

PROTOCOL

AMENDING THE PROTOCOL ON TRANSITIONAL PROVISIONS ANNEXED TO THE TREATY ON EUROPEAN UNION, TO THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION AND TO THE TREATY ESTABLISHING THE EUROPEAN ATOMIC ENERGY COMMUNITY

(2010/C 263/01)

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

hereinafter referred to as 'THE HIGH CONTRACTING PARTIES',

WHEREAS, as the Treaty of Lisbon entered into force after the European Parliament elections on 4 to 7 June 2009, and as provided for in the declaration adopted by the European Council at its meeting on 11 and 12 December 2008 and in the political agreement reached by the European Council at its meeting on 18 and 19 June 2009, it is necessary to lay down transitional provisions on the composition of the European Parliament until the end of the 2009-2014 parliamentary term,

WHEREAS such transitional provisions are to allow those Member States whose number of members of the European Parliament would have been higher if the Treaty of Lisbon had been in force at the time of the European Parliament elections in June 2009 to be given the appropriate number of additional seats and to fill them,

CONSIDERING the number of seats per Member State provided for in the draft Decision of the European Council approved politically by the European Parliament on 11 October 2007 and by the European Council (Declaration No 5 annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon) and considering Declaration No 4 annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon,

WHEREAS it is necessary to create, for the period remaining between the entry into force of this Protocol and the end of the 2009-2014 parliamentary term, the 18 additional seats provided for the Member States concerned by the political agreement reached by the European Council at its meeting on 18 and 19 June 2009,

WHEREAS, in order to do this, it is necessary to allow, provisionally, the number of members to exceed, respectively, the number of members per Member State and the maximum number of members provided for both in the Treaties in force at the time of the European Parliament elections in June 2009 and in the first subparagraph of Article 14(2) of the Treaty on European Union, as amended by the Treaty of Lisbon,

WHEREAS it is also necessary to lay down the detailed arrangements for the Member States concerned to fill the additional seats provisionally created,

WHEREAS, as regards transitional provisions, it is necessary to amend the Protocol on transitional provisions annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community,

HAVE AGREED UPON THE FOLLOWING PROVISIONS:

Article 1

Article 2 of the Protocol on transitional provisions annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community shall be replaced by the following:

'Article 2

1. For the period of the 2009-2014 parliamentary term remaining at the date of entry into force of this Article, and by way of derogation from Articles 189, second paragraph, and 190(2) of the Treaty establishing the European Community and Articles 107, second paragraph, and 108(2) of the Treaty establishing the European Atomic Energy Community, which were in force at the time of the European Parliament elections in June 2009, and by way of derogation from the number of seats provided for in the first subparagraph of Article 14(2) of the Treaty on European Union, the following 18 seats shall be added to the existing 736 seats, thus provisionally bringing the total number of members of the European Parliament to 754 until the end of the 2009-2014 parliamentary term:

Bulgaria	1	Netherlands	1
Spain	4	Austria	2
France	2	Poland	1
Italy	1	Slovenia	1
Latvia	1	Sweden	2
Malta	1	United Kingdom	1

2. By way of derogation from Article 14(3) of the Treaty on European Union, the Member States concerned shall designate the persons who will fill the additional seats referred to in paragraph 1, in accordance with the legislation of the Member States concerned and provided that the persons in question have been elected by direct universal suffrage:

- (a) in *ad hoc* elections by direct universal suffrage in the Member State concerned, in accordance with the provisions applicable for elections to the European Parliament;
- (b) by reference to the results of the European Parliament elections from 4 to 7 June 2009; or
- (c) by designation, by the national parliament of the Member State concerned from among its members, of the requisite number of members, according to the procedure determined by each of those Member States.

3. In accordance with the second subparagraph of Article 14(2) of the Treaty on European Union, the European Council shall adopt a decision determining the composition of the European Parliament in good time before the 2014 European Parliament elections.'

Article 2

This Protocol shall be ratified by the High Contracting Parties, in accordance with their respective constitutional requirements. The instruments of ratification shall be deposited with the Government of the Italian Republic.

This Protocol shall enter into force if possible on 1 December 2010, provided that all the instruments of ratification have been deposited, or, failing that, on the first day of the month following the deposit of the instrument of ratification by the last signatory State to take this step.

Article 3

This Protocol, drawn up in a single original in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic, shall be deposited in the archives of the Government of the Italian Republic, which shall transmit a certified copy to each of the governments of the other signatory States.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Protocol.

Съставено в Брюксел на двадесет и трети юни две хиляди и десета година.

Hecho en Bruselas, el veintitrés de junio de dos mil diez.

V Bruselu dne dvacátého třetího června dva tisíce deset.

Udfærdiget i Bruxelles den treogtyvende juni to tusind og ti.

Geschehen zu Brüssel am dreiundzwanzigsten Juni zweitausendzehn.

Kahe tuhande kümnenda aasta juunikuu kahekümne kolmandal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις είκοσι τρεις Ιουνίου δύο χιλιάδες δέκα.

Done at Brussels on the twenty-third day of June in the year two thousand and ten.

Fait à Bruxelles, le vingt-trois juin deux mille dix.

Arna dhéanamh sa Bhruiséil an tríú lá is fiche de Mheitheamh sa bhliain dhá mhíle a deich.

Fatto a Bruxelles, addì ventitré giugno duemiladieci.

Briselē, divi tūkstoši desmitā gada divdesmit trešajā jūnijā.

Priimta du tūkstančiai dešimtų metų birželio dvidešimt trečią dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizedik év június huszonharmadik napján.

Magħmul fi Brussell, fit-tlieta u għoxrin jum ta' Ġunju tas-sena elfejn u għaxra.

Gedaan te Brussel, de drieëntwintigste juni tweeduizend tien.

Sporządzono w Brukseli dnia dwudziestego trzeciego czerwca roku dwa tysiące dziesiątego.

Feito em Bruxelas, em vinte e três de Junho de dois mil e dez.

Întocmit la Bruxelles, la trei iunie două mii zece.

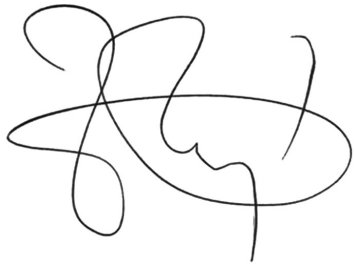
V Bruseli dňa dvadsiateho tretieho júna dvetisícdesať.

V Bruslju, dne triindvajsetega junija leta dva tisoč deset.

Tehty Brysselissä kahdentenakymmenentenäkolmantena päivänä kesäkuuta vuonna kaksituhattakymmenen.

Som skedde i Bryssel den tjugotredje juni tjugohundratio.

Voor het Koninkrijk België
Pour le Royaume de Belgique
Für das Königreich Belgien



За Република България



Za Českou republiku



På Kongeriget Danmarks vegne



Für die Bundesrepublik Deutschland



Eesti Vabariigi nimel



Thar cheann Na hÉireann
For Ireland



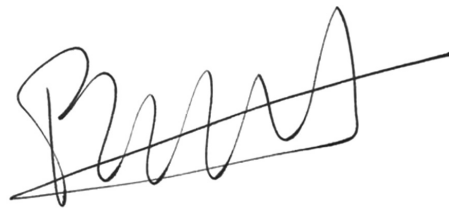
Για την Ελληνική Δημοκρατία



Por el Reino de España



Pour la République française



Per la Repubblica italiana



Για την Κυπριακή Δημοκρατία



Latvijas Republikas vārdā



Lietuvos Respublikos vardu



Pour le Grand-Duché de Luxembourg



A Magyar Köztársaság részéről



Għal Malta



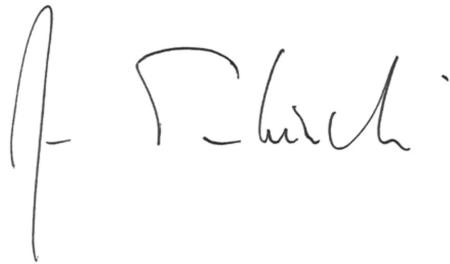
Voor het Koninkrijk der Nederlanden



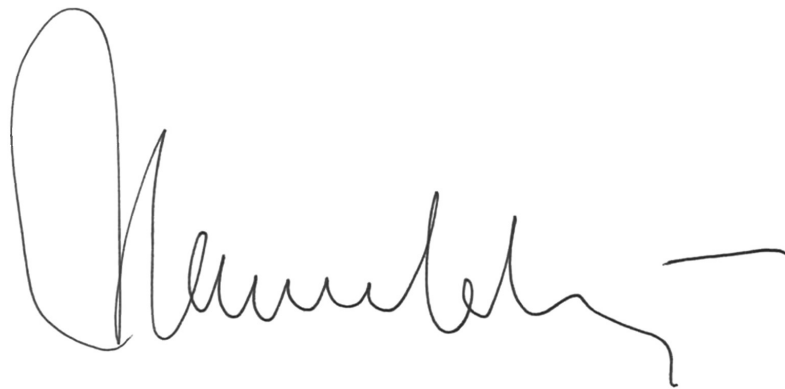
Für die Republik Österreich



W imieniu Rzeczypospolitej Polskiej



Pela República Portuguesa



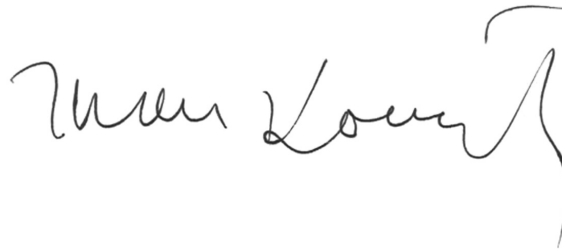
Pentru România



Za Republiko Slovenijo



Za Slovenskú republiku



Suomen tasavallan puolesta
För Republiken Finland



För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland