

II

(Acts whose Publication is not obligatory)

EUROPEAN PARLIAMENT

RULES OF PROCEDURE ⁽¹⁾

Note

Interpretations of the Rules (pursuant to Rule 162) are in italic script.

⁽¹⁾ Consolidated version on the date of publication.

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CHAPTER I

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 representatives 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:

'Medlemmer af Europa-Parlamentet' in Danish,

'Mitglieder des Europäischen Parlaments' in German,

'Βουλευτές του Ευρωπαϊκού Κοινοβουλίου' in Greek,

'Members of the European Parliament' in English,

'Diputados al Parlamento Europeo' in Spanish,

'Euroopan parlamentin jäsenet' in Finnish,

'Députés au Parlement européen' in French,

'Deputati al Parlamento europeo' in Italian,

'Leden van het Europees Parlement' in Dutch,

'Deputados ao Parlamento Europeu' in Portuguese.

'Ledamöter av Europaparlamentet' in Swedish.

*Rule 2***The independent mandate**

Members of the European Parliament shall exercise their mandate independently. They shall not be bound by any instructions and shall not receive a binding mandate.

*Rule 3***Privileges and immunities**

1. Members shall enjoy privileges and immunities in accordance with the Protocol on the Privileges and Immunities of the European Communities, annexed to the Treaty of 8 April 1965 establishing a Single Council and a Single Commission of the European Communities.

2. Passes to allow Members to circulate freely in the Member States shall be issued to them by the President of Parliament as soon as he has been notified of their election.

3. 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.

*Rule 4***Attendance of Members at sittings and votes**

1. An attendance register shall be laid open for signature by Members at each sitting.

2. The names of Members present, as shown in the attendance register, shall be recorded in the minutes of each sitting.

3. In the event of a roll-call vote the minutes shall record the names of Members who took part in the vote and how they voted.

*Rule 5***Payment of expenses and allowances**

The Bureau shall lay down Rules governing the payment of expenses and allowances to Members.

*Rule 6***Waiver of immunity**

1. Any request addressed to the President by the appropriate authority of a Member State that the immunity of a Member be waived shall be announced in Parliament and referred to the committee responsible.

2. The committee shall consider such requests without delay and in the order in which they have been submitted.

3. The committee may ask the authority which has submitted the request to provide any information or explanation which the committee deems necessary for it to form an opinion on whether immunity should be waived. The Member concerned shall be heard at his request; he may bring any documents or other written evidence he deems relevant. He may be represented by another Member.

4. The committee's report shall contain a proposal for a decision which simply recommends the adoption or

rejection of the request for the waiver of immunity. However, where the request seeks the waiver of immunity on several counts, each of these may be the subject of a separate proposal for a decision. The committee's report may, exceptionally, propose that the waiver of immunity shall 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 him from performing the duties proper to his mandate.

5. The committee 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 justify prosecution, even if, in considering the request, it acquires detailed knowledge of the facts of the case.

6. The report of the committee shall be placed at the head of the agenda of the first sitting following the day on which it was tabled. No amendment may be tabled to the proposal(s) for a decision.

Discussion shall be confined to the reasons for or against each proposal to waive or uphold immunity.

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, an individual vote shall be taken on each of the proposals contained in the report. If any of the proposals are rejected, the contrary decision shall be deemed adopted.

7. The President shall immediately communicate Parliament's decision to the appropriate authority of the Member State concerned, with a request, if immunity is waived, that he should be informed 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.

8. Should a Member be arrested or prosecuted after having been found in the act of committing an offence, any other Member may request that the proceedings be suspended or that he be released.

Rule 7

Verification of credentials

1. On the basis of a report by the committee responsible, Parliament shall verify the credentials without delay and rule on the validity of the mandate of

each of its newly elected Members and also on any dispute referred to it pursuant to the provisions of the Act of 20 September 1976, except those based on national electoral laws.

2. 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.

3. The committee shall ensure that any information which may affect the performance of the duties of a Member of the European Parliament or the ranking of the substitutes is forwarded without delay to Parliament by the authorities of the Member States or of the Union, with an indication of the date of effect where an appointment is concerned.

4. Until such time as a Member's credentials have been verified or a ruling has been given on any dispute, the Member shall take his seat in Parliament and on its bodies and shall enjoy all the rights attaching thereto.

Rule 8

Term of office of Members

1. A Member's term of office shall begin and end as laid down in the Act of 20 September 1976. It shall also end on death or resignation.

2. Every Member shall remain in office until the opening of the first sitting of Parliament following the elections.

3. A Member who resigns shall notify the President of his resignation in writing. This notification shall be made in 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 not in accordance with the spirit or the letter of the Act of 20 September 1976 it shall inform Parliament to this effect so that Parliament can decide whether or not to establish the vacancy.

Otherwise, the vacancy shall be established automatically unless the resigning Member indicates a later date. There shall be no vote in Parliament on the subject.

A simplified procedure has been introduced for certain exceptional circumstances, in particular where one or more part-sessions are held between the effective date of the resignation and the first meeting of the committee

responsible and where, as the vacancy has not been established, the political group to which the resigning Member belongs is not able to obtain a replacement Member during those part-sessions. Under this procedure, the rapporteur of the committee responsible entrusted with these cases has the power to examine immediately any resignation duly notified and, where any delay in considering the notification would be prejudicial, to refer the matter to the committee chairman asking him, pursuant to paragraph 3:

— *either to inform the President on behalf of the committee that the vacancy may be established*

— *or to convene an extraordinary meeting of the committee to examine any specific difficulties noted by the rapporteur.*

4. Incompatibilities resulting from national legislation shall be notified to Parliament, which shall take note thereof.

Where the competent authorities of the Member States or of the Union notify the President of appointments to an office incompatible with the office of Member of the European Parliament, the President shall inform Parliament, which shall establish that there is a vacancy.

5. The following shall be considered as the date of the end of the term of office and the effective date of a vacancy:

— in the event of resignation: the date on which the vacancy is established by Parliament, the date when the President receives the letter of resignation or a later (but not earlier) date specified in his letter by the resigning Member,

— in the event of appointment to an office incompatible with the office of a Member of the European Parliament, either in respect of national electoral law, or in respect of Article 6 of the Act of 20 September 1976: the date notified by the competent authorities of the Member States or of the Union.

6. When Parliament has established that a vacancy exists, it shall inform the Member State concerned thereof.

7. Any dispute concerning the validity of the appointment of a Member whose credentials have already been verified shall be referred to the committee responsible, which shall report to Parliament without delay and no later than the beginning of the next part-session.

8. Parliament shall reserve the right, where acceptance or termination of office appears to be based on material inaccuracy or vitiated consent, to declare the appointment under consideration to be invalid or refuse to establish the vacancy.

Rule 9

Code of conduct

Parliament may lay down a code of conduct for its Members. The code shall be adopted pursuant to Rule 163 (2) and attached to these Rules of Procedure as an annex ⁽¹⁾.

The code shall not in any way prejudice or restrict a Member in the exercise of his office or of any political or other activity relating thereto.

⁽¹⁾ See Annex I.

CHAPTER II

SESSIONS OF PARLIAMENT

Rule 10

Convening of Parliament

1. The parliamentary term shall run concurrently with the term of office of Members provided for in the Act of 20 September 1976.

The session shall be the annual period prescribed by the Act and the Treaties.

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.

2. Parliament shall meet, without requiring to be convened, on the second Tuesday in March each year and shall itself determine the duration of adjournments of the session.

3. Parliament shall, moreover, 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 9 (1) of the Act of 20 September 1976.

4. The Conference of Presidents, stating its reasons, may alter the duration of adjournments decided pursuant to paragraph 2 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.

5. Exceptionally, after consulting the Conference of Presidents, the President shall convene Parliament at the request of a majority of its 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 at the request of one-third of its Members.

Rule 11

Venue of sittings and meetings

1. Parliament shall hold its sittings and its committee meetings at the place fixed as its seat under the provisions of the Treaties.

2. Exceptionally, however, on a resolution adopted by a majority of its component Members, Parliament may decide to hold one or more sittings elsewhere than at its seat.

Proposals for additional part-sessions in Brussels and any amendments thereto will require only a simple majority vote.

3. Any committee may decide to ask that one or more meetings be held away from the said seat. Its request, with the reasons therefor, 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.

CHAPTER III

OFFICERS OF PARLIAMENT

Rule 12

Oldest Member

1. At the sitting provided for under Rule 10 (3), and at any other sitting held for the purpose of electing the President and the Bureau, the oldest Member present shall take the Chair until the President has been elected.

2. No business shall be transacted while the oldest Member is in the Chair unless it is concerned with the election of the President or the verification of credentials.

If a question relating to the verification of credentials is raised when the oldest Member is in the Chair, he shall refer the matter to the committee responsible for the verification of credentials.

Rule 13

Nominations and general provisions

1. The President, Vice-Presidents and Quaestors shall be elected by secret ballot. Nominations shall be with consent. They may only be made by a political group or by at least 29 Members. However, if the number of nominations does not exceed the number of seats to be filled, the candidates may be elected by acclamation.

2. Four Members chosen by lot shall count the votes cast in a secret ballot. Candidates may not act as tellers.

3. In the election of the President, Vice-Presidents and Quaestors, account should be taken of the need to ensure an overall fair representation of Member States and political views.

Rule 14

Election of President — opening address

1. The President shall be elected first. Nominations shall be handed before each ballot to the oldest Member, 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 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 elder candidate shall be declared elected.

2. As soon as the President has been elected, the oldest Member shall vacate the Chair. Only the elected President may deliver an opening address.

Rule 15

Election of Vice-Presidents

1. The Vice-Presidents shall then be elected on a single ballot paper. Those who on the first ballot, up to the number of fourteen, obtain an absolute majority of the votes cast shall be declared elected in the numerical order of their votes. Should the number of candidates elected be 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 eldest candidates shall be declared elected.

Although this Rule, unlike Rule 14 (1), does not expressly provide for new nominations to be introduced between ballots during the election of Vice-Presidents, such action is permissible because Parliament, being a sovereign body, must be able to consider all possible candidates, especially since the absence of such an option might impede the smooth running of the election.

2. Subject to the provisions of Rule 18 (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 not elected by secret ballot, the order in which their names are read out to the House by the President shall determine the order of precedence.

Rule 16

Election of Quaestors

After the election of the Vice-Presidents, Parliament shall elect five Quaestors.

The Quaestors shall be elected by the same procedure as the Vice-Presidents.

Rule 17

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 a Member changes political groups he shall retain, for the remainder of his two and a half year term of office, any seat he holds in the Bureau or the College of Quaestors.

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

Rule 18

Vacancies

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

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

2. Should the President's seat become vacant, the first Vice-President shall act as President until a new President is elected.

Rule 19

Duties of the President

1. The President shall direct all the activities of Parliament and its bodies under the conditions laid down in these Rules. He 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 ensure observance of these Rules, maintain order, call upon speakers, close debates, 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 or financial matters by the President, who may delegate these powers.

Rule 20

Duties of the Vice-Presidents

Should the President be absent or unable to discharge his duties, or should he wish to take part in a debate pursuant to Rule 19 (3), he shall be replaced by one of the Vice-Presidents pursuant to Rule 15 (2).

CHAPTER IV

PARLIAMENT'S GOVERNING BODIES

*Rule 21***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. Should voting in the Bureau result in a tie, the President shall have a casting vote.

*Rule 22***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, organizational and administrative decisions on matters concerning Members and the internal organization of Parliament, its Secretariat and its bodies.
3. The Bureau shall take decisions on matters relating to the conduct of sittings.
4. The Bureau shall adopt the provisions referred to in Rule 30 concerning non-attached Members.
5. The Bureau shall decide the establishment plan of the Secretariat and lay down regulations relating to the administrative and financial situation of officials and other servants.
6. The Bureau shall draw up Parliament's preliminary draft estimates.
7. The Bureau shall adopt the guidelines for the Quaestors pursuant to Rule 25.
8. The Bureau shall be the authority responsible for authorizing meetings of committees away from the usual places of work, hearings and study and fact-finding journeys by rapporteurs.
9. The Bureau shall appoint the Secretary-General pursuant to Rule 164.
10. 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.

11. When a new Parliament is elected, the outgoing Bureau shall remain in office until the first sitting of the new Parliament.

*Rule 23***Composition of the Conference of Presidents**

1. The Conference of Presidents shall consist of the President of Parliament and the chairmen of the political groups. The chairman of a political group may arrange to be represented by a member of his group.
2. The non-attached Members shall delegate two of their number to attend meetings of the Conference of Presidents, without having 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 24***Duties of the Conference of Presidents**

1. The Conference of Presidents shall carry out the duties assigned to it under the Rules of Procedure.
2. The Conference of Presidents shall take decisions on the organization of Parliament's work and matters relating to legislative planning.
3. The Conference of Presidents shall be the authority responsible for matters relating to relations with the other institutions and bodies of the European Union and with the national parliaments of Member States.
4. The Conference of Presidents shall be the authority responsible for matters relating to relations with non-member countries and with non-Union institutions and organizations.
5. The Conference of Presidents shall draw up the draft agenda of Parliament's part-sessions.
6. The Conference of Presidents shall be the authority responsible for the composition and competence of committees and temporary committees of inquiry and of joint parliamentary committees, standing delegations and *ad hoc* delegations.
7. The Conference of Presidents shall decide how seats in the Chamber are to be allocated pursuant to Rule 31.

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

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

Rule 25

Duties of the Quaestors

The Quaestors shall be responsible for administrative and financial matters directly concerning Members, pursuant to guidelines laid down by the Bureau.

Rule 26

Conference of Committee Chairmen

1. The Conference of Committee Chairmen shall consist of the chairmen of all standing or temporary committees and shall elect its chairman.

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

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

Rule 27

Conference of Delegation Chairmen

1. The Conference of Delegation Chairmen shall consist of the chairmen of all standing interparliamentary delegations and shall elect its chairman.

2. The Conference of Delegation Chairmen may make recommendations to the Conference of Presidents about the work of delegations.

3. The Bureau and the Conference of Presidents may instruct the Conference of Delegation Chairmen to carry out specific tasks.

Rule 28

Accountability of the Bureau, the Conference of Presidents and the Quaestors

1. The minutes of the Bureau and the Conference of Presidents shall be translated into the official languages, printed and distributed to all Members of Parliament, unless the Bureau or the Conference of Presidents exceptionally, for reasons of confidentiality, decides otherwise.

2. Any Member may ask questions related to the work of the Bureau, the Conference of Presidents and the Quaestors. Such questions shall be submitted to the President in writing and published in the *Bulletin of Parliament* within 30 days of tabling, together with the answers given.

CHAPTER V

POLITICAL GROUPS

Rule 29

Formation of political groups

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

2. The minimum number of Members required to form a political group shall be 29 if they come from one Member State, 23 if they come from two Member States, 18 if they come from three Member States and 14 if they come from four or more Member States.

3. A Member may not belong to more than one group.

4. The President shall be notified in a statement when a political group is set up. This statement shall specify the name of the group, its members and its bureau.

5. The statement shall be published in the *Official Journal of the European Communities*.

Rule 30

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 also determine the status and parliamentary rights of such Members.

Rule 31

Allocation of seats in the chamber

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

CHAPTER VI

RELATIONS WITH OTHER INSTITUTIONS

APPOINTMENTS

*Rule 32***Nomination of the President of the Commission**

1. When the governments of the Member States have agreed on a nomination for President of the Commission, the President shall request the nominee to make a statement to Parliament. The statement shall be followed by a debate.

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

2. Parliament shall approve or reject the nomination by a majority of the votes cast.

The vote shall be taken by roll call.

3. The President shall forward the result of the vote to the President of the European Council and to the governments of the Member States as Parliament's opinion.

4. If the result of the vote in Parliament on the nomination for President of the Commission is negative, the President shall request the governments of the Member States to withdraw their nomination and submit a new nomination to Parliament.

*Rule 33***Vote of approval of the Commission**

1. When the governments of the Member States have agreed on the other persons they intend to appoint as Members of the Commission, the President shall, after consulting the nominee for President of the Commission, request the nominees to appear before the appropriate committees according to their prospective fields of responsibility.

2. The committee may invite the nominee to make a statement and answer questions. The committee shall report its conclusions to the President.

3. The nominee for President shall present the programme of the nominated Commission at a sitting of Parliament which the whole Council shall be invited to attend. The statement shall be followed by a debate.

4. In order to wind up the debate, any political group may table a motion for a resolution which shall contain a statement as to whether Parliament approves or rejects the nominated Commission.

5. Parliament shall vote its approval of the Commission by a majority of the votes cast.

The vote shall be taken by roll call.

6. If Parliament approves the nominated Commission, the President shall notify the governments of the Member States that the appointment of the Commission may now take place.

*Rule 34***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.

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

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

4. The debate on the motion shall not take place until at least 24 hours after its receipt 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. The debate and the vote shall take place, at the latest, during the part-session following the submission of the motion.

7. 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 result of the vote shall be notified to the President of the Council and the President of the Commission.

*Rule 35***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 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 the receipt of the nomination unless Parliament, at the request of the committee responsible, a political group or at least 29 Members, decides otherwise.

4. If the opinion adopted by Parliament is negative, the President shall request the Council to withdraw its nomination and submit a new nomination to Parliament.

Rule 36

European Central Bank (European Monetary Institute)

1. The candidate nominated as President of the European Central Bank shall be invited to make a statement before the committee responsible and 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 the receipt of the nomination unless Parliament, at the request of the committee responsible, a political group or at least 29 Members, decides otherwise.

4. If the opinion adopted by Parliament is negative, the President shall request the Council to withdraw its nomination and submit a new nomination to Parliament.

5. The same procedure shall apply for nominations for Vice-President and Executive Board Members of the European Central Bank and for President of the European Monetary Institute.

STATEMENTS

Rule 37

Statements by the Commission, Council and European Council

1. Members of the Commission, Council and European Council may at any time ask the President for permission to make a statement. The President shall decide when the statement may be made. Such a statement may be followed by a debate.

2. A committee, a political group, or at least 29 Members may table a motion for a resolution.

3. Motions for resolutions shall be put to the vote on the same day. The President shall decide on any exceptions. Explanations of vote shall be admissible.

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

5. After a resolution has been adopted, no further motions may be put to the vote except where the President, by way of exception, decides otherwise.

6. If no debate is held, Members will be allowed a maximum of 30 minutes in which to put brief and concise questions.

Rule 38

Statements by the Court of Auditors

1. In the context of the discharge procedure or Parliament's activities in the sphere of budgetary control, the President of the Court of Auditors may be invited to take the floor 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.

Rule 39

Statements by the European Central Bank (European Monetary Institute)

1. The President of the European Central Bank shall present the Annual Report of the Bank to Parliament.

2. Parliament may decide to hold a debate following this presentation.

3. The President of the European Central Bank and other Executive Board Members may be invited to attend a meeting of the committee responsible to make a statement and answer questions. The President of the Bank shall attend such meetings twice a year. He may be invited to attend additional meetings if circumstances justify it in the opinion of the committee responsible confirmed by the Conference of Presidents.

4. The same procedure shall apply to the President of the European Monetary Institute for the period of its existence.

QUESTIONS TO THE COUNCIL AND COMMISSION

Rule 40

Questions for oral answer

1. Questions may be put to the Council or the Commission by a committee, a political group or at least 29 Members 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 and in what order questions should be placed on the agenda.

2. Questions to the Commission must be referred to that institution 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 matters referred to in Articles J.7 and K.6 of the Treaty on European Union, the time limit provided for in paragraph 2 of this Rule shall not apply, and the Council must reply with sufficient promptness to keep Parliament properly informed.

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

The author of the question is entitled to use the whole period of speaking time mentioned.

5. Rule 37 (2), (3), (4) and (5) shall apply *mutatis mutandis*.

Rule 41

Question Time

1. Question Time to the Council and Commission shall be held at each part-session at such times as may be decided by Parliament on a proposal from the Conference of Presidents. A specific period of time may be set aside for questions to the President and individual Members of the Commission.

2. No Member may put more than one question to the Council and the Commission at a given part-session.

3. Questions shall be submitted in writing to the President, who shall rule on their admissibility and on the order in which they are to be taken. The questioner shall be notified immediately of this decision.

4. The detailed procedure shall be governed by guidelines ⁽¹⁾.

Rule 42

Questions for written answer

1. Questions for written answer may be put by any Member to the Council or the Commission.

2. Questions shall be submitted in writing to the President who shall forward them to the institution concerned.

⁽¹⁾ See Annex II.

3. Questions and answers shall be published in the *Official Journal of the European Communities*.

4. If a question cannot be answered within the time limit set it shall, at the request of the author, be placed on the agenda of the next meeting of the committee responsible. Rule 41 shall apply *mutatis mutandis*.

5. Questions which require an immediate answer but no detailed research (priority questions) shall be answered within three weeks. Each Member may table one priority question each month.

6. Other questions (non-priority questions) shall be answered within six weeks.

7. Members shall indicate which type of question they are submitting. The final decision shall be taken by the President.

REPORTS

Rule 43

Annual general report of the Commission

The annual general report by the Commission on the activities of the European Communities shall be referred to the committees, which may submit specific and fundamental questions to the plenary under the existing procedures.

Rule 44

Annual report of the Commission on the application of Community law

1. The annual report by the Commission on the application of Community law in the Member States shall be referred to the various committees concerned, each of which may deliver its opinion to the committee responsible for legal affairs which shall submit a report to the plenary.

2. The resolution adopted by Parliament and the report of the committee responsible shall be forwarded to the Council, the Commission and the governments and the parliaments of the Member States.

RESOLUTIONS AND RECOMMENDATIONS

Rule 45

Motions for resolutions

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

The motion may not comprise more than 200 words.

2. The committee responsible shall decide what procedure is to be adopted.

It may combine the motion for a resolution with other motions for resolutions or reports.

It may adopt an opinion, which may take the form of a letter.

It may decide to draw up a report, in which case it shall require the approval of the Conference of Presidents.

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

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

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

6. The author or authors of a motion for a resolution tabled pursuant to Rule 37 (2), 40 (5) or 47 (1) shall be entitled to withdraw it before the final vote.

7. A motion for a resolution tabled pursuant to paragraph 1 may be withdrawn by its author, authors or first signatory before the committee responsible has decided, pursuant to paragraph 2, 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.

8. A motion for a resolution withdrawn may be taken over and retabled immediately by a group, a committee or the same number of Members who are entitled to table it.

Committees have a duty to ensure that motions for resolutions tabled pursuant to Rule 45 which meet the requirements laid down are followed up and duly referred to in documents produced as a result.

Rule 46

Recommendations to the Council

1. At least 29 Members or a political group may table a proposal for a recommendation to the Council concerning subjects under Titles V and VI of the Treaty on European Union.

2. Such proposals shall be referred to the committee responsible for consideration.

Where appropriate, the committee shall refer the matter to Parliament in accordance with the procedures laid down in these Rules.

3. Where it presents a report, the committee responsible shall submit to Parliament a proposal for a recommendation to the Council, together with a brief explanatory statement and, where appropriate, the opinions of the committees consulted.

4. In urgent cases the provisions of Rule 92 or 94 shall apply.

Rule 47

Debates on topical and urgent subjects of major importance

1. A political group or at least 29 Members may ask the President in writing for a debate to be held on a topical and urgent subject of major importance (Rule 95 (3)). Such a request must be linked with a motion for a resolution. The President shall notify Parliament immediately of any such request.

2. The Conference of Presidents shall draw up a list of subjects to be included on the agenda of the next debate on topical and urgent subjects of major importance 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 on the agenda shall not exceed five. The President shall notify Parliament of this list not later than at the resumption of the sitting on the afternoon of the same day.

Up to the end of the sitting on the same day, a political group or at least 29 Members may oppose this decision in writing, stating their reasons, and move that Parliament abandon a topic due to be debated and/or include an unscheduled topic in the debate without, however, exceeding the maximum number of topics laid down by this Rule. The vote on their objections shall take place without debate at the beginning of the next day's sitting.

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 106 (2) and (3) within the maximum time for debates of three hours per part-session.

Any time remaining after taking account of the time required for the introduction of and vote on the motions for resolutions and the speaking time, if any, allocated to the Commission and Council, shall be broken down between the political groups and the non-attached Members.

4. At the end of the debate there shall be an immediate vote. Rule 122 shall not apply.

Votes taken pursuant to Rule 47 may be organized 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 37 (4) shall apply.

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

The provisions of Rules 128, 129 and 131 shall not apply to motions for resolutions included on the agenda for a debate on topical and urgent subjects of major importance.

Motions for resolutions tabled for a debate on topical and urgent subjects of major importance in accordance with paragraph 1 which are not included in the list of subjects entered on the agenda for this debate and drawn up pursuant to paragraph 2, or which are included but cannot be dealt with in the time allocated to the debate, shall lapse. The same shall apply to motions for resolutions in respect of which it is established, following a request under Rule 112 (3), that a quorum is not present. Obviously Members shall be entitled to re-table such motions either for consideration in committee pursuant to Rule 45 or for the debate on topical and urgent subjects of major importance at the next part-session.

A motion for a resolution tabled in accordance with paragraph 1 cannot be included on the agenda for a debate on topical and urgent subjects of major importance if the subject covered by this motion 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 1 and a committee report on the same subject.

When a request is made pursuant to Rule 112 (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 48

Written declarations

1. Any Member may submit a written declaration of not more than 200 words on a matter falling within the sphere of activities of the European Union. Written declarations shall be printed in the official languages, distributed and entered in a register.

2. Any Member may add his signature to a declaration entered in the register.

3. At the end of each part-session, the President shall announce how many signatures have been obtained by the declarations entered in the register.

4. As soon as a declaration entered in the register has been signed by at least one half of the component Members of Parliament, the text of the declaration shall be forwarded to the institutions named by the author together with the names of the signatories. The President shall announce this at the next sitting and the text of the declaration and the names of the signatories shall be included in the minutes of that sitting as an annex. Once this announcement has been made, no more entries may be made in the register.

5. A written declaration that has stood in the register for over two months and has not been signed by at least one-half of the component Members of Parliament shall lapse

CHAPTER VII

LEGISLATIVE PROCEDURES

GENERAL PROVISIONS

Rule 49

Annual legislative programme

1. Before the end of each year and following a debate and vote in Parliament on the Annual Programme of the Commission, the Presidents of the Parliament and the

Commission shall agree on behalf of their institutions an Annual Legislative Programme for the following year covering all planned legislative activity. The President of the Council shall also be invited to take part in this procedure on behalf of his/her institution.

2. The Annual Legislative Programme shall establish the priorities in the legislative field and fix a timetable for the

submission by the Commission of all the proposals and documents contained in the programme and for their examination by Parliament and the Council.

3. The Annual Legislative Programme shall refer to:

- (a) all new legislative proposals,
- (b) all pre-legislative documents,
- (c) any other document of a legislative nature,
- (d) agreements with third countries,

which are to be submitted during the following year by the Commission to Parliament and the Council.

The Programme shall also refer to any legislative proposals and documents requested by Parliament or the Council which the Commission has agreed to submit.

4. The President of Parliament shall, in the discussions about the Annual Legislative Programme, act on the basis of the conclusions of the Conference of Presidents. Before formulating their conclusions, the Conference of Presidents shall consult the Conference of Committee Chairmen.

5. Where there are urgent and unforeseeable circumstances, an institution may propose a legislative measure on its own initiative, in the manner permitted by the Treaties, to be added to the measures proposed in the Legislative Programme.

6. For each proposal or document in the Annual Legislative Programme, Parliament shall indicate which committee may be designated as the committee responsible when the proposals or documents are submitted.

7. The Annual Legislative Programme as agreed between the institutions shall be attached to the minutes of the proceedings of the sitting following its adoption. The President shall forward the Annual Legislative Programme to the governments and parliaments of the Member States as well as to the Economic and Social Committee and the Committee of the Regions.

8. Where an institution is unable to comply with the timetable laid down it shall notify the other institution as to the reasons for the delay and propose a new timetable.

9. The Annual Legislative Programme may be revised at the beginning of the second half of the year.

Rule 50

Legislative initiative

1. Parliament may request the Commission to submit to it any appropriate legislative proposal pursuant to Article 138b, second paragraph, of the EC Treaty by adopting a resolution on the basis of an own-initiative report from the committee responsible and authorized pursuant to Rule 148. The resolution shall be adopted by a majority of the component Members of Parliament. Parliament may at the same time fix a deadline for the submission of such a proposal.

2. Before initiating the procedure under Rule 148, the committee responsible shall establish, in the following cases, that no such proposal is under preparation:

- (a) such a proposal is not included in the Annual Legislative Programme;
- (b) the preparations of such a proposal have not started or are unduly delayed;
- (c) the Commission has not responded positively to earlier requests either from the committee responsible or contained in resolutions adopted by Parliament with simple majority.

3. Parliament's resolution shall indicate the appropriate legal basis and be accompanied by detailed recommendations as to the content of the required proposals, which shall respect the principle of subsidiarity and the fundamental rights of citizens.

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 legislative proposal drawn up following a particular request by Parliament.

6. The provisions of this Rule shall apply *mutatis mutandis* in cases where the Treaties attribute the right of initiative to Parliament.

The majority required shall be the majority indicated by the relevant article of the Treaty concerned.

Rule 51

Consideration of legislative documents

1. Proposals from the Commission and other documents of a legislative nature shall be referred by the President to the committee responsible for consideration.

Where a proposal is listed in the Annual Legislative Programme the committee responsible may decide to appoint a rapporteur to follow the preparatory phase of the proposal.

Consultations by the Council or requests from the Commission for an opinion shall be forwarded by the President to the committee responsible for consideration of the proposal concerned.

The provisions for the first reading as set out in Rules 53 to 63 shall apply to legislative proposals whether they require one, two or three readings.

2. Common positions from the Council shall be referred for consideration to the committee responsible at the first reading.

The provisions for the second reading as set out in Rules 64 to 73 shall apply to common positions.

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

The provisions for the third reading as set out in Rules 74 to 78 shall apply to the Conciliation procedure.

4. Rules 52, 58 (1) and (3), 59, 60, 129, 143, 144 and 147 shall not apply during the second and third readings.

5. 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 52

Delegation of the power of decision to committees

1. The Conference of Presidents may refer a consultation, a request for an opinion, an own-initiative report (Rule 148) or a report based on a motion for a resolution tabled pursuant to Rule 45 (1) to (5) to the appropriate committee for a decision.

2. If, after referral to committee pursuant to paragraph 1, one-third of the current members of the committee request that the power of decision be referred back to Parliament, the procedures for debate and amendment of committee reports in plenary shall apply.

3. The meeting at which the committee takes its decision shall be open to the public.

4. The deadline for tabling amendments shall be published in the *Bulletin of the European Parliament*.

5. As soon as the committee has adopted its report, and subject to Rules 102 (1) and 103, the President shall place it on the agenda for the next part-session. The committee's resolution and amendments, if any, shall be deemed adopted and shall be recorded in the minutes unless, before the start of the second day of the part-session, one-tenth of the component Members of Parliament from at least three political groups have tabled their opposition in writing. The President shall announce this opposition at the start of the second sitting of the part-session; in this case the committee's report shall be placed on the agenda for the same or the following part-session and shall be dealt with in accordance with the normal procedure. The President shall set a deadline for the tabling of amendments.

A request from one-third of a committee's current members for the power of decision to revert to Parliament may be made in writing outside of committee meetings but must be submitted before the date of the meeting at which the committee appoints the rapporteur on the subject in respect of which it is requested that the power of decision revert to Parliament.

The provisions of the Rules which concern the tabling of amendments are Rules 124 (1), the reference to that Rule in Rule 150 (4), and Rule 52, in particular paragraph 4 thereof, which stipulates that any deadline for tabling amendments shall be published in the Bulletin of the European Parliament; under Rule 124 (1) any Member may table amendments in any of the committees; this principle becomes even more pertinent when a committee is considering matters referred to it pursuant to Rule 52.

FIRST READING — COMMITTEE STAGE

Rule 53

Verification of legal basis

1. For all Commission proposals and other documents of a legislative nature, the committee responsible shall first verify the validity and appropriateness of the chosen legal basis.

2. If the committee responsible disputes the validity or the appropriateness of the legal basis, 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 of proposals submitted by the Commission. In such cases it shall duly inform the committee responsible.

4. 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.

5. If amendments are tabled in Parliament to change the legal basis of a Commission proposal without the committee responsible having disputed the validity or appropriateness of the legal basis, the committee responsible for legal affairs must deliver an opinion on the amendments tabled before they are put to the vote.

Rule 54

Subsidiarity, fundamental rights, financial resources

1. During the examination of a legislative proposal, Parliament shall pay particular attention to whether the proposal respects the principle of subsidiarity and the fundamental rights of citizens. Where a proposal has financial implications, Parliament shall establish whether sufficient financial resources are provided.

2. If Parliament concludes that the principle of subsidiarity is not duly respected, or that the fundamental rights of citizens are not sufficiently respected, or that the financial resources provided are not sufficient, it shall request the Commission to make the necessary modifications to its proposal.

Rule 55

Transparency in the legislative process

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

2. During the examination of a Commission proposal, the committee responsible shall request the Commission and the Council to keep it informed about the progress of this proposal in the Council and its working parties and in particular to inform it of any emerging compromises which will substantially amend the original Commission proposal or of the intention of the Commission to withdraw its proposal.

Rule 56

Modification of a Commission proposal

1. If the committee responsible, during its examination of a Commission proposal, becomes aware that the Council intends to modify substantially this proposal, it shall formally ask the Commission whether it intends to alter its proposal.

2. If the Commission declares that it intends to alter its proposal, the committee responsible shall postpone its examination of this proposal until it has been informed about the new proposal or amendments by the Commission.

3. During the examination of a Commission proposal in the committee responsible, the Commission may also on its own initiative table amendments to its proposal directly in the committee.

4. If the Commission declares, following a request under paragraph 1, that it does not intend to alter its proposal, the committee responsible shall proceed with its examination of the proposal. The declaration of the Commission shall be annexed to the report and shall be considered by Parliament as binding on the Commission even after the completion of the first reading.

5. If, following a Commission declaration under paragraph 4, the Council, notwithstanding the position of the Commission, proceeds to a decision which substantially modifies the original Commission proposal, the President of Parliament shall remind the Council of its obligation to consult Parliament again.

Rule 57

Commission position on amendments

1. Before the committee responsible proceeds to the final vote on a Commission proposal, it shall request the Commission to state its position on all the amendments to the proposal adopted by the committee.

2. If the Commission is not in a position to make such a statement or declares that it is not prepared to accept all the amendments adopted by the committee then the committee may postpone the final vote.

3. The position of the Commission shall be annexed to the report.

FIRST READING — PLENARY STAGE

Rule 58

Conclusion of first reading

1. Without prejudice to Rules 52, 99 and 143 (1), Parliament shall discuss the legislative proposal on the basis of the report drawn up by the committee responsible pursuant to Rule 144.

2. Parliament shall first vote on the amendments to the proposal with which the report of the committee

responsible is concerned, then on the proposal, amended or otherwise, then on the amendments to the draft legislative resolution, then on the draft legislative resolution as a whole, which shall contain only a statement as to whether Parliament approves, rejects or proposes amendments to the Commission's proposal and any procedural requests.

The consultation procedure is concluded if the draft legislative resolution is adopted.

All reports tabled under the legislative procedure should conform to the provisions of Rules 51, 53 and 144. Any non-legislative motion for a resolution tabled by a committee should be in accordance with the referral procedures provided for in Rules 139 or 148.

3. The text of the proposal as approved by Parliament and the accompanying resolution shall be forwarded to the Council and Commission by the President as Parliament's opinion.

Rule 59

Rejection of a Commission proposal

1. If a Commission proposal fails to secure a majority of the votes cast, the President shall, before Parliament votes on the draft legislative resolution, request the Commission to withdraw the proposal.

2. If the Commission does so, the President shall hold the consultation procedure on the proposal to be superfluous and shall inform the Council accordingly.

3. If the Commission does not withdraw its proposal, Parliament shall refer the matter back to the committee responsible without voting on the draft legislative resolution.

In this case, the committee responsible shall, orally or in writing, report back to Parliament within a period decided by Parliament which may not exceed two months.

This procedure may be applied only once. Consequently, when the second report is put to the vote, Parliament shall also vote on the draft legislative resolution.

4. If the committee responsible is unable to meet the deadline, it shall request referral back to committee pursuant to Rule 129 (1). If necessary, Parliament may set a new time limit pursuant to Rule 129 (4). If the committee's request is not accepted, Parliament shall move to the vote on the draft legislative resolution.

Rule 60

Adoption of amendments to a Commission proposal

1. Where the Commission proposal as a whole is approved, but on the basis of amendments which have also been adopted, the vote on the draft legislative resolution shall be postponed until the Commission has stated its position on each of Parliament's amendments.

If the Commission is not in a position to make such a statement at the end of Parliament's vote on its proposal, it shall inform the President or the committee responsible as to when it will be in a position to do so; the proposal shall then be placed on the draft agenda of the first part-session thereafter.

2. Where the Commission announces that it does not intend to adopt all Parliament's amendments, the rapporteur of the committee responsible or, failing him, the chairman of that committee shall make a formal proposal to Parliament as to whether the vote on the draft legislative resolution should proceed. Before submitting this proposal, the rapporteur or chairman of the committee responsible may request the President to suspend consideration of the item.

Should Parliament decide to postpone the vote, the matter shall be deemed to be referred back to the committee responsible for reconsideration.

In this case, the committee responsible shall, orally or in writing, report back to Parliament within a period decided by Parliament which may not exceed two months.

If the committee responsible is unable to meet the deadline, the procedure provided for in Rule 59 (4) shall be applied.

Only amendments tabled by the committee responsible and seeking to reach a compromise with the Commission shall be admissible at this stage.

3. Application of paragraph 2 does not preclude a request for referral being tabled by other Members pursuant to Rule 129.

A committee to which a matter has been referred back pursuant to Rule 60 (2) is principally required under the terms of that referral to report within the deadline given and, where appropriate, to table amendments seeking to reach a compromise with the Commission, but not to reconsider all the provisions approved by Parliament.

However, within these terms of reference, in view of the suspensive effect of the referral, the committee enjoys a

greater degree of freedom and may, where necessary in the interests of the compromise, propose reconsidering provisions which received a favourable vote in Parliament.

In such cases, in view of the fact that the only admissible amendments from the committee are those seeking to reach a compromise, and with a view to preserving the sovereignty of the House, the report referred to in Rule 60 (2) must clearly state which provisions already approved would fall if the proposed amendments were adopted.

FIRST READING — FOLLOW-UP PROCEDURE

Rule 61

Follow-up to Parliament's opinion

1. In the period following the adoption by Parliament of its opinion on a proposal by the Commission, the chairman and the rapporteur of the committee responsible shall monitor the progress of the proposal in the course of the procedure leading to its adoption by the Council to ensure that the undertakings made by the Commission to Parliament with respect to its amendments are properly observed.

2. The Council or, if necessary, the Commission shall, during this period, and at least once every three months, furnish all necessary information to the committee responsible.

3. The committee responsible shall, in particular, bring to Parliament's attention any potential or actual breach of undertakings made by the Commission to Parliament.

4. At any stage of the follow-up procedure the committee responsible may, if it deems it necessary, table a motion for a resolution under this Rule inviting Parliament:

- to call upon the Commission to withdraw its proposal, or
- to call upon the Council to open a conciliation procedure with the Parliament, pursuant to Rule 63, or
- to call upon the Council to consult Parliament pursuant to Rule 62, or
- to decide to take such other action that it deems appropriate.

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

Rule 62

Renewed consultation

The President shall, at the request of the committee responsible, call on the Council to consult Parliament:

- where the Commission withdraws its initial proposal after Parliament has delivered its opinion in order to replace it with another text,
- where the Commission or the Council substantially amend or intend to amend the proposal on which Parliament originally delivered an opinion,
- where, through the passage of time or changes in circumstances, the nature of the problem with which the proposal is concerned substantially changes.

The President shall also request re-consultation in the circumstances defined in this Rule where Parliament so decides on a proposal from a political group or at least 29 Members.

Rule 63

Conciliation procedure

1. Where, in the case of certain important Community decisions, the Council intends to depart from the opinion of Parliament, a procedure for conciliation with the Council, with the active participation of the Commission, may be opened by Parliament when delivering its opinion.

2. This procedure shall be initiated by Parliament, either at its own or at the Council's initiative.

3. For the composition and procedure of the delegation to the conciliation committee Rule 75 (1) to (7) shall apply.

4. The committee responsible shall report on the results of the conciliation. This report shall be debated and voted on by Parliament.

SECOND READING — COMMITTEE STAGE

Rule 64

Communication of the Council's common position

1. Communication of the Council's common position pursuant to Articles 189b and 189c of the EC Treaty takes place when it is announced by the President in Parliament. On the day of the announcement, the President must have received the documents containing the common position itself, the reasons which led the Council to adopt its common 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 shall establish, after consulting the chairman of the committee responsible, that the text he has received is indeed a common position and that the circumstances described in Rule 62 do not apply. Failing this, the President, together with the committee responsible and, where possible, in agreement with the Council, shall seek an appropriate solution.

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

Rule 65

Time limits

1. The President shall, on a request from the chairman or rapporteur of the committee responsible, ask the Council to agree to an extension, by a maximum of one month, of the three-month period following either the communication of the common position to Parliament or the presentation of the Commission's re-examined proposal.

2. The President may, after consulting the chairman and the rapporteur of the committee responsible, on behalf of Parliament agree, on a request from the Council, to extend the period of three months following the communication of the common position to Parliament or the presentation of the Commission's re-examined proposal by a maximum of one month.

Rule 66

Referral to and procedure in the committee responsible

1. On the day of its communication to Parliament pursuant to Rule 64 (1), the common position shall be deemed to have been referred automatically to the committee responsible and to the committees asked for their opinion at first reading.

2. The common position shall be entered as the first item on the agenda of the first meeting of the committee responsible following the date of its communication.

3. Unless otherwise decided, the rapporteur during second reading shall be the same as during first reading.

4. The provisions for Parliament's second reading in Rules 69 (1), 71 (1) and 72 (2) and (4) 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.

5. The committee responsible may request a dialogue with the Council in order to reach a compromise ⁽¹⁾.

⁽¹⁾ See Rule 72 (2) (b).

6. The committee responsible shall submit a recommendation for second reading proposing the decision Parliament should take on the common position adopted by the Council. The recommendation shall include a short justification for the decision proposed.

7. If the common position is approved without amendment, the recommendation may take the form of a letter.

SECOND READING — PLENARY STAGE

Rule 67

Conclusion of second reading

1. The Council's common 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.

The recommendations for second readings submitted by parliamentary committees are equivalent to an explanatory statement in which the committee justifies its position in relation to the Council's common position. There is no vote on these texts.

2. The second reading shall be concluded when Parliament approves, rejects or amends the common position within the time limits and in accordance with the conditions laid down by Articles 189b and 189c of the EC Treaty.

Rule 68

Approval without amendment of the Council's common position

Where no motion to reject the common position, and no amendments to the common position, are adopted under Rules 71 and 72 within the time limits specified by Articles 189b and 189c of the EC Treaty, the President shall declare the common position approved without a vote, unless Parliament has approved the common position by a majority of the votes cast.

Rule 69

Intended rejection of the Council's common position

1. For legislative proposals falling under Article 189b of the EC Treaty a committee, a political group or at least

29 Members may, in writing and before a deadline set by the President, table a proposal for a declaration by Parliament of intended rejection of the Council's common position. The proposal shall require for its approval the votes of a majority of the component Members of Parliament. The proposal shall be put to the vote before any amendments.

2. If the proposal is approved, the President shall ask the Council whether it intends to convene the Conciliation Committee. If the Council does not intend to convene the Conciliation Committee, the President shall announce in Parliament that the procedure is terminated and the proposed act shall be deemed not to have been adopted.

3. For the composition and procedure of the delegation to the Conciliation Committee Rule 75 shall apply.

Rule 70

Conciliation during second reading

1. In the light of the conclusions of the Conciliation Committee convened pursuant to Rule 69 (2), Parliament's delegation may recommend that Parliament confirm its rejection of the common position in a separate vote by a majority of its component Members. If Parliament confirms the rejection the President shall declare the legislative procedure closed.

If Parliament does not confirm the rejection with the required majority then it shall proceed with the consideration of the common position and any amendments tabled to it.

2. In the light of the conclusions of the Conciliation Committee, Parliament's delegation may recommend that consideration of the common position and any amendments tabled to it be resumed or, in consultation with the committee responsible, propose new amendments for consideration by Parliament in accordance with Rule 72.

The delegation may recommend the application of Rule 115 (5) for the vote on the amendments.

Rule 71

Rejection of the Council's common position

1. The committee responsible, a political group or at least 29 Members may, in writing and before a deadline set by the President, table a proposal to reject the

common position of the Council. Such a proposal shall require for its adoption the votes of a majority of the component Members of Parliament. A proposal to reject the common position shall be voted on before voting on any amendments.

2. Notwithstanding a vote by Parliament against the initial proposal to reject the common position, Parliament may, on the recommendation of the rapporteur, consider a further proposal for rejection after voting on the amendments and hearing a statement from the Commission pursuant to Rule 72 (4).

3. If the common position of the Council is rejected, the President shall request the Commission to withdraw its proposal.

4. If the Commission does so, the President shall hold the cooperation procedure on the proposal to be superfluous and shall inform the Council accordingly.

Rule 72

Amendments to the Council's common position

1. The committee responsible, a political group or at least 29 Members may table amendments to the Council's common position for consideration in Parliament.

2. An amendment to the common position shall be admissible only if it conforms to the provisions of Rules 124 and 125 and:

- (a) it seeks to restore wholly or partly the position adopted by Parliament in its first reading; or
- (b) it is a compromise amendment representing an agreement between the Council and Parliament; or
- (c) it seeks to amend a part of the text of a common position which was not included in — or differs in content from — the proposal submitted in first reading and which does not amount to a substantial change within the meaning of Rule 62.

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

3. An amendment shall be adopted only if it secures the votes of a majority of the component Members of Parliament.

4. If one or more of the amendments are adopted, the rapporteur of the committee responsible or, failing him, the chairman of that committee shall ask the Commission to state its position.

*Rule 73***Consequences of the Commission failing to accept Parliament's amendments in its re-examined proposal**

1. For legislative proposals falling under Article 189c of the EC Treaty, the Conference of Presidents shall place the Commission's re-examined proposal on the draft agenda for the part-session following its adoption and the President shall request the Commission to inform Parliament of the reasons which led the Commission not to accept Parliament's amendments.

2. Parliament may, by a majority of its component Members, request the Commission to withdraw its proposal.

THIRD READING — CONCILIATION

*Rule 74***Convening of Conciliation Committee**

Where the Council is unable to approve all Parliament's amendments to the common position, the President may, after consulting the chairmen of the political groups and the chairman and rapporteur of the committee responsible, agree to a time and place for a first meeting of the Conciliation Committee. The six-week deadline for the Conciliation Committee to agree a joint text shall run from the time at which the Committee first meets.

*Rule 75***Delegation to 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 fix the exact number of Members from each political group.

3. The members of the delegation shall be appointed by the political groups for each particular conciliation case, preferably from among the members of the committees concerned, 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 chairman and the rapporteur of the committee responsible in each particular case shall be members of the delegation.

4. The political groups represented on the delegation may appoint substitutes who may only participate in the work of the Conciliation Committee if the full member is absent for the whole meeting.

5. Political groups not represented on the delegation may each send one representative to 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 be held *in camera*.

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

8. The results of the conciliation including any proposed amendments or compromises shall be reported by the delegation to Parliament in due time to allow Parliament to complete any further procedural steps pursuant to the provisions of the EC Treaty.

*Rule 76***Time limits**

1. The President shall, at the request of the delegation, ask the Council to agree to an extension, by a maximum of two weeks, of the six-week periods allowed for the work of the Conciliation Committee and for the approval of a joint text or the rejection of a Council text.

2. The President may, after consultation with the delegation, agree on behalf of Parliament to a request from the Council for an extension, by a maximum of two weeks, of the six-week periods mentioned in paragraph 1.

THIRD READING — PLENARY STAGE

*Rule 77***Joint text**

1. Where agreement on a joint text is reached within the Conciliation Committee, the matter shall automatically be placed on the agenda of the last part-session to fall within six or, if extended, eight weeks of the date of approval of the joint text by the Conciliation Committee unless the matter has been dealt with earlier.

2. Parliament shall discuss the joint text on the basis of a report by its delegation to the Conciliation Committee.

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.

Rule 78

Council text

1. Where no agreement is reached on a joint text within the Conciliation Committee, the President shall invite the Commission to withdraw its proposal, and invite the Council not to adopt under any circumstances a position pursuant to Article 189b (6) of the EC Treaty. Should the Council nonetheless confirm its common position, the President of the Council shall be invited to justify its decision before Parliament in plenary sitting. The matter shall automatically be placed on the agenda of the last part-session to fall within six or, if extended, eight weeks of the confirmation by the Council unless the matter has been dealt with at an earlier part-session.
2. Parliament shall discuss the Council text on the basis of a report from its delegation to the Conciliation Committee.
3. No amendments may be tabled to the Council text.
4. The Council text as a whole shall be the subject of a single vote. Parliament shall vote on a motion to reject the Council text. If this motion receives the votes of a majority of the component Members of Parliament, the President shall declare the proposed act not adopted.

Rule 79

Signature of adopted acts

For legislative acts adopted under the procedure in Article 189b of the EC Treaty, the President shall, after checking that all procedures have been properly completed, sign the act together with the President of the Council and arrange its publication in the *Official Journal of the European Communities*.

ASSENT PROCEDURE

Rule 80

Conclusion of assent procedure

1. Where Parliament is requested to give its assent to an international agreement or a legislative proposal, it shall do so on the basis of a report from the committee

responsible containing a draft legislative resolution only recommending the adoption or rejection of the proposal as a whole. No amendments may be tabled. The majority required for the adoption of the assent shall be the majority indicated in the relevant article of the EC Treaty.

2. For accession treaties and international agreements, Rules 89 and 90 shall apply respectively.

3. For legislative proposals the committee responsible may decide, in order to facilitate a positive outcome of the procedure, to present an interim report to Parliament with a motion for a resolution containing recommendations for modification or implementation of the proposal.

If Parliament approves at least one recommendation with the same majority as required for the final assent, the President shall request the opening of a conciliation procedure with the Council.

The committee responsible shall make its final recommendation for the assent of Parliament in the light of the outcome of the conciliation with the Council.

SUPERVISORY POWERS

Rule 81

Implementing provisions

When the Commission tables in Parliament an implementing measure which it has submitted to a management committee or a draft implementing measure which it has submitted to an advisory or regulatory committee, the President shall refer the document in question to the committee responsible for the proposal from which the implementing provisions derive.

Rule 82

Official consolidation of Community legislation

1. When a Commission proposal for official consolidation of Community legislation is submitted to Parliament, it shall be referred to the committee responsible for legal matters. Provided that it is ascertained that the proposal does not entail any change of substance to existing Community legislation, the procedure laid down in Rule 143 (1) shall be followed.

2. The chairman of the committee responsible or the rapporteur appointed by that committee may participate in the examination and revision of the proposal for consolidation. If necessary, the committee responsible may give its opinion beforehand.

3. Notwithstanding the provisions of Rule 143 (3), the procedure without report may not be applied to a proposal for official consolidation where this procedure is opposed by a majority of the members of the committee responsible for legal matters or of the committee responsible.

Rule 83

Consequences of the Council failing to act following approval of its common position

If, within three or, with the agreement of the Council, four months of the communication of the common position, Parliament has neither rejected nor amended the position, and the Council fails to adopt the proposed legislation in accordance with the common position, the President may, on behalf of Parliament and after

consulting the committee responsible for legal affairs, bring an action against the Council in the Court of Justice under Article 175 of the EC Treaty.

Rule 84

Proceedings before the Court of Justice

1. Parliament shall, within the time limits specified by the Treaties and the Statute of the Court of Justice for action by the institutions of the Union and by any natural or legal persons, examine Community legislation to ensure that its rights have been fully respected.

2. The committee responsible shall report to Parliament, orally if necessary, where it suspects a breach of Parliament's rights.

CHAPTER VIII

BUDGETARY PROCEDURES

Rule 85

General Budget

Implementing procedures for examination of the General Budget of the European Union and supplementary budgets, in accordance with the budgetary provisions of the Treaties establishing the European Communities and the Treaty of 22 July 1975, shall be adopted by resolution of Parliament and annexed to these Rules ⁽¹⁾.

Rule 86

Discharge to the Commission in respect of implementation of the budget

The provisions concerning the implementing procedures for the decision on the giving of a discharge to the Commission in respect of the implementation of the

⁽¹⁾ See Annex IV.

budget in accordance with the Treaty of 22 July 1975 and the Financial Regulation are attached to these Rules as an annex ⁽²⁾. This annex shall be adopted pursuant to Rule 163 (2).

Rule 87

Parliamentary control over implementation of the budget

1. Parliament shall monitor the implementation of the current year's budget. It shall entrust this task to the committee responsible for budgetary control and the other committees concerned.

2. Each year it shall, however, consider, before the first 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.

⁽²⁾ See Annex V.

CHAPTER IX

TREATIES AND INTERNATIONAL AGREEMENTS

Rule 88

ECSC Treaty amendments

1. Amendments proposed by the Commission and the Council under Article 95 of the ECSC Treaty shall be printed at the same time as the assenting opinion thereon delivered by the Court of Justice.

These documents shall be distributed and referred to the appropriate committee. In its report the committee shall recommend either adoption or rejection of the proposed amendment as a whole.

2. No amendment thereto shall be admissible, and split voting shall not be permitted. For adoption the proposed

amendment as a whole shall require a three-quarters majority of the votes cast, representing a two-thirds majority of the component Members of Parliament.

3. Any Member may table a motion for a resolution proposing to the Commission and Council amendments to the ECSC Treaty under Article 95 of that Treaty.

Such motions shall be printed, distributed and referred to the appropriate committee. They shall be adopted only if they secure the votes of a majority of the component Members of Parliament.

Rule 89

Accession treaties

1. Any application by a European State to become a member of the European Union shall be referred to the appropriate committee for consideration.

2. Parliament may decide, on a proposal from the committee responsible, a political group or at least 29 Members, to request the Commission and the Council to take part in a debate before negotiations with the applicant State commence.

3. Throughout the negotiations the Commission and the Council shall inform the committee responsible regularly and thoroughly of the progress in the 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. Such recommendations shall require the same majority as the final assent.

5. When the negotiations are completed, but before any agreement is signed, the draft agreement shall be submitted to Parliament for assent.

6. Parliament shall give its assent to an application by a European State to become a member of the European Union by a majority of its component Members on the basis of a report by the committee responsible.

Rule 90

International agreements

1. When it is intended to open negotiations on the conclusion, renewal or amendment of an international agreement, including agreements in specific areas such as monetary affairs or trade, the committee responsible shall ensure that Parliament is fully informed by the Commission about its recommendations for a negotiating mandate, if necessary on a confidential basis.

2. Parliament may, on a proposal from the committee responsible or a political group or at least 29 Members, request the Council not to authorize 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.

3. The committee responsible shall verify the chosen legal basis for international agreements pursuant to Rule 53.

4. Throughout the negotiations the Commission and the Council shall inform the committee responsible regularly and thoroughly of the progress in the negotiations, if necessary on a confidential basis.

5. At any stage of the negotiations Parliament may, on the basis of a report from the committee responsible, adopt recommendations and require that these be taken into account before the conclusion of the international agreement under consideration.

6. When the negotiations are completed, but before any agreement is signed, the draft agreement shall be submitted to Parliament for opinion or for assent. For the assent procedure Rule 80 shall apply.

7. Parliament shall give its opinion on, or its assent to, the conclusion, renewal or amendment of an international agreement or a financial protocol concluded by the European Community by a majority of the votes cast.

8. If the opinion adopted by Parliament is negative, the President shall request the Council not to conclude the agreement in question.

9. If Parliament, by a majority of the votes cast, withholds its assent to an international agreement, the President shall refer the agreement in question back to the Council for reconsideration.

CHAPTER X

COMMON FOREIGN AND SECURITY POLICY

*Rule 91***Consultation of and provision of information to Parliament within the framework of the common foreign and security policy**

1. The committee responsible for the common foreign and security policy shall ensure that Parliament is consulted on such policies and that its opinions are duly taken into account, particularly in connection with the joint actions referred to in Article J.3 of the Treaty on European Union and the actions referred to in Article 228a of the EC Treaty.
2. Where appropriate, the committee shall inform Parliament in accordance with these Rules.
3. The Council and the Commission shall provide the committee responsible with full, regular and timely information on the development of the Union's common foreign and security policy.
4. At the request of the Commission or the Council, a committee may decide to hold its proceedings *in camera*.

*Rule 92***Recommendations within the framework of the common foreign and security policy**

1. The committee responsible for the common foreign and security policy may draw up recommendations to the

Council in its areas of responsibility after obtaining authorization from the Conference of Presidents or on a proposal within the meaning of Rule 46.

In urgent cases the authorization referred to in the first subparagraph may be granted by the President, who may likewise authorize an emergency meeting of the committee concerned.

2. During the process for adopting these recommendations, which must be put to the vote in the form of a written text, Rule 102 shall not apply and oral amendments shall be admissible.

3. Recommendations drawn up in this way shall be included on the agenda for the next part-session. Recommendations shall be deemed adopted unless, before the beginning of the part-session, a minimum of one-tenth of the component Members of Parliament submit a written objection, in which case the committee's recommendations shall be considered and each recommendation shall be put to the vote as a whole in plenary during the same part-session.

4. The debates provided for under Article J.7 of the Treaty on European Union shall be held in accordance with the arrangements laid down in Rule 37 (2), (3) and (4).

CHAPTER XI

COOPERATION IN THE FIELDS OF JUSTICE AND HOME AFFAIRS

*Rule 93***Consultation of and provision of information to Parliament in the fields of justice and home affairs**

1. The committee responsible for matters relating to cooperation in the fields of justice and home affairs shall ensure that Parliament is fully informed and consulted on the activities covered by such cooperation and that its opinions are duly taken into consideration, particularly in connection with the joint positions, joint actions and conventions referred to in Article K.3 of the Treaty on European Union.

2. Where appropriate, the committee shall inform Parliament in accordance with these Rules.

3. The Council and Commission shall provide the committee responsible with full, regular and timely information on the development of cooperation in the fields of justice and home affairs.

4. At the request of the Commission or the Council, a committee may decide to hold its proceedings *in camera*.

5. The detailed Rules for consultation and information, including procedures and frequency, will be included as an annex to these Rules.

Rule 94

Recommendations in the fields of justice and home affairs

1. The committee responsible for matters relating to cooperation in the fields of justice and home affairs may draw up recommendations to the Council in its areas of responsibility after obtaining authorization from the Conference of Presidents or on a proposal within the meaning of Rule 46.

In urgent cases the authorization referred to in the first subparagraph may be granted by the President of Parliament, who may likewise authorize an emergency meeting of the committee concerned.

Recommendations drawn up in this way shall be included on the agenda for the next part-session.

2. The debates provided for under Article K.6 of the Treaty on European Union shall be held in accordance with the arrangements laid down in Rule 37 (2), (3) and (4).

CHAPTER XII

ORDER OF BUSINESS OF PARLIAMENT

Rule 95

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 Chairmen and taking into account the agreed annual legislative programme referred to in Rule 49.

The Commission and Council may attend the deliberations of the Conference of Presidents on the draft agenda at the invitation of the President.

2. The draft agenda may indicate voting times for certain items down for consideration.

3. One or two periods, together totalling a maximum of three hours, shall be set aside in the draft agenda for debates on topical and urgent subjects of major importance pursuant to Rule 47.

4. The final draft agenda shall be distributed to Members at least three hours before the beginning of the part-session.

President may give the floor to the mover, one speaker in favour and one speaker against. The maximum speaking time shall be one minute.

2. Once adopted, the agenda may not be amended, except in pursuance of Rules 97 and 128 to 132 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 97

Urgent procedure

1. A request that a debate on a proposal on which Parliament has been consulted pursuant to Rule 51 (1) be treated as urgent may be made to Parliament by the President, by a committee, by at least 29 Members, by the Commission or by 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 he shall announce this 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

Rule 96

Adopting and amending the agenda

1. At the beginning of each part-session, Parliament shall take a decision on the final draft agenda. Amendments may be proposed by a committee, a political group or at least 29 Members. Any such proposals must be received by the President at least one hour before the opening of the part-session. The

the request for urgent debate shall apply to all the requests on the same subject.

3. Before the vote, only the person making the request, one speaker in favour, one speaker against, and the chairman and/or rapporteur of the committee responsible may be heard, in each case for a maximum of 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 debate may be held without a report pursuant to Rule 143 (1) or, exceptionally, on the basis of an oral report by the committee responsible.

Rule 98

Joint debate

A decision may be taken at any time to debate similar or factually related items of business jointly.

Rule 99

Procedure without debate

1. Where the committee responsible requests that its report be adopted by Parliament without debate, or

where the committee has delivered its views on a Commission proposal without report pursuant to Rule 143 (1) or in accordance with the simplified procedure pursuant to Rule 143 (2), the proposal or report in question shall be placed on the draft agenda of the part-session following the decision by the committee.

2. The proposal and, where appropriate, the draft legislative resolution contained in the report shall be put to the vote without debate unless at least 29 Members lodge a protest in advance. In the latter case the report shall be placed on the draft agenda of a subsequent part-session with debate. Where, however, it has been decided to apply the procedure without report pursuant to Rule 143 (1), the Commission proposal shall be referred back to the committee responsible for reconsideration.

The procedure without debate shall apply where no amendments have been tabled by the committee responsible or where any amendments tabled have all been adopted with fewer than four dissenting votes.

Rule 100

Time limits

Except in the cases of urgency referred to in Rules 47 and 97, a debate and vote shall not be opened on a text unless it was distributed at least 24 hours previously.

CHAPTER XIII

GENERAL RULES FOR THE CONDUCT OF SITTINGS

Rule 101

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 the staff whose duties require their presence there, and experts or officials of the European Union.

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 102

Languages

1. All documents of Parliament shall be drawn up in the official languages.

2. 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.

Where it has been established after the result of a vote has been announced that there are discrepancies between different language versions, the President shall decide whether the result announced is valid pursuant to Rule 123 (5). If he declares the result valid, he shall decide which version is to be regarded as having been adopted.

However, the original version cannot be taken as the official text as a general Rule, since a situation may arise in which all the other languages differ from the original text.

Rule 103

Distribution of documents

Documents forming the basis for Parliament's debates and decisions shall be printed and distributed to Members. A list of these documents shall be published in the minutes of Parliament's sittings.

Rule 104

Public conduct of proceedings

Debates in Parliament shall be public unless Parliament decides otherwise by a majority of two-thirds of the votes cast.

Rule 105

Calling speakers and content of speeches

1. No Member may speak unless called upon to do so by the President. Members shall speak from their places and shall address the Chair; the President may invite them to come to the rostrum.

2. If a speaker departs from the subject, the President shall call him to order. If a speaker has already been called to order twice in the same debate, the President may, on the third occasion, forbid him to speak for the remainder of the debate on the same subject.

3. Without prejudice to his other disciplinary powers, the President may cause to be deleted from the reports of debates of sittings the speeches of Members who have not been called upon to speak by him or who continue to speak beyond the time allotted to them.

4. A speaker may not be interrupted. He may, however, by leave of the President, give way during his speech to allow another Member, the Commission or the Council to put to him a question on a particular point in his speech.

Rule 106

Allocation of speaking time

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. Speaking time 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;
- (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 subparagraphs (a) and (b).

3. 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.

4. No Member may speak for more than one minute on any of the following: the minutes of proceedings, procedural motions, amendments to the final draft agenda or to the agenda.

Rule 107

List of speakers

1. The names of Members who ask leave to speak shall be entered in the list of speakers in the order in which their requests are received.

2. The President shall call upon Members to speak, ensuring as far as possible that speakers of different political views and using different languages are heard in turn.

3. On request, however, priority may be given to the rapporteur of the committee responsible and to the chairmen of political groups who wish to speak on their behalf, or to speakers deputizing for them.

4. No Member may speak more than twice on the same subject, except by leave of the President.

The chairman and the rapporteur of the committees concerned shall, however, be allowed to speak at their request for a period to be decided by the President.

5. Members of the Commission and Council shall be heard in the debate on a report as a rule immediately after its presentation by the rapporteur. Thereafter Members of the Commission and Council shall be heard at their request.

If amendments have been tabled after the general debate, and the Commission has therefore not been able to express its view on them, it may do so before the opening of the vote on the proposal to which the amendments have been tabled.

*Rule 108***Personal statements**

1. A Member who asks to make a personal statement shall be heard at the end of the discussion of the item of the agenda being dealt with or when the minutes of the sitting to which the request for leave to speak refers are considered for approval.

The Member concerned may not speak on substantive matters but shall confine his observations to rebutting any remarks that have been made about his person in the course of the debate or opinions that have been attributed to him, or to correcting observations that he himself has made.

2. Unless Parliament decides otherwise, no personal statement shall last for more than three minutes.

*Rule 109***Order in the chamber**

1. The President shall call to order any Member who creates a disturbance during the proceedings.

2. Should the offence be repeated, the President shall again call the Member to order, and the fact shall be recorded in the minutes of proceedings.

3. If a further offence is committed, the President may exclude the offender from the chamber for the remainder of the sitting. The Secretary-General shall see to it that this disciplinary measure is carried out immediately, with the assistance of the staff of Parliament's Security Service.

*Rule 110***Exclusion of Members**

1. In serious cases of disorder, the President may, after giving formal notice, move, either immediately or no later than the next sitting, that Parliament pass a vote of censure which shall automatically involve immediate exclusion from the chamber and suspension for two to five days.

2. Parliament shall decide whether to take such disciplinary action at a time to be decided by the President, which shall be either at the sitting during which the events in question occurred or at one of the three following sittings. The Member concerned shall be entitled to be heard by Parliament before the vote. His/her speaking time shall not exceed five minutes.

3. An electronic vote shall be taken without debate on the request for disciplinary action. Requests submitted pursuant to Rules 112 (3) and 119 (1) shall not be admissible.

*Rule 111***Disturbances**

Should disturbances in Parliament threaten to obstruct the business of the House, the President shall close or suspend the sitting for a specific period to restore order. If he cannot make himself heard, he shall leave the Chair; this shall have the effect of suspending the sitting. The President shall reconvene the sitting.

CHAPTER XIV

QUORUM AND VOTING

*Rule 112***Quorum**

1. Parliament may deliberate, settle its agenda and approve the minutes of proceedings, 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 29 Members, establishes at the moment of voting that the quorum is not present. If the vote shows that the quorum is not present, the vote shall be placed on the agenda of the next sitting.

A request for the quorum to be established must be made by at least 29 Members. A request on behalf of a political group is not admissible.

When establishing the result of the vote, account must be taken, pursuant to paragraph 2, of all the Members present in the Chamber and, pursuant to paragraph 4, of all the Members who asked for the quorum to be established. The electronic voting system cannot be used for this purpose. The doors of the Chamber may not be closed.

If the number of Members required to make up the quorum is not present, the President shall not announce the result of the vote but shall declare that the quorum is not present.

Paragraph 3 last sentence shall not apply to votes on procedural motions but only to votes on the subject matter itself.

4. Members who have asked for the quorum to be established shall be counted as being present within the meaning of paragraph 2, even if they are no longer in the Chamber.

5. If fewer than 29 Members are present, the President may rule that there is no quorum.

Rule 113

Voting procedure

1. The following voting procedure shall apply to reports:

- (a) first, voting on any amendments to the text with which the report of the committee responsible is concerned;
- (b) second, voting on the text as a whole, amended or otherwise;
- (c) third, voting on the individual paragraphs of the motion for a resolution/draft legislative resolution, preceded in each case by voting on any amendments thereto;
- (d) finally, voting on the motion for a resolution/draft legislative resolution as a whole (final vote).

Parliament shall not vote on the explanatory statement contained in the report.

(See also interpretation under Rule 150.)

2. The following procedure shall apply to second readings pursuant to the cooperation procedure:

- (a) where no proposal to reject or amend the Council's common position has been tabled, the common position shall be deemed to have been approved in accordance with Rule 68;
- (b) a proposal to reject the common position shall be voted upon before voting on any amendments (see Rule 71 (1));
- (c) where several amendments to the common position have been tabled they shall be put to the vote in the order set out in Rule 115;
- (d) where Parliament has proceeded to a vote to amend the common position, a further vote on the text as a whole may only be taken in accordance with Rule 71 (2).

3. Without prejudice to Rule 122, the only Member permitted to speak during the vote shall be the

rapporteur, who shall have the opportunity of expressing briefly his committee's views on the amendments put to the vote.

Rule 113a

Tied votes

1. In the event of a tied vote under Rule 113 (1) (b) or (d), the text as a whole shall be referred back to committee. This shall also apply to votes under Rules 6 and 7 and final votes under Rules 137 and 153.

2. In the event of a tied vote on the Agenda as a whole (Rule 96) or the Minutes as a whole (Rule 133), or on a text put to a split vote under Rule 116, the text shall be deemed 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 rejected.

Rule 114

Principles governing voting

1. Voting on a report shall take place on the basis of a recommendation from the committee responsible. The committee may delegate this task to its chairman and rapporteur.

2. The committee may recommend that all or several amendments be put to the vote collectively, that they be accepted or rejected or declared void.

It may also propose compromise amendments.

3. Where the committee responsible recommends that amendments be put to the vote collectively, the collective vote on these amendments shall be taken first.

4. Where the committee responsible proposes a compromise amendment it shall be given priority in voting.

5. Amendments for which a roll call vote has been requested shall be put to the vote individually.

6. A split vote shall not be admissible in the case of a collective vote or a vote on a compromise amendment.

Rule 115

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 stand 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.

3. The President may put the original text to the vote first, or put to the vote before the amendment that departs furthest from the original text an amendment that is closer to the original text.

If either of these secures a majority, all other amendments tabled to the same text shall fall. Before applying this procedure, the President shall establish that it is not opposed by at least 29 Members. If it is, he may not apply this procedure.

4. Exceptionally, on a proposal from the President, amendments tabled after the close of the debate may be put to the vote if they are compromise amendments, or if there are technical problems. The President shall obtain the agreement of Parliament to putting such amendments to the vote.

Pursuant to Rule 125 (3), the President shall decide whether amendments are admissible. In the case of compromise amendments tabled after the conclusion of a debate, pursuant to Rule 115 (4), the President shall decide on their admissibility case by case, having regard to the compromise nature of the amendments.

The following general criteria for admissibility may be applied:

- as a general rule, compromise amendments may not relate to parts of the text which have not been the subject of amendments prior to the conclusion of the debate,
- as a general rule, compromise amendments shall be tabled by political groups, the chairmen, rapporteurs or draftsmen of the committees concerned or the authors of other amendments,
- as a general rule, compromise amendments shall 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 Members present.

5. The President may put several amendments to the vote collectively when they are complementary, in particular when the committee responsible has tabled a set of amendments to the text with which its report is concerned. The President may seek the agreement of Parliament before doing so.

6. The President may decide, following the adoption or rejection of a particular amendment, that several other amendments of similar content or with similar objectives be put to the vote collectively. The President may seek the agreement of Parliament before doing so.

Rule 116

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 each with a distinct logical meaning and normative value, a split vote may be requested.

Where a split vote is held the relevant Rules on majorities must be observed.

2. The request may be made no later than one hour before the time at which voting begins, unless the President fixes a different deadline. The President shall decide on the request.

Rule 117

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 shall be considered as a serious case of disorder as referred to in Rule 110 (1) and shall have the legal consequences mentioned in that Rule.

Rule 118

Voting

1. Normally Parliament shall vote by show of hands.

2. If the President decides that the result is doubtful, a fresh vote shall be taken using the electronic voting system and, if the latter is not working, by sitting and standing.

3. The result of the vote shall be recorded.

*Rule 119***Voting by roll call**

1. In addition to the cases provided for under Rules 32 (2), 33 (5) and 34 (5), the vote shall be taken by roll call if so requested in writing by at least 29 Members or a political group before voting has begun.

2. The roll shall 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 by word of mouth and shall be expressed by 'Yes', 'No', or 'I abstain'. In calculating whether a motion has been adopted or rejected account shall be taken only of votes cast for and against. The President shall establish the result of the vote and announce it.

Voting shall be recorded in the minutes of proceedings of the sitting by political group in the alphabetical order of Members' names.

*Rule 120***Electronic voting**

1. The President may at any time decide that the voting operations indicated in Rules 118, 119 and 121 shall be carried out by means of an electronic voting system.

Where the electronic voting system cannot be used for technical reasons, voting shall take place pursuant to Rules 118, 119 (2) or 121.

The technical instructions for the use of the electronic voting system shall be governed by instructions from the Bureau.

2. Where an electronic vote is taken, only the numerical result of the vote shall be recorded.

However, if a vote by roll call has been requested in accordance with Rule 119 (1), the votes shall be recorded in the minutes of proceedings of the sitting by political group in the alphabetical order of Members' names.

3. The vote by roll call shall be taken in accordance with Rule 119 (2) if a majority of the Members present so requests; the system indicated in paragraph 1 of this Rule may be used to determine whether a majority exists.

*Rule 121***Voting by secret ballot**

1. In the case of appointments, voting shall be by secret ballot without prejudice to Rules 13 (1), 137 (1) and 142 (2) second subparagraph.

Only ballot papers bearing the names of Members who have been nominated shall be taken into account in calculating the number of votes cast.

2. Voting may also be by secret ballot if requested by at least one fifth of the component Members of Parliament. 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. Four Members chosen by lot shall count the votes cast in a secret ballot.

In the case of votes pursuant to 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 122***Explanations of vote**

1. Once the general debate has been concluded, any Member may give an oral explanation on the final vote for not longer than one minute or give a written explanation of no more than 200 words, which shall be included in the verbatim report of proceedings.

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 has begun.

2. Explanations of vote shall not be admissible in cases of votes on procedural matters.

3. When a Commission proposal or a report is on the agenda of Parliament pursuant to Rule 52 (5) or 99, Members may submit written explanations of vote pursuant to paragraph 1.

Explanations of vote given either orally or in writing must have a direct bearing on the text being put to the vote.

*Rule 123***Disputes on voting**

1. The President shall declare votes open and closed.

2. Once the President has declared a vote open, no one except the President shall be allowed to speak until the vote is declared closed.

3. Points of order concerning the validity of a vote may be raised after the President has declared it closed.
4. After the result of a vote by show of hands has been announced, a Member may request that this result be cross-checked using the electronic voting system.
5. The President shall decide whether the result announced is valid. His decision shall be final.

Rule 124

Tabling and moving amendments

1. Any Member may table amendments for consideration in the committee responsible.

Amendments for consideration in Parliament may be tabled by the committee responsible, a political group or at least 29 Members.

Amendments shall be tabled in writing and signed by their authors.

2. Subject to the limitations laid down in Rule 125, an amendment may seek to change any part of a text, and may be directed to deleting, adding or substituting words or figures.

In this and the following Rule the term 'text' means the whole of a motion for a resolution/draft legislative resolution, of a proposal for a decision or of a Commission proposal.

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.
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 printed and distributed in all the official languages, unless Parliament decides otherwise. Parliament may not decide otherwise if at least 12 Members object.

(For procedure in committee see also interpretation under Rule 150.)

Rule 125

Admissibility of amendments

1. 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) where it seeks to delete part of a text, its purpose can be achieved by holding a split vote pursuant to Rule 116; this provision shall not however preclude the inclusion in a report on a consultation pursuant to Rule 51 of an amendment to delete a part of a Commission proposal;
 - (d) 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;
 - (e) it is established that the wording in at least one of the official languages of the text it is sought to amend does not call for amendment; in this case, the President shall seek out a suitable linguistic remedy together with those concerned.
2. An amendment shall lapse if it is inconsistent with decisions previously taken on the text during the same vote.
3. The President shall decide whether amendments are admissible.

The President's decision pursuant to paragraph 3 concerning the admissibility of amendments is not based exclusively on the provisions of paragraphs 1 and 2 of this Rule but on the provisions of the Rules in general.

CHAPTER XV

INTERRUPTIVE AND PROCEDURAL MOTIONS

Rule 126

Procedural motions

1. Requests to move a procedural motion, namely:

- (a) the inadmissibility of a matter (Rule 128);
- (b) referral back to committee (Rule 129);
- (c) the closure of a debate (Rule 130);

(d) the adjournment of a debate (Rule 131);

Rule 129

(e) the suspension or closure of the sitting (Rule 132);

Referral back to committee

shall take precedence over other requests to speak.

Only the following shall be heard on these motions in addition to the mover: one speaker in favour and one against and the chairman or rapporteur of the committee responsible.

2. Speaking time shall not exceed one minute.

1. Referral back to committee may be requested by a political group or at least 29 Members when the agenda is fixed or before the start of the debate or the final vote.

2. A request may be made only once at each of these three procedural stages.

3. Referral back to committee shall entail suspension of the discussion of the item.

4. Parliament may set a time limit within which the committee shall report its conclusions.

Rule 127

Points of order

1. A Member may be allowed to speak to draw the attention of the President to any failure to respect Parliament's Rules of Procedure. The Member shall first specify to which Rule he/she is referring.

2. A request to raise a point of order shall take precedence over all other requests to speak.

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 his ruling immediately after the point of order has been raised. No vote shall be taken on the President's decision.

5. Exceptionally, he may state that he will announce his ruling later, but not more than 24 hours after the point of order was raised. The postponement of the ruling shall not entail the adjournment of the debate. The President may refer the matter to the appropriate committee.

Rule 130

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 at least 29 Members. Such a proposal or request shall be put to the vote immediately.

2. If the proposal or request is carried, only one Member 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 that debate.

Rule 128

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.

Such a motion shall be put to the vote immediately.

2. If the motion is carried, Parliament shall immediately proceed to the next item on the agenda.

Rule 131

Adjournment of a debate

1. At the start of a debate on an item on the agenda, a political group or at least 29 Members may move that the debate be adjourned to a specific date and time. Such a motion shall be put to the vote 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 that part-session.

Rule 132

Suspension or closure of the sitting

Any decision by Parliament to adjourn a debate to a subsequent part-session shall specify the part-session on the agenda of which the debate is to be included, on the understanding that the agenda for that part-session shall be drawn up pursuant to Rules 95 and 96.

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 a political group or at least 29 Members. Such a proposal or request shall be put to the vote immediately.

CHAPTER XVI

PUBLIC RECORD OF PROCEEDINGS

Rule 133

Minutes

1. The minutes of each sitting, containing the decisions of Parliament and the names of speakers, shall be distributed at least half an hour before the opening of the next sitting.

Within the context of legislative proceedings all amendments adopted by Parliament are also deemed to be 'decisions' within the meaning of this paragraph, even if the relevant Commission proposal or the Council's common position is ultimately rejected, pursuant to Rule 59 (1) or 7 (3) respectively.

2. At the beginning of each sitting the President shall place before Parliament, for its approval, the minutes of the previous sitting.

3. If any objections are raised to the minutes Parliament shall, if necessary, decide whether the changes requested

should be considered. No Member may speak on the minutes for more than one minute.

4. The minutes shall be signed by the President and the Secretary-General and preserved in the records of Parliament. They shall be published within one month in the *Official Journal of the European Communities*.

Rule 134

Verbatim reports

1. A verbatim report of the proceedings of each sitting shall be drawn up in the official languages.

2. Speakers shall be required to return typescripts of their speeches to the Secretariat not later than the day following that on which they received them.

3. The verbatim report shall be published as an annex to the *Official Journal of the European Communities*.

CHAPTER XVII

COMMITTEES

Rule 135

Setting up of committees

1. Parliament shall set up standing committees whose powers shall be defined in an annex to the Rules of Procedure ⁽¹⁾. Their members shall be elected during the first part-session following the re-election of Parliament and again two and a half years thereafter.

2. Parliament may at any time set up temporary committees, whose powers, composition and term of

office shall be defined at the same time as the decision to set them up is taken; their term of office may not exceed 12 months, except where Parliament extends that term on its expiry.

As the powers, composition and terms of office of temporary committees are decided at the same time as these committees are set up, it follows that Parliament cannot subsequently decide to alter the powers either by increasing or reducing them.

⁽¹⁾ See Annex VI.

The provisions of this Rule that powers are determined at the same time as a committee is set up apply only in the case of temporary committees.

The powers of standing committees, on the other hand, are recorded in an annex to the Rules of Procedure and are laid down by a different procedure. They can therefore be determined at a time other than that at which the committee is set up.

Rule 136

Temporary committees of inquiry

1. 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 alleged maladministration in the application of Community law which would appear to be the act of an institution or body of the European Communities, of a public administrative body of a Member State, or of persons empowered by Community law to implement that law.

The decision to set up a temporary committee of inquiry shall be published in the *Official Journal of the European Communities* within one month. In addition, Parliament shall take all the necessary steps to make this decision as widely known as possible.

2. The *modus operandi* of a temporary committee of inquiry shall be governed by the provisions of these Rules of Procedure relating to committees, save as otherwise specifically provided for in this Rule and in the Decision 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 which is annexed to these Rules ⁽¹⁾.

3. The request to set up a temporary 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 by the Conference of Presidents, shall decide whether to set up a committee and, if it decides to do so, on its composition, in accordance with the provisions of Rule 137.

4. A temporary committee of inquiry shall complete its work on the submission of a report within a maximum period of 12 months. Parliament may twice decide to extend this period by three months.

Only full members or, in their absence, permanent substitutes may vote in a temporary committee of inquiry.

5. A temporary committee of inquiry shall elect its chairman and two vice-chairmen 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.

In the interval between one meeting and another, the bureau of the committee shall, in cases of urgency or need, exercise the committee's powers, subject to ratification at the next meeting.

6. When a temporary committee of inquiry considers that one of its rights has been infringed, it shall propose that the President take appropriate measures.

7. A temporary committee of inquiry may contact the institutions or persons referred to in Article 3 of the Decision referred to in paragraph 2 with a view to holding a hearing or obtaining documents.

Travel and accommodation expenses of members and officials of Community institutions and bodies shall be borne by the latter. Travel and accommodation expenses of other persons who appear before a temporary committee of inquiry shall be reimbursed by the European Parliament in accordance with the Rules governing hearings of experts.

Any person called to give evidence before a temporary committee of inquiry may claim the rights they would enjoy if acting as a witness before a tribunal in their country of origin. They must be informed of these rights before they make a statement to the committee.

With regard to the languages used, a temporary committee of inquiry shall apply the provisions of Rule 102 of the Rules of Procedure. However, the bureau of the committee:

- may restrict interpretation to the official languages of those who are to take 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.

8. The chairman of a temporary committee of inquiry shall, together with the bureau, ensure that the secrecy or confidentiality of the deliberations are respected and shall give members due notice to this effect.

He shall also explicitly refer to the provisions of Article 2 (2) of the Decision referred to above. Annex VII to the Rules of Procedure shall apply.

9. Secret or confidential documents which have been forwarded shall be examined using technical measures to ensure that only the members responsible for the case have personal access to them. The members in question shall give a solemn undertaking not to allow any other

⁽¹⁾ See Annex VIII.

person access to secret or confidential information, in accordance with this Rule, and to use such information exclusively for the purposes of drawing up their report for the temporary committee of inquiry. Meetings shall be held on premises equipped in such a way as to make it impossible for any non-authorized persons to listen to the proceedings.

10. After completion of its work a temporary committee of inquiry shall submit to Parliament a report on the results of its work, containing minority opinions if appropriate. The report shall be published.

At the request of the temporary committee of inquiry Parliament shall hold a debate on the report at the part-session following its submission.

The committee may also submit to Parliament a draft recommendation addressed to institutions or bodies of the European Communities or the Member States.

11. The President shall instruct the committee responsible pursuant to Annex VI to the Rules of Procedure to monitor the action taken on the results of the work of the temporary committee of inquiry and, if appropriate, to report thereon. He shall take any further steps which are deemed appropriate to ensure that the conclusions of the inquiry are acted upon in practice.

Rule 137

Composition of committees

1. Members of committees and temporary 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 to Parliament proposals designed to ensure fair representation of Member States and of political views.

When a Member changes political groups he shall retain, for the remainder of his two and a half year term of office, the seats he holds 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 shall be made by the Conference of Presidents in accordance with the procedure laid down in paragraph 1, second sentence, whereby the individual rights of the Member concerned shall be guaranteed.

2. Amendments to the proposals of the Conference of Presidents shall be admissible only if they are tabled by at least 29 Members. Parliament shall vote on such amendments by secret ballot.

3. Members shall be deemed to be elected on the basis of the proposals by the Conference of Presidents, as and where amended pursuant to paragraph 2.

4. Where a political group fails to submit nominations for membership of a temporary committee of inquiry pursuant to 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 and having regard to paragraph 1.

6. Any such changes shall be placed before Parliament for ratification at the next sitting.

Rule 138

Substitutes

1. The political groups and the Non-attached Members may appoint a number of permanent 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, in the event of the absence of the full member, to take part in the vote.

2. In addition, in the absence of the full member and where no permanent substitutes have been appointed or in their absence, the full member of the committee may arrange to be represented at meetings by another member of his political group, who shall be entitled to vote. The name of the substitute shall be notified in advance to the chairman of the committee.

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 Rule 138 encompass two concepts which are clearly defined by this text:

- *a political group may not have more permanent substitutes for 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,*
- *where the number of a political group's full members in a committee is altered, the maximum number of permanent substitutes which it can appoint to that committee is altered accordingly,*
- *when a Member changes political groups, he may not keep the status of permanent substitute which he had as a member of his original group,*
- *a committee member may not under any circumstances be a substitute for a colleague who belongs to another political group.*

Rule 139

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. The duties of temporary committees and temporary committees of inquiry shall be defined when they are set up⁽¹⁾; they shall not be entitled to deliver opinions to other committees.
2. Should a standing committee declare itself not competent to consider a question, or should a conflict arise over the competence of two or more standing committees, the question of competence shall be placed on Parliament's agenda on a proposal from the Conference of Presidents or at the request of one of the standing committees concerned.
3. 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 for sound reasons to depart from this Rule under the conditions laid down in paragraph 1.

4. Any two or more committees or subcommittees may jointly consider matters coming within their competence, but they may not take a decision.

5. Any committee may, with the agreement of the Bureau of Parliament, instruct one or more of its members to undertake a study or fact-finding mission.

Rule 140

Committee responsible for the verification of credentials

Among the committees set up in accordance with the provisions of these Rules, one committee shall be

⁽¹⁾ See interpretation under Rule 135 (2).

responsible for the verification of credentials and the preparation of decisions on any objections concerning the validity of elections.

Rule 141

Subcommittees

1. Subject to prior authorization by the Conference of Presidents a standing or temporary committee may, in the interests of its work, appoint one or more subcommittees, of which it shall at the same time determine the composition, pursuant to Rule 137, and area of responsibility. Subcommittees shall report to the committee that set them up.

2. The procedure for subcommittees shall be the same as for committees.

3. Substitutes shall be allowed to sit on subcommittees under the same conditions as on committees.

The provisions of this Rule are to be applied strictly, particularly with regard to the interdependence between a subcommittee and the committee within which it is set up. This means, in particular, that the members of a subcommittee are chosen from among the members of the parent committee.

Rule 142

Committee bureaux

1. At the first committee meeting after the election of committee members pursuant to Rule 137, the committee shall elect a bureau consisting of a chairman and one, two or three vice-chairmen who shall be elected in separate ballots.

2. Without prejudice to the second subparagraph of this paragraph, the bureau shall be elected by secret ballot without debate. Its election shall require an absolute majority of the votes cast; where, however, a second ballot proves to be necessary, a relative majority shall suffice.

If the number of nominations corresponds to the number of seats to be filled, the candidate or candidates may be declared elected without holding the ballot referred to in the first subparagraph.

Rule 143

Procedure without report — simplified procedure

1. At each committee meeting the chairman shall submit to the committee a list of the proposals which in his opinion and/or at the President's recommendation should be approved without report.

The chairman shall put each proposal on the list to the committee for decision. Unless at least four members object, the chairman of the committee shall inform the President of the approval of the proposal.

2. At the recommendation of the President or following a proposal from its chairman, the committee may deliver its views on a proposal in accordance with the simplified procedure.

Unless at least four members object to this procedure, the committee chairman shall be deemed to have been appointed rapporteur. The draft report, consisting of a procedural section, a draft legislative resolution and a brief explanatory statement, shall be sent to the members of the committee. Unless at least four members of the committee object within a set time limit, which may not be less than 14 days from the date of dispatch, the report shall be considered as having been adopted by the committee. In this case the draft legislative resolution contained in the report shall be put to the vote in Parliament without debate pursuant to Rule 99.

3. If at least four members object to the procedure referred to in paragraph 1 or 2, the procedure provided for in Rule 144 (procedure with report) shall be followed.

Rule 144

Committee reports on consultations

1. The chairman of the committee to which a Commission proposal has been referred shall propose to the committee the procedure to be followed.

2. Following a decision on the procedure to be followed, and if Rule 143 does not apply, the committee shall appoint a rapporteur on the Commission proposal from among its members or permanent substitutes if it has not yet done so on the basis of the annual legislative programme agreed under Rule 49.

3. The committee's report shall comprise:

- (a) draft amendments, if any, to the proposal;
- (b) a draft legislative resolution, in accordance with Rule 58(2);
- (c) an explanatory statement.

Rule 145

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

3. The committee's report shall comprise:

- (a) a motion for a resolution;
- (b) an explanatory statement;
- (c) the texts of any motions for resolutions to be included under Rule 45 (4).

Rule 146

Explanatory statements and deadlines

1. 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 and shall, where necessary, give a clear indication of the minority opinion.

2. The report shall state the result of the vote taken on the report as a whole. In addition, if, when the vote is taken, at least one third of the members present so request, the report shall indicate how each member voted.

3. Where the committee's opinion is not unanimous the report shall also give a summary of the minority opinion.

4. On a proposal from its bureau, a committee may set a deadline within which the rapporteur shall submit his draft report. This deadline may be extended.

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

Rule 147

Opinions of committees

1. Should the committee to which a question was first referred wish to hear the views of another committee, or should another committee wish to make known its views on the report of the committee to which a question was first referred, such committees may request the President that, in accordance with Rule 139 (3), one committee be named as the committee responsible and the other as the committee asked for an opinion.

2. The committee asked for an opinion shall communicate the opinion to the committee responsible either orally, through its chairman or draftsman, or in writing. Its opinion shall relate to the text referred to it.

3. In its report the committee responsible shall set out the views of the committee asked for an opinion, in so far as these differ from its own.

4. The committee asked for an opinion must deliver it within the time limit set by the committee responsible so that it may be taken into account when voting the report in committee. The committee responsible shall not reach its final conclusions before that time limit has expired.

5. The opinion may include amendments to the text referred to the committee and suggestions for parts of the motion for a resolution submitted by the committee responsible, but shall not include any motion for a resolution as such.

(For voting procedure on opinions, see interpretation under Rule 150.)

6. Only the committee responsible may table amendments in Parliament.

7. The chairman and draftsman of the committee asked for an opinion may take part in an advisory capacity in meetings of the committee responsible, in so far as these relate to the matter of common concern.

Rule 148

Own-initiative reports

A committee intending to draw up a report and to submit a motion for a resolution to Parliament on a subject within its competence on which neither a consultation nor a request for an opinion nor a motion for a resolution has been referred to it may do so only with the authorization of the Conference of Presidents. Where such authorization is withheld the reason must always be stated.

The Conference of Presidents may, when giving authorization, stipulate that the power to take a decision is to be delegated pursuant to Rule 52.

The condition laid down in the first paragraph of this Rule, whereby the Rule shall only apply where neither a consultation nor a request for an opinion nor a motion for a resolution has been referred to the committee making the request, must be observed all the more strictly because it protects Members' right of initiative by allowing the application of Rule 45. Rule 45, moreover, gives the committee responsible a wide margin for manoeuvre as to the action to be taken on motions for resolutions forwarded to it.

Rule 149

Question Time in committee

Question Time may be held in committee if a committee so decides. Each committee shall decide its own Rules for the conduct of Question Time.

Rule 150

Procedure in committee

1. A committee may validly vote when one quarter of its members are actually present. However, if so requested by one sixth of its members before voting begins, the vote shall be valid only if the majority of the component members of the committee have taken part in it.

2. Voting in committee shall be by show of hands, unless a quarter of the committee's members request a vote by roll call.

3. The chairman may take part in discussions and may vote, but without having a casting vote.

4. Rules 12, 13, 14, 17, 18, 102, 103, 105, 107 (1), 109, 111, 113, 113a, 115, 116, 117, 118, 119, 121, 123, 124, 125, 126, 127, 128, 131 and 132 shall apply *mutatis mutandis* to committee meetings.

5. In the light of the amendments tabled, the committee may, instead of proceeding to a vote, request 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 to this draft.

(Rule 124 (6))

Oral amendments tabled in committee shall be put to the vote unless a member objects.

(Rules 113 and 147)

The voting procedure for opinions is as follows:

1. *The committee asked for an opinion shall hold a vote on the conclusions of the opinion as a whole, if necessary after voting on each conclusion individually. If no conclusions are adopted, the opinion sent to the committee responsible shall be made up solely of any amendments adopted to the text referred to the committee for an opinion. The result of the vote on the conclusions or amendments as a whole shall be recorded in the opinion.*

2. *The text preceding the amendments or conclusions of the opinion (which can be regarded as an explanatory statement) may have to be amended as a result of this voting. However, no vote shall be taken on this.*

3. *The committee asked for an opinion shall not vote on the Commission's proposal as a whole.*

Rule 151**Committee meetings**

1. A committee shall meet when convened by its chairman or at the request of the President.

2. Without prejudice to the provisions of these Rules which require the committees to hold debates and votes in public, committees shall decide, following their establishment under Rule 135 (1), whether their meetings shall normally be held in public.

Committees may divide the agenda for a particular meeting into items open to the public and items closed to the public.

3. The Commission and Council may take part in committee meetings if invited to do so on behalf of a committee by its chairman.

By special decision of a committee, any other person may be invited to attend and to speak at a meeting.

By analogy, the decision on whether to allow Members' personal assistants to be present at committee meetings shall be left to the discretion of each committee.

The committee responsible may, subject to approval by the Bureau, organize a hearing of experts if it considers such a hearing essential to the effective conduct of its work on a particular subject.

Committees asked for opinions may attend the hearing if they so wish.

4. Without prejudice to Rule 147 (7) and unless a committee decides otherwise, Members may attend meetings of committees to which they do not belong but may not take part in their deliberations.

Such Members may, however, be allowed by the committee to take part in its proceedings in an advisory capacity.

Rule 152**Minutes of committee meetings**

1. The minutes of each meeting of a committee shall be distributed to all its members and submitted to the committee for its approval at its next meeting.

2. Unless the committee decides otherwise, only adopted reports and statements prepared on the responsibility of the chairman shall be made public.

CHAPTER XVIII**INTERPARLIAMENTARY DELEGATIONS****Rule 153****Setting up and duties of interparliamentary delegations**

1. Parliament shall set up standing interparliamentary delegations. A decision shall be taken on the number of their members bearing in mind their duties. The members shall be elected during the first part-session following the re-election of Parliament and again two and a half years thereafter.

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 — fair representation of Member States and of political views. Rule 137 (2), (3), (5) and (6) shall apply.

3. The bureaux of the delegations shall be set up in accordance with the procedure used for committee bureaux.

4. Parliament shall determine the general powers of the individual delegations. It may at any time decide to increase or restrict these powers.

5. The implementing provisions needed to enable the delegations to carry out their work shall be adopted by the Conference of Presidents upon a proposal by the Conference of Delegation Chairmen.

6. The chairman of a delegation shall submit to the committee responsible for foreign affairs and security a report on the activities of the delegation.

Rule 154**Report for the Parliamentary Assembly of the Council of Europe**

1. At the beginning of the session which opens on the second Tuesday in March each year, the Bureau shall appoint a rapporteur to prepare a report to the Parliamentary Assembly of the Council of Europe on the activities of Parliament.

2. After this report has been approved by the Bureau and by Parliament, it shall be forwarded direct by the President of Parliament to the President of the Parliamentary Assembly of the Council of Europe.

Rule 155

Joint parliamentary committees

1. The European Parliament may set up joint parliamentary committees with the parliaments of States associated with the Community 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 and by the agreements with the third countries.

3. Joint parliamentary committees shall be governed by the procedures laid down in the agreement in question. Such procedures shall be based on the principle of parity between the delegation of the European Parliament and the delegation of the parliament involved.

The European Parliament shall appoint its representatives in accordance with Rule 153.

4. Joint parliamentary committees shall draw up their own rules of procedure and submit them for approval to the bureaux of the European Parliament and of the parliament involved.

5. The composition of European Parliament delegations to joint parliamentary committees shall be established at the same time and under the same conditions as for standing committees.

CHAPTER XIX

PETITIONS

Rule 156

Right of petition

1. 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 the European 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, occupation, nationality and permanent address of each signatory.

3. Petitions must be written in one of the official languages of the European Union.

4. 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 therefor.

5. Petitions entered in the register shall be forwarded by the President to the committee responsible, which shall first ascertain whether the petitions registered fall within the sphere of activities of the European Union.

6. Petitions declared inadmissible by the committee shall be filed; the petitioner shall be informed of the decision and the reasons therefor.

7. In such cases the committee may suggest to the petitioner that he contact the competent authority of the Member State concerned or of the European Union.

8. Where the committee deems it appropriate, it may refer the matter to the Ombudsman.

9. Petitions addressed to the European 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 considering petitions, which may request those which it wishes to consider.

Rule 157

Examination of petitions

1. The committee responsible may decide to draw up a report or otherwise express its opinion on petitions it has declared admissible.

The committee may, particularly in the case of petitions which seek changes in existing law, request opinions from other committees pursuant to Rule 147.

2. When considering petitions, the committee may organize hearings or dispatch members to establish the facts of the situation *in situ*.

3. With a view to preparing its opinions, the committee may request the Commission to submit documents, to supply information and to grant it access to its facilities.

4. The committee shall, where necessary, submit motions for resolutions to Parliament on petitions which it has considered.

The committee may also request that its opinions be forwarded by the President to the Commission or the Council.

5. The committee shall inform Parliament every six months of the outcome of its deliberations.

The committee shall, in particular, inform Parliament of the measures taken by the Council or the Commission on petitions referred to them by Parliament.

6. The President shall inform petitioners of the decisions taken and the reasons therefor.

Rule 158

Notice of petitions

1. Notice shall be given in Parliament of the petitions entered in the register referred to in Rule 156 (4) 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 texts of petitions entered in the register, together with the texts of the committee's opinions forwarded with them, shall be preserved in the records of Parliament, where they shall be available for inspection by Members

CHAPTER XX

OMBUDSMAN

Rule 159

Appointment of the Ombudsman

1. At the start of each parliamentary term, immediately after his election or in the cases referred to in paragraph 8, the President shall call for nominations for the office of Ombudsman and set a time limit for submitting nominations. A notice calling for nominations shall be published in the *Official Journal of the European Communities*.

2. Nominations must have the support of a minimum of 29 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 required by the Regulations on the Ombudsman.

3. Nominations shall be forwarded to the committee responsible, which may ask to hear the nominees.

Such hearings shall be open to all Members.

4. A list of admissible nominations in alphabetical order shall then be submitted to the vote of Parliament.

5. The vote shall be held by secret ballot on the basis of 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 eldest candidate shall prevail.

6. Before opening the vote, the President shall ensure that at least half of Parliament's component Members are present.

7. The person appointed shall immediately be called upon to take an oath before the Court of Justice.

8. The Ombudsman shall exercise his duties until his successor takes office, except in the case of his death or dismissal.

Rule 160

Dismissal of the Ombudsman

1. One tenth of Parliament's component Members may request the Ombudsman's dismissal if he no longer fulfils the conditions required for the performance of his duties or if he is guilty of serious misconduct.

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 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 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.

Rule 161

Activities of the Ombudsman

1. The conditions governing referrals to the Ombudsman, together with the procedures and the Rules governing the latter's powers, will be annexed to the Rules of Procedure. The Ombudsman may draw up a proposal to this end which shall be forwarded to the committee responsible for the Rules of Procedure, which shall report to Parliament.

2. The Ombudsman shall inform the committee responsible of his activities on a regular basis or when the committee requests him to do so.

3. The Ombudsman and the chairman of the committee responsible shall each safeguard the confidentiality of information made known to them in connection with the Ombudsman's activities. Such information shall be made available only to the judicial authorities and only where it is needed for criminal proceedings

CHAPTER XXI

APPLICATION AND AMENDMENT OF THE RULES OF PROCEDURE

Rule 162

Application of the Rules of Procedure

1. Should doubt arise over the application or interpretation of these Rules of Procedure, the President may, without prejudice to any previous decisions in this field, refer the matter to the committee responsible for examination.

Where a point of order is raised under Rule 127, the President may also refer the matter to the committee responsible.

2. The committee shall decide whether it is necessary to propose an amendment to the Rules of Procedure. In this case it shall proceed in accordance with Rule 163.

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.

4. Should a political group or at least 29 Members contest the committee's interpretation, the matter shall be put to the vote in Parliament. Adoption of the text shall

be by simple majority provided that at least one third of Parliament's 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, together with decisions on the application of the Rules of Procedure.

6. These explanatory notes shall constitute precedents for the future application and interpretation of the Rules concerned.

7. The provisions on the application of the Rules of Procedure shall be reviewed regularly.

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 increased, notably following enlargements of the European Union.

*Rule 163***Amendment of the Rules of Procedure**

1. Any Member may propose amendments to these Rules.

Such proposed amendments shall be translated, printed, distributed and referred to the committee responsible, which shall examine them and decide whether to submit them to Parliament.

2. 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 shall enter into force on the first day of the part-session following their adoption.

CHAPTER XXII

SECRETARIAT OF PARLIAMENT — ACCOUNTING

*Rule 164***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 organization of which shall be determined by the Bureau.

3. The Bureau shall decide the establishment plan of the Secretariat and lay down regulations relating to the administrative and financial situation of officials and other servants.

The Bureau shall also decide to what categories of officials and servants Articles 12 to 14 of the Protocol on the privileges and immunities of the European Communities shall apply in whole or in part.

The President of Parliament shall inform the appropriate institutions of the European Union accordingly.

*Rule 165***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 the tabling of 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 Council.

6. The foregoing provisions shall also apply to supplementary estimates.

*Rule 166***Power to incur and settle expenditure**

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 giving of a discharge.

CHAPTER XXIII

MISCELLANEOUS PROVISIONS

*Rule 167***Unfinished business**

At the end of the last part-session before elections, all consultations, requests for opinions, motions for resolutions and questions shall be deemed to have lapsed.

This shall not apply to petitions and communications that do not require a decision.

Consultations or requests for opinions (Rule 51), motions for resolutions and written declarations (Rules 45 and

48), own-initiative reports (Rule 148) and questions (Rules 28, 40, 41 and 42) shall lapse if they have not been dealt with conclusively by the end of the last part-session before elections.

However, in the specific case of consultations or requests for opinions (Rule 51), the procedure for consultation of Parliament provided for in the Treaties is not concluded in these circumstances, and the other institutions must re-submit them to the new Parliament.

*ANNEX I***PROVISIONS IMPLEMENTING RULE 9****Declaration of Members' financial interests****ARTICLE 1**

Before speaking in Parliament or in one of its bodies, any Member who has a direct financial interest in the subject under debate shall disclose this interest to the meeting orally unless it is obvious from the written declaration made by him pursuant to Articles 2 and 3.

ARTICLE 2

1. Each Member shall be required to make a detailed declaration of his professional activities.
2. Members shall also list any other paid functions or activities in so far as these are relevant.

ARTICLE 3

The declaration referred to in Article 2 shall be made in writing and entered by the Secretary-General in a register, the form of which shall be determined by the Bureau. This register shall be open to the public for inspection.

ANNEX II

CONDUCT OF QUESTION TIME UNDER RULE 41

A. GUIDELINES

1. Questions shall be admissible only where they
 - are concise and are drafted so as to permit a brief answer to be given,
 - fall within the competence and sphere of responsibility of the Commission and the Council and are of general interest,
 - do not require extensive prior study or research by the institution concerned,
 - are clearly worded and relate to specific matters,
 - do not contain assertions or opinions,
 - do not relate to strictly personal matters,
 - are not aimed at procuring documents or statistical information,
 - are interrogatory in form.
2. A question shall be inadmissible if the agenda already provides for the subject to be discussed with the participation of the institution concerned.
3. A question shall be inadmissible if an identical or similar question has been put down and answered during the preceding three months.

Supplementary questions

4. Each Member may put a supplementary question to any question. He or she may put in all only one supplementary question to the Council and two supplementary questions to the Commission.
5. Supplementary questions shall be subject to the rules of admissibility laid down in these Guidelines.
6. (1) The President shall Rule on the admissibility of supplementary questions and shall limit their number so that each Member who has put down a question may receive an answer to it.
(2) The President shall not be obliged to declare a supplementary question admissible, even where it satisfies the foregoing conditions of admissibility:
 - (a) if it is likely to upset the normal conduct of Question Time, or
 - (b) if the main question to which it relates has already been adequately covered by other supplementary questions, or
 - (c) if it has no direct bearing on the main question.

Answers to questions

7. The institution concerned shall ensure that answers are concise and are relevant to the subject of the question.
8. If the content of the questions concerned permits it, the President may decide, after consulting the questioners, that the institution concerned should answer them together.
9. A question may be answered only if the questioner is present or has notified the President in writing, before Question Time begins, of the name of his substitute.
10. If neither the questioner nor his substitute is present, the question shall lapse.
11. Questions that remain unanswered for lack of time shall be answered in writing unless the author withdraws his question.

12. The procedure for answers in writing shall be governed by Rule 42 (3) and (4).

Time limits

13. (1) Questions shall be tabled at least one week before Question Time begins. Questions not tabled within this time limit may be taken during Question Time with the consent of the institution concerned.
- (2) Questions declared admissible shall be distributed to Members and forwarded to the institutions concerned.

B. RECOMMENDATIONS

(extract from resolution of Parliament of 13 November 1986)

The European Parliament,

1. Recommends stricter application of the guidelines for the conduct of Question Time under Rule 41 and in particular of paragraph 1 on admissibility;
 2. Recommends more frequent use of the power conferred on the President of the European Parliament by Rule 41 (3) to group questions for Question Time according to subject; considers, however, that only the questions falling within the first half of the list of questions tabled for a given part-session should be subject to such grouping;
 3. Recommends, as regards supplementary questions, that as a general rule the President should allow one supplementary question from the questioner and one or at most two supplementaries put by Members belonging preferably to a different political group and/or Member State from the author of the main question; recalls that supplementary questions must be concise and interrogatory in form and suggests that their duration should not exceed 30 seconds;
 4. Invites the Commission and the Council, pursuant to Annex II (A) (7) of the Rules of Procedure, to ensure that answers are concise and relevant to the subject of the question.
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*ANNEX III***GUIDELINES AND GENERAL PRINCIPLES TO BE FOLLOWED WHEN CHOOSING THE SUBJECTS TO BE INCLUDED ON THE AGENDA FOR THE DEBATE ON TOPICAL AND URGENT SUBJECTS OF MAJOR IMPORTANCE PROVIDED FOR UNDER RULE 47****Fundamental principles**

1. Priority shall be given to motions for resolutions intended to lead to a vote in Parliament directed at 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 leading to a vote in Parliament (expressing protest, condemnation, solidarity, indignation, etc.) on an event which has greatly affected public opinion in Europe shall be regarded as topical, urgent and of major importance, provided the vote may be considered to be of value only if taken as soon as possible.
3. Subjects relating to the responsibilities of the European Union as laid down by the Treaty 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 shall not exceed five. They shall, as a rule, include any motions for resolutions on human rights.

Practical details

5. The fundamental principles applied in determining the choice of subjects to be included in the debate on topical and urgent subjects of major importance 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 chairmen, shall reach agreement with the Council and Commission on the limitation of the speaking time for their respective statements, if any, in the debate on topical and urgent subjects of major importance.

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

IMPLEMENTING PROCEDURES FOR EXAMINATION OF THE GENERAL BUDGET OF THE
EUROPEAN UNION AND SUPPLEMENTARY BUDGETS*Article 1***Working documents**

1. The following documents shall be printed and distributed:
 - (a) the communication from the Commission on the maximum rate laid down in Article 78 (9) of the ECSC Treaty, Article 203 (9) of the EC Treaty, and Article 177 (9) of the EAEC Treaty;
 - (b) the proposal from the Commission or the Council fixing a new rate;
 - (c) a summary by the Council of its deliberations on the amendments and proposed modifications adopted by Parliament to the draft budget;
 - (d) the modifications made by the Council to the amendments adopted by Parliament to the draft budget;
 - (e) the Council's position on the fixing of a new maximum rate;
 - (f) the new draft budget drawn up pursuant to Article 78 (8) of the ECSC Treaty, Article 203 (8) of the EC Treaty and Article 177 (8) of the EAEC Treaty;
 - (g) the draft decisions on the provisional twelfths laid down in Article 78b of the ECSC Treaty, Article 204 of the EC Treaty and Article 178 of the EAEC Treaty.
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***Rate**

1. Subject to the conditions set out below, any Member may table and speak in support of proposals for decisions fixing a new maximum rate.
2. Such proposals shall be admissible only if they are tabled in writing and bear the signatures of at least nine Members or are tabled on behalf of a political group or committee.
3. The President shall set the time limit for the tabling of such proposals.
4. The committee responsible shall report on these proposals before they are discussed in Parliament.
5. Parliament shall then vote on the proposals.

Parliament shall act by a majority of its component Members and three fifths of the votes cast.

Where the Council has informed Parliament of its agreement to the fixing of a new rate, the President shall declare in Parliament that the amended rate has been adopted.

If this is not the case, the Council's position shall be referred to the committee responsible.

Article 3

Consideration of the draft budget — first stage

1. Subject to the conditions set out below, any Member may table and speak in support of:

- draft amendments to the draft budget,
- proposed modifications to the draft budget.

2. Draft amendments shall be admissible only if they are presented in writing, bear the signatures of at least nine Members or are tabled on behalf of a political group or committee, specify the budget heading to which they refer and ensure the maintenance of a balance between revenue and expenditure. Draft amendments shall include all relevant information on the remarks to be entered against the budget heading in question.

The same provisions shall apply to proposed modifications.

All draft amendments or proposed modifications to the draft budget must be justified in writing.

3. The President shall set the time limit for the tabling of draft amendments and proposed modifications.

The President shall set two deadlines for tabling draft amendments and proposed modifications: the first shall be before, and the second after, the adoption of the report by the committee responsible.

4. The committee responsible shall deliver its opinion on the texts submitted before they are discussed in Parliament.

Draft amendments and proposed modifications which have been rejected in the committee responsible shall not be put to the vote in Parliament unless this has been requested in writing, before a deadline to be set by the President, by a committee or at least 29 Members; this deadline may on no account be less than 24 hours before the start of the vote.

5. Draft amendments to the estimates of Parliament which are similar to those already rejected by Parliament at the time the estimates were drawn up shall be discussed only where the committee responsible has delivered a favourable opinion.

6. Notwithstanding Rule 58 (2) of the Rules of Procedure, Parliament shall take separate and successive votes on:

- each draft amendment and each proposed modification,
- each section of the draft budget,
- a motion for a resolution concerning the draft budget.

However, Rule 115 (4), (5) and (6) shall apply.

7. Articles, chapters, titles and sections of the draft budget in respect of which no draft amendments or proposed modifications have been tabled shall be deemed adopted.

8. Draft amendments shall require for adoption the votes of a majority of the component Members of Parliament.

Proposed modifications shall require for adoption a majority of the votes cast.

9. If Parliament has adopted draft amendments that would raise the expenditure shown in the draft budget above the maximum rate laid down, the committee responsible shall submit to Parliament a proposal laying down a new maximum rate as provided for in the last subparagraph of Article 78 (9) of the ECSC Treaty, Article 203 (9) of the EC Treaty and Article 177 (9) of the EAEC Treaty. The proposal shall be put to the vote after the various sections of the draft budget have been voted on. Parliament shall act by a majority of its component Members and three fifths of the votes cast. Where the proposal is rejected, the draft budget as a whole shall be referred back to the committee responsible.

10. If Parliament has not amended the draft budget, adopted proposed modifications or adopted a proposal rejecting the draft budget, the President shall declare in Parliament that the budget has been finally adopted.

If Parliament has amended the draft budget or adopted proposed modifications, the draft budget thus amended or accompanied by proposed modifications shall be forwarded to the Council.

11. The minutes of the sitting at which Parliament delivered its opinion on the draft budget shall be forwarded to the Council and the Commission.

Article 4

Final adoption of the budget after the first reading

Where the Council has informed Parliament that it has not modified its amendments and that it has accepted or not rejected its proposed modifications, the President shall declare in Parliament that the budget has been finally adopted. He shall arrange for its publication in the *Official Journal of the European Communities*.

Article 5

Consideration of the Council's deliberations — second stage

1. If the Council has modified one or more of the amendments adopted by Parliament, the text thus modified by the Council shall be referred to the committee responsible.

2. Subject to the conditions set out below, any Member may table and speak in support of draft amendments to the texts modified by the Council.

3. Such draft amendments shall be admissible only if they are presented in writing, bear the signature of at least 29 Members or are tabled on behalf of a committee and ensure the maintenance of a balance between revenue and expenditure. Rule 147 (6) shall not apply.

Draft amendments shall be admissible only if they refer to the texts modified by the Council.

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

5. The committee responsible shall pronounce on the texts modified by the Council and deliver its opinion on the draft amendments to the modified texts.

6. Draft amendments to the texts modified by the Council shall be put to the vote in Parliament without prejudice to the provisions of Article 3 (4) second subparagraph. Parliament shall act by a majority of its component Members and three fifths of the votes cast. If the draft amendments are adopted, the texts modified by the Council shall be deemed rejected. If they are rejected, the texts modified by the Council shall be deemed adopted.

7. The Council's summary of the results of its deliberations on the proposed modifications adopted by Parliament shall be debated and a motion for a resolution may then be put to the vote.

8. Upon completion of the procedure provided for in this Article, and subject to the provisions of Article 6, the President shall declare in Parliament that the budget has been finally adopted. He shall arrange for its publication in the *Official Journal of the European Communities*.

Article 6

Total rejection

1. At least 29 Members or a committee may, for important reasons, table a proposal to reject the draft budget as a whole. Such a proposal shall be admissible only if it is accompanied by a written justification and tabled within the time limit set by the President. The reasons for rejection may not be contradictory.

2. The committee responsible shall deliver its opinion on such a proposal before it is put to the vote in Parliament.

Parliament shall act by a majority of its component Members and two thirds of the votes cast. If the proposal is adopted, the draft budget as a whole shall be referred back to the Council.

Article 7

Provisional twelfths system

1. Subject to the conditions set out below, any Member may submit a proposal for a decision different from that taken by the Council authorizing expenditure in excess of the provisional one twelfth for expenditure other than that necessarily resulting from the Treaty or from acts adopted in accordance therewith.

2. Proposals for decisions shall be admissible only if they are presented in writing, bear the signature of at least nine Members or are tabled by a political group or committee and state the grounds on which they are based.

3. The committee responsible shall deliver its opinion on the texts submitted before they are discussed in Parliament.

4. Parliament shall act by a majority of its component Members and three fifths of the votes cast.

Article 8

Community VAT rate

On the occasion of the adoption of the budget Parliament shall also decide the VAT rate.

ANNEX V

PROCEDURE FOR THE CONSIDERATION AND ADOPTION OF DECISIONS ON THE GIVING OF A 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 188c of the EC Treaty;
 - (d) the Council recommendation.
2. These documents shall be referred to the committee responsible. Any committee concerned may deliver an opinion.
3. Where 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. Within the time limits laid down by the Financial Regulation, Parliament shall consider a report from the committee responsible proposing the giving, postponement or refusal of discharge.
2. Parliament's rules relating to amendments and voting shall apply unless otherwise provided in this annex.

*Article 3***Giving of discharge**

1. Where the committee responsible considers it appropriate to propose a favourable decision, it shall draw up a report comprising:
 - (a) a proposal for a decision containing the figures forming the subject of the discharge, thus establishing the final out turn of the budgetary management for the financial year concerned;
 - (b) a motion for a resolution containing the comments accompanying the discharge decision; and
 - (c) an explanatory statement.

Where necessary, the explanatory statement may be delivered orally.

2. The committee responsible shall deliver its opinion on any amendments before they are put to the vote.
3. The proposal for a decision shall be put to the vote before the motion for a resolution. The procedure for giving a discharge shall end with a vote on the motion for a resolution as a whole.

*Article 4***Postponement of discharge**

1. The committee responsible may table a motion for a resolution postponing the discharge decision. This motion shall set out the reasons for postponement.

2. Such a motion shall be included on the agenda of the next part-session following its tabling.

Article 5

Refusal of discharge

1. The committee responsible may table a motion for a resolution refusing to give a discharge. This motion shall set out the reasons for the refusal.
2. Such a motion shall be included on the agenda of the next part-session following its tabling and shall be approved only if it obtains the votes of a majority of the component Members of Parliament.

Article 6

Referral back to committee

1. If a proposal for a decision pursuant to Article 3 (1) (a) or a motion for a resolution pursuant to Article 3 (1) (b), 4 (1) or 5 (1) fails to obtain the required majority or if any amendment to the figures contained in the proposal for a decision pursuant to Article 3 (1) (a) is adopted, the matter shall be deemed to have been referred back to the committee responsible, which shall report back to Parliament at the subsequent part-session, taking into account Parliament's vote.
2. Where this would result in Parliament's being unable to give a discharge within the time limits laid down by the Financial Regulation, the President shall inform the Commission accordingly.

Article 7

Implementation of discharge decisions

1. The President shall forward any decision or resolution of Parliament pursuant to Article 3, 4 or 5 to the Commission and to each of the other institutions. He shall arrange for their publication in the *Official Journal of the European Communities* 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 against the institution concerned, pursuant to Article 175 of the EC Treaty, for failure to comply with the obligations deriving from the comments accompanying the discharge decision or the other resolutions concerning implementation of expenditure.
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ANNEX VI ⁽¹⁾

POWERS AND RESPONSIBILITIES OF STANDING COMMITTEES

I. Committee on Foreign Affairs, Security and Defence Policy

This committee is responsible for matters relating to:

1. the common foreign and security policy of the European Union, including the task of formulating a common defence and disarmament policy;
2. relations with the WEU;
3. political aspects of relations with third countries and international organizations with regard to the implementation of the Union's foreign and security policy;
4. opening, monitoring and concluding negotiations concerning the accession of European States to the Union (Article O of the Treaty on European Union);
5. opening, monitoring and concluding negotiations concerning association agreements (Article 238 of the EC Treaty) and other international agreements of a mainly political nature;
6. problems concerning human rights and democratization in third countries.

In consultation with the chairmen of the interparliamentary delegations and joint parliamentary committees, this committee will coordinate the work of the interparliamentary delegations and joint parliamentary committees both in preparing for and discussing the outcome of their meetings. The interparliamentary delegations and joint parliamentary committees will consult with the Committee on External Economic Relations on economic and trade matters.

II. Committee on Agriculture and Rural Development

This committee is generally responsible for all matters relating to Title II, Articles 38 to 47, of the EC Treaty:

1. operation and development of the common agricultural policy and forestry policy;
2. rural development including the activities of the EAGGF, Guidance Section;
3. veterinary legislation relating to the control and elimination of diseases in domestic animals;
4. supplies of agricultural raw materials;
5. agri-foodstuffs industry and production system;
6. legislation on animal husbandry;
7. animal feedingstuffs.

The committee will be required to give its opinion on all matters which, although arising in a different specific field (public health, economic policy, external economic relations, relations with European or other associated countries), may have some bearing on the organization of the Community's agricultural market and on matters pertaining to commercial policy with regard to agricultural products.

III. Committee on Budgets

This committee is responsible for matters relating to:

1. the definition and exercise of the European Parliament's budgetary powers;
2. the budget of the European Union (including the ECSC budget);

⁽¹⁾ Adopted by decision of Parliament of 19 May 1983 in accordance with Rule 135 and amended by its decisions of 25 July 1984, 21 January 1987, 26 July 1989, 15 January 1992 and 21 July 1994.

3. multiannual estimates of the Union's revenue and expenditure and the interinstitutional agreements concluded on these matters;
4. financial resources of the Union (including levies, own resources, Member States' contributions);
5. financial implications of Community acts;
6. preparation and coordination of the conciliation procedure between the Parliament and the Council, with the involvement of the Commission, on Community acts having financial implications;
7. problems relating to the administrative and accounting management and the staff of the European Union which involve budgetary authorization in so far as they do not have substantial implications for the legal status of officials;
8. transfers of appropriations which constitute authorization of expenditure;
9. Parliament's budget, administration and accounts (Rule 165);
10. acts connected with the above points.

As regards problems relating to the budget of the European Parliament,

the Bureau and the Committee on Budgets will take decisions in successive stages on:

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

The decisions concerning the establishment plan will be taken according to the following procedure:

- (a.1) the Bureau shall draw up the establishment plan for each financial year,
- (a.2) a conciliation procedure between the Bureau and the Committee on Budgets shall be opened in cases where the opinion of the latter diverges from the initial decisions taken by the Bureau,
- (a.3) at the end of the procedure, the Bureau shall take the final decision, in accordance with Rule 164 (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 this procedure will be those laid down in Rule 165, namely:

- (b.1) the Bureau shall draw up the preliminary draft estimates of revenue and expenditure (paragraph 1),
- (b.2) the Committee on Budgets shall draw up the draft estimates of revenue and expenditure (paragraph 2),
- (b.3) a conciliation procedure shall be opened in cases where the positions of the Committee on Budgets and the Bureau are widely divergent.

In exercising its powers the Committee on Budgets will cooperate closely with the Committee on Budgetary Control. As regards the Financial Regulation, the division of powers between the two committees will depend on the nature of the questions raised by the proposal for a regulation: financial regulations or parts thereof dealing with the implementation, management and control of budgets will be the responsibility of the Committee on Budgetary Control.

IV. Committee on Economic and Monetary Affairs and Industrial Policy

This committee is responsible for matters relating to:

1. monitoring initiatives on the completion of the internal market in accordance with Articles 7b, 7c and 100b of the EC Treaty;
2. questions of monetary policy, 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 European Union's capital, application of Articles 73b, c, d, e, f and g and 104 to 109m of the EC Treaty);

3. Community industrial policy, including the implementation of the Community's general strategy in specific sectors;
4. operation of the common market, more specifically the application of Articles 9 to 37 of the EC Treaty, relating to the movement of goods, customs duties and quotas and problems arising in this area as a consequence of the European Union's enlargement;
5. questions of competition, i.e. the application of Articles 85 to 90 of the EC Treaty (rules on competition, agreements and monopolies), in so far as these are not specific questions falling within the terms of reference of other committees (transport, public health, etc.);
6. 'internal' dumping practices (Article 91 of the EC Treaty);
7. public subsidies apart from aspects connected with regional policy (Articles 92 to 94 of the EC Treaty);
8. medium and long-term economic and monetary planning (Articles 102a, 109i and 130b of the EC Treaty);
9. Community technical standards and norms (in conjunction with the European standards institutes);
10. the application of new technologies in given sectors of industry and services (standards, rules on competition, freedom of movement and services and general problems of the organization of various production sectors);
11. the steel industry (the stabilization of markets and prices, control of concentrations under Community programmes) (Articles 4, 46 and 56 to 67 of the ECSC Treaty);
12. application of Articles 95 to 99 of the EC Treaty on tax provisions connected with the free movement of goods, persons, services and capital within the internal market;
13. all measures and actions to be taken for the progressive establishment of economic and monetary union (machinery for cooperation and conciliation in short-term economic policy, harmonization of medium-term planning, industrial policy, short or medium-term financial support, arrangements for protection and monetary cooperation, etc.);
14. reform of the world monetary system.

V. Committee on Research, Technological Development and Energy

This committee is responsible for matters relating to:

1. energy supplies and energy policy in general, including coal and nuclear energy under the ECSC and EAEC Treaties;
2. fundamental, precompetitive, prenormative or preindustrial research, technological progress, the Community technological research and development framework programme and other specific programmes including COST and Eureka and the technological research and development agreements with third parties, and the application of such technological research and development, in so far as it is not covered by the internal market and industrial policy (see Committee on Economic and Monetary Affairs and Industrial Policy) such as space technology;
3. research and development of biotechnology;
4. the Joint Research Centres and the Central Office for Nuclear Measurements;
5. dissemination of information and the definition of information technologies necessary for the storage, access, transmission, reception and synthesis of information;
6. patents and industrial property (in agreement with the Committee on Legal Affairs and Citizens' Rights as the committee responsible);
7. the coordination of Member States' research and development programmes and their coherence within the framework programme.

VI. Committee on External Economic Relations

This committee is responsible for matters relating to foreign trade and agreements concluded in this sector, including in particular:

1. monitoring the Union's common commercial policy and problems associated with this policy and its implementation (Articles 113 and 235 of the EC Treaty);
2. opening, monitoring and concluding negotiations concerning international agreements covering mainly economic and trade relations with third countries which do not lead to association agreements (Articles 113 and 235 of the EC Treaty);
3. the economic and trade aspects of the European Economic Area and relations with EFTA;
4. all aspects concerning GATT and the transition to the WTO (the Committee on Agriculture and Rural Development and the Committee on Fisheries will be required to give their opinions on all matters pertaining to commercial policy with regard to agricultural and fisheries products);
5. problems relating to the common external tariff and dumping practices by third countries;
6. economic cooperation, including financial protocols with industrialized countries and the economic aspects of association agreements.

The delegations will cooperate closely with this committee with regard to economic and commercial aspects of relations with third countries.

VII. Committee on Legal Affairs and Citizens' Rights

This committee is responsible for matters relating to:

1. legal aspects of the creation, interpretation and application of Community law, including the choice of legal basis for Community acts;
2. legal aspects of the creation, interpretation and application of international law, in so far as it affects the European Union;
3. all matters relating to the definition and codification of the rights of citizens of the European Union and of fundamental rights, as well as proposals for official codification of all or part of Community legislation;
4. the creation of a European legal and judicial area;
5. coordination at Community level of national legislation:
 - (a) in regulations on freedom of establishment and freedom to provide services (Articles 52 to 66 of the EC Treaty) including problems of company law (in exercising this particular responsibility — and unless the problems are purely legal — the committee will generally consult the Committee on Economic and Monetary Affairs and Industrial Policy except in cases where the regulations apply to an area for which a different committee has more specific responsibility);
 - (b) in the application of Article 220 of the EC Treaty (protection of natural and legal persons) and all measures with wider application;
6. the Staff Regulations of the European Communities (Article 24 of the Merger Treaty) with the exception of matters pertaining to remuneration, unless they have substantial implications for the legal status of staff;
7. Parliament's involvement in actions before the Court of Justice, except for those concerning disputes between Parliament and its staff.

Questions concerning the approximation of national legislation will be dealt with in each case by the committee responsible for the subject area of the proposals. However, the Committee on Legal Affairs and Citizens' Rights may give its opinion on these proposals pursuant to Rule 147 whenever it considers this necessary.

The committee will also be required to give its opinion on the discussions leading to the finalization of a uniform electoral procedure (the legal aspects thereof).

VIII. Committee on Social Affairs and Employment

This committee is responsible for matters relating to:

1. improving living and working conditions;

2. protection of workers in the workplace, in particular with regard to health, hygiene and safety (Article 118a of the EC Treaty);
3. employment policy, particularly where it affects young people;
4. wages, pensions and incomes policy and capital formation;
5. vocational training, particularly as regards access to the labour market and to retraining in connection with reconversion and occupational mobility;
6. harmonization of vocational qualifications;
7. paid holiday schemes;
8. activities of the European Social Fund (reconversion, readaptation, etc.);
9. free movement of workers;
10. social security of Community and non-Community migrant workers;
11. housing policy and low-cost housing schemes;
12. promoting cooperation between the Member States in the field of social policy, with particular emphasis on labour law and the approximation of social legislation;
13. promotion of a 'European social budget';
14. equal pay and equal job and vocational training opportunities for men and women.

The committee will also be required to give its opinion on matters relating to the rights of migrant workers.

IX. Committee on Regional Policy

This committee is responsible for matters relating to:

1. Community regional policy understood as a structural policy aimed at alignment of the economies, economic and social cohesion, the harmonious development of the Community and the removal of disparities;
2. the drawing up, implementation and evaluation of all Community regional policy plans and projects relating to the development of less-favoured regions (Objective 1), regions in industrial decline (Objective 2) and rural regions (Objective 5b);
3. the special problems of the regions which are disadvantaged either because their economies are predominantly agricultural or because their industrial sectors are in a state of crisis;
4. the impact of the other Community policies on the regions involved in regional policy;
5. the impact of any enlargement of the European Union and association treaties on regional policy;
6. problems related to the management, effectiveness and control of the European Regional Development Fund and the other instruments of Community regional policy;
7. coordination of Community structural financial instruments;
8. problems related to the criteria for and effective use in the Member States of Community regional aid and the coordination of national regional aid schemes;
9. the development of a Community regional planning policy and problems related to the relationship between national town and country planning forecasts and decisions and Community regional policy;
10. relations with local and regional authorities in the spirit of the Treaties and their participation in the drawing up of regional policy;
11. cross-border cooperation.

X. Committee on Transport and Tourism

This committee is responsible for matters relating to:

1. the development of a common transport policy (Articles 74 to 84 of the EC Treaty);
2. the creation of a European transport network;
3. the liberalization of international transport;
4. discrimination, harmonization and coordination in the sphere of transport;
5. problems involved in transport by air, sea and pipeline;
6. the European Community's policy on ports;
7. possible areas of interference between a common transport policy and its tariffs and the rules on competition or the requirements of social, agricultural, energy or regional policy (see Articles 3 (f) and 74 of the EC Treaty and Articles 70 *et seq.* of the ECSC Treaty);
8. postal communications;
9. the European Community's tourism policy.

The committee will be required to give its opinion on matters pertaining to the fields of competition, the removal of barriers, the right of establishment and freedom to provide services, where transport policy is involved.

XI. Committee on the Environment, Public Health and Consumer Protection

This committee is responsible for matters relating to:

1. environment policy and environmental protection measures:
 - (a) pollution of air, earth and water,
 - (b) classification, packaging, labelling, transport and use of dangerous substances,
 - (c) fixing permissible noise levels,
 - (d) treatment and storage of waste (including recycling),
 - (e) international and regional measures and agreements aimed at protecting the environment (for example, the Rhine, the Mediterranean),
 - (f) protecting fauna and its habitat,
 - (g) giving opinions on energy and research programmes affecting the environment,
 - (h) provisions of the Law of the Sea regarding the environment;
2. public health:
 - (a) programmes in the field of health education (with the emphasis on preventive action in respect of tobacco, the use of drugs, cardiovascular illnesses, dietary products),
 - (b) checks on foodstuffs,
 - (c) veterinary legislation concerning protection against dangers to human health arising from bacteria and residues in animal products, health controls for products (meat, milk, etc.) and production systems (slaughterhouses, dairies, etc.),
 - (d) pharmaceutical products, including veterinary products,
 - (e) medical research,
 - (f) cosmetic products,
 - (g) civil protection;
3. consumer protection: problems concerning the implementation of the legislation proposed in the Community action programmes, namely:
 - (a) protection of consumers against risks to health and safety,
 - (b) protection of consumers' economic interests,
 - (c) improvement of legal protection for consumers (assistance, advice and legal redress),
 - (d) improvement of consumer information and education,
 - (e) appropriate consultation and representation of consumers during the preparatory phase of decisions affecting their interests.

XII. Committee on Culture, Youth, Education and the Media

This committee is responsible for matters relating to:

1. questions pertaining to the information of the general public on the activities of the European Union;
2. youth exchanges, including the exchange of young workers, and other measures designed to promote the involvement of young people in the development of European integration;
3. policy designed to preserve, restore and promote the cultural heritage and safeguard natural areas in cooperation with the Committee on the Environment, Public Health and Consumer Protection;
4. proposals relating to the establishment of a cultural community;
5. the activities of the European Youth Forum;
6. education policy;
7. the European Foundation;
8. education programmes, harmonization of syllabuses and mutual recognition of diplomas;
9. the development of the European University and cooperation between institutions of higher education;
10. promoting the system of European Schools;
11. continuing education for adults and distance learning;
12. questions relating to information and the media;
13. questions pertaining to the development of policy on sports;
14. leisure.

The committee will be required to give its opinion on problems associated with youth employment policy and vocational training.

XIII. Committee on Development and Cooperation

This committee is responsible for examining and monitoring the policy of the Community on development with particular reference to:

1. the North-South dialogue;
2. humanitarian aid, emergency aid and food aid;
3. technical, financial and educational cooperation;
4. the generalized system of preferences;
5. industrial, agricultural and rural development.

This committee is also responsible for matters pertaining to:

6. the application of the ACP-EC Convention;
7. the application of cooperation agreements with the Maghreb and Mashreq countries;
8. relations with certain developing countries or groups of developing countries with which the European Community has concluded cooperation or association agreements;
9. financial and technical cooperation with the developing countries;
10. relations with international organizations which specialize in development and cooperation.

XIV. Committee on Civil Liberties and Internal Affairs

This committee is responsible for matters relating to:

1. human rights problems in the European Union;
2. civil liberties in the European Union and the security and free movement of persons;

3. asylum policy;
4. the fight against racism and xenophobia;
5. immigration policy and policy towards nationals of third countries;
6. the fight against international crime, drug-trafficking and fraud;
7. customs cooperation (pursuant to Title VI, Article K.1 (8) of the Treaty on European Union);
8. police cooperation to prevent and combat terrorism, drug-trafficking and other forms of international crime, including the organization at Union level of a system for exchanging information through a European police authority (Europol);
9. juridical policy cooperation in the above areas;
10. conventions adopted pursuant to Title VI of the Treaty on European Union.

XV. Committee on Budgetary Control

This committee is responsible for matters relating to:

1. the control of financial, budgetary and administrative implementing measures taken on the basis of, in the framework of, or in relation with the General Budget for the European Union (including the EDF), the financial and administrative activities of the ECSC, the financial activities of the EIB carried out on the basis of instructions from the Commission and the coordination of all the financial activities of the EIB with the other financial instruments of the European Communities;
2. the Financial Regulation;
3. the decisions on discharge taken by Parliament and measures accompanying or implementing these decisions;
4. accounts and balance sheets relating to decisions concerning the closure, presenting and auditing of Parliament's revenue and expenditure as well as measures accompanying or implementing these decisions, in particular in the framework of the internal discharge procedure, requiring close collaboration with the President and the Bureau;
5. the closure, presenting and auditing of the accounts and balance sheets of the European Communities, their organs and any bodies financed by them, including the establishment of appropriations to be carried over and the settling of balances;
6. monitoring accompanying the implementation of current budgets on the basis of periodic reports provided by the Commission and measures taken for such implementation which do not constitute budgetary authorization (i.e. transfers and other measures, excluding transfers from Chapter 100, releases of appropriations, and carry-overs or reinstatements of appropriations, which are the responsibility of the Committee on Budgets);
7. the assessment of the effectiveness of the various forms of Community financing, the coordination of the various financial instruments and the assessment of the cost-benefit ratio in the implementation of the policies financed by the European Union;
8. consideration of the credit terms, financing mechanisms and the administrative structures designed to implement them, by examining cases of fraud and irregularities;
9. the drawing up of legislative opinions on regulations or part of regulations relating to the implementation of budgets, including administrative management, opinions for the Committee on Budgets on decisions which assume an assessment of the implementation and management of expenditure (budgetary procedure, adjustment and revision of financial perspectives, carry-over of appropriations, etc.);
10. the preparation of legislative opinions, recommendations, consultations and information concerning the organization of checks, the prevention, prosecution and punishment of fraud and irregularities affecting the budget of the European Union and concerning the protection of the Union's financial interests in general;
11. opinions and information to be given, on request or on its own initiative, to committees and other parliamentary bodies, on matters coming under the heading of budgetary control;

12. the consideration of reports and opinions of the Court of Auditors;
13. relations with the Court of Auditors and the appointment of its members, without prejudice to the powers of the President of Parliament;
14. the consideration of confidential documents relating to a field under the responsibility of the Committee on Budgetary Control, in strict compliance with the provisions of Annex VII.

In exercising these duties the Committee on Budgetary Control will cooperate closely with the Committee on Budgets.

XVI. Committee on Institutional Affairs

This committee is responsible for matters relating to:

1. problems of political union and any draft act relating thereto;
2. the development of European integration in the framework of the preparation and progress of the intergovernmental conferences;
3. the institutional structures of the European Union within the framework of the Treaties (the Committee on Foreign Affairs, Security and Defence Policy and the Committee on Legal Affairs and Citizens' Rights, in so far as they are concerned, will each give an opinion on these matters in so far as they involve the interpretation, application or extension of the provisions of the Treaties governing the internal operation of each institution and relations between the institutions);
4. the implementation of the Treaty on European Union and the assessment of its operation;
5. general relations with the other institutions or bodies of the European Union;
6. the drawing up of a draft uniform electoral procedure;
7. political considerations relating to the seat of the institutions of the European Union.

XVII. Committee on Fisheries

This committee is responsible for matters relating to the operation and development of the common fisheries policy and its management, including the Financial Instrument for Fisheries Guidance (FIFG).

It will be required to give its opinion on all matters which, although arising in a different specific field (public health, economic policy, external economic relations, relations with European or other associated countries), may have some bearing on the organization of the Community's market in fisheries products, and on matters pertaining to commercial policy with regard to fisheries products.

XVIII. Committee on the Rules of Procedure, the Verification of Credentials and Immunities

This committee is responsible for matters relating to:

1. Parliament's Rules of Procedure, i.e.:
 - (a) the formulation of the Rules of Procedure, including annexes thereto,
 - (b) the examination of and reporting on proposed amendments to the Rules tabled under Rule 163,
 - (c) the interpretation of the Rules of Procedure pursuant to Rules 127 and 162;
2. the application of the provisions of Rules 7 and 8 (7):
 - (a) to verify the credentials of newly elected Members,
 - (b) to rule on any disputes;
3. privileges and immunities.

XIX. Committee on Women's Rights

This committee is responsible for matters relating to:

1. the definition and evolution of women's rights in the European Union, based on the European Parliament's resolutions on this subject;
2. the implementation and improvement of directives relating to equal rights for women and the formulation of new directives;
3. social, employment and training policy in respect of women, including young women, and measures to combat female unemployment;
4. information policy and studies on women;
5. the assessment of common policies from the point of view of women and the consequences for women of the completion of the internal market;
6. problems relating to the professional activities of women and their family role;
7. women in the institutions of the European Union;
8. women in the international sphere (United Nations, International Labour Office, etc.);
9. the situation of migrant women and the partners of migrant workers and the status of women who are both European citizens and nationals of non-European countries within the framework of European Community legislation relating to the internal market.

XX. Committee on Petitions

This committee is responsible for matters relating to petitions, the examination thereof and the action to be taken thereon, as well as for relations with the Ombudsman.

ANNEX VII ⁽¹⁾

PROCEDURE FOR THE CONSIDERATION OF CONFIDENTIAL DOCUMENTS COMMUNICATED TO THE EUROPEAN PARLIAMENT

1. When information or documents are communicated to Parliament under cover of confidentiality, the chairman of the committee responsible shall automatically apply the confidential procedure laid down in paragraph 3 below.

2. Any committee of the European Parliament shall be entitled to apply the confidential procedure 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.

3. Once the chairman of the committee has declared that proceedings are confidential, they may be attended only by members of the committee and by officials and experts who have been designated in advance by the chairman and whose presence is strictly necessary.

The documents, which shall be numbered, shall be distributed at the beginning of the meeting and collected again at the end. No notes of these, and certainly 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. Three members of a committee which has applied the confidential procedure may request consideration of a breach of confidentiality, and this may be placed on the agenda. By a majority of its members, the committee may decide that consideration of the breach of confidentiality shall be placed on the agenda for the first meeting following the submission of the request to its chairman.

5. *Penalties:* In cases of infringement, the chairman of the committee shall, after consulting the vice-chairmen, lay down, in a reasoned decision, the penalties to be applied (reprimand, exclusion from the committee for a shorter or longer period or permanently).

The member concerned may lodge an appeal without suspensive effect against this decision. This appeal shall be considered jointly by the Conference of Presidents of the European Parliament and the bureau of the committee concerned. Their majority decision shall be final.

If it is proved that an official has failed to respect confidentiality, the penalties for which the Staff Regulations provide shall apply.

⁽¹⁾ Adopted by decision of Parliament of 15 February 1989.

ANNEX VIII

DETAILED PROVISIONS GOVERNING THE EXERCISE OF THE EUROPEAN PARLIAMENT'S
RIGHT OF INQUIRY

Decision 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 ⁽¹⁾

THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COMMISSION,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 20b thereof,

Having regard to the Treaty establishing the European Community, and in particular Article 138c thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 107b thereof,

Whereas the detailed provisions governing the exercise of the European Parliament's right of inquiry should be determined with due regard for the provisions laid down by the Treaties establishing the European Communities;

Whereas temporary committees of inquiry must have the means necessary to perform their duties; whereas, to that end, it is essential that the Member States and the institutions and bodies of the European Communities take all steps to facilitate the performance of those duties;

Whereas the secrecy and confidentiality of the proceedings of temporary committees of inquiry must be protected;

Whereas, at the request of one of the three institutions concerned, the detailed provisions governing the exercise of the right of inquiry may be revised as from the end of the current term of the European Parliament in the light of experience,

HAVE BY COMMON ACCORD ADOPTED THIS DECISION:

Article 1

The detailed provisions governing the exercise of the European Parliament's right of inquiry shall be as laid down by this Decision, in accordance with Article 20b of the ECSC Treaty, Article 138c of the EC Treaty and Article 107b of the EAEC Treaty.

Article 2

1. Subject to the conditions and limits laid down by the Treaties referred to in Article 1 and in the course of its duties, the European Parliament may, at the request of one quarter of its Members, set up a temporary committee of inquiry to investigate alleged contraventions or maladministration in the implementation of Community law which would appear to be

the act of an institution or a body of the European Communities, of a public administrative body of a Member State or of persons empowered by Community law to implement that law.

The European Parliament shall determine the composition and rules of procedure of temporary committees of inquiry.

The decision to set up a temporary committee of inquiry, specifying in particular its purpose and the time limit for submission of its report, shall be published in the *Official Journal of the European Communities*.

2. The temporary committee of inquiry shall carry out its duties in compliance with the powers conferred by the Treaties on the institutions and bodies of the European Communities.

The members of the temporary committee of inquiry and any other persons who, by reason of their duties, have become acquainted with facts, information, knowledge, documents or objects in respect of which secrecy must be observed pursuant to provisions adopted by a Member State or by a Community institution shall be required, even after their duties have ceased, to keep them secret from any unauthorized person and from the public.

Hearings and testimony shall take place in public. Proceedings shall take place in camera if requested by one quarter of the members of the committee of inquiry, or by the Community or national authorities, or where the temporary committee of inquiry is considering secret information. Witnesses and experts shall have the right to make a statement or provide testimony in camera.

3. A temporary committee of inquiry may not investigate matters at issue before a national or Community court of law until such time as the legal proceedings have been completed.

Within a period of two months either of publication in accordance with paragraph 1, or of the Commission being informed of an allegation made before a temporary committee of inquiry of a contravention of Community law by a Member State, the Commission may notify the European Parliament that a matter to be examined by a temporary committee of inquiry is the subject of a Community pre-litigation procedure; in such cases the temporary committee of inquiry shall take all necessary steps to enable the Commission fully to exercise the powers conferred on it by the Treaties.

4. The temporary committee of inquiry shall cease to exist on the submission of its report within the time limit laid down when it was set up, or at the latest upon expiry of a period not

⁽¹⁾ OJ No L 113, 19. 5. 1995, p. 2.

exceeding 12 months from the date when it was set up, and in any event at the close of the parliamentary term.

By means of a reasoned decision the European Parliament may twice extend the 12-month period by three months. Such a decision shall be published in the *Official Journal of the European Communities*.

5. A temporary committee of inquiry may not be set up or re-established with regard to matters into which an inquiry has already been held by a temporary committee of inquiry until at least 12 months have elapsed since the submission of the report on that inquiry or the end of its assignment and unless any new facts have emerged.

Article 3

1. The temporary committee of inquiry shall carry out the inquiries necessary to verify alleged contraventions or maladministration in the implementation of Community law under the conditions laid down below.

2. The temporary committee of inquiry may invite an institution or a body of the European Communities or the government of a Member State to designate one of its members to take part in its proceedings.

3. On a reasoned request from the temporary committee of inquiry, the Member States concerned and the institutions or bodies of the European Communities shall designate the official or servant whom they authorize to appear before the temporary committee of inquiry, unless grounds of secrecy or public or national security dictate otherwise by virtue of national or Community legislation.

The officials or servants in question shall speak on behalf of and as instructed by their governments or institutions. They shall continue to be bound by the obligations arising from the rules to which they are subject.

4. The authorities of the Member States and the institutions or bodies of the European Communities shall provide a temporary committee of inquiry, where it so requests or on their own initiative, with the documents necessary for the performance of its duties, save where prevented from doing so by reasons of secrecy or public or national security arising out of national or Community legislation or rules.

5. Paragraphs 3 and 4 shall be without prejudice to any other provisions of the Member States which prohibit officials from appearing or documents from being forwarded.

An obstacle arising from reasons of secrecy, public or national security or the provisions referred to in the first subparagraph shall be notified to the European Parliament by a representative authorized to commit the government of the Member State concerned or the institution.

6. Institutions or bodies of the European Communities shall not supply the temporary committee of inquiry with documents originating in a Member State without first informing the State concerned.

They shall not communicate to the temporary committee of inquiry any documents to which paragraph 5 applies without first obtaining the consent of the Member State concerned.

7. Paragraphs 3, 4 and 5 shall apply to natural or legal persons empowered by Community law to implement that law.

8. In so far as is necessary for the performance of its duties, the temporary committee of inquiry may request any other person to give evidence before it. The temporary committee of inquiry shall inform any person named in the course of an inquiry to whom this might prove prejudicial; it shall hear such a person if that person so requests.

Article 4

1. The information obtained by the temporary committee of inquiry shall be used solely for the performance of its duties. It may not be made public if it contains material of a secret or confidential nature or names persons.

The European Parliament shall adopt the administrative measures and procedural rules required to protect the secrecy and confidentiality of the proceedings of temporary committees of inquiry.

2. The temporary committee of inquiry's report shall be submitted to the European Parliament, which may decide to make it public subject to the provisions of paragraph 1.

3. The European Parliament may forward to the institutions or bodies of the European Communities or to the Member States any recommendations which it adopts on the basis of the temporary committee of inquiry's report. They shall draw therefrom the conclusions which they deem appropriate.

Article 5

Any communication addressed to the national authorities of the Member States for the purposes of applying this Decision shall be made through their Permanent Representations to the European Union.

Article 6

At the request of the European Parliament, the Council or the Commission, the above rules may be revised as from the end of the current term of the European Parliament in the light of experience.

Article 7

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Communities*.