


Procedure file

Basic information		
REG - Parliament's Rules of Procedure	2006/2195(REG)	Procedure completed
EP Rules of Procedure: amendments following the new statute of Members (Decision 2005/684/EC, Euratom)		
Subject 8.40.01.02 President, members, mandates, political groups		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Constitutional Affairs		12/07/2006
		PPE-DE FRIEDRICH Ingo	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Legal Affairs		10/04/2007
		UEN SPERONI Francesco Enrico	

Key events			
07/09/2006	Committee referral announced in Parliament		
02/10/2007	Vote in committee		Summary
09/10/2007	Committee report tabled for plenary	A6-0368/2007	
13/11/2007	Results of vote in Parliament		
13/11/2007	Decision by Parliament	T6-0500/2007	Summary
13/11/2007	End of procedure in Parliament		

Technical information	
Procedure reference	2006/2195(REG)
Procedure type	REG - Parliament's Rules of Procedure
Procedure subtype	Rules
Legal basis	Rules of Procedure EP 237-p1
Stage reached in procedure	Procedure completed
Committee dossier	AFCO/6/38996

Documentation gateway					
Committee draft report			PE388.381	16/05/2007	EP
Amendments tabled in committee			PE392.194	18/07/2007	EP
Committee opinion	JURI		PE390.755	12/09/2007	EP
Amendments tabled in committee			PE394.044	17/09/2007	EP
Committee report tabled for plenary, single reading			A6-0368/2007	09/10/2007	EP
Text adopted by Parliament, single reading			T6-0500/2007	13/11/2007	EP Summary
Commission response to text adopted in plenary			SP(2007)6527	18/12/2007	EC

EP Rules of Procedure: amendments following the new statute of Members (Decision 2005/684/EC, Euratom)

The Committee on Constitutional Affairs adopted the report by Ingo FRIEDRICH (EPP-ED, DE) on the amendment of Parliament's Rules of Procedure in the light of the Statute for Members. The main amendments were as follows:

Rule 8 (Payment of expenses and allowances)

The present wording is inconsistent with the legal situation that will be created when the Statute for Members enters into force in 2009. From that moment on, the payment of expenses and allowances to Members will be governed by the Statute and no longer by Parliament's Rules of Procedure. The committee therefore proposed a new title for this rule ("Implementation of the Statute for Members") and stated that, "unless otherwise stipulated", the rules governing implementation of the Statute for Members shall be laid down by the Bureau. The committee felt that it made sense that implementing decisions concerning such matters should continue to be taken by the Bureau. The proposed new wording of Rule 8 will grant the Bureau corresponding regulatory powers.

Rule 39 (Initiative pursuant to Article 192 of the EC Treaty)

A second series of amendments concern the possibility offered to individual Members, as laid down by Article 5 of the new Statute, to table proposals for Community acts in the context of Parliament's right of initiative. Under Rule 39, Parliament may request the Commission to submit to it any appropriate proposal pursuant to Article 192, second paragraph, of the EC Treaty by adopting a resolution on the basis of an own-initiative report from the committee responsible. This procedure is initiated under Rule 45 (own-initiative reports). In its amendments to Rule 39, in order to reflect the new right conferred by Article 5 of the Statute, the committee added a new paragraph stipulating that "any Member may table a proposal for a Community act on the basis of the right of initiative granted to Parliament pursuant to Article 192 of the EC Treaty". However, the committee also felt it was appropriate that legislative proposals tabled by individual Members should be referred to the committee responsible for summary preliminary consideration, and it included provisions to this effect. In order not to place an excessive burden on translation resources, prior to referral the proposal shall be translated into those official languages which the chairman of the committee responsible regards as necessary to make summary consideration possible. The committee shall take a decision on further action within 3 months following the referral and after hearing the author of the proposal. Where the committee decides to submit the proposal to Parliament pursuant to the procedure under Rule 45, the author of the proposal shall be named in the title of the report.

Rule 45 (Own-initiative reports)

The committee added a new paragraph to Rule 45 in which it stipulated that, where the subject of the report is a proposal tabled by an individual Member under Rule 39, "authorisation may be withheld only if the conditions set out in Article 5 of the Statute for Members of the European Parliament and Article 192 of the EC Treaty are not met".

Rule 150 (Tabling and moving amendments)

This rule as it currently stands makes it possible for a vote to be taken in plenary on amendments which have not been translated, if fewer than 40 Members object. Although this reflects the practical arrangements currently in place which allow for derogations from the principle of full multilingualism in the event of unavoidable shortages of translators and interpreters, the committee was concerned that Members who use a particular language should not be placed at a disadvantage if such exceptional circumstances do not apply. It therefore added a new clause to Rule 150 stipulating that "Parliament shall avoid taking decisions which would lead to Members who use a given language being disadvantaged to an unacceptable degree".

Annex VII (Confidential and sensitive documents and information)

The committee introduced a new section into Annex VII, entitled "Personal conflicts of interest". It proposed that a Member may be denied the right to inspect a Parliament document if the Bureau comes to the conclusion that such inspection would cause "unacceptable damage to Parliament's institutional interests or 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, which must include reasons, against such a decision within a month of its transmission. Parliament shall reach a decision on the appeal without debate during the part-session that follows its being lodged.

EP Rules of Procedure: amendments following the new statute of Members (Decision

The European Parliament adopted a resolution drafted by Ingo FRIEDRICH (EPP-ED, DE) on the amendment of Parliament's Rules of Procedure in the light of the Statute for Members. The main amendments were as follows:

Rule 8(Payment of expenses and allowances)

The present wording is inconsistent with the legal situation that will be created when the Statute for Members enters into force in 2009. From that moment on, the payment of expenses and allowances to Members will be governed by the Statute and no longer by Parliament's Rules of Procedure. Parliament therefore proposed a new title for this rule ("Implementation of the Statute for Members") and stated that, "unless otherwise stipulated", the rules governing implementation of the Statute for Members shall be laid down by the Bureau. Parliament felt that it made sense that implementing decisions concerning such matters should continue to be taken by the Bureau. The proposed new wording of Rule 8 will grant the Bureau corresponding regulatory powers.

Rule 39(Initiative pursuant to Article 192 of the EC Treaty)

A second series of amendments concern the possibility offered to individual Members, as laid down by Article 5 of the new Statute, to table proposals for Community acts in the context of Parliament's right of initiative. Under Rule 39, Parliament may request the Commission to submit to it any appropriate proposal pursuant to Article 192, second paragraph, of the EC Treaty by adopting a resolution on the basis of an own-initiative report from the committee responsible. This procedure is initiated under Rule 45 (own-initiative reports). In its amendments to Rule 39, in order to reflect the new right conferred by Article 5 of the Statute, Parliament added a new paragraph stipulating that "any Member may table a proposal for a Community act on the basis of the right of initiative granted to Parliament pursuant to Article 192 of the EC Treaty". However, it also felt it was appropriate that legislative proposals tabled by individual Members should be referred to the committee responsible for summary preliminary consideration, and it included provisions to this effect. In order not to place an excessive burden on translation resources, prior to referral, the proposal shall be translated into those official languages which the chairman of the committee responsible regards as necessary to make summary consideration possible. The committee shall take a decision on further action within 3 months following the referral and after hearing the author of the proposal. Where the committee decides to submit the proposal to Parliament pursuant to the procedure under Rule 45, the author of the proposal shall be named in the title of the report.

Rule 45(Own-initiative reports)

Parliament added a new paragraph to Rule 45 in which it stipulated that, where the subject of the report is a proposal tabled by an individual Member under Rule 39(1a), "authorisation may be withheld only if the conditions set out in Article 5 of the Statute for Members of the European Parliament and Article 192 of the EC Treaty are not met".

Rule 150(Tabling and moving amendments)

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