

Thursday 24 March 2011

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*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES
AND AGENCIES

EUROPEAN PARLIAMENT

**Exercise of Parliament's rights vis-à-vis the Court of Justice (interpretation of
Rule 128 of the Rules of Procedure)**

P7_TA(2011)0119

**European Parliament decision of 24 March 2011 concerning the exercise of Parliament's rights
vis-à-vis the Court of Justice (interpretation of Rule 128 of the Rules of Procedure)**

(2012/C 247 E/07)

The European Parliament,

- having regard to the letter of 22 March 2011 from the Chair of the Committee on Constitutional Affairs,
- having regard to Rule 211 of its Rules of Procedure,

1. Decides to append the following interpretation to Rule 128:

'Rule 90(6) of the Rules of Procedure lays down a specific procedure by means of which Parliament can take a decision on whether to exercise its prerogative, pursuant to Article 218(11) TFEU, to seek an opinion from the Court of Justice on the compatibility of an international agreement with the Treaties; that provision constitutes a "lex specialis" which takes precedence over the general provision laid down in Rule 128 of the Rules of Procedure.

When a decision must be taken as to whether Parliament should exercise its rights vis-à-vis the Court of Justice of the European Union, and the act in question is not covered by Rule 128 of the Rules of Procedure, the procedure provided for in this rule should apply, *mutatis mutandis*;

2. Instructs its President to forward this decision to the Council, the Commission and the Court of Justice of the European Union, for information.
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