


# Procedure file

Basic information	
REG - Parliament's Rules of Procedure	1994/2156(REG)
EP Rules of procedure, rule 136: provisions governing the right of inquiry	Procedure completed
Subject 8.40.01.06 Committees, interparliamentary delegations	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>REGL</b> Rules of Procedure, Verification of Credentials and Immunities		20/07/1995
		PSE <a href="#">FAYOT Ben</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>LIBE</b> Civil Liberties and Internal Affairs		11/04/1995
		PSE <a href="#">BARROS MOURA José</a>	
	<b>CONT</b> Budgetary Control	The committee decided not to give an opinion.	

Key events			
21/10/1994	Committee referral announced in Parliament		
20/07/1995	Vote in committee		Summary
20/07/1995	Committee report tabled for plenary	<a href="#">A4-0187/1995</a>	
18/09/1995	Debate in Parliament		Summary
19/09/1995	Decision by Parliament	T4-0384/1995	Summary
19/09/1995	End of procedure in Parliament		
16/10/1995	Final act published in Official Journal		

Technical information	
Procedure reference	1994/2156(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

## Documentation gateway

Committee report tabled for plenary, single reading	<a href="#">A4-0187/1995</a> <a href="#">OJ C 269 16.10.1995, p. 0009</a>	20/07/1995	EP	
Text adopted by Parliament, single reading	T4-0384/1995 <a href="#">OJ C 269 16.10.1995, p. 0028-0037</a>	19/09/1995	EP	Summary

## EP Rules of procedure, rule 136: provisions governing the right of inquiry

The report by Mr FAYOT (PSE, L) was adopted on the basis of the interinstitutional agreement of 20 December 1994 guaranteeing and defining the setting up of temporary committees of inquiry, as provided for in Article 136 of the Rules of Procedure of the European Parliament. The Committee on Rules of Procedure, which was instructed by the President of the European Parliament to adapt Article 136 to the new situation created by the interinstitutional agreement, seized the opportunity to limit the choice to just two types of committee of inquiry: 1) the committee provided for under Article 135 (2) and 2) a committee of inquiry in the proper sense of the term. In addition, the committee responsible for the content of the rules proposed a number of reforms relating to: a) the *raison d'être* of the temporary committee, by stating the precise subject of the inquiry (Article 136, amendment to paragraph 3); b) the composition, which should not be overly extensive, but which should include at least one representative from each political group; c) the internal organization: chairman and two vice-chairmen, rapporteurs and specific missions or delegations (Article 136, amendment to paragraph 5); d) rules on the speed and flexibility of work: maximum duration of 12 months (Article 136, amendment to paragraph 4) and flexible procedures, for example by taking more frequent recourse to oral procedures and by a certain indulgence in the use of languages; e) definition of the two recipients of the result of the inquiry: the President of the European Parliament and the European Parliament itself; g) a series of rules to ensure that work is correct, prompt and confidential (Article 136, amendments to paragraphs 8, 9 and 10).?

## EP Rules of procedure, rule 136: provisions governing the right of inquiry

The rapporteur, Mr FAYOT (PSE, L), stressed that Parliament's right of inquiry was primarily addressed to the Commission and the Member States. However, some of the amendments tabled, which were not supported by the majority of the committee, sought to exclude the Member States from the scope of Parliament's right of inquiry. As regards the establishment of a committee of inquiry, faced with the proposal for a legal body (automatic) at the request of one quarter of Members, the committee preferred to allow Parliament, and thus the majority, to decide whether or not to set up a committee of inquiry, on the basis of a proposal by the Conference of Presidents. The request to set up such a body should specify the subject of the inquiry and include a detailed statement of the grounds for it. Composition of the committee would be subject to the provisions of Rule 137. In addition, the Committee on Budgetary Control had asked that if the inquiry related to allegations of budgetary offences, half of the members of the competent body, the chairman and the rapporteur should be members of the Committee on Budgetary Control. The Committee on the Rules of Procedure decided not to support this proposal. As regards the duration, some Members had proposed 9 months, but the committee agreed to 12 months with the possibility of extending this deadline twice by an additional three months. Rule 102 applied where languages were concerned. However, two restrictions were envisaged: the bureau of the temporary committee could restrict interpretation to the official languages of the participants and could restrict translation of the documents received by the committee.

## EP Rules of procedure, rule 136: provisions governing the right of inquiry

Adopting the report by Mr Ben FAYOT (PSE, L), the European Parliament amended Article 136 of its Rules of Procedure on temporary committees of inquiry. According to the new Article 136, the European Parliament may, at the request of one quarter of its members, set up a temporary committee of inquiry to investigate alleged contraventions of Community law or maladministration in the application of Community law which would appear to be the act of Community institution or body or of persons empowered by Community law to implement that law. The request to set up a committee of inquiry must be substantiated in detail and must specify the subject of the inquiry. The committee of inquiry concludes its work on the submission of a report within a maximum period of twelve months, although the European Parliament may twice decide to extend this deadline by an additional three months. The committee may submit to Parliament a draft recommendation addressed to Community institutions or bodies or the Member States. Provisions guarantee confidentiality and secrecy, where required, and the possibility for any person called to give evidence to claim the rights which they would enjoy if acting as a witness before a tribunal in their country of origin.?