of the proceedings under paragraphs 3 and 4 shall be drawn up.

#### **Rule 127**

**(Deleted)**

### CHAPTER 3

### PARLIAMENTARY QUESTIONS

#### **Rule 128**

##### **Questions for oral answer with debate**

1. Questions may be put to the Council, the Commission or the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy by a committee, a political group or Members reaching at least the low threshold with a request that they be placed on the agenda of Parliament.

Such questions shall be submitted in writing to the President who shall immediately refer them to the Conference of Presidents.

The Conference of Presidents shall decide whether questions should be placed on the draft agenda in accordance with the procedure provided for in Rule 149. Questions not placed on Parliament's draft agenda within three months of being submitted shall lapse.

2. Questions to the Commission and to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy must be referred to the addressee at least one week before the sitting on whose agenda they are to appear and questions to the Council at least three weeks before that date.

3. Where the questions concern the common security and defence policy, the time limits provided for in paragraph 2 shall not apply, and the reply must be given sufficiently promptly to keep Parliament properly informed.

4. One of the questioners may move the question. The addressee shall answer.

5. Rule 123(2) to (8) concerning the tabling and voting of motions for resolutions shall apply *mutatis mutandis*.

#### **Rule 129**

##### **Question Time**

1. Question Time with the Commission may be held at each part-session for a duration of up to 90 minutes on one or more specific horizontal themes to be decided upon by the Conference of Presidents one month in advance of the part-session.

2. The Commissioners invited to participate by the Conference of Presidents shall have a portfolio related to the specific horizontal theme or themes on which questions are to be put to them. The number of Commissioners shall be limited to two per part-session, with the possibility of adding a third being dependent on the specific horizontal theme or themes chosen for the Question Time.

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

4. Question time shall not be specifically allocated in advance. The President shall ensure, as far as possible, that Members holding different political views and from different Member States are given the opportunity to put a question in turn.

5. The Member shall be given one minute in which to formulate the question and the Commissioner two minutes in which to reply. That Member may put a supplementary question, of 30 seconds duration, having a direct bearing on the main question. The Commissioner shall then be given two minutes in which to give a supplementary reply.

Questions and supplementary questions must be directly related to the specific horizontal theme decided under paragraph 1. The President may rule on their admissibility.

## **Rule 130**

### **Questions for written answer**

1. Any Member may put questions for written answer to the President of the European Council, the Council, the Commission or the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy in accordance with criteria laid down in an annex to these Rules of Procedure<sup>15</sup>. The content of questions shall be the sole responsibility of their authors.

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

3. Questions shall be submitted in electronic format. Each Member may submit a maximum of twenty questions over a rolling period of three months.

4. A question may be supported by Members other than the author. Such questions shall only count towards the author's and not the supporter's maximum number of questions under paragraph 3.

5. If a question cannot be answered by the addressee within three weeks (priority question) or of six weeks (non-priority question) of being forwarded to the addressee, it may, at the request of the author, be placed on the agenda for the next meeting of the committee responsible.

6. Each Member may table one priority question each month.

7. Questions, and any answers, including their related annexes, thereto, shall be published on Parliament's website.

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<sup>15</sup> See Annex II.

## **Rule 130a**

### **Minor interpellations for written answer**

1. In minor interpellations, consisting in questions for written answer, the Council, the Commission or the Vice-President of the Commission/High-Representative of the Union for Foreign Affairs and Security Policy may be asked by a committee, a political group or at least five per cent of Parliament's component Members to furnish information on specifically designated issues.

Such questions shall be submitted to the President who, provided that the questions are in accordance with these Rules of Procedure generally and that they fulfil the criteria laid down in an annex to these Rules of Procedure<sup>16</sup>, shall ask the addressee to reply within two weeks; the President may extend this time limit in consultation with the questioners.

2. Questions and answers shall be published on Parliament's website.

## **Rule 130b**

### **Major interpellations for written answer with debate**

1. In major interpellations, consisting in questions for written answer with debate, those questions may be put to the Council, the Commission or the Vice-President of the Commission/High-Representative of the Union for Foreign Affairs and Security Policy by a committee, a political group or at least five percent of Parliament's component Members. Questions may include a brief explanatory statement.

Such questions shall be submitted in writing to the President who, provided that they are in accordance with these Rules of Procedure generally and that they fulfil the criteria laid down in an annex to these Rules of Procedure<sup>17</sup>, shall immediately inform the addressee of the question and ask the addressee to state whether it will be answered and, if so, when.

2. On receipt of the written reply, the major interpellation shall be placed on the draft agenda of Parliament in accordance with the procedure provided for in Rule 149. A debate must be held if a committee, a political group or at least five per cent of Parliament's component Members so demand.

3. If the addressee refuses to answer the question or fails to do so within three weeks, the question shall be placed on the draft agenda. A debate must be held if a committee, a political group or at least five per cent of Parliament's component Members so demand. Prior to the debate one of the questioners may be given leave to state supplementary reasons for the question.

4. One of the questioners may move the question. One member of the institution concerned shall answer.

Rule 123(2) to (5) concerning the tabling of, and voting on, motions for resolutions shall apply mutatis mutandis.

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

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<sup>16</sup> See Annex II.

<sup>17</sup> See Annex II.

## **Rule 131**

### **Questions for written answer to the European Central Bank**

1. Any Member may put a maximum of six questions per month for written answer to the European Central Bank in accordance with criteria laid down in an annex to these Rules of Procedure<sup>18</sup>. The content of questions shall be the sole responsibility of their authors.
2. Such questions shall be submitted in writing to the Chair of the committee responsible, who shall notify them to the European Central Bank. Doubts concerning the admissibility of a question shall be settled by the Chair. The questioner shall be notified of the Chair's decision.
3. Questions and answers shall be published on Parliament's website
4. If a question has not received a reply within six weeks, it may be included, at the request of its author, on the agenda for the next meeting of the committee responsible with the President of the European Central Bank.

## **Rule 131a**

### **Questions for written answer concerning the Single Supervisory Mechanism and the Single Resolution Mechanism**

1. Rule 131 (1), (2) and (3) shall apply mutatis mutandis with regard to questions for written answer concerning the Single Supervisory Mechanism and the Single Resolution Mechanism. The number of such questions shall be subtracted from the maximum of six provided for in Rule 131(1).
2. If a question has not received a reply within 5 weeks, it may be included, at the request of its author, on the agenda for the next meeting of the committee responsible with the Chair of the Board of the addressee.

## **CHAPTER 4**

### **REPORTS OF OTHER INSTITUTIONS AND BODIES**

## **Rule 132**

### **Annual and other reports of other institutions or bodies**

1. Annual and other reports of other institutions or bodies on which the Treaties provide for consultation of the European Parliament or other legal provisions require an opinion by the European Parliament shall be dealt with in a report submitted to the plenary.
2. Annual and other reports of other institutions or bodies not covered by paragraph 1 shall be referred to the committee responsible, which shall examine them, and which may submit a short motion for resolution to Parliament or propose the drawing up of a report under Rule 52 if it considers that Parliament should take a position on an important matter covered in the reports.

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<sup>18</sup> See Annex II.

## CHAPTER 5

### RESOLUTIONS AND RECOMMENDATIONS

#### Rule 133

##### **Motions for resolutions**

1. Any Member may table a motion for a resolution on a matter falling within the spheres of activity of the European Union.

The motion may not comprise more than 200 words.

2. The content of such a motion may not:

- contain any decision on matters for which other specific procedures and competences are laid down in these Rules of Procedure, in particular Rule 46, or
- deal with the subject of ongoing proceedings in Parliament.

3. Each Member may table no more than one such motion per month.

4. The motion for a resolution shall be submitted to the President, who shall verify whether it fulfils the applicable criteria. If the President declares the motion to be admissible, he or she shall announce it in plenary and refer it to the committee responsible.

5. The committee responsible shall decide what procedure is to be adopted, including the combination of the motion for a resolution with other motions for resolutions or reports, the adoption of an opinion, which may take the form of a letter, or the drawing up of a report under Rule 52. It may also decide not to follow up the motion for a resolution.

6. The authors of a motion for a resolution shall be informed of the decisions of the President, of the committee and of the Conference of Presidents.

7. The report shall contain the text of the motion for a resolution.

8. Opinions in the form of a letter addressed to other institutions of the European Union shall be forwarded by the President.

9. A motion for a resolution tabled in accordance with paragraph 1 may be withdrawn by its author, authors or first signatory before the committee responsible has decided, in accordance with paragraph 5, to draw up a report on it.

Once the motion has been thus taken over by the committee, only the committee shall be empowered to withdraw it up until the opening of the final vote.

#### Rule 134

##### **(Deleted)**

#### Rule 135

##### **Debates on cases of breaches of human rights, democracy and the rule of law**

1. A committee, an interparliamentary delegation, a political group or Members reaching at least the low threshold may ask the President in writing for a debate to be held on an urgent case of

a breach of human rights, democracy and the rule of law.

2. The Conference of Presidents shall draw up a list of subjects to be included in the final draft agenda for the next debate on cases of breaches of human rights, democracy and the rule of law on the basis of the requests referred to in paragraph 1 and in accordance with the provisions of Annex III. The total number of subjects included in the agenda shall not exceed three, including sub-chapters.

In accordance with Rule 149a, Parliament may abandon a topic due to be debated and replace it with an unscheduled topic. Motions for resolutions on the subjects chosen may be tabled by a committee, a political group or Members reaching at least the low threshold by the evening of the day on which the agenda is adopted. The President shall set the precise deadline for tabling such motions for résolutions.

3. The total speaking time for the political groups and non-attached Members shall be allocated in accordance with the procedure laid down in Rule 162(4) and (5) within the maximum time for debates of 60 minutes per part-session.

Any time remaining after deducting the time required to introduce the motions for resolutions and any speaking time allocated to the Commission and Council shall be divided among the political groups and the non-attached Members.

4. At the end of the debate there shall be an immediate vote. Rule 183 concerning explanations of vote shall not apply.

*Votes taken under this Rule may be organised on a collective basis under the responsibility of the President and the Conference of Presidents.*

5. If two or more motions for resolutions are tabled on the same subject, the procedure set out in Rule 123(4) and (5) shall apply.

6. The President and political group Chairs may decide that a motion for a resolution will be put to the vote without debate. Such a decision shall require the unanimous assent of all the political group Chairs.

*The provisions of Rules 187 and 188 do not apply to motions for resolutions included on the agenda for a debate on cases of breaches of human rights, democracy and the rule of law.*

*Motions for resolutions are tabled for a debate on cases of breaches of human rights, democracy and the rule of law only after the list of subjects has been adopted. Motions for resolutions that cannot be dealt with in the time allocated to the debate shall lapse. The same applies to motions for resolutions in respect of which it is established, following a request under Rule 168(3), that a quorum is not present. The authors are entitled to retable such motions either for consideration in committee under Rule 133 or for the debate on cases of breaches of human rights, democracy and the rule of law at the next part-session.*

*A subject may not be included on the agenda for a debate on cases of breaches of human rights, democracy and the rule of law if it is already on the agenda for that part-session.*

*There are no provisions in the Rules to allow a joint debate on a motion for a resolution tabled in accordance with paragraph 2, second subparagraph, and a committee report on the same subject.*

*When a request is made under Rule 168(3) that it be established whether a quorum is present, this request shall be valid only for the motion for a resolution which is to be put to the vote and not for those which follow.*

**Rule 136****(Deleted)****CHAPTER 6****CONSULTATION OF OTHER INSTITUTIONS AND BODIES****Rule 137****Consultation of the European Economic and Social Committee**

1. Where the Treaty on the Functioning of the European Union provides for consultation of the Economic and Social Committee, the President shall initiate the consultation procedure and inform Parliament thereof.

2. A committee may request that the European Economic and Social Committee be consulted on matters of a general nature or on specific points.

The committee shall indicate the deadline for delivery by the European Economic and Social Committee of its opinion.

A request for consultation of the European Economic and Social Committee shall be announced to Parliament at its next part-session and shall be deemed to have been approved, unless, within 24 hours from the announcement, a political group or Members reaching at least the low threshold request that it be put to the vote.

3. Opinions forwarded by the Economic and Social Committee shall be referred to the committee responsible.

**Rule 138****Consultation of the Committee of the Regions**

1. Where the Treaty on the Functioning of the European Union provides for consultation of the Committee of the Regions, the President shall initiate the consultation procedure and inform Parliament thereof.

2. A committee may request that the Committee of the Regions be consulted on matters of a general nature or on specific points.

The committee shall indicate the deadline for delivery by the Committee of the Regions of its opinion.

A request for consultation of the Committee of the Regions shall be announced to Parliament at its next part-session and shall be deemed to have been approved, unless within 24 hours from the announcement a political group or Members reaching at least the low threshold request that it be put to the vote.

3. Opinions forwarded by the Committee of the Regions shall be referred to the committee responsible.

## **Rule 139**

### **Requests to European Agencies**

1. In cases where Parliament has the right to submit a request to a European Agency, any Member may submit such a request in writing to the President of Parliament. Such requests shall be on matters falling within the mission of the Agency concerned and shall be accompanied by background information explaining the issue and the Union interest.
2. The President shall, after consulting the committee responsible, either forward the request to the Agency or take any other appropriate course of action. The Member submitting the request shall be notified immediately. Any request sent by the President to an Agency shall include a time-limit for response.
3. If the Agency considers that it is unable to respond to the request as formulated, or seeks to have it modified, it shall forthwith inform the President, who shall take any appropriate action, after consulting the committee responsible as necessary.

## **CHAPTER 7**

### **INTERINSTITUTIONAL AGREEMENTS**

## **Rule 140**

### **Interinstitutional agreements**

1. Parliament may enter into agreements with other institutions in the context of the application of the Treaties or in order to improve or clarify procedures.  
Such agreements may take the form of joint declarations, exchanges of letters, codes of conduct or other appropriate instruments. They shall be signed by the President after examination by the committee responsible for constitutional affairs and after approval by Parliament.
2. Where such agreements necessitate changes to existing procedural rights or obligations or establish new procedural rights or obligations for Members or bodies of Parliament, or otherwise necessitate amendment or interpretation of the Rules of Procedure, the matter shall be referred to the committee responsible for its consideration in accordance with Rule 226(2) to (6) before the agreement is signed.

## **CHAPTER 8**

### **REFERRALS TO THE COURT OF JUSTICE OF THE EUROPEAN UNION**

## **Rule 141**

### **Proceedings before the Court of Justice of the European Union**

1. Parliament shall, within the time limits specified by the Treaties and the Statute of the Court of Justice of the European Union for action by the institutions of the Union and by natural or legal persons, examine Union legislation and its implementation in order to ensure that the Treaties have been fully complied with, in particular where Parliament's rights are concerned.
2. The committee responsible for legal affairs shall report to Parliament, orally if necessary, if it suspects a breach of Union law. Where appropriate, it may hear the views of the committee responsible for the subject matter.
3. The President shall bring an action on behalf of Parliament in accordance with the

recommendation of the committee responsible for legal affairs.

At the start of the following part-session, the President may ask Parliament to decide whether the action should be maintained. If Parliament rules against the action by a majority of the votes cast, the President shall withdraw the action.

Should the President bring an action contrary to the recommendation of the committee responsible, he shall, at the start of the following part-session, ask Parliament to decide whether the action should be maintained.

4. The President shall submit observations or intervene in court proceedings on behalf of Parliament after consulting the committee responsible for legal affairs.

If the President intends to depart from the recommendation of the committee responsible for legal affairs, he or she shall inform the committee accordingly and shall refer the matter to the Conference of Presidents, stating his or her reasons.

If the Conference of Presidents takes the view that Parliament should, exceptionally, not submit observations or intervene before the Court of Justice of the European Union where the legal validity of an act of Parliament is being questioned, the matter shall be submitted to Parliament without delay.

*Nothing in the Rules prevents the committee responsible from deciding on appropriate procedural arrangements for the timely transmission of its recommendation in urgent cases.*

*When a decision must be taken as to whether Parliament should exercise its rights vis-à-vis the Court of Justice of the European Union, and the act in question is not covered by Rule 141 of these Rules of Procedure, the procedure provided for in this rule should apply, mutatis mutandis.*

5. In urgent cases, where possible after consulting the Chair and the rapporteur of the committee responsible for legal affairs, the President may take precautionary action in order to comply with the relevant time-limits. In such cases, the procedure provided for in paragraphs 3 or 4, shall, as applicable, be implemented at the earliest opportunity.

6. The committee responsible for legal affairs shall lay down the principles that it will use in its application of this Rule.

## TITLE VI

### RELATIONS WITH NATIONAL PARLIAMENTS

#### **Rule 142**

##### **Exchange of information, contacts and reciprocal facilities**

1. Parliament shall keep the national parliaments of the Member States regularly informed of its activities.

2. The organisation and promotion of effective and regular interparliamentary cooperation within the Union, pursuant to Article 9 of the Protocol on the role of national parliaments in the European Union, shall be negotiated on the basis of a mandate given by the Conference of Presidents, after consultation of the Conference of Committee Chairs.

Parliament shall approve any agreements on such matters in accordance with the procedure set out in Rule 140.

3. A committee may directly engage in a dialogue with national parliaments at committee level within the limits of budgetary appropriations set aside for this purpose. This may include appropriate forms of pre-legislative and post-legislative cooperation.

4. Any document concerning a legislative procedure at Union level which is officially transmitted by a national parliament to the European Parliament shall be forwarded to the committee responsible for the subject-matter dealt with in that document.

5. The Conference of Presidents may give a mandate to the President to negotiate facilities for the national parliaments of the Member States, on a reciprocal basis, and to propose any other measures to facilitate contacts with the national parliaments.

#### **Rule 143**

##### **Conference of Parliamentary Committees for Union Affairs (COSAC)**

1. On a proposal from the President, the Conference of Presidents shall name the members of, and may confer a mandate on, Parliament's delegation to COSAC. The delegation shall be headed by a Vice-President of the European Parliament responsible for implementation of relations with the national parliaments and by the Chair of the committee responsible for constitutional affairs.

2. The other members of the delegation shall be chosen in the light of the subjects to be discussed at the COSAC meeting and shall comprise, as far as possible, representatives of the committees responsible for those subjects.

3. Due account shall be taken of the overall political balance within Parliament.

4. The delegation shall submit a report to the Conference of Presidents after each COSAC meeting.

#### **Rule 144**

##### **Conferences of parliaments**

The Conference of Presidents shall designate the members of Parliament's delegation to any conference or similar body involving representatives of parliaments and shall confer a mandate upon it that conforms to any relevant Parliament resolutions. The delegation shall elect its Chair and, where appropriate, one or more Vice-Chairs.

## TITLE VII

### SESSIONS

#### CHAPTER 1

##### SESSIONS OF PARLIAMENT

###### **Rule 145**

###### **Parliamentary term, sessions, part-sessions, sittings**

1. The parliamentary term shall run concurrently with the term of office of Members provided for in the Act of 20 September 1976.
2. The session shall be the annual period prescribed by the Act and the Treaties.
3. The part-session shall be the meeting of Parliament convened as a rule each month and subdivided into daily sittings.

*Sittings of Parliament held on the same day shall be deemed to be a single sitting.*

###### **Rule 146**

###### **Convening of Parliament**

1. In accordance with the first paragraph of Article 229 of the Treaty on the Functioning of the European Union, Parliament shall meet, without requiring to be convened, on the second Tuesday in March each year. It shall itself determine the duration of adjournments of the session.
2. Parliament shall in addition meet, without requiring to be convened on the first Tuesday after expiry of an interval of one month from the end of the period referred to in Article 10(1) of the Act of 20 September 1976.
3. The Conference of Presidents, stating its reasons, may alter the duration of adjournments decided pursuant to paragraph 1 at least two weeks before the date previously fixed by Parliament for resuming the session; the date of resumption shall not, however, be postponed for more than two weeks.
4. Exceptionally, after consulting the Conference of Presidents, the President shall convene Parliament at the request of a majority of its component Members or at the request of the Commission or the Council.

Exceptionally, with the approval of the Conference of Presidents, the President may convene Parliament in cases of urgency.

###### **Rule 147**

###### **Venue of sittings and meetings**

1. Parliament shall hold its sittings and its committee meetings in accordance with the provisions of the Treaties.

*Proposals for additional part-sessions in Brussels and any amendments thereto will require only a majority of the votes cast.*

2. Any committee may decide to ask for one or more meetings to be held elsewhere. Its request supported by reasons, shall be made to the President, who shall place it before the Bureau.

If the matter is urgent, the President may take the decision himself. Should the request be rejected by the Bureau or the President the reasons for the rejection shall be stated.

## **Rule 148**

### **Attendance of Members at sittings**

1. An attendance register shall be open for signature by Members at each sitting.
2. The names of the Members recorded as being present in the attendance register shall be indicated in the minutes of each sitting as "present". The names of the Members excused by the President shall be indicated in the minutes of each sitting as "excused".

## **CHAPTER 2**

### **ORDER OF BUSINESS OF PARLIAMENT**

## **Rule 149**

### **Draft agenda**

1. Before each part-session the draft agenda shall be drawn up by the Conference of Presidents on the basis of recommendations by the Conference of Committee Chairs.

The Commission and the Council may, at the invitation of the President attend the deliberations of the Conference of Presidents on the draft agenda.

2. The draft agenda may indicate voting times for certain items down for consideration.
3. The final draft agenda shall be made available to Members at least three hours before the beginning of the part-session.

## **Rule 149a**

### **Adopting and amending the agenda**

1. At the beginning of each part-session, Parliament shall adopt its agenda. Amendments to the final draft agenda may be proposed by a committee, a political group or Members reaching at least the low threshold. Any such proposals must be received by the President at least one hour before the opening of the part-session. The President may give the floor to the mover and to one speaker against, in each case for not more than one minute.

2. Once adopted, the agenda may not be amended, except in pursuance of Rules 154 or 187 to 191 or on a proposal from the President.

If a procedural motion to amend the agenda is rejected, it may not be tabled again during the same part-session.

3. Before closing the sitting, the President shall announce the date, time and agenda of the next sitting.

## **Rule 150**

### **Procedure in plenary without amendment and debate**

1. Where a report has been adopted in committee with fewer than one tenth of the members of the committee voting against, it shall be placed on the draft agenda of Parliament for vote without amendment.

The item shall then be subject to a single vote unless, before the drawing up of the final draft agenda, Members or political group(s) reaching at least the medium threshold have requested in writing that the item be open to amendment, in which case the President shall set a deadline for tabling amendments.

2. Items placed on the final draft agenda for vote without amendment shall also be without debate unless Parliament, when adopting its agenda at the start of a part-session, decides otherwise on a proposal from the Conference of Presidents or at the request of a political group or Members reaching at least the low threshold.

3. When drawing up the final draft agenda for a part-session, the Conference of Presidents may propose that other items be taken without amendment or without debate. When adopting its agenda, Parliament may not accept any such proposal if a political group or Members reaching at least the low threshold have tabled their opposition in writing at least one hour before the opening of the part-session.

4. When an item is taken without debate, the rapporteur or the Chair of the committee responsible may make a statement lasting no more than two minutes immediately prior to the vote.

## **Rule 151**

### **Short presentation**

At the request of the rapporteur or on a proposal from the Conference of Presidents, Parliament may also decide that an item not needing a full debate will be dealt with by means of a short presentation in plenary by the rapporteur. In that event, the Commission shall have the opportunity to respond, followed by up to ten minutes of debate in which the President may give the floor, for up to one minute each, to Members who catch his eye.

## **Rule 152**

### **(Deleted)**

## **Rule 153**

### **Extraordinary debate**

1. A political group or Members reaching at least the low threshold may request that an extraordinary debate on a matter of major interest relating to European Union policy be placed on Parliament's agenda. As a rule, no more than one extraordinary debate shall be held during each part-session.

2. The request shall be submitted to the President in writing at least three hours prior to the start of the part-session at which the extraordinary debate is to take place. The vote on this request shall be taken at the start of the part-session when Parliament adopts its agenda.

3. In response to events that take place after the adoption of the agenda for a part-session, the President, after consulting the Chairs of the political groups, may propose an extraordinary debate. Any such proposal shall be voted on at the start of a sitting or at a scheduled voting time, the Members having been notified of it at least one hour beforehand.

4. The President shall determine the time at which such a debate is to be held. The overall duration of the debate shall not exceed 60 minutes. Speaking time shall be allocated to the political groups and the non-attached Members in accordance with Rule 162(4) and (5).

5. The debate shall be wound up without the adoption of a resolution.

### **Rule 153a**

#### **Topical debate requested by a political group**

1. At each part-session, one or two periods of not less than 60 minutes each shall be set aside in the draft agenda for debates on a topical matter of major interest to European Union policy.

2. Each political group shall have the right to propose a topical matter of its choice for at least one such debate per year. The Conference of Presidents shall ensure, over a rolling period of one year, a fair distribution among the political groups of the exercise of that right.

3. The political groups shall transmit the topical matter of their choice to the President in writing before the drawing up of the final draft agenda by the Conference of Presidents. Rule 38(1) concerning the rights, freedoms and principles recognised by Article 6 of the Treaty on European Union and the values enshrined in its Article 2 shall be fully respected.

4. The Conference of Presidents shall determine the time at which such a debate is to be held. It may decide by a majority representing four-fifths of the Parliament Members to reject a matter put forward by a group.

5. The debate shall be introduced by a representative of the political group having proposed the topical matter. Speaking time following this introduction shall be allocated in accordance with Rule 162 (4) and (5).

6. The debate shall be wound up without the adoption of a resolution.

### **Rule 154**

#### **Urgent procedure**

1. A request that a debate on a proposal submitted to Parliament pursuant to Rule 47(1) be treated as urgent may be made to Parliament by the President, a committee, a political group, Members reaching at least the low threshold, the Commission or the Council. This request shall be made in writing and supported by reasons.

2. As soon as the President has received a request for urgent debate this shall be announced to Parliament. The vote on the request shall be taken at the beginning of the sitting following that during which the announcement was made, provided that the proposal to which the request relates has been distributed in the official languages. Where there are several requests for urgent debate on the same subject, the approval or rejection of the request for urgent debate shall apply to all the requests on the same subject.

3. Before the vote, only the mover, one speaker against, and the Chair and/or rapporteur of the committee responsible may be heard, and in each case for no more than three minutes.

4. Questions to be dealt with by urgent procedure shall be given priority over other items on the agenda. The President shall determine the time of the debate and vote.

5. An urgent procedure may be held without a report or, exceptionally, on the basis of an oral report by the committee responsible.

Where an urgent procedure is used and interinstitutional negotiations take place, Rules 69b and 69c shall not apply. Rule 69f shall apply mutatis mutandis.

## **Rule 155**

### **Joint debate**

A decision may be taken at any time to debate similar or factually related items of business jointly.

## **Rule 156**

### **Time limits**

Except in the cases of urgency referred to in Rules 135 and 154, a debate and vote shall not be opened on a text unless it has been made available at least 24 hours earlier.

## **CHAPTER 3**

## **GENERAL RULES FOR THE CONDUCT OF SITTINGS**

### **Rule 157**

#### **Access to the Chamber**

1. No person may enter the Chamber except Members of Parliament, Members of the Commission or Council, the Secretary-General of Parliament, members of staff whose duties require their presence there, and any person invited by the President.
2. Only holders of an admission card duly issued by the President or Secretary-General of Parliament shall be admitted to the galleries.
3. Members of the public admitted to the galleries shall remain seated and keep silent. Any person expressing approval or disapproval shall immediately be ejected by the ushers.

### **Rule 158**

#### **Languages**

1. All documents of Parliament shall be drawn up in the official languages.
2. All Members shall have the right to speak in Parliament in the official language of their choice. Speeches delivered in one of the official languages shall be simultaneously interpreted into the other official languages and into any other language the Bureau may consider necessary.
3. Interpretation shall be provided in committee and delegation meetings from and into the official languages used and requested by the members and substitutes of that committee or delegation.
4. At committee and delegation meetings away from the usual places of work interpretation shall be provided from and into the languages of those members who have confirmed that they will attend the meeting. These arrangements may exceptionally be made more flexible. The Bureau shall adopt the necessary provisions.
5. After the result of a vote has been announced, the President shall rule on any requests concerning alleged discrepancies between the different language versions.

### **Rule 159**

#### **Transitional arrangement**

1. During a transitional period expiring at the end of the eighth parliamentary term<sup>19</sup>,

derogations from Rule 158 shall be permissible if and to the extent that, despite adequate precautions, interpreters or translators for an official language are not available in sufficient numbers.

2. The Bureau, on a proposal from the Secretary-General and having due regard to the arrangements referred to in paragraph 3, shall ascertain with respect to each of the official languages concerned whether the conditions set out in paragraph 1 are fulfilled, and shall review its decision at six-monthly intervals on the basis of a progress report from the Secretary-General. The Bureau shall adopt the necessary implementing rules.

3. The temporary special arrangements adopted by the Council on the basis of the Treaties concerning the drafting of legal acts shall apply.

4. On a reasoned recommendation from the Bureau, Parliament may decide at any time to repeal this Rule early or, at the end of the period indicated in paragraph 1, to extend it.

## **Rule 160**

### **Distribution of documents**

Documents forming the basis for Parliament's debates and decisions shall be made available to Members.

Without prejudice to the application of the first paragraph, Members and political groups shall have direct access to the European Parliament's internal computer system for the consultation of any non-confidential preparatory document (draft report, draft recommendation, draft opinion, working document, amendments tabled in committee).

## **Rule 161**

### **Electronic handling of documents**

Parliament documents may be prepared, signed and distributed in electronic form. The Bureau shall decide on the technical specifications and on the presentation of the electronic form.

## **Rule 162**

### **Allocation of speaking time and list of speakers**

1. The Conference of Presidents may propose to Parliament that speaking time be allocated for a particular debate. Parliament shall decide on this proposal without debate.

2. Members may not speak unless called upon to do so by the President. Members shall speak from their places and shall address the President. If speakers depart from the subject, the President shall call them to order.

3. The President may draw up, for the first part of a particular debate, a list of speakers that includes one or more rounds of speakers from each political group wishing to speak, in the order of their size.

4. Speaking time for this part of a debate shall be allocated in accordance with the following criteria:

- (a) a first fraction of speaking time shall be divided equally among all the political groups;

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<sup>19</sup> Extended by Parliament's decision of 26 February 2014.

- (b) a further fraction shall be divided among the political groups in proportion to the total number of their members;
- (c) the non-attached Members shall be allocated an overall speaking time based on the fractions allocated to each political group under points (a) and (b);
- (d) the allocation of speaking time in the plenary shall take into consideration the fact that Members with disabilities might need more time.

5. Where a total speaking time is allocated for several items on the agenda, the political groups shall inform the President of the fraction of their speaking time to be used for each individual item. The President shall ensure that these speaking times are respected.

6. The remaining part of the time for a debate shall not be specifically allocated in advance. Instead, the President may call on Members to speak, as a general rule for no more than one minute. The President shall ensure – as far as possible – that speakers holding different political views and from different Member States are heard in turn.

7. On request priority may be given by the President to the Chair or rapporteur of the committee responsible and to the presidents of political groups who wish to speak on their groups' behalf, or to speakers deputising for them.

8. The President may give the floor to Members who indicate, by raising a blue card, their wish to put to another member, during that Member's speech, a question of no longer than half a minute's duration related to what that Member has said, provided that the speaker agrees and the President is satisfied that this will lead neither to disruption of the debate nor, through successive questions put by the raising of blue cards, to a gross imbalance in the political group affinities of Members speaking in it.

9. No Member may speak for more than one minute on any of the following: the minutes of the sitting, procedural motions, or amendments to the final draft agenda or the agenda.

10. In the debate on a report the Commission and the Council shall as a rule be heard immediately after its presentation by the rapporteur. The Commission, the Council and the rapporteur may be heard again, in particular in order to respond to the statements made by Members.

11. Members who have not spoken in a debate may, at most once per part-session, hand in a written statement of not more than 200 words, which shall be appended to the verbatim report of the debate.

12. Having due regard to Article 230 of the Treaty on the Functioning of the European Union, the President shall seek to reach an understanding with the Commission, the Council and the President of the European Council on the appropriate allocation of speaking time for them.

## **Rule 163**

### **One-minute speeches**

For a period of not more than 30 minutes during the first sitting of each part-session the President shall call Members who wish to draw Parliament's attention to a matter of political importance. Speaking time for each Member shall not exceed one minute. The President may allow a further such period later during the same part-session.

## **Rule 164**

### **Personal statements**

1. Members who ask to make a personal statement shall be heard at the end of the discussion of the agenda item which is being dealt with or when the minutes of the sitting to which the request for leave to speak refers are considered for approval.

The Members concerned may not speak on substantive matters but shall confine their observations to rebutting any remarks that have been made about their person in the course of the debate or opinions that have been attributed to them, or to correcting observations that they themselves have made.

2. Unless Parliament decides otherwise, no personal statement shall last for more than three minutes.

## **Rule 164a**

### **Prevention of obstruction**

The President shall have the power to put an end to the excessive use of motions such as points of order, procedural motions or explanations of vote, or of requests for separate, split or roll-call votes, where he is convinced that those motions or requests are manifestly intended to cause, and would result in, a prolonged and serious obstruction of the procedures of Parliament or the rights of the Members.

## **CHAPTER 4**

### **MEASURES TO BE TAKEN IN THE EVENT OF NON-COMPLIANCE WITH THE STANDARDS OF CONDUCT OF MEMBERS**

## **Rule 165**

### **Immediate measures**

1. The President shall call to order any Member who disrupts the smooth conduct of the proceedings or whose conduct fails to comply with the relevant provisions of Rule 11.

2. Should the offence be repeated, the President shall again call the Member to order, and the fact shall be recorded in the minutes.

3. Should the disturbance continue, or if a further offence is committed, the offender may be denied the right to speak and may be excluded from the Chamber by the President for the remainder of the sitting. The President may also resort to the latter measure immediately and without a second call to order in cases of exceptional seriousness. The Secretary-General shall, without delay, see to it that such disciplinary measures are carried out, with the assistance of the ushers and, if necessary, of Parliament's Security Service.

4. Should disturbances threaten to obstruct the business of the House, the President shall close or suspend the sitting for a specific period to restore order. If the President cannot make himself heard, he shall leave the chair; this shall have the effect of suspending the sitting. The President shall reconvene the sitting.

5. The President may decide to interrupt the live broadcasting of the sitting in the case of defamatory, racist or xenophobic language or behaviour by a Member.

6. The President may decide to delete from the audiovisual record of the proceedings those

parts of a speech by a Member that contain defamatory, racist or xenophobic language.

That decision shall take immediate effect. It shall, however, be subject to confirmation by the Bureau not later than four weeks after it is taken, or, if the Bureau does not meet in that period, at its next meeting.

7. The powers provided for in paragraphs 1 to 6 shall be vested, mutatis mutandis, in the presiding officers of bodies, committees and delegations as provided for in the Rules of Procedure.

8. Where appropriate, and bearing in mind the seriousness of the breach of the Members' standards of conduct, the Member in the Chair may, no later than the following part-session or the following meeting of the body, committee or delegation concerned, ask the President to apply Rule 166.

## **Rule 166**

### **Penalties**

1. In serious cases of disorder or disruption of Parliament in violation of the principles laid down in Rule 11, the President shall adopt a reasoned decision laying down the appropriate penalty.

The Member concerned shall be invited by the President to submit written observations before the decision is adopted. In exceptional cases, the President may decide to convene an oral hearing of the Member concerned.

The decision shall be notified to the Member concerned via registered letter or, in urgent cases, via the ushers.

After being notified to the Member concerned, any penalty imposed on a Member shall be announced by the President in Parliament, and the presiding officers of the bodies, committees and delegations on which the Member serves shall be informed.

Once the penalty is final, it shall be published prominently on Parliament's website for the remainder of the parliamentary term.

2. When assessing the conduct observed, account shall be taken of its exceptional, recurrent or permanent nature and of its seriousness.

*A distinction should be drawn between actions of a visual nature, which may be tolerated provided they are not offensive, defamatory, racist or xenophobic, and remain within reasonable bounds, and those which actively disrupt parliamentary activity.*

3. The penalty may consist of one or more of the following measures:

- (a) a reprimand;
- (b) forfeiture of entitlement to the daily subsistence allowance for a period of between two and thirty days;
- (c) without prejudice to the right to vote in plenary, and subject, in this instance, to strict compliance with the Members' standards of conduct, temporary suspension from participation in all or some of the activities of Parliament for a period of between two and thirty days on which Parliament or any of its bodies, committees or delegations meet;
- (d) prohibition of the Member from representing the Parliament on an inter-

parliamentary delegation, inter-parliamentary conference or any inter-institutional forum, for up to one year;

- (e) in the case of a breach in the obligations of confidentiality, a limitation in the rights to access confidential or classified information for up to one year.

4. The measures laid down in paragraph 3 (b) to (e) may be doubled in the case of repeated offences, or if the Member refuses to comply with a measure taken under Rule 165(3).

5. The President may additionally submit a proposal to the Conference of Presidents for the suspension or removal of the Member from one or more of the offices held by the Member in Parliament, in accordance with the procedure laid down in Rule 21.

## **Rule 167**

### **Internal appeal procedures**

The Member concerned may lodge an internal appeal with the Bureau within two weeks of notification of the penalty imposed by the President by virtue of Rule 166(1) to (4). Such an appeal shall have the effect of suspending the application of that penalty. The Bureau may, not later than four weeks after the lodging of the appeal or, if it does not meet in that period, at its next meeting, annul, confirm or modify the penalty imposed, without prejudice to the external rights of appeal open to the Member concerned. Should the Bureau fail to take a decision within the time limit laid down, the penalty shall be deemed to be null and void.

## **CHAPTER 5**

### **QUORUM, AMENDMENTS AND VOTING**

#### **Rule 168**

##### **Quorum**

1. Parliament may deliberate, settle its agenda and approve the minutes, whatever the number of Members present.

2. A quorum shall exist when one third of the component Members of Parliament are present in the Chamber.

3. All votes shall be valid whatever the number of voters unless the President, on a request made before voting has begun by at least 40 Members, establishes that the quorum is not present. If the number of Members required to make up the quorum is not present, the President shall declare that the quorum is not present, and the vote shall be placed on the agenda for the next sitting.

The electronic voting system may be used in order to check the threshold of 40 Members, but it cannot be used for checking the quorum. The doors of the Chamber may not be closed.

4. Members who ask for the quorum to be established must be present in the Chamber when the request is made, and shall be counted as being present within the meaning of paragraphs 2 and 3, even if they then leave the Chamber.

5. If fewer than 40 Members are present, the President may rule that there is no quorum.

## **Rule 168a**

### **Thresholds**

1. For the purposes of these Rules, and unless specified otherwise, the following definitions shall apply:

- (a) “low threshold” means one-twentieth of Parliament’s component Members or a political group;
- (b) “medium threshold” means one-tenth of Parliament’s component Members, made up of one or more political groups or individual Members, or a combination of the two;
- (c) “high threshold” means one-fifth of Parliament’s component Members made up of one or more political groups or individual Members, or a combination of the two.

2. Where, for the purpose of determining whether an applicable threshold has been attained, a Member’s signature is required, that signature may be either handwritten or in electronic form, produced by the electronic signature system of Parliament. Within the relevant time-limits, a Member may withdraw, but may not subsequently renew, his or her signature.

3. Where the support of a political group is necessary in order for a threshold to be attained, the group shall act through its chair or through a person duly designated by him or her for that purpose.

4. The support of a political group shall be counted as follows for the application of the medium and high thresholds:

- where a Rule laying down such a threshold is invoked in the course of a sitting or meeting: all Members who belong to the supporting group and are physically present;
- in the other cases: all Members who belong to the supporting group.

## **Rule 169**

### **Tabling and moving amendments**

1. Amendments for consideration in Parliament may be tabled by the committee responsible, a political group or Members reaching at least the low threshold. The names of all co-signatories shall be published.

Amendments shall be tabled in writing and signed by their authors.

Amendments to proposals for legally binding acts may be accompanied by a short justification. Such justifications shall be the responsibility of the author and shall not be put to the vote.

2. Subject to the limitations laid down in Rule 170, an amendment may seek to change any part of a text, and may be directed to deleting, adding or replacing words or figures.

*In this Rule and Rule 170 the term "text" means the whole of a motion for a resolution/draft legislative resolution, of a proposal for a decision or of a proposal for a legally binding act.*

3. The President shall set a deadline for the tabling of amendments.

4. An amendment may be moved during the debate by its author or by any other Member appointed by the author to replace him or her.

5. Where an amendment is withdrawn by its author, it shall fall unless immediately taken over by another Member.

6. Amendments shall be put to the vote only after they have been made available in all the official languages, unless Parliament decides otherwise. Parliament may not decide otherwise if at least 40 Members object. Parliament shall avoid taking decisions which would place Members who use a particular language at an unacceptable disadvantage.

Where fewer than 100 Members are present, Parliament may not decide otherwise if at least one tenth of the Members present object.

*On a proposal from the President, an oral amendment, or any other oral modification, shall be treated in the same way as an amendment not made available in all the official languages. If the President considers it admissible under Rule 170(2), and save in the case of objection under Rule 169(6), it shall be put to the vote in accordance with the order of voting established.*

*In committee, the number of votes needed to object to such an amendment or such a modification is established on the basis of Rule 209 proportionally to that applicable in plenary, rounded up where necessary to the nearest complete number.*

## **Rule 170**

### **Admissibility of amendments**

1. Without prejudice to the additional conditions laid down in Rule 52(4) concerning own initiative reports and Rule 69(2) concerning amendments to the Council's position, no amendment shall be admissible if:

- (a) it does not directly relate to the text which it seeks to amend;
- (b) it seeks to delete or replace the whole of a text;
- (c) it seeks to amend more than one of the individual articles or paragraphs of the text to which it relates. This provision shall not apply to compromise amendments nor to amendments which seek to make identical changes to a particular form of words throughout the text;
- (d) it seeks to amend a proposal for codification of Union legislation; however, the second subparagraph of Rule 103(3) shall apply mutatis mutandis;
- (e) it seeks to amend those parts of a proposal recasting Union legislation which remain unchanged in such proposal; however, the second subparagraph of Rule 104(2) and the third subparagraph of Rule 104(3) shall apply mutatis mutandis;
- (f) it only seeks to ensure the linguistic correctness or address the terminological consistency of the text in the language in which the amendment is tabled; in this case, the President shall seek a suitable linguistic remedy together with those concerned.

2. The President shall decide whether amendments are admissible.

*The President's decision under paragraph 2 concerning the admissibility of amendments is not based exclusively on the provisions of paragraph 1 of this Rule but on the provisions of the Rules in general.*

3. A political group or Members reaching at least the low threshold may table an alternative motion for a resolution seeking to replace a non-legislative motion for a resolution contained in a

committee report.

In such a case, the group or the Members concerned may not table amendments to the motion for a resolution by the committee responsible. The alternative motion for a resolution may not be longer than the committee's motion for a resolution. It shall be put to a single vote in Parliament without amendment.

Rule 123(4) and (5) concerning joint motions for resolutions shall apply mutatis mutandis.

4. With the agreement of the President, amendments may exceptionally be tabled after the close of the deadline for amendments if they are compromise amendments, or if there are technical problems. The President shall decide on the admissibility of such amendments. The President shall obtain the agreement of Parliament to do so before putting such amendments to the vote.

*The following general criteria for admissibility of compromise amendments may be applied:*

- *as a general rule, the compromise amendments relate to parts of the text which have been the subject of amendments prior to the deadline for tabling amendments;*
- *as a general rule, the compromise amendments are tabled by political groups representing a majority in Parliament, the Chairs or rapporteurs of the committees concerned or the authors of other amendments;*
- *as a general rule, the compromise amendments entail the withdrawal of other amendments to the same passage.*

*Only the President may propose that a compromise amendment be considered. In order for a compromise amendment to be put to the vote, the President must obtain the agreement of Parliament by asking whether there are any objections to such a vote being held. If an objection is raised, Parliament shall decide on the matter by a majority of the votes cast.*

## **Rule 171**

### **Voting procedure**

1. Save where specifically provided otherwise in these Rules, the following voting procedure shall apply to texts submitted to Parliament:

- (a) first, where applicable, voting any amendment to the proposal for a legally binding act,
- (b) second, where applicable, voting on that proposal as a whole, amended or otherwise,
- (c) third, voting on any amendment to the motion for a resolution/draft legislative resolution,
- (d) finally, voting on the motion for a resolution as a whole (final vote).

Parliament shall not vote on any explanatory statement contained in a report.

2. In voting on proposals for legally binding acts and on non-legislative motions for resolutions, votes relating to substantive parts shall be taken first, followed by votes relating to citations and recitals.

3. An amendment shall fall if it is inconsistent with decisions previously taken on the text during the same vote.

4. The only Member permitted to speak during the vote shall be the rapporteur, or, in his or her place, the chair of the committee. He or she shall have the opportunity of expressing briefly the views of the committee responsible on the amendments put to the vote.

## **Rule 172**

**(Deleted)**

## **Rule 173**

**(Deleted)**

## **Rule 174**

### **Order of voting on amendments**

1. Amendments shall have priority over the text to which they relate and shall be put to the vote before that text.

2. If two or more mutually exclusive amendments have been tabled to the same part of a text, the amendment that departs furthest from the original text shall have priority and shall be put to the vote first. If it is adopted the other amendments shall be deemed rejected; if it is rejected, the amendment next in priority shall be put to the vote and similarly for each of the remaining amendments. Where there is doubt as to priority, the President shall decide. If all amendments are rejected, the original text shall be deemed adopted unless a separate vote has been requested within the specified deadline.

3. However, where the President considers that this will facilitate the vote, he or she may put the original text to the vote first, or put an amendment that is closer to the original text to the vote before the amendment that departs furthest from the original text.

If either of these secures a majority, all other amendments tabled to the same part of the text shall fall.

4. Where compromise amendments are put to the vote, they shall be given priority in voting.

5. A split vote shall not be admissible in the case of a vote on a compromise amendment.

6. Where the committee responsible has tabled a set of amendments to the text with which the report is concerned, the President shall put them to the vote collectively, unless on particular points a political group or Members reaching at least the low threshold have requested separate or split votes or unless other competing amendments have been tabled.

7. The President may put other amendments to the vote collectively where they are complementary, unless a political group or Members reaching at least the low threshold have requested separate or split votes. Authors of amendments may also propose such collective votes where their amendments are complementary.

8. The President may decide, following the adoption or rejection of a particular amendment, that several other amendments of similar content or with similar objectives shall be put to the vote collectively. The President may seek the agreement of Parliament before doing so.

Such a set of amendments may relate to different parts of the original text.

9. Where two or more identical amendments are tabled by different authors, they shall be put to the vote as one.

10. Amendments for which a roll-call vote has been requested shall be put to the vote individually.

## **Rule 175**

### **Committee filter of plenary amendments**

When more than 50 amendments or requests for a split or separate vote have been tabled concerning a text tabled by a committee for consideration in Parliament, the President may, after consulting its Chair, ask that committee to meet to vote on each of those amendments or requests. Any amendment or request for a split or separate vote not receiving favourable votes at this stage from at least one-third of the members of the committee shall not be put to the vote in Parliament.

## **Rule 176**

### **Split voting**

1. Where the text to be put to the vote contains two or more provisions or references to two or more points or lends itself to division into two or more parts having a distinct meaning and/or normative value, a split vote may be requested by a political group or Members reaching at least the low threshold.

2. The request shall be made at the latest on the evening before the vote, unless the President sets a different deadline. The President shall decide on the request.

## **Rule 177**

### **Right to vote**

The right to vote is a personal right.

Members shall cast their votes individually and in person.

*Any infringement of this Rule is considered as a serious case of disorder as referred to in Rule 166(1) and will have the legal consequences mentioned in that Rule.*

## **Rule 178**

### **Voting**

1. As a general rule Parliament shall vote by show of hands.

However, the President may at any time decide that the voting operations will be carried out by means of the electronic voting system.

2. The President shall declare votes open and closed.

Once the President has declared a vote open, no-one except the President shall be allowed to speak until the vote is declared to be closed.

3. In calculating whether a text has been adopted or rejected account shall be taken only of votes cast for and against, except where a specific majority is laid down by the Treaties.

4. If the President decides that the result of a vote by show of hands is doubtful, a fresh vote shall be taken using the electronic voting system and, if the latter is not working, by sitting and

standing.

5. The President shall establish the result of the vote and announce it.
6. The result of the vote shall be recorded.

## **Rule 179**

### **Final vote**

When deciding on the basis of a report, Parliament shall take any single and/or final vote by roll call in accordance with Rule 180(3).

*The provisions of Rule 179 on voting by roll call do not apply to the reports provided for in Rule 8(2) and Rule 9(4), (7) and (9) in the context of procedures relating to the immunity of a Member.*

## **Rule 179a**

### **Tied votes**

1. In the event of a tied vote under Rule 171(1)(b) or (d), the text as a whole shall be referred back to committee. This shall also apply to votes under Rules 3 and 9.
2. In the event of a tied vote on a text put to a split vote under Rule 176, the text shall be deemed to have been adopted.
3. In all other cases where there is a tied vote, without prejudice to those Rules which require qualified majorities, the text or proposal shall be deemed to have been rejected.

*Rule 179a(3) is to be interpreted as meaning that, where there is a tied vote on a draft recommendation under Rule 141(4) not to intervene in proceedings before the Court of Justice of the European Union, such a tie does not signify the adoption of a recommendation according to which Parliament should intervene in those proceedings. In such a case, the committee responsible is to be deemed not to have expressed any recommendation.*

*The President may vote, but shall not have a casting vote.*

## **Rule 180**

### **Voting by roll call**

1. In addition to the cases provided for in these Rules, the vote shall be taken by roll call if this is requested in writing by a political group or Members reaching at least the low threshold at the latest the evening before the vote unless the President sets a different deadline.

*The provisions of Rule 180 on voting by roll call do not apply to the reports provided for in Rule 8(2) and Rule 9(4), (7) and (9) in the context of procedures relating to the immunity of a Member.*

2. Each political group may table no more than one hundred requests for roll call votes per part-session.
3. The roll call vote shall be taken using the electronic voting system.

Where the latter cannot be used for technical reasons, the roll may be called in alphabetical order, beginning with the name of a Member drawn by lot. The President shall be the last to be called to vote. Voting shall be oral and shall be expressed by "Yes", "No", or "I abstain".

4. Votes shall be recorded in the minutes of the sitting by political group in the alphabetical

order of Members' names, with an indication of how they voted.

## **Rule 180a**

### **Voting by secret ballot**

1. In the case of appointments, voting shall be by secret ballot without prejudice to Rules 15(1) and 204(2), first subparagraph.

Only ballot papers bearing the names of candidates who have been nominated shall be taken into account in calculating the number of votes cast.

2. Voting shall also be by secret ballot if this is requested by Members or political group(s) reaching at least the high threshold. Such requests must be made before voting begins.

3. A request for a secret ballot shall take priority over a request for a vote by roll call.

4. Between two and eight Members chosen by lot shall count the votes cast in a secret ballot, unless an electronic vote is taken.

In the case of votes under paragraph 1, candidates shall not act as tellers.

The names of Members who have taken part in a secret ballot shall be recorded in the minutes of the sitting at which the ballot was held.

## **Rule 181**

### **Use of electronic voting system**

1. The technical arrangements for using the electronic voting system shall be governed by instructions from the Bureau.

2. Where an electronic vote is taken, unless it concerns a roll call vote, only the numerical result of the vote shall be recorded.

3. The President may at any time decide to use the electronic voting system in order to check a threshold.

## **Rule 182**

### **(Deleted)**

## **Rule 182a**

### **Disputes on voting**

1. Points of order concerning the validity of a vote may be raised after the President has declared it closed.

2. After the result of a vote by show of hands has been announced, a Member may request that this result be checked using the electronic voting system.

3. The President shall decide whether the result announced is valid. His decision shall be final.

## **Rule 183**

### **Explanations of vote**

1. Once the voting session has been concluded, any Member may give an oral explanation on the single and/or final vote on an item submitted to Parliament for not longer than one minute. Each Member may give a maximum of three oral explanations of vote per part-session.

Any Member may give on such vote a written explanation of vote of no more than 200 words which shall be included on the Member's page on Parliament's website.

Any political group may give an explanation of vote lasting not more than two minutes.

No further requests to give explanations of vote shall be accepted once the first explanation of vote on the first item has begun.

*Explanations of vote are admissible on the single and/or final vote on any item submitted to Parliament. For the purposes of this Rule the term "final vote" does not refer to the type of vote, but means the last vote on any item.*

2. Explanations of vote shall not be admissible in the case of secret ballot or votes on procedural matters.

3. Where an item has been included on the agenda of Parliament without amendments or without debate, Members may only submit written explanations of vote in accordance with paragraph 1.

*Explanations of vote given either orally or in writing must have a direct bearing on the item submitted to Parliament.*

## **Rule 184**

### **(Deleted)**

## **CHAPTER 6**

## **POINTS OF ORDER AND PROCEDURAL MOTIONS**

### **Rule 184a**

#### **Points of order**

1. Members may be allowed to speak in order to draw the attention of the President to any failure to comply with Parliament's Rules of Procedure. They shall first specify to which Rule they are referring.

2. A request to raise a point of order shall take precedence over all other requests to speak or procedural motions.

3. Speaking time shall not exceed one minute.

4. The President shall take an immediate decision on points of order in accordance with the Rules of Procedure and shall announce it immediately after the point of order has been raised. No vote shall be taken on the President's decision.

5. Exceptionally, the President may state that he will announce the decision later, but not

more than 24 hours after the point of order was raised. Postponement of the ruling shall not entail the adjournment of the debate. The President may refer the matter to the committee responsible.

*A request to raise a point of order must relate to the agenda item under discussion. The President may take a point of order concerning a different matter at an appropriate time, e.g., after the discussion of the agenda item in question is closed or before the sitting is suspended.*

## **Rule 185**

### **Procedural motions**

1. Requests to move a procedural motion, namely:
  - (a) the inadmissibility of a matter (Rule 187);
  - (b) referral back to committee (Rule 188);
  - (c) the closure of a debate (Rule 189);
  - (d) the adjournment of a debate or vote (Rule 190); or
  - (e) the suspension or closure of the sitting (Rule 191)

shall take precedence over other requests to speak.

Only the following shall be heard on these motions in addition to the mover: one speaker against and the Chair or rapporteur of the committee responsible.

2. Speaking time shall not exceed one minute.

## **Rule 186**

**(Deleted)**

## **Rule 187**

### **Moving the inadmissibility of a matter**

1. At the beginning of the debate on a specific item on the agenda, its inadmissibility may be moved by a political group or Members reaching at least the low threshold. Such a motion shall be put to the vote immediately.

The intention to move inadmissibility shall be notified at least 24 hours in advance to the President who shall inform Parliament immediately.

2. If the motion is carried, Parliament shall immediately proceed to the next item on the agenda.

## **Rule 188**

### **Referral back to committee**

1. Referral back to committee may be requested by a political group or Members reaching at least the low threshold when the agenda is fixed or before the start of the debate.

The intention to move referral back to committee shall be notified at least 24 hours in advance to the President, who shall inform Parliament immediately.

2. Referral back to committee may also be requested by a political group or Members reaching at least the low threshold before or during a vote. Such a motion shall be put to the vote immediately.

3. A request may be made only once at each of these procedural stages.

4. Referral back to committee shall entail suspension of the consideration of the item.

5. Parliament may set a time limit within which the committee must report its conclusions.

## **Rule 189**

### **Closure of a debate**

1. A debate may be closed before the list of speakers has been exhausted on a proposal from the President or at the request of a political group or Members reaching at least the low threshold. Such a proposal or request shall be put to the vote immediately.

2. If the proposal or request is carried, one Member only may speak from each political group which has not yet provided a speaker in that debate.

3. After the speeches referred to in paragraph 2, the debate shall be closed and Parliament shall vote on the matter under debate, except where the time for the vote has been set in advance.

4. If the proposal or request is rejected, it may not be tabled again during the same debate, except by the President.

## **Rule 190**

### **Adjournment of a debate or vote**

1. At the start of a debate on an item on the agenda, a political group or Members reaching at least the low threshold may move that the debate be adjourned to a specific date and time. Such a motion shall be put to the vote immediately.

The intention to move adjournment shall be notified at least 24 hours in advance to the President, who shall inform Parliament immediately.

2. If the motion is carried, Parliament shall proceed to the next item on the agenda. The adjourned debate shall be resumed at the specified date and time.

3. If the motion is rejected, it may not be tabled again during the same part-session.

4. Before or during a vote, a political group or Members reaching at least the low threshold may move that the vote be adjourned. Such a motion shall be put to the vote immediately.

## **Rule 191**

### **Suspension or closure of the sitting**

The sitting may be suspended or closed during a debate or a vote if Parliament so decides on a proposal from the President or at the request of Members or political group(s) reaching at least the high threshold. Such a proposal or request shall be put to the vote immediately.

*If a request to suspend or close the sitting is presented, the procedure to vote on that request is to be initiated without undue delay. The usual means of announcing plenary votes should be used and, in line with existing practice, sufficient time should be given for Members to reach the Chamber.*

*By analogy with the second subparagraph of Rule 149a(2), if such a request has been rejected, a similar request cannot be tabled again during the same day. In accordance with Rule 164a, the President has the right to put an end to excessive use of requests presented under this Rule.*

## CHAPTER 7

### PUBLIC RECORD OF PROCEEDINGS

#### Rule 192

##### Minutes

1. The minutes of each sitting, detailing the proceedings, the names of speakers and the decisions of Parliament, including the result of any vote on any amendment, shall be made available at least half an hour before the beginning of the afternoon period of the next sitting.
2. A list of documents forming the basis for Parliament's debates and decisions shall be published in the minutes.
3. At the beginning of the afternoon period of each sitting the President shall place before Parliament, for its approval, the minutes of the previous sitting.
4. If any objections are raised to the minutes Parliament shall, if necessary, decide whether the changes requested should be taken into account. No Member may speak on the subject for more than one minute.
5. The minutes shall be signed by the President and the Secretary-General and preserved in the records of Parliament. They shall be published in the *Official Journal of the European Union*.

#### Rule 193

##### Texts adopted

1. Texts adopted by Parliament shall be published immediately after the vote. They shall be placed before Parliament in conjunction with the minutes of the relevant sitting and preserved in the records of Parliament.
2. Texts adopted by Parliament shall be subject to legal-linguistic finalisation under the responsibility of the President. Where such texts are adopted on the basis of an agreement reached between Parliament and the Council, such finalisation shall be carried out by the two institutions acting in close cooperation and by mutual agreement.
3. The procedure laid down in Rule 231 shall apply where, in order to ensure the coherence and quality of the text in accordance with the will expressed by Parliament, adaptations are required which go beyond corrections of typographical errors or corrections necessary to ensure the concordance of all language versions, their linguistic correctness and their terminological consistency.
4. Positions adopted by Parliament under the ordinary legislative procedure shall take the form of a consolidated text. Where Parliament's vote was not based on an agreement with the Council, the consolidated text shall identify any amendments adopted.
5. After finalisation, the texts adopted shall be signed by the President and the Secretary-General and published in the *Official Journal of the European Union*.

## **Rule 194**

### **Verbatim reports**

1. A verbatim report of the proceedings of each sitting shall be drawn up as a multilingual document in which all oral contributions appear in the original official language.
2. Without prejudice to his other disciplinary powers, the President may cause to be deleted from the verbatim reports the speeches of Members who have not been called upon to speak or who continue to speak beyond the time allotted to them.
3. Speakers may make corrections to typescripts of their oral contributions within five working days. Corrections shall be sent within that deadline to the Secretariat.
4. The multilingual verbatim report shall be published as an annex to the *Official Journal of the European Union* and preserved in the records of Parliament.
5. A translation into any official language of an extract from the verbatim report shall be made on request from a Member. If necessary, the translation shall be provided at short notice.

## **Rule 195**

### **Audiovisual record of proceedings**

1. The proceedings of Parliament in the languages in which they are conducted, as well as the multilingual soundtrack from all active interpretation booths, shall be broadcast in real time on its website.
2. Immediately after the sitting, an indexed audiovisual record of the proceedings in the languages in which they were conducted, as well as the multilingual soundtrack from all active interpretation booths, shall be produced and made available on Parliament's website for the remainder of the parliamentary term and during the following parliamentary term, after which it shall be preserved in the records of Parliament. That audiovisual record shall be linked to the multilingual verbatim reports of the proceedings as soon as they are available.

## TITLE VIII

### COMMITTEES AND DELEGATIONS

#### CHAPTER 1

##### COMMITTEES

###### **Rule 196**

###### **Setting-up of standing committees**

<sup>20</sup>On a proposal from the Conference of Presidents, Parliament shall set up standing committees. Their responsibilities shall be defined in an annex to these Rules of Procedure<sup>21</sup> which shall be adopted by a majority of the votes cast. Their members shall be appointed during the first part-session following the re-election of Parliament and again two and a half years thereafter.

*The responsibilities of standing committees can be defined at a time other than that at which the committee is set up.*

###### **Rule 197**

###### **Special committees**

1. On a proposal from the Conference of Presidents, Parliament may at any time set up special committees, whose responsibilities, numerical strength and term of office shall be defined at the same time as the decision to set them up is taken<sup>22</sup>.
2. The term of office of special committees may not exceed 12 months except where Parliament extends that term on its expiry. Unless otherwise decided in the Parliament's decision setting up the special committee, its term of office shall start running from the date of its constituent meeting.
3. Special committees shall not be entitled to deliver opinions to other committees.

###### **Rule 198**

###### **Committees of inquiry**

1. In accordance with Article 226 of the Treaty on the Functioning of the European Union and Article 2 of Decision 95/167/EC, Euratom, ECSC of the European Parliament, the Council and the Commission of 19 April 1995 on the detailed provisions governing the exercise of the European Parliament's right of inquiry , Parliament may, at the request of one quarter of its component Members, set up a committee of inquiry to investigate alleged contraventions or maladministration

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<sup>20</sup> The modalities for the election of the members of committees of inquiry and special committees that were in force before 16 January 2017 shall remain in force until the opening of the first part-session following the elections to Parliament due to be held in 2019, notwithstanding the amendments to Rule 196, Rule 197(1) and 198(3) (now Rule 198(4)) adopted on 13 December 2016 (P8\_TA(2016)0484) which are reproduced in this version.

<sup>21</sup> See Annex V.

<sup>22</sup> The modalities for the election of the members of committees of inquiry and special committees that were in force before 16 January 2017 shall remain in force until the opening of the first part-session following the elections to Parliament due to be held in 2019, notwithstanding the amendments to Rule 196, Rule 197(1) and 198(3) (now Rule 198(4)) adopted on 13 December 2016 (P8\_TA(2016)0484) which are reproduced in this version.

in the implementation of Union law which would appear to be the act of an institution or body of the European Union, of a public administrative body of a Member State, or of persons empowered by Union law to implement that law.

The subject of the inquiry, as defined by one quarter of Parliament's component Members, and the period laid down in paragraph 11 shall not be open to amendments.

2. The decision to set up a committee of inquiry shall be published in the Official Journal of the European Union within one month of being taken.

3. The modus operandi of a committee of inquiry shall be governed by the provisions of the Rules relating to committees, save as otherwise specifically provided for in this Rule and in Decision 95/167/EC, Euratom, ECSC.

4. The request to set up a committee of inquiry must specify precisely the subject of the inquiry and include a detailed statement of the grounds for it. Parliament, on a proposal from the Conference of Presidents, shall decide whether to set up a committee and, if it decides to do so, on its numerical strength<sup>23</sup>.

5. Committees of inquiry shall not be entitled to deliver opinions to other committees.

6. At any stage of its proceedings, only full members or, in their absence, substitutes may vote in a committee of inquiry.

7. A committee of inquiry shall elect its Chair and Vice-Chairs and appoint one or more rapporteurs. The committee may also assign responsibilities, duties or specific tasks to its members who must subsequently report to the committee in detail thereon.

8. In the interval between one meeting and another, the coordinators of the committee shall, in cases of urgency or need, exercise the committee's powers, subject to ratification at the next meeting.

9. With regard to the languages used, a committee of inquiry shall apply the provisions of Rule 158. However, the bureau of the committee:

- may restrict interpretation to the official languages of those taking part in the deliberations, if it deems this necessary for reasons of confidentiality,
- shall decide about translation of the documents received in such a way as to ensure that the committee can carry out its deliberations efficiently and rapidly and that the necessary secrecy and confidentiality are respected.

10. Where alleged contraventions or maladministration in the implementation of Union law suggest that a body or authority of a Member State could be responsible, the committee of inquiry may ask the parliament of the Member State concerned to cooperate in the investigation.

11. A committee of inquiry shall conclude its work by presenting to Parliament a report on the results of its work within no more than 12 months from its constituent meeting. Parliament may twice decide to extend this period by three months. If appropriate, the report may contain minority opinions in accordance with the conditions laid down in Rule 52a. The report shall be published.

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<sup>23</sup> The modalities for the election of the members of committees of inquiry and special committees that were in force before 16 January 2017 shall remain in force until the opening of the first part-session following the elections to Parliament due to be held in 2019, notwithstanding the amendments to Rule 196, Rule 197(1) and 198(3) (now Rule 198(4)) adopted on 13 December 2016 (P8\_TA(2016)0484) which are reproduced in this version.

At the request of the committee of inquiry Parliament shall hold a debate on the report at the part-session following its submission.

12. The committee may also submit to Parliament a draft recommendation addressed to institutions or bodies of the European Union or the Member States.

13. The President shall instruct the committee responsible under Annex V to monitor the action taken on the results of the work of the committee of inquiry and, if appropriate, to report thereon, and shall take any further steps which are deemed appropriate to ensure that the conclusions of the inquiry are acted upon in practice.

## **Rule 199**

### **Composition of committees**

1. <sup>24</sup>Members of committees and committees of inquiry shall be elected after nominations have been submitted by the political groups and the non-attached Members. The Conference of Presidents shall submit proposals to Parliament. The composition of the committees shall, as far as possible, reflect the composition of Parliament.

*When Members change their political group they shall retain, for the remainder of their two-and-a-half year term of office, the seats they hold in parliamentary committees. However, if a Member's change of political group has the effect of disturbing the fair representation of political views in a committee, new proposals for the composition of that committee are made by the Conference of Presidents in accordance with the procedure laid down in paragraph 1, second sentence, so that the individual rights of the Member concerned are guaranteed.*

*The proportionality of the distribution of committee seats among political groups must not depart from the nearest appropriate whole number. If a group decides not to take seats on a committee, the seats in question will remain vacant and the committee will be reduced in size by the corresponding number. Exchange of seats between political groups is not allowed.*

2. Amendments to the proposals by the Conference of Presidents shall be admissible only if they are tabled by at least 40 Members. Parliament shall vote on such amendments by secret ballot.

3. Members shall be deemed to be elected on the basis of the proposals from the Conference of Presidents, as and where amended in accordance with paragraph 2.

4. If a political group fails to submit nominations for membership of a committee of inquiry in accordance with paragraph 1 within a time limit set by the Conference of Presidents, the Conference of Presidents shall submit to Parliament only the nominations communicated to it within that time-limit.

5. The Conference of Presidents may provisionally decide to fill any vacancy on a committee with the agreement of the persons to be appointed, having regard to paragraph 1.

6. Any such changes shall be placed before Parliament for ratification at the next sitting.

## **Rule 200**

### **Substitutes**

1. <sup>25</sup>The political groups and the non-attached Members may appoint a number of permanent

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<sup>24</sup> The amendments to Rule 199 adopted on 13 December 2016 (P8\_TA(2016)0484) shall enter into force only at the opening of the first part-session following the elections to Parliament due to be held in 2019. They are therefore not reproduced in this version.

substitutes for each committee equal to the number of full members representing them on the committee. The President shall be informed accordingly. These permanent substitutes shall be entitled to attend and speak at committee meetings and, if the full member is absent, to take part in the vote.

*In the event that the seat of a full member of a committee falls vacant, a permanent substitute from the same political group shall be entitled to vote in place of the full member, on a temporary basis pending the provisional replacement of the full member in accordance with Rule 199(5), or, in the absence of such provisional replacement, pending the appointment of a new full member. Such entitlement is based on Parliament's decision concerning the numerical composition of the committee, and aims at ensuring that the number of members of the political group concerned who can take part in the vote is equal to the number entitled to do so before the seat fell vacant.*

2. In addition, in the absence of the full member and where permanent substitutes either have not been appointed or are absent, the full member of the committee may arrange to be represented at meetings by another member of the same political group, who shall be entitled to vote. The Chair of the committee shall be notified of the name of the substitute prior to the beginning of the voting session.

*Paragraph 2 shall apply, mutatis mutandis, to the non-attached Members.*

*The advance notification provided for in the last sentence of paragraph 2 must be given before the end of the debate or before the opening of the vote on the item or items for which the full member is to be replaced.*

\* \* \*

*The provisions of this Rule encompass two concepts which are clearly defined by this text:*

- *a political group may not have more permanent substitutes on a committee than it has full members;*
- *only political groups are entitled to appoint permanent substitutes, on the sole condition that they inform the President.*

*To conclude:*

- *the status of permanent substitutes depends exclusively on membership of a given political group;*
- *if the number of a political group's full members in a committee changes, the maximum number of permanent substitutes which it can appoint to that committee changes accordingly;*
- *Members who change their political group may not keep the status of permanent substitute which they had as members of their original group;*
- *a committee member may not under any circumstances be a substitute for a colleague who belongs to another political group.*

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<sup>25</sup> The deletion of Rule 200 decided on 13 December 2016 (P8\_TA(2016)0484) shall enter into force only at the opening of the first part-session following the next elections to Parliament due to be held in 2019. The Rule is thus reproduced in this version.

## **Rule 201**

### **Duties of committees**

1. Standing committees shall examine questions referred to them by Parliament or, during an adjournment of the session, by the President on behalf of the Conference of Presidents.

2. Should two or more standing committees be competent to deal with a question, one committee shall be named as the committee responsible and the others as committees asked for opinions.

A question shall not, however, be referred simultaneously to more than three committees, unless it is decided to depart from this rule under the conditions laid down in paragraph 1.

3. Any two or more committees or subcommittees may jointly consider matters falling within their competence, but they may not take a decision jointly except where Rule 55 applies.

4. Any committee may, with the agreement of Parliament's relevant bodies, instruct one or more of its members to undertake a study or fact-finding mission.

## **Rule 201a**

### **Questions of competence**

1. If a standing committee declares itself to be not competent to consider an item, or a conflict arises over the competence of two or more standing committees, the question of competence shall be submitted to the Conference of Committee Chairs within four weeks of the announcement in Parliament of the referral to committee.

2. The Conference of Presidents shall take a decision within six weeks after the submission of the question on the basis of a recommendation from the Conference of Committee Chairs, or, if no such recommendation is forthcoming, from the latter's Chair. If the Conference of Presidents fails to take a decision within that period, the recommendation shall be deemed to have been approved.

3. The committee Chairs may enter into agreements with other committee Chairs concerning the allocation of an item to a particular committee, subject, where necessary, to authorisation of a procedure with associated committees under Rule 54.

## **Rule 202**

### **(Deleted)**

## **Rule 203**

### **Subcommittees**

1. Subcommittees may be set up in accordance with Rule 196. A standing or special committee may also, in the interests of its work and subject to prior authorisation by the Conference of Presidents, appoint one or more subcommittees, at the same time determining their composition, in accordance with the relevant provisions laid down in Rule 199, and their areas of responsibility, which shall fall within the areas of responsibility of the parent committee. Subcommittees shall report to their parent committee.

2. Unless otherwise specified in these Rules, the procedure for subcommittees shall be the same as for committees.

3. Full members of a subcommittee shall be chosen from among the members of the parent committee.

4. Substitutes shall be allowed to sit on subcommittees under the same conditions as on committees.

5. The Chair of the parent committee may involve the Chairs of the subcommittees in the work of the coordinators or may allow them to chair debates in the parent committee on issues specifically dealt with by the subcommittees in question, provided that this way of proceeding is submitted to the committee bureau for consideration and approved.

## **Rule 204**

### **Committee bureaux**

1. At the first committee meeting after the appointment of committee members pursuant to Rule 199, the committee shall elect a bureau consisting of a chair and of vice-chairs who shall be elected from among the full members of that committee in separate ballots. The number of vice-chairs to be elected shall be determined by Parliament upon a proposal by the Conference of Presidents. The diversity of Parliament must be reflected in the composition of the bureau of each committee; it shall not be permissible to have an all male or all female bureau or for all of the Vice-Chairs to come from the same Member State.

2. Where the number of nominations corresponds to the number of seats to be filled, the election shall take place by acclamation. However, if there is more than one candidate on a given ballot, or members or political group(s) reaching at least the high threshold in the committee requested a vote, the election shall take place by secret ballot.

If there is only one candidate, the election shall be won by an absolute majority of the votes cast, these to include votes cast for and against.

If there is more than one candidate, the candidate who obtains an absolute majority of the votes cast at the first ballot shall be elected. At the second ballot, the candidate who obtains the highest number of votes shall be elected. In the event of a tie, the oldest candidate shall be elected.

3. The following Rules concerning the Officers of Parliament shall apply mutatis mutandis to committees: Rule 14 (Provisional Chair), Rule 15 (Nominations and general provisions), Rule 16 (Election of President - opening address), Rule 19 (Term of office of Officers) and Rule 20 (Vacancies).

## **Rule 205**

### **Committee coordinators**

1. The political groups may designate one of their members in each committee as coordinator.

2. The committee coordinators shall if necessary be convened by the committee Chair to prepare decisions to be taken by the committee, in particular decisions on procedure and on the appointment of rapporteurs. The committee may delegate the power to take certain decisions to the coordinators, with the exception of decisions concerning the adoption of reports, motions for resolutions, opinions or amendments.

The Vice-Chairs may be invited to participate in the meetings of committee coordinators in a consultative role.

When consensus cannot be reached, the coordinators may act only by a majority that clearly represents a large majority of the committee, having regard to the respective strengths of the

various political groups.

The Chair shall announce in committee all decisions and recommendations of the coordinators, which shall be deemed to have been adopted if they are not contested and shall be duly mentioned in the minutes of the committee meeting.

*Non-attached Members do not constitute a political group within the meaning of Rule 32 and they cannot therefore designate coordinators, who are the only Members entitled to attend coordinator meetings.*

*In all cases, non-attached Members must be guaranteed access to information, in accordance with the principle of non-discrimination, through the supply of information and the presence of a member of the non-attached Members' secretariat at coordinator meetings.*

## **Rule 205a**

### **Shadow Rapporteurs**

The political groups may designate a shadow rapporteur for each report to follow the progress of the relevant report and find compromises within the committee on behalf of the group. Their names shall be communicated to the committee Chair.

## **Rule 206**

### **Committee meetings**

1. A committee shall meet when convened by its Chair or at the request of the President.

When convening the meeting, the Chair shall submit its draft agenda. The committee shall take a decision on the agenda at the beginning of the meeting.

2. The Commission, the Council and other Union institutions may take the floor in committee meetings if invited to do so on behalf of a committee by its Chair.

By decision of a committee, any other person may be invited to attend and to take the floor at a meeting.

*The committee responsible may, subject to approval by the Bureau, organise a hearing of experts if it considers such a hearing essential to the effective conduct of its work on a particular subject.*

3. Without prejudice to Rule 53(8) and unless the committee concerned decides otherwise, Members who attend meetings of committees to which they do not belong, may not take part in their deliberations.

They may, however, be allowed by the committee to take part in its meetings in an advisory capacity.

4. Rule 162(2) on allocation of speaking time shall apply mutatis mutandis to committees.

5. Where a verbatim report is drawn up, Rule 194 (2), (3) and (5) shall apply mutatis mutandis.

## **Rule 207**

### **Minutes of committee meetings**

The minutes of each meeting of a committee shall be made available to all its members and submitted to the committee for its approval.

## **Rule 208**

### **Voting in committee**

1. Without prejudice to Rule 66(3) on second readings, amendments or draft proposals for rejection tabled for consideration in committee shall always be signed by a full or substitute member of the committee concerned or co-signed by at least one such member.

2. A committee may validly vote when one quarter of its members are actually present. However, if so requested by members or political group(s) reaching at least the high threshold in the committee before voting begins, the vote shall be valid only if the majority of its members have taken part in it.

3. Any single and/or final vote in committee on a report or opinion shall be taken by roll call in accordance with Rule 180(3) and (4). The vote on amendments and other votes shall be taken by a show of hands, unless the Chair decides to proceed to an electronic vote or members or political group(s) reaching at least the high threshold in the committee request a vote by roll call.

*The provisions of Rule 208(3) on voting by roll call do not apply to the reports provided for in Rule 8(2) and Rule 9(4), (7) and (9) in the context of procedures relating to the immunity of a Member.*

4. In the light of the amendments tabled, the committee may, instead of proceeding to a vote, ask the rapporteur to submit a new draft taking account of as many of the amendments as possible. A new deadline shall then be set for amendments.

## **Rule 209**

### **Provisions concerning plenary sittings applicable in committee**

The following Rules concerning voting, interruptive and procedural motions shall apply mutatis mutandis to committees: Rule 164a (Prevention of obstruction), 168a (Thresholds), Rule 169 (Tabling and moving amendments), Rule 170 (Admissibility of amendments), Rule 171 (Voting procedure), Rule 174 (Order of voting on amendments), Rule 176 (1) (Split voting), Rule 177 (Right to vote), Rule 178 (Voting), Rule 179a (Tied votes), Rule 180(3) and (4) (Voting by roll call), Rule 180a (Voting by secret ballot), Rule 181 (Use of electronic voting system), Rule 182a (Disputes on voting), Rule 184a (Points of order), Rule 190 (Adjournment of a debate or vote) and Rule 191 (Suspension or closure of the sitting).

## **Rule 210**

### **Question Time in committee**

Question Time may be held in committee if a committee so decides. Each committee shall decide on its own rules for the conduct of Question Time.

## **Rule 210a**

### **Procedure for the consultation by a committee of confidential information received by Parliament**

1. When Parliament is under a legal obligation to treat information received as confidential information, the chair of the committee responsible shall automatically apply the confidential procedure laid down in paragraph 3.

2. Without prejudice to paragraph 1, in the absence of any legal obligation to treat the information received as confidential information, any committee may apply the confidential

procedure laid down in paragraph 3 on its own motion to an item of information or a document indicated by one of its members in a written or oral request. A majority of two-thirds of the members present shall be required for a decision to apply the confidential procedure in such a case.

3. Once the chair of the committee has declared that the confidential procedure is applied, the meeting shall be attended only by members of the committee and by officials and experts who have been designated in advance by the chair and whose presence is strictly necessary.

The documents shall be distributed at the beginning of the meeting and collected again at the end. They shall be numbered. No notes and no photocopies may be taken.

The minutes of the meeting shall make no mention of the discussion of the item taken under the confidential procedure. Only the relevant decision, if any, may be recorded.

4. Members or political group(s) reaching at least the medium threshold in the committee which has applied the confidential procedure may request consideration of a breach of confidentiality. This request may be placed on the agenda of the next committee meeting. By a majority of its members, the committee may decide to submit the matter to the President for further consideration under Rules 11 and 166.

## **Rule 211**

### **Public hearings on citizens' initiatives**

1. When the Commission has published a citizens' initiative in the relevant register pursuant to point (a) of Article 10(1) of Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative, the President of the European Parliament, on a proposal from the Chair of the Conference of Committee Chairs:

- (a) shall task the committee responsible for the subject-matter according to Annex V with organising the public hearing provided for in Article 11 of Regulation (EU) No 211/2011; the committee responsible for petitions shall be automatically associated under Rule 54;
- (b) may, where two or more citizens' initiatives published in the relevant register pursuant to point (a) of Article 10(1) of Regulation (EU) No 211/2011 have a similar subject-matter, decide, after consulting the organisers, that a joint public hearing is to be organised at which all of the citizens' initiatives involved shall be dealt with on an equal footing.

2. The committee responsible:

- (a) shall ascertain whether the Commission has received the organisers at an appropriate level in accordance with point (b) of Article 10(1) of Regulation (EU) No 211/2011;
- (b) shall ensure, if necessary with the support of the Conference of Committee Chairs, that the Commission is properly involved in organising the public hearing and that it is represented at an appropriate level at the hearing.

3. The chair of the committee responsible shall convene the public hearing at an appropriate date within three months of the submission of the initiative to the Commission pursuant to Article 9 of Regulation (EU) No 211/2011.

4. The committee responsible shall organise the public hearing at Parliament, if appropriate together with such other institutions and bodies of the Union as may wish to participate. It may invite other stakeholders to attend.

The committee responsible shall invite a representative group of organisers, including at least one of the contact persons referred to in the second subparagraph of Article 3(2) of Regulation (EU) No 211/2011, to present the initiative at the hearing.

5. The Bureau shall, in accordance with the arrangements agreed with the Commission, adopt rules concerning the reimbursement of incurred costs.

6. The President of Parliament and the Chair of the Conference of Committee Chairs may delegate their powers under this Rule to a Vice-President and another committee chair respectively.

7. If the conditions laid down in Rule 54 or Rule 55 are met, those provisions shall also apply, mutatis mutandis, to other committees. Rules 201 and 201a shall also apply.

Rule 25(9) shall not apply to public hearings on citizens' initiatives.

8. In the event that the Commission fails to put forward a proposal for a legal act on a citizens' initiative successfully submitted to it in accordance with Article 9 of Regulation (EU) No 211/2011 within a twelve-month period after issuing a positive opinion on it and setting out in a communication the action it intends to take, the committee responsible may organise a hearing in consultation with the citizen's initiative organisers and if necessary activate the procedure laid down in Rule 46 with a view to exercise Parliament's right to request the Commission to submit an appropriate proposal.

## CHAPTER 2

### INTERPARLIAMENTARY DELEGATIONS

#### Rule 212

##### **Setting-up and duties of interparliamentary delegations**

1. <sup>26</sup>On a proposal from the Conference of Presidents, Parliament shall set up standing interparliamentary delegations and decide on their nature and the number of their members in the light of their duties. The members shall be elected during the first or second part-session following the re-election of Parliament for the duration of the parliamentary term.

2. Members of the delegations shall be elected after nominations have been submitted to the Conference of Presidents by the political groups and the non-attached Members. The Conference of Presidents shall submit to Parliament proposals designed to ensure as far as possible that Member States and political views are fairly represented. Rule 199(2), (3), (5) and (6) shall apply.

3. The bureaux of the delegations shall be constituted in accordance with the procedure laid down for the standing committees in Rule 204.

4. Parliament shall determine the general powers of the individual delegations. It may at any time decide to increase or restrict those powers.

5. The implementing provisions needed to enable the delegations to carry out their work shall be adopted by the Conference of Presidents on a proposal from the Conference of Delegation Chairs.

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<sup>26</sup> The amendments to Rule 212(1) and (2) adopted on 13 December 2016 (P8\_TA(2016)0484) shall enter into force for existing delegations only at the opening of the first part-session following the next elections to Parliament due to be held in 2019. They are therefore not reproduced in this version.

6. The Chair of a delegation shall regularly report back to the committee responsible for foreign affairs on the activities of the delegation.

7. The Chair of a delegation shall be given an opportunity to be heard by a committee when an item on the agenda touches on the delegation's area of responsibility. The same shall apply to the Chair or rapporteur of that committee in the case of meetings of the delegation.

### **Rule 213**

**(Deleted)**

### **Rule 214**

#### **Joint parliamentary committees**

1. The European Parliament may set up joint parliamentary committees with the parliaments of States associated with the Union or States with which accession negotiations have been initiated.

Such committees may formulate recommendations for the parliaments involved. In the case of the European Parliament, these recommendations shall be referred to the committee responsible, which shall put forward proposals on the action to be taken.

2. The general responsibilities of the various joint parliamentary committees shall be defined by the European Parliament, in accordance with the agreements with the third countries.

3. Joint parliamentary committees shall be governed by the procedures laid down in the relevant agreement. Such procedures shall be based on the principle of parity between the delegation of the European Parliament and that of the parliament involved.

4. Joint parliamentary committees shall draw up their own rules of procedure and submit them for approval, within the European Parliament to its Bureau, and within the third country parliament involved to the latter's relevant body.

5. The election of the members of European Parliament delegations to joint parliamentary committees and the constitution of the bureaux of these delegations shall take place in accordance with the procedure laid down for interparliamentary delegations.

### **Rule 214a**

#### **Cooperation with the Parliamentary Assembly of the Council of Europe**

1. Parliament's bodies, particularly the committees, shall cooperate with their counterparts at the Parliamentary Assembly of the Council of Europe in fields of mutual interest, with the aim in particular of improving the efficiency of their work and avoiding duplication of effort.

2. The Conference of Presidents, in agreement with the competent authorities of the Parliamentary Assembly of the Council of Europe, shall decide on the arrangements for that cooperation.

## TITLE IX

### PETITIONS

#### Rule 215

##### Right of petition

1. In accordance with Article 227 of the Treaty on the Functioning of the European Union, any citizen of the European Union and any natural or legal person residing or having its registered office in a Member State shall have the right to address, individually or in association with other citizens or persons, a petition to Parliament on a matter which comes within the European Union's fields of activity and which affects him, her or it directly.

2. Petitions to Parliament shall show the name and the permanent address of each petitioner.

3. Submissions to Parliament that are clearly not intended to be a petition shall not be registered as petitions; instead, they shall be forwarded without delay to the appropriate service for further treatment.

4. Where a petition is signed by several natural or legal persons, the signatories shall designate a representative and deputy representatives who shall be regarded as the petitioners for the purposes of this Title.

If no such representatives have been designated the first signatory or another appropriate person shall be regarded as the petitioner.

5. Each petitioner may at any time withdraw his, her or its signature from the petition.

Should all petitioners withdraw their signatures, the petition shall become null and void.

6. Petitions must be written in an official language of the European Union.

Petitions written in any other language will be considered only if the petitioner has attached a translation in an official language. Parliament's correspondence with the petitioner shall employ the official language in which the translation is drawn up.

The Bureau may decide that petitions and correspondence with petitioners may be drafted in other languages which, in accordance with the constitutional order of the Member States concerned, enjoy official status in all or part of their territory.

7. Petitions can be submitted either by post or through the Petitions portal that shall be made available on Parliament's website and which shall guide the petitioner to formulate the petition in a manner that complies with paragraphs 1 and 2.

8. Where several petitions are received on a similar subject matter, they may be dealt with jointly.

9. Petitions shall be entered in a register in the order in which they are received if they comply with the conditions laid down in paragraph 2; those that do not shall be filed, and the petitioner shall be informed of the reasons for this.

10. Petitions entered in the register shall be forwarded by the President to the committee responsible, which shall first establish the admissibility of the petition in accordance with Article 227 of the Treaty on the Functioning of the European Union.

If the committee responsible fails to reach a consensus on the admissibility of the petition, it shall

be declared admissible at the request of at least one-third of the members of the committee.

11. Petitions declared inadmissible by the committee shall be filed; the petitioner shall be informed of the decision and the reasons for it. Where possible, alternative means of redress may be recommended.

12. Petitions, once registered, shall become public documents, and the name of the petitioner, possible co-petitioners and possible supporters and the contents of the petition may be published by Parliament for reasons of transparency. The petitioner, co-petitioners and supporters shall be informed accordingly.

13. Notwithstanding paragraph 12, the petitioner, a co-petitioner or a supporter may request that his, her or its name be withheld in order to protect his, her or its privacy, in which case Parliament must comply with the request.

Where the petitioner's complaint cannot be investigated for reasons of anonymity, the petitioner shall be consulted as to the further steps to be taken.

14. In order to protect rights of third parties, Parliament may, on its own motion or upon request by the third party concerned, anonymise a petition and/or other data contained therein, if it sees fit to do so.

15. Petitions addressed to Parliament by natural or legal persons who are neither citizens of the European Union nor reside in a Member State nor have their registered office in a Member State shall be registered and filed separately. The President shall send a monthly record of such petitions received during the previous month, indicating their subject-matter, to the committee responsible for petitions, which may ask to see those which it wishes to consider.

## **Rule 216**

### **Examination of petitions**

1. Admissible petitions shall be considered by the committee responsible in the course of its normal activity, either through discussion at a regular meeting or by written procedure. Petitioners may be invited to participate in meetings of the committee if their petition is to be the subject of discussion, or they may ask to be present. The right to speak shall be granted to petitioners at the discretion of the Chair.

2. The committee may, with regard to an admissible petition, decide to submit a short motion for a resolution to Parliament, provided that the Conference of Committee Chairs is informed in advance and there is no objection by the Conference of Presidents. Such motions for resolutions shall be placed on the draft agenda for the part-session held no later than eight weeks after their adoption in committee. They shall be put to a single vote. The Conference of Presidents may propose to apply Rule 151, failing which they shall be adopted without debate.

3. Where the committee intends to draw up an own initiative report under Rule 52(1) with regard to an admissible petition and dealing with, in particular, the application or interpretation of Union law or proposed changes to existing law, the committee responsible for the subject-matter shall be associated in accordance with Rule 53 and Rule 54. The committee responsible shall accept without a vote suggestions for parts of the motion for a resolution received from the committee responsible for the subject-matter which deal with the application or interpretation of Union law or changes to existing law. If the committee responsible does not accept such suggestions, the associated committee may table them directly in plenary.

4. Signatories may lend support to, or withdraw support from, an admissible petition on the Petitions Portal that shall be made available on Parliament's website.

5. The committee may request assistance from the Commission particularly in the form of information on the application of, or compliance with, Union law and information or documents relevant to the petition. Representatives of the Commission shall be invited to attend meetings of the committee.

6. The committee may ask the President to forward its opinion or recommendation to the Commission, the Council or the Member State authority concerned for action or response.

7. The committee shall report to Parliament annually on the outcome of its deliberations and, where appropriate, on the measures taken by the Council or the Commission on petitions referred to them by Parliament.

When consideration of an admissible petition has been concluded, it shall be declared closed by decision of the committee.

8. The petitioner shall be informed of all relevant decisions taken by the committee and the reasons thereof.

9. A petition may be re-opened by committee decision, if relevant new facts relating to the petition have been brought to its attention and the petitioner so requests.

10. By a majority of its members, the committee shall adopt guidelines for the treatment of petitions in accordance with these Rules of Procedure.

## **Rule 216a**

### **Fact-finding visits**

1. When investigating petitions, establishing facts or seeking solutions the committee may organise fact-finding visits to the Member State or region concerned by admissible petitions that have been already debated in the committee. As a general rule, fact-finding visits shall cover issues raised in several petitions. The Bureau Rules governing committee delegations within the European Union shall apply.

2. Members elected in the Member State of destination shall not be part of the delegation. They may be allowed to accompany the fact-finding visit delegation in an ex officio capacity.

3. After each visit, a mission report shall be drafted by the official members of the delegation. The Head of the delegation shall coordinate the drafting of the report and shall seek consensus on its content among the official members on an equal footing. Failing such a consensus, the mission report shall set out the divergent assessments.

Members taking part in the delegation ex officio shall not participate in the drafting of the report.

4. The mission report, including possible recommendations, shall be submitted to the committee. Members may table amendments to the recommendations, but not to the parts of the report concerning the facts established by the delegation.

The committee shall first vote on the amendments to the recommendations, if any, then on the mission report as a whole.

The mission report, if approved, shall be forwarded for information to the President.

## **Rule 217**

### **Notice of petitions**

1. Notice shall be given in Parliament of the petitions entered in the register referred to in

Rule 215(9) and the main decisions on the procedure to be followed in relation to specific petitions. Such announcements shall be entered in the minutes of proceedings.

2. The title and a summary of the texts of petitions entered in the register, together with the texts of the opinions and the most important decisions forwarded in connection with the examination of the petitions, shall be made available to the public on the Petitions Portal that shall be made available on Parliament's website.

## **Rule 218**

### **Citizens' initiative**

1. When Parliament is informed that the Commission has been invited to submit a proposal for a legal act under Article 11(4) of the EU Treaty and in accordance with Regulation (EU) No 211/2011, the committee responsible for petitions shall ascertain whether this is likely to affect its work and, if need be, shall inform those petitioners who have addressed petitions on related subjects.

2. Proposed citizens' initiatives which have been registered in accordance with Article 4 of Regulation (EU) No 211/2011, but which cannot be submitted to the Commission in accordance with Article 9 of that Regulation since not all the relevant procedures and conditions laid down have been complied with, may be examined by the committee responsible for petitions if it considers that follow-up is appropriate. Rules 215, 216, 216a and 217 shall apply mutatis mutandis.

## TITLE X

### OMBUDSMAN

#### **Rule 219**

##### **Election of the Ombudsman**

1. At the start of each parliamentary term or in the case of death, resignation or dismissal of the Ombudsman, the President shall call for nominations for the office of Ombudsman and set a time-limit for their submission. A notice calling for nominations shall be published in the *Official Journal of the European Union*.

2. Nominations must have the support of at least 40 Members who are nationals of at least two Member States.

Each Member may support only one nomination.

Nominations shall include all the supporting documents needed to show conclusively that the nominee fulfils the conditions laid down in Article 6(2) of Decision 94/262/ECSC, EC, Euratom of the European Parliament on the regulations and general conditions governing the performance of the Ombudsman's duties.

3. Nominations shall be forwarded to the committee responsible. A full list of the Members who have given their support to the nominees shall be made available to the public in due time.

4. The committee responsible may ask to hear the nominees. Such hearings shall be open to all Members.

5. A list of admissible nominations in alphabetical order shall then be submitted to the vote of Parliament.

6. The Ombudsman shall be elected by a majority of the votes cast.

If no candidate is elected after the first two ballots, only the two candidates obtaining the largest number of votes in the second ballot may continue to stand.

In the event of any tie the oldest candidate shall be appointed.

7. Before opening the vote, the President shall ensure that at least half of Parliament's component Members are present.

8. The Ombudsman shall exercise his or her duties until his or her successor takes office, except in the case of his or her death or dismissal.

#### **Rule 220**

##### **Activities of the Ombudsman**

1. The committee responsible shall examine cases of maladministration that it was informed about by the Ombudsman pursuant to Article 3(6) and (7) of Decision 94/262/ECSC, EC, Euratom and may draw up a report under Rule 52.

The committee responsible shall examine the report submitted by the Ombudsman at the end of each annual session on the outcome of his or her inquiries, in accordance with Article 3(8) of Decision 94/262/ECSC, EC, Euratom and may submit a motion of resolution to Parliament if it considers that Parliament needs to take a position in respect of any aspect of that report.

2. The Ombudsman may also provide the committee responsible with information at its request, or be heard by it on his own initiative.

## **Rule 221**

### **Dismissal of the Ombudsman**

1. One tenth of Parliament's component Members may request the Ombudsman's dismissal if he or she no longer fulfils the conditions required for the performance of his duties or is guilty of serious misconduct. Where such a request for dismissal has been voted on in the preceding two months, a new one may be tabled only by one fifth of the component Members of Parliament.

2. The request shall be forwarded to the Ombudsman and to the committee responsible, which, if it decides by a majority of its members that the reasons are well founded, shall submit a report to Parliament. If he or she so requests, the Ombudsman shall be heard before the report is put to the vote. Parliament shall, following a debate, take a decision by secret ballot.

3. Before opening the vote, the President shall ensure that half of Parliament's component Members are present.

4. If the vote is in favour of the Ombudsman's dismissal and he or she does not resign accordingly the President shall, at the latest by the part-session following that at which the vote was held, apply to the Court of Justice to have the Ombudsman dismissed with a request for a ruling to be given without delay.

Resignation by the Ombudsman shall terminate the procedure.

## TITLE XI

### PARLIAMENT'S SECRETARIAT

#### **Rule 222**

##### **Secretariat**

1. Parliament shall be assisted by a Secretary-General appointed by the Bureau.

The Secretary-General shall give a solemn undertaking before the Bureau to perform his duties conscientiously and with absolute impartiality.

2. The Secretary-General shall head a Secretariat the composition and organisation of which shall be determined by the Bureau.

3. The Bureau shall decide on the establishment plan of the Secretariat and lay down regulations relating to the administrative and financial situation of officials and other servants.

The President of Parliament shall inform the appropriate institutions of the European Union accordingly.

## TITLE XII

# POWERS AND RESPONSIBILITIES RELATING TO EUROPEAN POLITICAL PARTIES AND EUROPEAN POLITICAL FOUNDATIONS

### Rule 223

**(Deleted)**

### Rule 223a

#### **Powers and responsibilities relating to European political parties and European political foundations**

1. <sup>27</sup>Where, in accordance with Article 65(1) of Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union, Parliament decides to reserve to itself the right to authorise expenditure, it shall act through its Bureau.

On this basis, the Bureau shall be competent to adopt decisions under Articles 17, 18, 24, 27(3) and 30 of Regulation (EU, Euratom) No. 1141/2014 of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations.

Individual decisions adopted by the Bureau on the basis of this paragraph shall be signed by the President on its behalf and shall be notified to the applicant or to the beneficiary in accordance with Article 297 of the Treaty on the Functioning of the European Union. Individual decisions shall state the reasons on which they are based in accordance with the second paragraph of Article 296 of that Treaty.

The Bureau may at any time consult the Conference of Presidents.

2. At the request of one quarter of the component Members of Parliament representing at least three political groups, Parliament shall vote on the decision to request, in accordance with Article 10(3) of Regulation (EU, Euratom) No 1141/2014, the Authority for European political parties and European political foundations to verify whether a registered European political party or a registered European political foundation complies with the conditions laid down in point (c) of Article 3(1) and point (c) of Article 3(2) of Regulation (EU, Euratom) No 1141/2014.

3. At the request of one quarter of the component Members of Parliament representing at least three political groups, Parliament shall vote on a proposal for a reasoned decision to object, pursuant to Article 10(4) of Regulation (EU, Euratom) No 1141/2014, to the decision of the Authority for European political parties and European political foundations to deregister a European political party or a European political foundation within three months of the communication of the decision.

The committee responsible shall submit the proposal for a reasoned decision. If this proposal is rejected, the contrary decision shall be deemed to have been adopted.

4. On the basis of a proposal by the committee responsible, the Conference of Presidents shall appoint two members of the committee of independent eminent persons pursuant to Article 11 (1)

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<sup>27</sup> Rule 223a shall only apply to European political parties and European political foundations within the meaning of Article 2 (3) and (4) of Regulation (EU, Euratom) No 1141/2014. See also footnotes to Rules 224 and 225.

of Regulation (EU, Euratom) No 1141/2014.

## Rule 224

### **Powers and responsibilities of the Bureau (Deleted)**

1. <sup>28</sup>The Bureau shall take a decision on any application for funding submitted by a political party at European level and on the distribution of appropriations amongst the beneficiary political parties. It shall draw up a list of the beneficiaries and of the amounts allocated.

2. The Bureau shall decide whether to suspend or reduce funding and whether to recover amounts which have been wrongly paid.

3. After the end of the budget year the Bureau shall approve the beneficiary political parties' final activity reports and final financial statements.

4. Under the terms and conditions laid down in Regulation (EC) No 2004/2003 of the European Parliament and of the Council the Bureau may grant technical assistance to political parties at European level in accordance with their proposals. The Bureau may delegate specific types of decisions to grant technical assistance to the Secretary-General.

5. In all the cases set out in paragraphs 1 to 4 the Bureau shall act on the basis of a proposal from the Secretary-General. Except in the cases set out in paragraphs 1 and 4 the Bureau shall, before taking a decision, hear the representatives of the political party concerned. The Bureau may at any time consult the Conference of Presidents.

6. Where Parliament - following verification - establishes that a political party at European level has ceased to observe the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law, the Bureau shall decide that that political party shall be excluded from funding.

## Rule 225

### **Powers and responsibilities of the committee responsible and of Parliament's plenary (Deleted)**

1. <sup>29</sup>At the request of one-quarter of Parliament's Members representing at least three political groups, the President, following an exchange of views in the Conference of Presidents, shall call upon the committee responsible to verify whether or not a political party at European level is continuing (particularly in its programme and in its activities) to observe the principles upon which the European Union is founded, namely the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law.

2. Before submitting a proposal for a decision to Parliament, the committee responsible shall hear the representatives of the political party concerned. It shall ask for and consider the opinion of a committee of independent eminent persons, as provided for in Regulation (EC) No 2004/2003.

3. Parliament shall vote (by a majority of the votes cast) on the proposal for a decision establishing that the political party concerned either does or does not observe the principles set out in paragraph 1. No amendment may be tabled. In either case, if the proposal for a decision does not secure a majority, a decision to the contrary shall be deemed to have been adopted.

4. Parliament's decision shall apply with effect from the day upon which the request referred to in paragraph 1 was tabled.

5. The President shall represent Parliament on the committee of independent eminent persons.

6. The committee responsible shall draw up the report provided for in Regulation (EC) No 2004/2003 on the application of that Regulation and the activities funded, and shall submit it in plenary.

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<sup>28</sup> Rule 224 shall remain applicable as regards acts and commitments relating to the funding of political parties and political foundations at European level for the 2014, 2015, 2016 and 2017 budget years, which, pursuant to Article 40 of Regulation (EU, Euratom) No 1141/2014 remain governed by Regulation (EC) No 2004/2003 of the European Parliament and of the Council on the regulations governing political parties at European level and the rules regarding their funding. See also footnotes to Rules 223a and 225.

<sup>29</sup> Rule 225 shall remain applicable to political parties and political foundations at European level within the meaning of Article 2 of Regulation (EC) No 2004/2003, for as long as they receive funding for the 2014, 2015, 2016 and 2017 budget years in application of that regulation. See also footnotes to Rules 223a and 224.

## TITLE XIII

### APPLICATION AND AMENDMENT OF THE RULES OF PROCEDURE

#### Rule 226

##### **Application of the Rules of Procedure**

1. Should doubt arise over the application or interpretation of these Rules of Procedure, the President may refer the matter to the committee responsible for examination.

Committee Chairs may do so when such a doubt arises in the course of the committee's work and is related to it.

2. The committee shall decide whether it is necessary to propose an amendment to the Rules of Procedure. If this should be the case, it shall proceed in accordance with Rule 227.

3. Should the committee decide that an interpretation of the existing Rules is sufficient, it shall forward its interpretation to the President who shall inform Parliament at its next part-session.

4. Should a political group or Members reaching at least the low threshold contest the committee's interpretation within a period of 24 hours following its announcement, the matter shall be put to the vote in Parliament. Adoption of the text shall be by a majority of the votes cast, provided that at least one third of Parliament's component Members are present. In the event of rejection, the matter shall be referred back to the committee.

5. Uncontested interpretations and interpretations adopted by Parliament shall be appended in italic print as explanatory notes to the appropriate Rule or Rules.

6. Interpretations shall constitute precedents for the future application and interpretation of the Rules concerned.

7. The Rules of Procedure and interpretations shall be reviewed regularly by the committee responsible.

8. Where these Rules confer rights on a specific number of Members, that number shall be automatically adjusted to the nearest whole number representing the same percentage of Parliament's membership whenever the total size of Parliament is modified, in particular following enlargements of the European Union.

#### Rule 227

##### **Amendment of the Rules of Procedure**

1. Any Member may propose amendments to these Rules and to their annexes accompanied, where appropriate, by short justifications.

The committee responsible shall examine them and decide whether to submit them to Parliament.

For the purpose of applying Rules 169, 170 and 174 to consideration of such proposed amendments in Parliament, references made in those Rules to the 'original text' or the proposal for a legislative act shall be considered as referring to the provision in force at the time.

2. In accordance with Article 232 of the Treaty on the Functioning of the European Union, amendments to these Rules shall be adopted only if they secure the votes of a majority of the component Members of Parliament.

3. Unless otherwise specified when the vote is taken, amendments to these Rules and to their

annexes shall enter into force on the first day of the part-session following their adoption.

## TITLE XIV

### MISCELLANEOUS PROVISIONS

#### **Rule 228**

##### **The symbols of the Union**

1. Parliament shall recognise and espouse the following symbols of the Union:
  - the flag showing a circle of twelve golden stars on a blue background;
  - the anthem based on the "Ode to Joy" from the Ninth Symphony by Ludwig van Beethoven;
  - the motto "United in diversity".
2. Parliament shall celebrate Europe Day on 9 May.
3. The flag shall be flown at all Parliament premises and on the occasion of official events. The flag shall be used in each meeting room of the Parliament.
4. The anthem shall be performed at the opening of each constitutive sitting and at other solemn sittings, particularly to welcome heads of State or government or to greet new Members following enlargements.
5. The motto shall be reproduced on Parliament's official documents.
6. The Bureau shall examine further use of the symbols within the Parliament. The Bureau shall lay down detailed provisions for the implementation of this Rule.

#### **Rule 229**

##### **Unfinished business**

At the end of the last part-session before elections, all Parliament's unfinished business shall be deemed to have lapsed, subject to the provisions of the second paragraph.

At the beginning of each parliamentary term, the Conference of Presidents shall take a decision on reasoned requests from parliamentary committees and other institutions to resume or continue the consideration of such matters.

These provisions shall not apply to petitions and communications that do not require a decision.

#### **Rule 230**

##### **(Deleted)**

#### **Rule 231**

##### **Corrigenda**

1. If an error is identified in a text adopted by Parliament, the President shall, where appropriate, refer a draft corrigendum to the committee responsible.
2. If an error is identified in a text adopted by Parliament and agreed with other institutions,

the President shall seek the agreement of those institutions on the necessary corrections before proceeding in accordance with paragraph 1.

3. The committee responsible shall examine the draft corrigendum and submit it to Parliament if it is satisfied that an error has occurred which can be corrected in the proposed manner.

4. The corrigendum shall be announced at the following part-session. It shall be deemed approved unless, not later than 24 hours after its announcement, a request is made by a political group or Members reaching at least the low threshold that it be put to the vote. If the corrigendum is not approved, it shall be referred back to the committee responsible which may propose an amended corrigendum or close the procedure.

5. Approved corrigenda shall be published in the same way as the text to which they refer. Rule 78 shall apply *mutatis mutandis*.

## ANNEX I

# CODE OF CONDUCT FOR MEMBERS OF THE EUROPEAN PARLIAMENT WITH RESPECT TO FINANCIAL INTERESTS AND CONFLICTS OF INTEREST

### Article 1

#### Guiding principles

In exercising their duties, Members of the European Parliament:

- (a) are guided by and observe the following general principles of conduct: disinterest, integrity, openness, diligence, honesty, accountability and respect for Parliament's reputation,
- (b) act solely in the public interest and refrain from obtaining or seeking to obtain any direct or indirect financial benefit or other reward.

### Article 2

#### Main duties of Members

In exercising their duties, Members of the European Parliament shall:

- (a) not enter into any agreement to act or vote in the interest of any other legal or natural person that would compromise their voting freedom, as enshrined in Article 6 of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage and Article 2 of the Statute for Members of the European Parliament,
- (b) not solicit, accept or receive any direct or indirect benefit or other reward, whether in cash or in kind, in exchange for specific behaviour in the scope of the Member's parliamentary work, and shall consciously seek to avoid any situation which might imply bribery, corruption, or undue influence,
- (c) not engage in paid professional lobbying directly linked to the Union decision-making process.

### Article 3

#### Conflicts of interest

1. A conflict of interest exists where a Member of the European Parliament has a personal interest that could improperly influence the performance of his or her duties as a Member. A conflict of interest does not exist where a Member benefits only as a member of the general public or of a broad class of persons.

2. Any Member who finds that he or she has a conflict of interest shall immediately take the necessary steps to address it, in accordance with the principles and provisions of this Code of Conduct. If the Member is unable to resolve the conflict of interest, he or she shall report this to the President in writing. In cases of ambiguity, the Member may seek advice in confidence from the Advisory Committee on the Conduct of Members, established under Article 7.

3. Without prejudice to paragraph 2, Members shall disclose, before speaking or voting in plenary or in one of Parliament's bodies, or if proposed as a rapporteur, any actual or potential

conflict of interest in relation to the matter under consideration, where such conflict is not evident from the information declared pursuant to Article 4. Such disclosure shall be made in writing or orally to the chair during the parliamentary proceedings in question.

## **Article 4**

### **Declaration by Members**

1. For reasons of transparency, Members of the European Parliament shall be personally responsible for submitting a declaration of financial interests to the President by the end of the first part-session after elections to the European Parliament (or within 30 days of taking up office with the Parliament in the course of a parliamentary term), in accordance with a form to be adopted by the Bureau pursuant to Article 9. They shall notify the President of any changes that have an influence on their declaration by the end of the month following each change occurring.

2. The declaration of financial interests shall contain the following information, which shall be provided in a precise manner:

- (a) the Member's occupation(s) during the three-year period before he or she took up office with the Parliament, and his or her membership during that period of any boards or committees of companies, non-governmental organisations, associations or other bodies established in law,
- (b) any salary which the Member receives for the exercise of a mandate in another parliament,
- (c) any regular remunerated activity which the Member undertakes alongside the exercise of his or her office, whether as an employee or as a self-employed person,
- (d) membership of any boards or committees of any companies, non-governmental organisations, associations or other bodies established in law, or any other relevant outside activity that the Member undertakes, whether the membership or activity in question is remunerated or unremunerated,
- (e) any occasional remunerated outside activity (including writing, lecturing or the provision of expert advice), if the total remuneration of all the Member's occasional outside activities exceeds EUR 5 000 in a calendar year,
- (f) any holding in any company or partnership, where there are potential public policy implications or where that holding gives the Member significant influence over the affairs of the body in question,
- (g) any support, whether financial or in terms of staff or material, additional to that provided by Parliament and granted to the Member in connection with his or her political activities by third parties, whose identity shall be disclosed,
- (h) any other financial interests which might influence the performance of the Member's duties.

For any item to be declared in accordance with the first subparagraph, Members shall, where appropriate, indicate whether it is remunerated or not; for items (a), (c), (d), (e) and (f), Members shall also indicate one of the following income categories:

- Unremunerated;
- EUR 1 to EUR 499 a month;

- EUR 500 to EUR 1 000 a month;
- EUR 1 001 to EUR 5 000 a month;
- EUR 5 001 to EUR 10 000 a month;
- above EUR 10 000 a month, with an indication of the nearest EUR 10 000 amount.

Any income that Members receive in respect of each item declared in accordance with the first subparagraph, but not on a regular basis, shall be calculated on an annual basis, divided by twelve and placed in one of the categories set out in the second subparagraph.

3. The information provided to the President in line with this Article shall be published on Parliament's website in an easily accessible manner.

4. Members may not be elected as office-holders of Parliament or of one of its bodies, be appointed as a rapporteur or participate in an official delegation or interinstitutional negotiations, if they have not submitted their declaration of financial interests.

5. If the President receives information, which leads him to believe that the declaration of financial interests of a Member is substantially incorrect or out of date, he may consult the advisory committee provided for in Article 7 and where appropriate, shall request the Member to correct the declaration within 10 days. The Bureau may adopt a decision applying paragraph 4 to Members who do not comply with the President's correction request.

6. Rapporteurs may voluntarily list in the explanatory statement to their report outside interests who have been consulted on matters pertaining to the subject of the report<sup>30</sup>.

## **Article 5**

### **Gifts or similar benefits**

1. Members of the European Parliament shall refrain from accepting, in the performance of their duties, any gifts or similar benefits, other than those with an approximate value of less than EUR 150 given in accordance with courtesy usage or those given to them in accordance with courtesy usage when they are representing Parliament in an official capacity.

2. Any gifts presented to Members, in accordance with paragraph 1, when they are representing Parliament in an official capacity shall be handed over to the President and dealt with in accordance with implementing measures to be laid down by the Bureau pursuant to Article 9.

3. The provisions of paragraphs 1 and 2 shall not apply to the reimbursement of travel, accommodation and subsistence expenses of Members, or to the direct payment of such expenses by third parties, when Members attend, pursuant to an invitation and in the performance of their duties, at any events organised by third parties.

The scope of this paragraph, in particular the rules designed to ensure transparency, shall be specified in the implementing measures to be laid down by the Bureau pursuant to Article 9.

## **Article 6**

### **Activities of former Members**

Former Members of the European Parliament who engage in professional lobbying or

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<sup>30</sup> See Bureau Decision of 12 September 2016 on the implementation of the Inter-Institutional Agreement on the Transparency Register.

representational activities directly linked to the European Union decision-making process should inform the European Parliament thereof and may not, throughout the period in which they engage in those activities, benefit from the facilities granted to former Members under the rules laid down by the Bureau to that effect<sup>31</sup>.

## **Article 7**

### **Advisory Committee on the Conduct of Members**

1. An Advisory Committee on the Conduct of Members ('the Advisory Committee') is hereby established.

2. The Advisory Committee shall be composed of five members, appointed by the President at the beginning of his or her term of office from amongst the members of the Committee on Constitutional Affairs and the Committee on Legal Affairs, taking due account of the Members' experience and of political balance.

Each member of the Advisory Committee shall serve as chair for six months on a rotating basis.

3. The President shall also, at the beginning of his or her term of office, nominate reserve members for the Advisory Committee, one for each political group not represented in the Advisory Committee.

In the event of an alleged breach of this Code of Conduct by a member of a political group not represented in the Advisory Committee, the relevant reserve member shall serve as a sixth full member of the Advisory Committee for the purposes of investigation of that alleged breach.

4. Upon request by a Member, the Advisory Committee shall give him or her, in confidence and within 30 calendar days, guidance on the interpretation and implementation of the provisions of this Code of Conduct. The Member in question shall be entitled to rely on such guidance.

At the request of the President, the Advisory Committee shall also assess alleged breaches of this Code of Conduct and advise the President on possible action to be taken.

5. The Advisory Committee may, after consulting the President, seek advice from outside experts.

6. The Advisory Committee shall publish an annual report of its work.

## **Article 8**

### **Procedure in the event of possible breaches of the Code of Conduct**

1. Where there is reason to think that a Member of the European Parliament may have breached this Code of Conduct, the President shall, except in manifestly vexatious cases, refer the matter to the Advisory Committee.

2. The Advisory Committee shall examine the circumstances of the alleged breach, and may hear the Member concerned. On the basis of the conclusions of its findings, it shall make a recommendation to the President on a possible decision.

In case of an alleged breach of the Code of Conduct by a permanent member or by a reserve member of the Advisory Committee, the member or reserve member concerned shall refrain from

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<sup>31</sup> Bureau Decision of 12 April 1999 on facilities granted to former Members of the European Parliament.

taking part in the proceedings of the Advisory Committee on that alleged breach.

3. If, taking into account that recommendation, and having invited the Member concerned to submit written observations, the President concludes that the Member concerned has breached the Code of Conduct, he shall adopt a reasoned decision laying down a penalty, which he shall notify to the Member.

The penalty may consist of one or more of the measures listed in Rule 166(3) to (5) of the Rules of Procedure.

4. The internal appeal procedures defined in Rule 167 of the Rules of Procedure shall be open to the Member concerned.

## **Article 9**

### **Implementation**

The Bureau shall lay down implementing measures for this Code of Conduct, including a monitoring procedure, and shall update the amounts referred to in Articles 4 and 5, when necessary.

It may bring forward proposals for revision of this Code of Conduct.

## ANNEX II

### CRITERIA FOR QUESTIONS AND INTERPELLATIONS FOR WRITTEN ANSWER UNDER RULES 130, 130A, 130B, 131 AND 131A

1. Questions for written answer shall:

- clearly specify the addressee to whom they are to be transmitted through the usual interinstitutional channels;
- fall exclusively within the limits of the competences of the addressee, as laid down in the relevant Treaties or in legal acts of the Union, or within its sphere of activity;
- be of general interest;
- be concise and contain an understandable interrogation;
- not exceed 200 words;
- not contain offensive language;
- not relate to strictly personal matters;
- not contain more than three sub-questions.

2. Questions to the Council may not deal with the subject of an ongoing ordinary legislative procedure or with Council's budgetary functions.

3. Upon request, the Secretariat shall provide authors with advice on how to comply in an individual case with the criteria laid down in paragraph 1.

4. If an identical or similar question has been put and answered during the preceding six months, or to the extent that a question merely seeks information on the follow-up to a specific resolution of Parliament of a kind which the Commission has already provided in a written follow-up communication during the preceding six months, the Secretariat shall transmit to the author a copy of the previous question and answer or follow-up communication. The renewed question shall not be forwarded to the addressee unless the President so decides in the light of significant new developments and in response to a reasoned request by the author.

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

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

## ANNEX III

### GUIDELINES AND GENERAL PRINCIPLES TO BE FOLLOWED WHEN CHOOSING THE SUBJECTS TO BE INCLUDED ON THE AGENDA FOR THE DEBATE ON CASES OF BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW PROVIDED FOR UNDER RULE 135

#### **Fundamental principles**

1. Priority shall be given to motions for resolutions intended to lead to a vote in Parliament addressed to the Council, the Commission, the Member States, third countries or international bodies, before a particular event, provided that the current part-session is the only part-session of the European Parliament at which a vote can be held in time.
2. Motions for resolutions shall not exceed 500 words.
3. Subjects relating to the responsibilities of the European Union as laid down by the Treaties shall be given priority, provided they are of major importance.
4. The number of subjects chosen shall be such as to allow a debate commensurate with their importance and should not exceed three, including sub-chapters.

#### **Practical details**

5. The fundamental principles applied in determining the choice of subjects to be included in the debate on cases of breaches of human rights, democracy and the rule of law shall be notified to Parliament and the political groups.

#### **Limitation and allocation of speaking time**

6. In order to make better use of the time available, the President, after consulting the political group Chairs, shall reach agreement with the Council and the Commission on the limitation of the speaking time for their respective statements, if any, in the debate on cases of breaches of human rights, democracy and the rule of law.

#### **Deadline for tabling amendments**

7. The deadline for tabling amendments shall allow sufficient time between their distribution in the official languages and the time set for the debate on the motions for resolutions to enable Members and political groups to give them due consideration.

## ANNEX IV

# PROCEDURE FOR THE CONSIDERATION AND ADOPTION OF DECISIONS ON THE GRANTING OF DISCHARGE

### Article 1

#### Documents

1. The following documents shall be printed and distributed:
  - (a) the revenue and expenditure account, the financial analysis and the balance sheet forwarded by the Commission;
  - (b) the Annual Report and special reports of the Court of Auditors, accompanied by the Institutions' answers;
  - (c) the statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 287 of the Treaty on the Functioning of the European Union;
  - (d) the Council recommendation.
2. These documents shall be referred to the committee responsible. Any committee concerned may deliver an opinion.
3. If other committees wish to deliver opinions, the President shall set the time-limit within which these shall be communicated to the committee responsible.

### Article 2

#### Consideration of report

1. Parliament shall consider a report from the committee responsible concerning discharge by 30 April of the year following the adoption of the Court of Auditors' Annual Report as required by the Financial Regulation.
2. Parliament's Rules relating to amendments and voting shall apply unless otherwise provided in this Annex.

### Article 3

#### Content of the Report

1. The discharge report drawn up by the committee responsible shall comprise:
  - (a) a proposal for a decision granting discharge or postponing the discharge decision (April part-session vote) or a proposal for a decision granting or refusing to grant discharge (October part-session vote);
  - (b) a proposal for a decision closing the accounts of all the Union's revenue, expenditure, assets and liabilities;
  - (c) a motion for a resolution containing comments accompanying the proposal for a decision referred to in point (a) including both an assessment of the Commission's budgetary management over the financial year and observations relating to the implementation of expenditure for the future;

- (d) as an Annex, a list of the documents received from the Commission and those requested but not received;
- (e) the opinions of the committees concerned.

2. If the committee responsible proposes postponing the discharge decision, the relevant motion for a resolution shall also set out, *inter alia*:

- (a) the reasons for postponement;
- (b) the further action that the Commission is expected to take and the deadlines for doing so;
- (c) the documents required for Parliament to take an informed decision.

## **Article 4**

### **Consideration and vote in Parliament**

1. Any report by the committee responsible concerning the discharge shall be included on the agenda of the first part-session following its tabling.

2. Amendments shall be admissible only to the motion for a resolution tabled in accordance with Article 3(1)(c).

3. Unless otherwise stipulated in Article 5, the vote on the proposals for decisions and the motion for a resolution shall follow the order of Article 3.

4. Parliament shall decide by a majority of the votes cast, in accordance with Article 231 of the Treaty on the Functioning of the European Union.

## **Article 5**

### **Procedural variants**

1. April part-session vote

In the first instance, the discharge report shall propose either to grant or to postpone discharge.

(a) If a proposal to grant discharge secures a majority, discharge is granted. This shall also constitute closure of the accounts.

If a proposal to grant discharge fails to secure a majority, discharge shall be deemed to be postponed and the committee responsible shall table a new report within six months containing a new proposal to grant or refuse to grant discharge.

(b) If a proposal to postpone discharge is adopted, the committee responsible shall table a new report within six months containing a new proposal to grant or refuse to grant discharge. In this case the closure of accounts shall also be postponed and retabled with the new report.

If a proposal to postpone discharge fails to secure a majority, discharge shall be deemed granted. In this instance the decision shall also constitute closure of the accounts. The motion for resolution may still be put to the vote.

2. October part-session vote

In the second instance, the discharge report shall propose either to grant or to refuse to grant discharge.

(a) If a proposal to grant discharge secures a majority, discharge is granted. This shall also constitute closure of the accounts.

If a proposal to grant discharge fails to secure a majority, this shall constitute refusal of discharge. A formal proposal to close the accounts for the year in question shall be submitted at a subsequent part-session at which the Commission shall be invited to make a statement.

(b) If a proposal to refuse discharge secures a majority, a formal proposal to close the accounts for the year in question shall be submitted at a subsequent part-session at which the Commission shall be invited to make a statement.

If a proposal to refuse discharge fails to secure a majority, discharge shall be deemed granted. In this instance the decision shall also constitute closure of accounts. The motion for resolution may still be put to the vote.

3. In the event that the motion for resolution or the proposal on closure contains provisions which contradict Parliament's vote on the discharge, the President, after consulting the Chair of the committee responsible, may postpone that vote and fix a new deadline for tabling amendments.

## **Article 6**

### **Implementation of discharge decisions**

1. The President shall forward any decision or resolution of Parliament adopted pursuant to Article 3 to the Commission and to each of the other institutions and shall arrange for their publication in the *Official Journal of the European Union* in the series appropriate to acts of a legislative character.

2. The committee responsible shall report to Parliament at least annually on the action taken by the institutions in response to the comments accompanying the discharge decisions and the other comments contained in Parliament's resolutions concerning the implementation of expenditure.

3. On the basis of a report by the committee responsible for budgetary control, the President, acting on behalf of Parliament, may bring an action before the Court of Justice of the European Union against the institution concerned, pursuant to Article 265 of the Treaty on the Functioning of the European Union, for failure to comply with the obligations deriving from the comments accompanying the discharge decision or the other resolutions concerning implementation of expenditure.

## ANNEX V

### POWERS AND RESPONSIBILITIES OF STANDING COMMITTEES<sup>32</sup>

#### I. Committee on Foreign Affairs

Committee responsible for the promotion, implementation and monitoring of the Union's foreign policy as regards:

1. the common foreign and security policy (CFSP) and the common security and defence policy (CSDP). In this context the committee is assisted by a subcommittee on security and defence;
2. relations with other Union institutions and bodies, the UNO and other international organisations and interparliamentary assemblies for matters falling under its responsibility;
3. oversight of the European External Action Service;
4. the strengthening of political relations with third countries by means of comprehensive cooperation and assistance programmes or international agreements such as association and partnership agreements;
5. the opening, monitoring and concluding of negotiations concerning the accession of European States to the Union;
6. all legislation, programming and scrutiny of actions carried out under the European Instrument for Democracy and Human Rights, the European Neighbourhood Instrument, the Instrument for Pre-Accession Assistance, the Instrument contributing to Stability and Peace and the Partnership Instrument for cooperation with third countries, and the policies underpinning them;
7. the monitoring and follow-up of, *inter alia*, the European Neighbourhood Policy (ENP), in particular with regard to ENP Annual Progress Reports;
8. issues concerning democracy, the rule of law, human rights, including the rights of minorities, in third countries and the principles of international law. In this context the committee is assisted by a subcommittee on human rights, which should ensure coherence between all the Union's external policies and its human rights policy. Without prejudice to the relevant rules, members from other committees and bodies with responsibilities in this field shall be invited to attend the meetings of the subcommittee.
9. Parliament's involvement in election observation missions, where appropriate in cooperation with other relevant committees and delegations;

The committee provides political oversight to, and coordinates the work of, joint parliamentary committees and parliamentary cooperation committees as well as that of the interparliamentary delegations and ad hoc delegations falling within its remit.

#### II. Committee on Development

Committee responsible for:

1. the promotion, implementation and monitoring of the development and cooperation

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<sup>32</sup> Adopted by decision of Parliament of 15 January 2014.

policy of the Union, notably:

- (a) political dialogue with developing countries, bilaterally and in the relevant international organisations and interparliamentary fora,
- (b) aid to, and cooperation agreements with, developing countries, notably oversight of effective aid funding and evaluation of output, including in relation to poverty eradication,
- (c) monitoring of the relationship between the policies of the Member States and those implemented at Union level,
- (d) promotion of democratic values, good governance and human rights in developing countries,
- (e) the implementation, monitoring and advancement of policy coherence with regard to development policy;

2. all legislation, programming and scrutiny of actions carried out under the Development Cooperation Instrument (DCI), the European Development Fund (EDF) – in close cooperation with national parliaments – and the Humanitarian Aid Instrument, as well as all matters related to humanitarian aid in developing countries and the policy underpinning them;
3. matters relating to the ACP-EU Partnership Agreement and relations with the relevant bodies;
4. matters relating to Overseas Countries and Territories (OCTs);
5. Parliament's involvement in election observation missions, when appropriate in cooperation with other relevant committees and delegations.

The committee coordinates the work of the interparliamentary delegations and ad hoc delegations falling within its remit.

### **III. Committee on International Trade**

Committee responsible for matters relating to the establishment, implementation and monitoring of the Union's common commercial policy and its external economic relations, in particular:

1. financial, economic and trade relations with third countries and regional organisations;
2. the common external tariff and trade facilitation as well as the external aspects of customs provisions and management;
3. the opening, monitoring, conclusion and follow-up of bilateral, multilateral and plurilateral trade agreements governing economic, trade and investment relations with third countries and regional organisations;
4. measures of technical harmonisation or standardisation in fields covered by instruments of international law;
5. relations with the relevant international organisations and international fora on trade-related matters, and with organisations promoting regional economic and commercial integration outside the Union;
6. relations with the WTO, including its parliamentary dimension.

The committee liaises with the relevant interparliamentary and ad hoc delegations for the economic and trade aspects of relations with third countries.

#### **IV. Committee on Budgets**

Committee responsible for:

1. the multiannual financial framework of the Union's revenue and expenditure and the Union's system of own resources;
2. Parliament's budgetary prerogatives, namely the budget of the Union as well as the negotiation and implementation of interinstitutional agreements in this field;
3. Parliament's estimates according to the procedure defined in the Rules;
4. the budget of the decentralised bodies;
5. the financial activities of the European Investment Bank which are not part of European economic governance;
6. the budgetisation of the European Development Fund, without prejudice to the powers of the committee responsible for the ACP-EU Partnership Agreement;
7. financial implications and compatibility with the multiannual financial framework of all Union acts, without prejudice to the powers of the relevant committees;
8. keeping track of and assessing the implementation of the current budget notwithstanding Rule 92a(1), transfers of appropriations, procedures relating to the establishment plans, administrative appropriations and opinions concerning buildings-related projects with significant financial implications;
9. the Financial Regulation, excluding matters relating to the implementation, management and control of the budget.

#### **V. Committee on Budgetary Control**

Committee responsible for:

1. the control of the implementation of the budget of the Union and of the European Development Fund, and the decisions on discharge to be taken by Parliament, including the internal discharge procedure and all other measures accompanying or implementing such decisions;
2. the closure, presenting and auditing of the accounts and balance sheets of the Union, its institutions and any bodies financed by it, including the establishment of appropriations to be carried over and the settling of balances;
3. the control of the financial activities of the European Investment Bank;
4. monitoring of the cost-effectiveness of the various forms of Union financing in the implementation of the Union's policies, involving, upon the Committee on Budgetary Control's request, the specialised committees and acting, upon the Committee on Budgetary Control's request, in cooperation with the specialised committees for the examination of special reports of the Court of Auditors;
5. relations with the European Anti-Fraud Office (OLAF), consideration of fraud and irregularities in the implementation of the budget of the Union, measures aimed at

preventing and prosecuting such cases, the strict protection of the Union's financial interests and the relevant actions by the European Public Prosecutor in this field;

6. relations with the Court of Auditors, the appointment of its members and consideration of its reports;
7. the Financial Regulation as far as the implementation, management and control of the budget are concerned.

## **VI. Committee on Economic and Monetary Affairs**

Committee responsible for:

1. the economic and monetary policies of the Union, the functioning of Economic and Monetary Union and the European monetary and financial system (including relations with the relevant institutions or organisations);
2. the free movement of capital and payments (cross-border payments, single payment area, balance of payments, capital movements and borrowing and lending policy, control of movements of capital originating in third countries, measures to encourage the export of the Union's capital);
3. the international monetary and financial system (including relations with financial and monetary institutions and organisations);
4. rules on competition and State or public aid;
5. tax provisions;
6. the regulation and supervision of financial services, institutions and markets including financial reporting, auditing, accounting rules, corporate governance and other company law matters specifically concerning financial services;
7. the relevant financial activities of the European Investment Bank as part of European economic governance in the eurozone.

## **VII. Committee on Employment and Social Affairs**

Committee responsible for:

1. employment policy and all aspects of social policy including working conditions, social security, social inclusion and social protection;
2. workers' rights;
3. health and safety measures at the workplace;
4. the European Social Fund;
5. vocational training policy, including professional qualifications;
6. the free movement of workers and pensioners;
7. social dialogue;
8. all forms of discrimination at the workplace and in the labour market except those based on sex;
9. relations with:

- the European Centre for the Development of Vocational Training (Cedefop),
- the European Foundation for the Improvement of Living and Working Conditions,
- the European Training Foundation,
- the European Agency for Safety and Health at Work;

as well as relations with other relevant Union bodies and international organisations.

## **VIII. Committee on the Environment, Public Health and Food Safety**

Committee responsible for:

1. environmental policy and environmental protection measures, in particular concerning:
  - (a) climate change,
  - (b) air, soil and water pollution, waste management and recycling, dangerous substances and preparations, noise levels and the protection of biodiversity,
  - (c) sustainable development,
  - (d) international and regional measures and agreements aimed at protecting the environment,
  - (e) restoration of environmental damage,
  - (f) civil protection,
  - (g) the European Environment Agency,
  - (h) the European Chemicals Agency;
2. public health, in particular:
  - (a) programmes and specific actions in the field of public health,
  - (b) pharmaceutical and cosmetic products,
  - (c) health aspects of bioterrorism,
  - (d) the European Medicines Agency and the European Centre for Disease Prevention and Control;
3. food safety issues, including in particular:
  - (a) the labelling and safety of foodstuffs,
  - (b) veterinary legislation concerning protection against risks to human health; public health checks on foodstuffs and food production systems,
  - (c) the European Food Safety Authority and the European Food and Veterinary Office.

## **IX. Committee on Industry, Research and Energy**

Committee responsible for:

1. the Union's industrial policy and related measures, and the application of new technologies, including measures related to SMEs;
2. the Union's research and innovation policy, including science and technology as well as the dissemination and exploitation of research findings;
3. European space policy;
4. the activities of the Joint Research Centre, the European Research Council, the European Institute of Innovation and Technology and the Institute for Reference Materials and Measurements, as well as JET, ITER and other projects in the same area;
5. Union measures relating to energy policy in general and in the context of the establishment and functioning of the internal energy market, including measures relating to:
  - (a) the security of energy supply in the Union,
  - (b) the promotion of energy efficiency and energy saving and the development of new and renewable forms of energy,
  - (c) the promotion of interconnection of energy networks and energy efficiency including the establishment and development of trans-European networks in the energy infrastructure sector;
6. the Euratom Treaty and Euratom Supply Agency; nuclear safety, decommissioning and waste disposal in the nuclear sector;
7. the information society, information technology and communications networks and services, including technologies and security aspects and the establishment and development of trans-European networks in the telecommunication infrastructure sector as well as the activities of the European Union Agency for Network and Information Security (ENISA).

## **X. Committee on the Internal Market and Consumer Protection**

Committee responsible for:

1. coordination at Union level of national legislation in the sphere of the internal market and for the customs union, in particular:
  - (a) the free movement of goods including the harmonisation of technical standards,
  - (b) the right of establishment,
  - (c) freedom to provide services except in the financial and postal sectors;
2. the functioning of the Single Market, including measures aimed at the identification and removal of potential obstacles to the implementation of the Single Market, including the Digital Single Market;
3. the promotion and protection of the economic interests of consumers, except for public health and food safety issues;

4. policy and legislation regarding the enforcement of Single Market rules and consumer rights.

## **XI. Committee on Transport and Tourism**

Committee responsible for:

1. matters relating to the development of a common policy for rail, road, inland waterway, maritime and air transport, in particular:
  - (a) common rules applicable to transport within the European Union,
  - (b) the establishment and development of trans-European networks in the area of transport infrastructure,
  - (c) the provision of transport services and relations in the field of transport with third countries,
  - (d) transport safety,
  - (e) relations with international transport bodies and organisations;
  - (f) the European Maritime Safety Agency, the European Railway Agency, the European Aviation Safety Agency and the SESAR Joint Undertaking;
2. postal services;
3. tourism.

## **XII. Committee on Regional Development**

Committee responsible for:

1. the operation and development of the Union's regional development and cohesion policy, as established in the Treaties;
2. the European Regional Development Fund, the Cohesion Fund and the other instruments of the Union's regional policy;
3. assessment of the impact of other Union policies on economic and social cohesion;
4. coordination of the Union's structural instruments;
5. the urban dimension of the cohesion policy;
6. outermost regions and islands as well as trans-frontier and interregional cooperation;
7. relations with the Committee of the Regions, interregional cooperation organisations and local and regional authorities.

## **XIII. Committee on Agriculture and Rural Development**

Committee responsible for:

1. the operation and development of the common agricultural policy;
2. rural development, including the activities of the relevant financial instruments;

3. legislation on:
  - (a) veterinary and plant-health matters and animal feeding stuffs provided such measures are not intended to protect against risks to human health,
  - (b) animal husbandry and welfare;
4. improvement of the quality of agricultural products;
5. supplies of agricultural raw materials;
6. the Community Plant Variety Office;
7. forestry and agroforestry.

#### **XIV. Committee on Fisheries**

Committee responsible for:

1. the operation and development of the common fisheries policy and its management;
2. the conservation of fishery resources, the management of fisheries and fleets exploiting such resources and marine and applied fisheries research;
3. the common organisation of the market in fishery and aquaculture products and the processing and marketing thereof;
4. structural policy in the fisheries and aquaculture sectors, including the financial instruments and funds for fisheries guidance to support these sectors;
5. the integrated maritime policy as regards fishing activities;
6. sustainable fisheries partnership agreements, regional fisheries organisations and the implementation of international obligations in the field of fisheries.

#### **XV. Committee on Culture and Education**

Committee responsible for:

1. the cultural aspects of the European Union, and in particular:
  - (a) improving the knowledge and dissemination of culture,
  - (b) the protection and promotion of cultural and linguistic diversity,
  - (c) the conservation and safeguarding of cultural heritage, cultural exchanges and artistic creation;
2. the Union's education policy, including the European higher education area, the promotion of the system of European schools and lifelong learning;
3. audiovisual policy and the cultural and educational aspects of the information society;
4. youth policy;
5. the development of a sports and leisure policy;
6. information and media policy;

7. cooperation with third countries in the areas of culture and education and relations with the relevant international organisations and institutions.

## **XVI. Committee on Legal Affairs**

Committee responsible for:

1. the interpretation, application and monitoring of Union law and compliance of Union acts with primary law, notably the choice of legal bases and respect for the principles of subsidiarity and proportionality;
2. the interpretation and application of international law, in so far as the European Union is affected;
3. better law-making and the simplification of Union law;
4. the legal protection of Parliament's rights and prerogatives, including its involvement in actions before the Court of Justice of the European Union;
5. Union acts which affect the Member States' legal order, namely in the fields of:
  - (a) civil and commercial law,
  - (b) company law,
  - (c) intellectual property law,
  - (d) procedural law;
6. measures concerning judicial and administrative cooperation in civil matters;
7. environmental liability and sanctions against environmental crime;
8. ethical questions related to new technologies, applying the procedure with associated committees with the relevant committees;
9. the Statute for Members and the Staff Regulations of the European Union;
10. privileges and immunities as well as verification of Members' credentials;
11. the organisation and statute of the Court of Justice of the European Union;
12. the Office for Harmonisation in the Internal Market.

## **XVII. Committee on Civil Liberties, Justice and Home Affairs**

Committee responsible for:

1. the protection within the territory of the Union of citizens' rights, human rights and fundamental rights, including the protection of minorities, as laid down in the Treaties and in the Charter of Fundamental Rights of the European Union;
2. the measures needed to combat all forms of discrimination other than those based on sex or those occurring at the workplace and in the labour market;
3. legislation in the areas of transparency and of the protection of natural persons with regard to the processing of personal data;
4. the establishment and development of an area of freedom, security and justice while

respecting the principles of subsidiarity and proportionality, in particular:

- (a) measures concerning the entry and movement of persons, asylum and migration,
- (b) measures concerning an integrated management of the common borders,
- (c) measures relating to police and judicial cooperation in criminal matters, including terrorism, and substantive and procedural measures relating to the development of a more coherent Union approach to criminal law;

5. the European Monitoring Centre for Drugs and Drug Addiction and the European Union Agency for Fundamental Rights, Europol, Eurojust, Cepol, the European Public Prosecutor's Office and other bodies and agencies in the same area;
6. the determination of a clear risk of a serious breach by a Member State of the principles common to the Member States.

## **XVIII. Committee on Constitutional Affairs**

Committee responsible for:

1. the institutional aspects of the European integration process, in particular the preparation, initiation and proceedings of ordinary and simplified Treaty revision procedures;
2. the implementation of the Treaties and the assessment of their operation;
3. the institutional consequences of enlargement negotiations of or withdrawal from the Union;
4. interinstitutional relations, including, with a view to their approval by Parliament, examination of interinstitutional agreements pursuant to Rule 140(2) of the Rules of Procedure;
5. uniform electoral procedure;
6. political parties and political foundations at European level, without prejudice to the competences of the Bureau;
7. the determination of the existence of a serious and persistent breach by a Member State of the principles common to the Member States;
8. the interpretation and application of the Rules of Procedure and proposals for amendments thereto.

## **XIX. Committee on Women's Rights and Gender Equality**

Committee responsible for:

1. the definition, promotion and protection of women's rights in the Union and related Union measures;
2. the promotion of women's rights in third countries;
3. equal opportunities policy, including the promotion of equality between men and women with regard to labour market opportunities and treatment at work;

4. the removal of all forms of violence and discrimination based on sex;
5. the implementation and further development of gender mainstreaming in all policy sectors;
6. the follow-up and implementation of international agreements and conventions involving the rights of women;
7. encouraging awareness of women's rights.

## **XX. Committee on Petitions**

Committee responsible for:

1. petitions;
2. the organisation of public hearings on citizens' initiatives pursuant to Rule 211;
3. relations with the European Ombudsman.

## ANNEX VI

# APPROVAL OF THE COMMISSION AND MONITORING OF COMMITMENTS MADE DURING THE HEARINGS

## Part I – Parliament's consent with regard to the entire College of the Commission

### Article 1

#### Basis for assessment

1. Parliament shall evaluate Commissioners-designate on the basis of their general competence, European commitment and personal independence. It shall assess knowledge of their prospective portfolio and their communication skills.

2. Parliament shall have particular regard to gender balance. It may express itself on the allocation of portfolio responsibilities by the President-elect.

3. Parliament may seek any information relevant to its reaching a decision on the aptitude of the Commissioners-designate. It shall expect full disclosure of information relating to their financial interests. The declarations of interest of the Commissioners-designate shall be sent for scrutiny to the committee responsible for legal affairs.

### Article 2

#### Examination of declaration of financial interests

1. The committee responsible for legal affairs shall examine the declarations of financial interests and assess whether the content of the declaration made by a commissioner-designate is accurate and complete and whether it is possible to infer a conflict of interests.

2. The confirmation by the committee responsible for legal affairs of the absence of any conflict of interests is an essential precondition for the holding of the hearing by the committee responsible. In the absence of such confirmation, the procedure for appointing the Commissioner-designate shall be suspended while the procedure laid down in paragraph 3(c) is followed.

3. The following guidelines shall be applied when the declarations of financial interests are scrutinised by the Committee responsible for Legal Affairs:

- (a) if, when scrutinising a declaration of financial interests, the Committee deems, on the basis of the documents presented, the declaration to be accurate, complete and to contain nothing indicating an actual or potential conflict of interests in connection with the portfolio of the Commissioner-designate, its Chair shall send a letter confirming this finding to the committees responsible for the hearing or to the committees involved in the event of a procedure taking place during a Commissioner's term of office;
- (b) if the Committee considers that the declaration of interests of a Commissioner-designate contains information which is incomplete or contradictory, or that there is a need for further information, it shall, pursuant to the Framework Agreement on relations between the European Parliament and the European Commission, request the Commissioner-designate to provide supplementary information without undue delay and shall consider and properly analyse it before making its decision; the Committee responsible for Legal Affairs may decide, where appropriate, to invite the Commissioner-designate to a discussion;

- (c) if the Committee identifies a conflict of interests based on the declaration of financial interests or the supplementary information supplied by the Commissioner-designate, it shall draw up recommendations aimed at resolving the conflict of interests; the recommendations may include renouncing the financial interests in question or changes to the portfolio of the Commissioner-designate by the President of the Commission; in more serious cases, if no solution is found to the conflict of interests, and as a last resort, the Committee responsible for legal affairs may conclude that the Commissioner-designate is unable to exercise his or her functions in accordance with the Treaties and the Code of Conduct; the President of Parliament shall then ask the President of the Commission what further steps the latter intends to take.

## **Article 3**

### **Hearings**

1. Each Commissioner-designate shall be invited to appear before the appropriate committee or committees for a single hearing.

2. The hearings shall be organised by the Conference of Presidents on a recommendation of the Conference of Committee Chairs. The Chair and coordinators of each committee shall be responsible for the detailed arrangements. Rapporteurs may be appointed.

3. Appropriate arrangements shall be made to associate relevant committees where portfolios are mixed. There are three options:

- (a) if the portfolio of the Commissioner-designate falls within the remit of a single committee, the Commissioner-designate shall be heard by that committee alone (the committee responsible);
- (b) if the portfolio of the Commissioner-designate falls more or less equally within the remit of more than one committee, the Commissioner-designate shall be heard jointly by those committees (joint committees); and
- (c) if the portfolio of the Commissioner-designate falls mainly within the remit of one committee and only to a small extent within the remit of at least one other committee, the Commissioner-designate shall be heard by the committee mainly responsible, with the association of the other committee or committees (associated committees).

4. The President-elect of the Commission shall be fully consulted on the arrangements.

5. The committees shall submit written questions to the Commissioners-designate in good time before the hearings. For each Commissioner-designate there shall be two common questions drafted by the Conference of Committee Chairs, the first relating to the issues of general competence, European commitment and personal independence, and the second relating to the management of the portfolio and cooperation with Parliament. The committee responsible shall submit five other questions; sub-questions shall not be allowed. In the case of joint committees, they shall each be given the right to submit three questions.

The curriculum vitae of the Commissioners-designate and their response to the written questions shall be published on Parliament's website in advance of the hearing.

6. Each hearing shall be scheduled to last three hours. Hearings shall take place in circumstances, and under conditions, in which Commissioners-designate enjoy an equal and fair opportunity to present themselves and their opinions.

7. Commissioners-designate shall be invited to make an opening oral statement of no longer than 15 minutes. Up to 25 questions, grouped together by theme whenever possible, shall be put during the course of the hearing. One follow up question may be asked immediately within the allocated time. The bulk of the speaking time shall be allotted to political groups, mutatis mutandis in accordance with Rule 162. The conduct of the hearings shall aim to develop a pluralistic political dialogue between the Commissioners-designate and the Members. Before the end of the hearing, Commissioners-designate shall be given the opportunity to make a brief closing statement.

8. There shall be a live audio-visual transmission of the hearings made available free of charge to the public and media. An indexed recording of the hearings shall be made available for the public record within 24 hours.

## **Article 4**

### **Evaluation**

1. The Chair and coordinators shall meet without delay after the hearing to evaluate the individual Commissioners-designate. Those meetings shall be held in camera. The coordinators shall be invited to state whether, in their opinion, the Commissioners-designate are qualified both to be members of the College and to carry out the particular duties they have been assigned. The Conference of Committee Chairs shall design a pro forma template to assist the evaluation.

2. In the case of joint committees the Chair and the coordinators of the committees concerned shall act jointly throughout the procedure.

3. There shall be a single evaluation letter for each Commissioner-designate. The opinions of all the committees associated with the hearing shall be included.

4. The following principles shall apply to the coordinators' evaluation:

- (a) If the coordinators unanimously approve the Commissioner-designate, the Chair shall submit a letter of approval on their behalf.
- (b) If the coordinators unanimously reject the Commissioner-designate, the Chair shall submit a letter of rejection on their behalf.
- (c) If coordinators representing a majority of at least two-thirds of the committee membership approve the Commissioner-designate, the Chair shall submit a letter on their behalf stating that a large majority approve the Commissioner-designate. Minority views shall be mentioned upon request.
- (d) If coordinators cannot reach a majority of at least two-thirds of the committee membership to approve the candidate, they shall
  - first request additional information through further written questions;
  - if coordinators are still dissatisfied, request a resumed hearing of 1,5 hour subject to the approval of the Conference of Presidents;
- (e) If, further to the application of point (d), coordinators representing a majority of at least two-thirds of the committee membership approve the Commissioner-designate, the Chair shall submit a letter on their behalf stating that a large majority approve the Commissioner-designate. Minority views shall be mentioned upon request.
- (f) If, further to the application of point (d), there is still no majority of coordinators

representing at least two-thirds of the committee membership to approve the Commissioner-designate, the Chair shall convene a committee meeting and put to vote the two questions mentioned in paragraph 1. The Chair shall submit a letter stating the committee's evaluation.

5. The committees' letters of evaluation shall be transmitted within 24 hours after the completion of the evaluation process. The letters shall be examined by the Conference of Committee Chairs and conveyed subsequently to the Conference of Presidents. Unless it decides to seek further information, the Conference of Presidents, following an exchange of views, shall declare the hearings closed and authorise the publication of all letters of evaluation.

## **Article 5**

### **Presentation of the college**

1. The President-elect of the Commission shall be invited to present the whole College of Commissioners-designate and their programme at a sitting of Parliament which the President of the European Council and the President of the Council shall be invited to attend. The presentation shall be followed by a debate. In order to wind up the debate, a political group or Members reaching at least the low threshold may table a motion for resolution. Rule 123(3) to (8) shall apply.

2. Following the vote on the motion for resolution, Parliament shall vote on whether or not to give its consent to the appointment, as a body, of the President-elect and Commissioners-designate. Parliament shall decide by a majority of the votes cast, by roll call. It may defer the vote until the following sitting.

## **Article 6**

### **Monitoring of commitments made during the hearings**

The commitments made and priorities referred to by Commissioners-designate during the hearings shall be reviewed, throughout his or her mandate, by the committee responsible in the context of the annual structured dialogue with the Commission undertaken in accordance with paragraph 1 of Annex 4 to the Framework Agreement on relations between the European Parliament and the European Commission.

## **Part II – Substantial portfolio change or change in the composition of the College of Commissioners during its term of office**

### **Article 7**

#### **Vacancy**

When a vacancy caused by resignation, compulsory retirement or death is to be filled, Parliament, acting with dispatch, shall invite the Commissioner-designate to participate in a hearing under the same conditions as those laid down in Part I.

### **Article 8**

#### **Accession of a new member State**

In the event of the accession of a new Member State, Parliament shall invite the Commissioner-designate to participate in a hearing under the same conditions as those laid down in Part I.

## **Article 9**

### **Substantial portfolio change**

In the event of a substantial portfolio change during the Commission's term of office, the Commissioners affected shall be invited to participate in a hearing under the same conditions as those laid down in Part I before taking up their new responsibilities

## **Article 10**

### **Vote in plenary**

By way of derogation from the procedure laid down in Rule 118 (7), when the vote in plenary concerns the appointment of a single Commissioner, the vote shall be by secret ballot.

## ANNEX VII

### REQUIREMENTS FOR THE DRAFTING OF ACTS ADOPTED IN ACCORDANCE WITH THE ORDINARY LEGISLATIVE PROCEDURE

1. Acts shall indicate the type of the act followed by the reference number, the names of both institutions which adopted it, the date of their signature and an indication of their subject-matter.

2. Acts shall contain the following:

- (a) "The European Parliament and the Council of the European Union";
- (b) a reference to the provisions under which the act is adopted, preceded by the words "Having regard to";
- (c) a citation containing a reference to proposals submitted, opinions obtained and consultations held;
- (d) a statement of the reasons on which the act is based, introduced by the word "Whereas";
- (e) a phrase such as "have adopted this Regulation" or "have adopted this Directive" or "have adopted this Decision", followed by the body of the act.

3. Acts shall be divided into articles, if appropriate grouped into parts, titles, chapters and sections.

4. The last article of an act shall specify the date of entry into force, where that date is before or after the twentieth day following publication.

5. The last article of an act shall be followed by:

- the appropriate formulation, according to the relevant provisions of the Treaties, as to its applicability;
- "Done at...", followed by the date on which the act was signed;
- "For the European Parliament The President", "For the Council The President", followed by the name of the President of Parliament and of the President-in-Office of the Council at the time when the act was signed.