

# Procedure file


## Basic information

REG - Parliament's Rules of Procedure	2007/2128(REG)	Procedure completed
EP Rules of Procedure, Rule 99 and Annex XVI b: approval of the Commission		
Subject 8.40.01.08 Business of Parliament, procedure, sittings, rules of procedure 8.40.03 European Commission		

## Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	<a href="#">AFCO</a> Constitutional Affairs	ALDE <a href="#">DUFF Andrew</a>	01/03/2007

## Key events

10/04/2008	Committee referral announced in Parliament		
27/05/2008	Vote in committee		Summary
29/05/2008	Committee report tabled for plenary	<a href="#">A6-0198/2008</a>	
08/07/2008	Results of vote in Parliament		
08/07/2008	Decision by Parliament	<a href="#">T6-0328/2008</a>	Summary
08/07/2008	End of procedure in Parliament		

## Technical information

Procedure reference	2007/2128(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/6/49998

## Documentation gateway

Committee draft report		<a href="#">PE402.881</a>	13/03/2008	EP	
Amendments tabled in committee		<a href="#">PE405.895</a>	25/04/2008	EP	

Committee report tabled for plenary, single reading		<a href="#">A6-0198/2008</a>	29/05/2008	EP	
Text adopted by Parliament, single reading		<a href="#">T6-0328/2008</a>	08/07/2008	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2008)4891</a>	27/08/2008	EC	

## EP Rules of Procedure, Rule 99 and Annex XVI b: approval of the Commission

The Committee on Constitutional Affairs unanimously adopted the report by Andrew DUFF (ALDE, UK) on the amendment of Parliament's Rules of Procedure with respect to the approval of the Commission.

The purpose of the main technical amendment to the Parliament's Rule of Procedure is to provide a detailed proposal on the hearings, evaluations and votes with respect to the approval of the European Commission. The changes to the existing Rules of Procedure, which codify the current practice, will enter into force on the first day of the next part-session.

It is also provided that the committee 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 the Rules of Procedure.

This annex comprises the guidelines for the approval of the Commission, such as the principles, criteria and arrangements which shall apply for making the entire college of the Commission subject to Parliament's vote of consent. The guidelines also set out the voting rules used by the Parliament to appoint the President-elect and the Commissioners-designate.

Hearings: the Parliament shall evaluate Commissioners-designate on the basis of their general competence, European commitment and personal independence. Parliament shall have particular regard to gender balance. It may express itself on the allocation of portfolio responsibilities by the President-elect. It shall expect full disclosure of information relating to their financial interests. The conduct of the hearings shall aim to develop a pluralistic political dialogue between the Commissioners-designate and the Members.

Change in the composition of the Commission during its term: in the event of a substantial portfolio change during the Commission's term of office, the filling of a vacancy, or the appointment of a new Commissioner following the accession of a new Member State, the Commissioners concerned shall be invited to appear before the committees responsible for the areas of responsibility.

Statements of evaluation: MEPs propose a series of specific rules on the evaluation phase and the debate in plenary which follows the appointment of the college of Commissioners. The President-elect of the Commission shall present the whole college of Commissioners-designate and their programme at a sitting of Parliament which the whole Council shall be invited to attend. The presentation shall be followed by a debate in which any political group or at least 40 Members may table a motion for resolution. 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.

It should be noted that an indexed video recording of the hearings shall be made available for the public record within 24 hours.

## EP Rules of Procedure, Rule 99 and Annex XVI b: approval of the Commission

The European Parliament adopted by 617 votes to 31, with 34 abstentions, a decision on amendment of its Rules of Procedure with respect to the approval of the Commission.

The report had been tabled for consideration in plenary by Andrew DUFF (ALDE, UK), on behalf of the Committee on Constitutional Affairs.

The amendments, which codify the existing practice, will enter into force on the first day of the next part-session.

The purpose of this essentially technical amendment is to provide a detailed proposal on the European Parliament's Rules of Procedure for hearings, evaluations and votes to approve or reject any new European Commission or in the event of a change in the composition of the college of the Commission.

It is also provided that each committee 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 (including their financial interests). Provisions relating to the organisation of the hearings shall be laid down in an annex to the Rules of Procedure. This annex comprises all the guidelines for the approval of the Commission, such as the principles, criteria and arrangements governing the procedure by which the Parliament approves the entire college of the Commission. The guidelines also set out the voting rules, without which no Commissioner can take office.

- Hearings on the competence, commitment and independence of the Commissioner-designate: the 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. The Parliament shall have particular regard to gender balance and may express itself on the allocation of portfolio responsibilities. The new Rules also enable candidates to enjoy an equal and fair opportunity to present their opinions. In this context, the Parliament sets out the rules to be observed by MEPs for public hearings of Commissioners, whether before one or several committees;
- Evaluation: the Parliament also establishes a set of specific rules on the evaluation phase of Commissioners and the debate that follows the appointment of a college of the Commission. A video recording of the hearings shall be made available for the public record within twenty-four hours. The committees shall meet without delay after the hearing to evaluate the individual Commissioners-designate. The President-elect of the Commission shall present the whole college of Commissioners-designate at a

sitting of Parliament to enable an exchange of views and a debate on a motion for resolution that may be tabled by a political group or at least forty Members. Following the vote on the motion for resolution, Parliament shall vote on whether or not to give its consent to the appointment of the Commission;

- Change in the composition of the college of Commissioners during its term of office: in the event of a change in the composition of the college of Commissioners or a substantial portfolio change during its term of office, the new Commissioners-designate or those invited to take on another portfolio shall be subject to the same procedure. The only difference concerns the vote during the appointment of a single Commissioner (including in the event of a replacement): in this case, the vote shall be by secret ballot (instead of by roll call).