

**European Parliament**

2024 - 2029



# RULES OF PROCEDURE

**10th parliamentary term**

January 2025

**EN**

*United in diversity*

**EN**

**Note to the reader:**

In accordance with Parliament's decisions on the use of gender-neutral language in its documents, the Rules of Procedure have been adapted to take account of the guidelines on that subject approved by the High Level Group on Gender Equality and Diversity on 11 April 2018.

Interpretations of the Rules (pursuant to Rule 242) are shown in *italic script*.

A “Compendium of the main legal acts related to the Rules of Procedure” is available on, and can be downloaded from, the European Parliament’s website:

<https://www.europarl.europa.eu/compendium/en/contents.html>

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TITLE I

MEMBERS, PARLIAMENT BODIES AND POLITICAL GROUPS

CHAPTER 1

MEMBERS OF THE EUROPEAN PARLIAMENT

**Rule 1**

**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 members 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:

"Членове на Европейския парламент" in Bulgarian,

"Diputados al Parlamento Europeo" in Spanish,

"Poslanci Evropského parlamentu" in Czech,

"Medlemmer af Europa-Parlamentet" in Danish,

"Mitglieder des Europäischen Parlaments" in German,

"Euroopa Parlamendi liikmed" in Estonian,

"Βουλευτές του Ευρωπαϊκού Κοινοβουλίου" in Greek,

"Members of the European Parliament" in English,

"Députés au Parlement européen" in French,

"Feisirí de Pharlaimint na hEorpa" in Irish,

"Zastupnici u Europskom parlamentu" in Croatian,

"Deputati al Parlamento europeo" in Italian,

"Eiropas Parlamenta deputāti" in Latvian,

"Europos Parlamento nariai" in Lithuanian,

"Európai Parlamenti Képviselők" in Hungarian,

"Membri tal-Parlament Ewropew" in Maltese,

"Leden van het Europees Parlement" in Dutch,

"Posłowie do Parlamentu Europejskiego" in Polish,

"Deputados ao Parlamento Europeu" in Portuguese,

## TITLE I Rule 2

"Deputați în Parlamentul European" in Romanian,

"Poslanci Európskeho parlamentu" in Slovak,

"Poslanci Evropskega parlamenta" in Slovene,

"Euroopan parlamentin jäsenet" in Finnish,

"Ledamöter av Europaparlamentet" in Swedish.

### Rule 2

#### Independent mandate

In accordance with Article 6(1) of the Act of 20 September 1976 and with Article 2(1) and Article 3(1) of the Statute for Members of the European Parliament, Members shall exercise their mandate freely and independently, shall not be bound by any instructions and shall not receive a binding mandate.

### Rule 3

#### Verification of credentials

1. Following general elections to the European Parliament, the President shall invite the competent authorities of the Member States to notify Parliament without delay of the names of the elected Members so that all Members may take their seats in Parliament with effect from the opening of the first sitting following the elections.

At the same time, the President shall draw the attention of those authorities to the relevant provisions of the Act of 20 September 1976 and invite them to take the necessary measures to avoid any incompatibility with the office of Member of the European Parliament.

2. Members whose election has been notified to Parliament shall declare in writing, before taking their seat in Parliament, that they do not hold any office incompatible with that of Member of the European Parliament within the meaning of Article 7(1) or (2) of the Act of 20 September 1976. Following general elections, the declaration shall be made, where possible, no later than six days prior to Parliament's first sitting following the elections. Until such time as Members' credentials have been verified or a ruling has been given on any dispute, and provided that they have previously signed the above-mentioned written declaration, they shall take their seat in Parliament and on its bodies and shall enjoy all the rights attaching thereto.

Where it is established from facts verifiable from sources available to the public that a Member holds an office incompatible with that of Member of the European Parliament, within the meaning of Article 7(1) or (2) of the Act of 20 September 1976, Parliament, on the basis of the information provided by its President, shall establish that there is a vacancy.

3. On the basis of a report by the committee responsible, Parliament shall verify credentials without delay and rule on the validity of the mandate of each of its newly elected Members and also on any disputes referred to it pursuant to the provisions of the Act of 20 September 1976, other than those which, under that Act, fall exclusively under the national provisions to which that Act refers.

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.

The validity of the mandate of a Member may not be confirmed unless the written declarations required under this Rule and Annex I to these Rules of Procedure have been made.

4. On the basis of a proposal by the committee responsible, Parliament shall, without delay, verify the credentials of individual Members who are replacing outgoing Members and may at any time rule on any dispute as to the validity of the mandate of any of its Members.

5. Where the appointment of a Member is due to the withdrawal of candidates from the same list, the committee responsible shall ensure that the withdrawal in question has taken place in accordance with the spirit and the letter of the Act of 20 September 1976 and Rule 4(2).

6. The committee responsible shall ensure that any information which may affect the eligibility of the Member or the eligibility or the ranking of the substitutes is forwarded to Parliament without delay by the authorities of the Member States or of the Union, with, in the case of an appointment, an indication of the date on which it will take effect.

Should the competent authorities of the Member States initiate a procedure which might lead to the disqualification of a Member from holding office, the President shall ask them to keep him or her regularly informed of the stage reached in the procedure and shall refer the matter to the committee responsible. On a proposal from that committee, Parliament may adopt a position on the matter.

## **Rule 4**

### **Term of office of Members**

1. A Member's term of office begins and ends as laid down in Articles 5 and 13 of the Act of 20 September 1976.

2. Members who resign shall notify the President of their resignation and of the date on which that resignation is to take effect, which may not be more than three months after notification. This notification shall take the form of an official record drawn up in the presence of the Secretary-General or his or her 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 in compliance with the Act of 20 September 1976, a vacancy shall be declared with effect from the date indicated by the resigning Member in the official record, and the President shall inform Parliament thereof.

If the committee responsible considers that the resignation is not in compliance with the Act of 20 September 1976, it shall propose to Parliament that it not declare a vacancy.

3. Where no meeting of the committee responsible is scheduled before the next part-session, the rapporteur of the committee responsible shall immediately examine any resignation that has been duly notified. Where delay in considering the notification would be prejudicial, the rapporteur shall refer the matter to the committee Chair, requesting, pursuant to paragraph 2, that:

- the President be informed on behalf of the committee that a vacancy may be declared; or
- an extraordinary meeting of the committee be convened to examine specific

## TITLE I Rule 5

difficulties noted by the rapporteur.

4. Where either the competent authorities of the Member States or of the Union or the Member concerned notifies the President of an appointment or election to an office that is incompatible with the office of Member of the European Parliament within the meaning of Article 7(1) or (2) of the Act of 20 September 1976, the President shall inform Parliament thereof, and Parliament shall declare that a vacancy exists from the date of the incompatibility.

Where the competent authorities of the Member States notify the President of the end of the term of office of a Member of the European Parliament as a result either of an additional incompatibility established by the law of that Member State in accordance with Article 7(3) of the Act of 20 September 1976 or of the withdrawal of the Member's mandate pursuant to Article 13(3) of that Act, the President shall inform Parliament that the term of office of that Member ended on the date communicated by competent authorities of the Member State. Where no such date is communicated, the date of the end of the term of office shall be the date of the notification by that Member State.

5. Where the authorities of the Member States or of the Union inform the President of an assignment they intend to entrust to a Member, the President shall refer to the committee responsible the question of the compatibility of the proposed assignment with the Act of 20 September 1976 and shall inform Parliament, the Member and the authorities concerned of the conclusions reached by that committee.

6. When Parliament has established a vacancy, the President shall inform the Member State concerned thereof, and invite it to fill the seat without delay.

7. Where acceptance or termination of office appears to be based on material inaccuracy or vitiated consent, Parliament may declare the appointment under consideration to be invalid or may refuse to establish the vacancy.

### **Rule 5**

#### **Privileges and immunities**

1. Members enjoy the privileges and immunities laid down in the Protocol No 7 on the Privileges and Immunities of the European Union.

2. In exercising its powers on privileges and immunities, Parliament shall act to uphold its integrity as a democratic legislative assembly and to ensure the independence of its Members in the performance of their duties. Parliamentary immunity is not a Member's personal privilege but a guarantee of the independence of Parliament as a whole, and of its Members.

3. A laissez-passer of the European Union allowing a Member to circulate freely in the Member States and in other countries which recognise it as a valid travel document shall be issued by the European Union to a Member at his or her request, on condition that the President of the Parliament gives his or her authorisation.

4. For the purpose of performing their parliamentary duties, all Members shall have the right to participate actively in the work of Parliament's committees and delegations in accordance with the provisions of these Rules of Procedure.

5. 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. Exceptions to this rule, concerning the handling of documents to which public access may be

denied, pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council<sup>1</sup>, are laid down in Rule 227.

With the approval of the Bureau, a Member may, on the basis of a reasoned decision, be denied the right to inspect a Parliament document if, after hearing the Member concerned, the Bureau comes to the conclusion that such an inspection would cause unacceptable damage to Parliament's institutional interests or to the public interest, and that the Member concerned is seeking to inspect the document for private and personal reasons. The Member may lodge a written appeal against such a decision within one month of the notification thereof. In order to be admissible, written appeals must include reasons. Parliament shall reach a decision on the appeal without debate during the part-session that follows its lodging.

*Access to confidential information is subject to the rules laid down in interinstitutional agreements concluded by Parliament relating to the treatment of confidential information<sup>2</sup> and to the internal rules for their implementation adopted by Parliament's competent bodies<sup>3</sup>.*

## **Rule 6**

### **Waiver of immunity**

1. Any request for waiver of immunity shall be evaluated in accordance with Articles 7, 8 and 9 of the Protocol No 7 on the Privileges and Immunities of the European Union and with the principles referred to in Rule 5(2).

2. Where Members are required to appear as witnesses or expert witnesses, there is no need to request a waiver of immunity, provided:

- that they will not be obliged to appear on a date or at a time which prevents them from performing their parliamentary duties, or makes it difficult for them to perform those duties, or that they will be able to provide a statement in writing or in any other form which does not make it difficult for them to perform their parliamentary duties; and
- that they are not obliged to testify concerning information obtained confidentially in the performance of their parliamentary duties which they do not see fit to disclose.

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<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43, ELI: <http://data.europa.eu/eli/reg/2001/1049/oj>).

<sup>2</sup> Interinstitutional Agreement of 20 November 2002 between the European Parliament and the Council concerning access by the European Parliament to sensitive information of the Council in the field of security and defence policy (OJ C 298, 30.11.2002, p. 1). Framework Agreement of 20 October 2010 on relations between the European Parliament and the European Commission (OJ L 304, 20.11.2010, p. 47, ELI: [http://data.europa.eu/eli/agree\\_interinst/2010/1120/oj](http://data.europa.eu/eli/agree_interinst/2010/1120/oj)).

Interinstitutional Agreement of 12 March 2014 between the European Parliament and the Council concerning the forwarding to and handling by the European Parliament of classified information held by the Council on matters other than those in the area of the common foreign and security policy (OJ C 95, 1.4.2014, p. 1).

<sup>3</sup> Decision of the European Parliament of 23 October 2002 on the implementation of the Interinstitutional Agreement governing European Parliament access to sensitive Council information in the sphere of security and defence policy (OJ C 298, 30.11.2002, p. 4). Decision of the Bureau of 15 April 2013 concerning the rules governing the treatment of confidential information by the European Parliament (OJ C 96, 1.4.2014, p. 1).

## **TITLE I Rule 7**

### **Rule 7**

#### **Defence of privileges and immunity**

1. In cases where it is alleged that an infringement of the privileges and immunities of a Member or former Member by the authorities of a Member State or by the European Public Prosecutor's Office has occurred or is about to occur, a request for a Parliament decision as to whether those privileges and immunities have been or are likely to be breached may be made in accordance with Rule 9(1).
2. In particular, such a request for the defence of privileges and immunities may be made if it is considered that the circumstances would constitute an administrative or other restriction on the free movement of Members travelling to or from the place of meeting of Parliament or an administrative or other restriction on an opinion expressed or a vote cast in the performance of their duties, or that the circumstances would fall within the scope of Article 9 of the Protocol No 7 on the Privileges and Immunities of the European Union.
3. A request for the defence of the privileges and immunities of a Member shall not be admissible if a request for the waiver or defence of that Member's immunity has already been received in respect of the same facts, whether or not that earlier request led to a decision.
4. No further consideration shall be given to a request for the defence of the privileges and immunities of a Member if a request for the waiver of that Member's immunity is received in respect of the same facts.
5. In cases where a decision has been taken not to defend the privileges and immunities of a Member, the Member may exceptionally make a request for reconsideration of the decision, by submitting new evidence in accordance with Rule 9(1). The request for reconsideration shall be inadmissible if proceedings have been instituted against the decision under Article 263 of the Treaty on the Functioning of the European Union, or if the President considers that the new evidence submitted is insufficiently substantiated to warrant reconsideration.

### **Rule 8**

#### **Urgent action by the President to assert immunity**

1. As a matter of urgency, in circumstances where a Member is arrested or has his or her freedom of movement curtailed in apparent breach of his or her privileges and immunities, the President may, after consulting the Chair and rapporteur of the committee responsible, take an initiative to assert the privileges and immunities of the Member concerned. The President shall notify the committee of that initiative and inform Parliament.
2. When the President makes use of the powers conferred on him or her by paragraph 1, the committee shall take cognisance of the President's initiative at its next meeting. Where the committee deems it necessary, it may prepare a report for submission to Parliament.

### **Rule 9**

#### **Procedures on immunity**

1. Any request addressed to the President by a competent authority of a Member State or by the European Chief Prosecutor for the immunity of a Member to be waived, or by a Member or a former Member for privileges and immunities to be defended, shall be announced in Parliament and referred to the committee responsible.



2. With the agreement of the Member or the former Member concerned, the request may be made by another Member, who shall be permitted to represent the Member or former Member concerned at all stages of the procedure.

The Member representing the Member or the former Member concerned shall not be involved in the decisions taken by the committee.

3. The committee shall consider, without delay but having regard to their relative complexity, requests for the waiver of immunity or requests for the defence of privileges and immunities.

4. The committee shall make a proposal for a reasoned decision which recommends the adoption or rejection of the request for the waiver of immunity or for the defence of privileges and immunities. Amendments shall not be admissible. If a proposal is rejected, the contrary decision shall be deemed to have been adopted.

5. The committee may ask the authority of the Member State concerned or, as the case may be, the European Chief Prosecutor to provide any information or explanation, which the committee deems necessary in order for it to form an opinion on whether immunity should be waived or defended.

6. The Member concerned shall be given an opportunity to be heard and may present any documents or other written evidence deemed by that Member to be relevant.

The Member concerned shall not be present during debates on the request for waiver or defence of his or her immunity, except for the hearing itself.

The Chair of the committee shall invite the Member to be heard, indicating a date and time. The Member concerned may renounce the right to be heard.

If the Member concerned fails to attend the hearing pursuant to that invitation, he or she shall be deemed to have renounced the right to be heard, unless he or she has asked to be excused from being heard on the date and at the time proposed, and has given his or her reasons. The Chair of the committee shall rule on whether such a request to be excused is to be accepted in view of the reasons given. The Member concerned shall not be permitted to appeal that ruling.

If the Chair of the committee grants the request to be excused, he or she shall invite the Member concerned to be heard at a new date and time. If the Member concerned fails to comply with the second invitation to be heard, the procedure shall continue without the Member being heard. No further requests to be excused, or to be heard, may then be accepted.

*Rule 222(1), second subparagraph, does not prevent the committee responsible from allowing the remote participation of the Member concerned in an immunity hearing in camera, in accordance with the principles the committee laid down pursuant to Rule 9(13), if that Member is, owing to exceptional and objective circumstances, unable to attend the hearing physically.*

7. Where the request seeks the waiver or the defence of immunity on several counts, each of these may be the subject of a separate decision. The committee's report may, exceptionally, propose that the waiver or the defence of immunity should 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 that Member from performing the duties proper to the mandate.

8. The committee may offer a reasoned opinion as to the competence of the authority of the Member State concerned or, as the case may be, the European Chief Prosecutor and the

## TITLE I Rule 10

admissibility of the request, but shall not, under any circumstances, pronounce on the guilt, or otherwise, of the Member, nor shall it pronounce on whether or not the opinions or acts attributed to the Member justify prosecution, even if the committee, in considering the request, acquires detailed knowledge of the facts of the case.

9. The committee's proposal for a decision shall be placed on the agenda of the first sitting following the day on which it was tabled. No amendments may be tabled to such a proposal.

Discussion shall be confined to the reasons for and against each proposal to waive or uphold immunity, or to defend a privilege or immunity.

Without prejudice to Rule 180, the Member whose privileges or immunities are under consideration shall not speak in the debate.

The proposal or proposals 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, a separate vote shall be taken on each of the proposals contained in the report. If a proposal is rejected, the contrary decision shall be deemed to have been adopted.

10. The President shall immediately communicate Parliament's decision to the Member concerned and to the competent authority of the Member State concerned or, as the case may be, to the European Chief Prosecutor, with a request that the President be informed of any developments and judicial rulings in the relevant proceedings. When the President receives this information, he or she shall transmit it to Parliament in the way he or she considers most appropriate, if necessary after consulting the committee responsible.

11. The committee shall treat these matters, and handle any documents received with the utmost confidentiality. The committee shall always consider requests relating to procedures on immunity in camera.

12. Parliament shall only examine requests for the waiver of a Member's immunity that have been transmitted to it by the judicial authorities or by the Permanent Representations of the Member States or, as the case may be, by the European Chief Prosecutor.

13. The committee shall lay down principles for the application of this Rule.

14. Any inquiry as to the scope of Members' privileges or immunities made by a competent authority of a Member State or, as the case may be, by the European Public Prosecutor's Office shall be dealt with in accordance with the above rules.

### **Rule 10**

#### **Standards of conduct**

1. The conduct of Members shall be characterised by mutual respect and shall be based on the values and principles laid down in the Treaties, and particularly in the Charter of Fundamental Rights. Members shall respect Parliament's dignity and shall not harm its reputation.

2. Members shall not compromise the smooth conduct of parliamentary business and shall not compromise the maintenance of security and order on Parliament's premises or the functioning of its equipment.

3. Members shall not disrupt the good order of the Chamber and shall refrain from improper

behaviour. They shall not display banners.

4. In parliamentary debates in the Chamber, Members shall not resort to offensive language.

*The assessment of whether the language used by a Member in a parliamentary debate is offensive or not should take into consideration, inter alia, the identifiable intentions of the speaker, the perception of the statement by the public, the extent to which it harms the dignity and reputation of Parliament, and the freedom of speech of the Member concerned. By way of example, defamatory language, “hate speech” and incitement to discrimination based, in particular, on any ground referred to in Article 21 of the Charter of Fundamental Rights, would ordinarily constitute cases of “offensive language” within the meaning of this Rule.*

5. Members shall comply with Parliament’s rules on the treatment of confidential information.

6. Members shall refrain from any type of psychological or sexual harassment and shall respect the Code of appropriate behaviour for Members of the European Parliament in exercising their duties which is attached to these Rules of Procedure as an annex<sup>4</sup>.

Members may not be elected as office-holders of Parliament or one of its bodies, be appointed as rapporteur or participate in an official delegation or interinstitutional negotiations:

- (a) if they have not signed the declaration confirming their commitment to complying with that Code, including completing the specialised training organised for them by Parliament on preventing conflict and harassment in the workplace and on good office management; or
- (b) if they have not completed the specialised training referred to in point (a) in breach of the deadline and conditions laid down in that Code.

7. Where a person working for a Member, or another person for whom the Member has arranged access to Parliament's premises or equipment, fails to comply with the standards of conduct set out in this Rule, this behaviour may, where appropriate, be imputable to the Member concerned.

8. The application of this Rule shall not otherwise detract from the liveliness of parliamentary debates, nor shall it undermine Members' freedom of speech.

9. This Rule shall apply, *mutatis mutandis*, in Parliament’s bodies, committees and delegations.

## **Rule 11**

### **Rules of conduct regarding integrity and transparency**

1. Parliament shall lay down rules of conduct regarding integrity and transparency in the form of a Code of Conduct, which shall be adopted by a majority of its component Members and attached to these Rules of Procedure as an annex<sup>5</sup>.

Those rules shall not otherwise prejudice or restrict Members in the exercise of their office or of any related political or other activity.

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<sup>4</sup> See Annex II.

<sup>5</sup> See Annex I.

## TITLE I Rule 12

2. The Bureau shall provide the necessary infrastructure on Members' online page on Parliament's website for those Members who wish to publish a voluntary audit or confirmation, as provided for under the applicable rules of the Statute for Members and its implementing rules, that their use of the General Expenditure Allowance complies with the applicable rules of the Statute for Members and its implementing measures.

3. The code of conduct regarding integrity and transparency for former Members shall be laid down by a decision of the Bureau.

### **Rule 12**

#### **Internal investigations conducted by the European Anti-Fraud Office (OLAF)**

The common rules laid down in the Interinstitutional Agreement concerning internal investigations by the European Anti-Fraud Office (OLAF)<sup>6</sup> comprising the measures that are needed to facilitate the smooth running of investigations conducted by the Office shall be applicable within Parliament, pursuant to Parliament Decision of 18 November 1999<sup>7</sup>.

### **Rule 13**

#### **Observers**

1. Where a Treaty on the accession of a State to the European Union has been signed, the President may, after obtaining the agreement of the Conference of Presidents, invite the parliament of the acceding State to appoint, from among its own members, a number of observers equal to the number of seats in the European Parliament to be allocated to that State upon accession.

2. Those observers shall take part in the proceedings of Parliament pending the entry into force of the Treaty of Accession, and shall have a right to speak in committees and political groups. They shall not have the right to vote or to stand for election to positions in Parliament, nor shall they represent the Parliament externally. Their participation shall not have any legal effect on Parliament's proceedings.

3. Their treatment shall be assimilated to that of a Member as regards the use of Parliament's facilities and the reimbursement of travel and subsistence expenses incurred in their activities as observers.

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<sup>6</sup> Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by the European Anti-fraud Office (OLAF) (31999Q0531, ELI: [http://data.europa.eu/eli/agree\\_interinstit/1999/531/oj](http://data.europa.eu/eli/agree_interinstit/1999/531/oj)).

<sup>7</sup> Parliament Decision of 18 November 1999 concerning the terms and conditions for internal investigations in relation to the prevention of fraud corruption and any illegal activity detrimental to the Communities' interests.

## CHAPTER 2

## OFFICERS OF PARLIAMENT

**Rule 14****Provisional Chair<sup>8</sup>**

1. At the sitting provided for under Rule 160(2), and at any other sitting held for the purpose of electing the President and the Bureau, the outgoing President or, failing him or her, one of the outgoing Vice-Presidents, determined in accordance with their order of precedence, or, in the absence of any of them, the Member having held office for the longest period shall take the chair until the President has been elected.

2. No business shall be transacted while a Member is provisionally in the chair by virtue of paragraph 1 unless it concerns the election of the President or the verification of credentials under the second subparagraph of Rule 3(2). Any other matter relating to the verification of credentials raised when he or she is in the chair shall be referred to the committee responsible.

**Rule 15****Nominations and general provisions<sup>9</sup>**

1. The President shall be elected by secret ballot, followed by the Vice-Presidents and the Quaestors, in accordance with Rule 198.

Nominations shall be with consent of the nominee, and may only be made by a political group or Members reaching at least the low threshold. New nominations may be handed in before each ballot.

If the number of nominations does not exceed the number of seats to be filled, the candidates shall be elected by acclamation, unless Members or a political group or groups reaching at least the high threshold request a secret ballot.

In the event of a single ballot for more than one officer, the ballot paper shall only be valid if more than half of the available votes have been cast.

2. When electing the President, Vice-Presidents and Quaestors, account should be taken of the need to ensure an overall fair representation of political views, as well as gender and geographical balance.

**Rule 16****Election of President – opening address<sup>10</sup>**

1. Nominations for President shall be handed to the Member provisionally in the chair by virtue of Rule 14, 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, by way of derogation from Rule 15(1), 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 older candidate shall be declared to have been elected.

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<sup>8</sup> Rule 14 applies mutatis mutandis to committees (see Rule 219(3)).

<sup>9</sup> Rule 15 applies mutatis mutandis to committees (see Rule 219(3)).

<sup>10</sup> Rule 16 applies mutatis mutandis to committees (see Rule 219(3)).

## TITLE I Rule 17

2. As soon as the President has been elected, the Member who is provisionally in the chair by virtue of Rule 14 shall vacate the chair. Only the elected President may deliver an opening address.

### **Rule 17**

#### **Election of Vice-Presidents**

1. The Vice-Presidents shall then be elected on a single ballot. Those who on the first ballot, up to the number of 14, secure an absolute majority of the votes cast shall be declared to have been elected in order of the number of votes obtained. If the number of candidates elected is less than the number of seats to be filled, a second ballot shall be held under the same conditions to fill the remaining seats. If a third ballot is necessary, a relative majority shall suffice for election to the remaining seats. In the event of a tie, the oldest candidates shall be declared to have been elected.

2. Subject to the provisions of Rule 20(1), the Vice-Presidents shall take precedence in the order in which they were elected and, in the event of a tie, by age.

If Vice-Presidents are elected by acclamation, a secret ballot shall be held to determine their order of precedence.

### **Rule 18**

#### **Election of Quaestors**

Parliament shall elect five Quaestors by the same procedure as that used for the election of the Vice-Presidents.

### **Rule 19**

#### **Term of office of Officers<sup>11</sup>**

1. The term of office of the President, Vice-Presidents and Quaestors shall be two-and-a-half years.

*When Members change political groups they shall retain, for the remainder of their two-and-a-half-year term of office, any seat they hold in the Bureau or as Quaestors.*

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

### **Rule 20**

#### **Vacancies<sup>12</sup>**

1. If it becomes necessary for the President, a Vice-President or a Quaestor to be replaced, a successor shall be elected in accordance with the respective rules for elections to the office concerned.

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

2. If the office of President becomes vacant, a Vice-President, determined in accordance with

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<sup>11</sup> Rule 19 applies mutatis mutandis to committees (see Rule 219(3)).

<sup>12</sup> Rule 20 applies mutatis mutandis to committees (see Rule 219(3)).

the order of precedence, shall act as President until a new President is elected.

## **Rule 21**

### **Early termination of an office**

The Conference of Presidents may, acting by a majority of three-fifths of the votes cast, representing at least three political groups, propose to Parliament that it bring to an end the term of office of the President, a Vice-President, a Quaestor, a Chair or Vice-Chair of a committee, a Chair or Vice-Chair of an interparliamentary delegation, or of any other office holder elected within the Parliament, where it considers that the Member in question has been guilty of serious misconduct. Parliament shall take a decision on that proposal by a majority of two-thirds of the votes cast, constituting a majority of its component Members.

Where a rapporteur breaches the provisions of the Code of Conduct for Members of the European Parliament regarding integrity and transparency<sup>13</sup>, the committee which appointed him or her may, at the initiative of the President and on a proposal by the Conference of Presidents, terminate the holding of that office. The majorities laid down in the first paragraph shall apply *mutatis mutandis* to each stage of this procedure.

## CHAPTER 3

### BODIES AND DUTIES

## **Rule 22**

### **Duties of the President**

1. The President shall direct all the activities of Parliament and its bodies in accordance with these Rules and shall enjoy all powers that are 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 rule on the admissibility of amendments and other texts put to the vote, as well as on the admissibility of parliamentary questions; to ensure observance of these Rules; to maintain order; to call upon speakers; to close debates; to put matters to the vote and to announce the results of votes; as well as 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 the President wish to take part in a debate, he or she 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 and financial matters by the President, who may delegate these powers.
5. The President is responsible for the security and the inviolability of the premises of the European Parliament.

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<sup>13</sup> See Annex I.

## **TITLE I Rule 23**

### **Rule 23**

#### **Duties of the Vice-Presidents**

1. If the President is absent or unable to discharge his or her duties, or if the President wishes to take part in a debate pursuant to Rule 22(3), he or she shall be replaced by one of the Vice-Presidents determined in accordance with the order of precedence.
2. The Vice-Presidents shall also carry out the duties conferred upon them under Rules 25, 27(3) and (5), and 78(3).
3. The President may delegate any duties to the Vice-Presidents, such as representing Parliament at specific ceremonies or acts. In particular, the President may designate a Vice-President to carry out the duties of the President laid down in Rules 143 and 144(2).

### **Rule 24**

#### **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. If voting in the Bureau results in a tie, the President shall have the casting vote.

### **Rule 25**

#### **Duties of the Bureau**

1. The Bureau shall carry out the duties assigned to it under these Rules of Procedure.
2. The Bureau shall take financial, organisational and administrative decisions on matters concerning the internal organisation of Parliament, its Secretariat and its bodies.
3. The Bureau shall take financial, organisational and administrative decisions on matters concerning Members on a proposal of the Secretary-General or of a political group.
4. The Bureau shall take decisions on matters relating to the conduct of sittings.
5. The Bureau shall adopt the provisions referred to in Rule 37 concerning non-attached Members.
6. The Bureau shall decide the establishment plan of the Parliament's Secretariat and shall lay down regulations concerning the administrative and financial situation of officials and other servants.
7. The Bureau shall draw up Parliament's preliminary draft budget estimates.
8. The Bureau shall adopt the guidelines for the Quaestors, and may request that they carry out certain tasks.
9. The Bureau shall be the authority responsible for authorising expenditure for hearings.
10. The Bureau shall appoint the Secretary-General in accordance with Rule 240.
11. The Bureau shall lay down the implementing rules relating to the regulations governing political parties and foundations at European level and the rules regarding their funding.



12. The Bureau shall lay down rules concerning the treatment of confidential information by Parliament and its bodies, office-holders and other Members, taking into account any interinstitutional agreement concluded on such matters. Those rules shall be published in the *Official Journal of the European Union*.

13. 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.

14. The Bureau shall nominate two Vice-Presidents who shall be entrusted with the implementation of relations with the national parliaments.

15. The Bureau shall nominate a Vice-President who shall be entrusted with the implementation of structured consultation with European civil society on major topics.

16. The Bureau shall be responsible for the application of the Statute for Members and shall decide on the amounts of the allowances on the basis of the annual budget.

## **Rule 26**

### **Composition of the Conference of Presidents**

1. The Conference of Presidents shall consist of the President of Parliament and the Chairs of the political groups. The Chair of a political group may arrange to be represented by a member of that group.

2. The President of Parliament shall, after giving the opportunity to non-attached Members to express their views, invite one of them to attend meetings of the Conference of Presidents, without the right to vote.

3. The Conference of Presidents shall endeavour to reach a consensus on the 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 27**

### **Duties of the Conference of Presidents**

1. The Conference of Presidents shall carry out the duties assigned to it under these Rules of Procedure.

2. The Conference of Presidents shall take decisions on the organisation of Parliament's work and on matters of legislative planning.

3. The Conference of Presidents shall be the authority responsible for matters concerning Parliament's relations with the other institutions and bodies of the European Union and with the national parliaments of Member States. Decisions concerning the mandate and composition of the delegation from Parliament which is to participate in consultations within the Council and in other European Union Institutions on fundamental issues concerning the development of the European Union (Sherpa process) shall be taken on the basis of relevant positions adopted by Parliament and taking into account the diversity of political views represented within Parliament. The Vice-Presidents who have been entrusted with the implementation of Parliament's relations with the national parliaments shall regularly report back to the Conference of Presidents on their activities

## TITLE I Rule 28

in that regard.

4. The Conference of Presidents shall be the authority responsible for matters concerning relations with non-member countries and with non-Union institutions and organisations.

5. The Conference of Presidents shall be responsible for organising structured consultation with European civil society on major topics. That consultation may include holding public debates on subjects of general European interest in which interested citizens may participate. The Vice-President responsible for the implementation of such consultation shall report back regularly to the Conference of Presidents on his or her activities in this regard.

6. The Conference of Presidents shall draw up the draft agenda of Parliament's part-sessions.

7. The Conference of Presidents shall make proposals to Parliament concerning the composition and competence of committees, special committees, committees of inquiry, joint parliamentary committees and standing interparliamentary delegations. The Conference of Presidents shall be the authority responsible for proposing to Parliament the setting up of temporary legislative committees in accordance with Rule 214.

8. The Conference of Presidents shall be the authority responsible for authorising missions away from the usual places of work and interparliamentary meetings.

9. The Conference of Presidents shall decide pursuant to Rule 38 how seats in the Chamber are to be allocated.

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

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

### **Rule 28**

#### **Duties of the Quaestors**

The Quaestors shall be responsible for administrative and financial matters directly concerning Members, in accordance with guidelines laid down by the Bureau, as well as for other tasks entrusted to them.

### **Rule 29**

#### **Conference of Committee Chairs**

1. The Conference of Committee Chairs shall consist of the Chairs of all standing or special committees. It shall elect its chair.

2. In the absence of the Chair, the meeting of the Conference shall be chaired by the oldest Member present.

3. The Conference of Committee Chairs may make recommendations to the Conference of Presidents about the work of committees and the drafting of the agendas of part-sessions.

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

**Rule 30****Conference of Delegation Chairs**

1. The Conference of Delegation Chairs shall consist of the Chairs of all standing interparliamentary delegations. It shall elect its chair.
2. In the absence of the Chair, the meeting of the Conference shall be chaired by the oldest Member present.
3. The Conference of Delegation Chairs may make recommendations to the Conference of Presidents about the work of the delegations.
4. The Bureau and the Conference of Presidents may instruct the Conference of Delegation Chairs to carry out specific tasks.

**Rule 31****Continuity of an office during the election period**

When a new Parliament is elected, all bodies and office holders of the outgoing Parliament shall continue to be in office until the first sitting of the new Parliament.

**Rule 32****Accountability of the Bureau and the Conference of Presidents**

1. The minutes of the Bureau and the Conference of Presidents shall be translated into the official languages and distributed to all Members of Parliament. They shall be accessible to the public, unless the Bureau or the Conference of Presidents exceptionally, for reasons of confidentiality, subject to Article 4(1) to (4) of Regulation (EC) No 1049/2001, decides otherwise with regard to certain items of the minutes.
2. Any Member of Parliament may ask questions concerning the performance by the Bureau, the Conference of Presidents and the Quaestors of their respective duties. Such questions shall be submitted to the President in writing, notified to Members and published on Parliament's website within 30 days of tabling, together with the answers given.

## CHAPTER 4

## POLITICAL GROUPS

**Rule 33****Establishment and dissolution of political groups**

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

*Parliament need not normally evaluate the political affinity of members of a group. In forming a group together under this Rule, the Members concerned accept by definition that they have political affinity. Only when this is denied by the Members concerned is it necessary for Parliament to evaluate whether the group has been constituted in accordance with the Rules.*

2. A political group shall consist of Members elected in at least one-quarter of the Member States. The minimum number of Members required to form a political group shall be 23.

## TITLE I Rule 34

3. If a group falls below one of the required thresholds, the President, with the agreement of the Conference of Presidents, may allow it to continue to exist until Parliament's next constitutive sitting, provided the following conditions are met:

- the members continue to represent at least one-fifth of the Member States;
- the group has been in existence for a period that is longer than a year.

The President shall not apply this derogation where there is sufficient evidence to suspect that it is being abused.

4. A Member may not belong to more than one political group.

5. The President shall be notified in a statement when a political group is set up. That statement shall specify:

- the name of the group,
- a political declaration, setting out the purpose of the group, and

*The political declaration of a group shall set out the values that the group stands for and the main political objectives which its members intend to pursue together in the framework of the exercise of their mandate. The declaration shall describe the common political orientation of the group in a substantial, distinctive and genuine way.*

- the names of its members and bureau members.

All members of the group shall declare in writing in an annex to the statement that they share the same political affinity.

6. The statement shall be annexed to the minutes of the part-session during which the announcement of the establishment of the political group is made.

7. The President shall announce the establishment of political groups in Parliament. Such announcement shall have retroactive legal effect from the moment when the group notified its establishment to the President in accordance with this Rule.

The President shall also announce the dissolution of political groups in Parliament. Such an announcement will take legal effect on the day following that on which the political group no longer met the conditions for existence.

### **Rule 34**

#### **Activities and legal situation of the political groups**

1. The political groups shall carry out their duties as part of the activities of the Union, including the tasks allocated to them by these Rules of Procedure. The political groups shall be provided with a secretariat on the basis of the establishment plan of the Parliament's Secretariat, with administrative facilities and with the appropriations entered for that purpose in Parliament's budget.

2. At the beginning of each parliamentary term, the Conference of Presidents shall endeavour to agree procedures for reflecting the political diversity of Parliament in the committees and delegations, as well as in the decision-making bodies.

3. The Bureau shall, having regard to any proposal made by the Conference of Presidents, lay down the rules relating to the provision, implementation and monitoring of the facilities and appropriations referred to in paragraph 1, as well as to the related delegations of budget implementation powers and the consequences of any failure to respect those rules.

4. Those rules shall determine the administrative and financial consequences in the event of the dissolution of a political group.

## **Rule 35**

### **Intergroups**

1. Individual Members may form intergroups for the purpose of holding informal exchanges of views on specific issues across different political groups, drawing on members of different parliamentary committees, and of promoting contact between Members and civil society.

2. Intergroups shall be fully transparent in their actions. They shall not engage in any activities which might result in confusion with the official activities of Parliament or of its bodies. In particular, they shall not use the name or the logo of Parliament. They may not organise events in third countries that coincide with a mission of an official Parliament body, including an official election observation delegation.

3. Provided that the conditions laid down in Parliament's internal rules governing the establishment of intergroups are complied with, a political group may facilitate their activities by providing them with logistical support.

4. Intergroups shall be required to make an annual declaration of any support, including in cash or in kind, which, if offered to Members as individuals, would have had to be declared under Annex I.

5. Interest representatives may only participate in intergroup activities organised on Parliament's premises, for instance by attending meetings or events of the intergroup, by offering support to it, or by co-hosting its events, if they are entered in the transparency register established by means of the Interinstitutional Agreement on a mandatory transparency register<sup>14</sup>.

6. The Quaestors shall keep a public register of the intergroups and of the declarations referred to in paragraph 4. The Bureau shall adopt detailed rules on that register and on those declarations and their publication on Parliament's website.

7. The Quaestors shall ensure the effective enforcement of this Rule.

8. In the event of a breach of this Rule, the Quaestors may impose on the intergroup a ban on using Parliament's facilities for a period which may not exceed the remainder of the parliamentary term.

## **Rule 36**

### **Unofficial groupings**

1. Individual Members may form unofficial groupings for the purpose of holding informal

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<sup>14</sup> Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register (OJ L 207, 11.6.2021, p. 1, ELI: [http://data.europa.eu/eli/agree\\_interinst/2021/611/oj](http://data.europa.eu/eli/agree_interinst/2021/611/oj)).

## TITLE I Rule 37

exchanges of views on specific issues across different political groups, drawing on members of different parliamentary committees, and of promoting contact between Members and civil society.

2. Unofficial groupings shall be fully transparent in their actions. They shall not engage in any activities which might result in confusion with the official activities of Parliament or of its bodies. In particular, they shall not use the name or the logo of Parliament. They may not organise events in third countries that coincide with a mission of an official Parliament body, including an official election observation delegation. Members participating in unofficial groupings shall proactively disclose to external interlocutors that they are acting in their capacity as individual Members.

3. A political group may facilitate the activities of unofficial groupings by providing them with logistical support, except in the case of unofficial groupings related to third countries for which a standing interparliamentary delegation as referred to in Rule 229 exists.

Unofficial groupings related to third countries for which a standing interparliamentary delegation as referred to in Rule 229 exists shall not benefit from any facilities of Parliament for their activities.

The relation to the third country may result from the name or the activities of the unofficial grouping.

4. Unofficial groupings shall be required to declare, by the end of the following month, any support, including in cash or in kind. In the absence of such a declaration, the Chair of the grouping or, if the grouping has no Chair, any Member participating in it shall declare the support within 10 working days following the expiry of that deadline.

5. Interest representatives may only participate in unofficial grouping activities organised on Parliament's premises, for instance by attending meetings or events of the unofficial grouping, by offering support to it, or by co-hosting its events, if they are entered in the transparency register.

6. The Quaestors shall keep a public register of the declarations referred to in paragraph 4 and of the unofficial groupings that have submitted them. The Bureau shall adopt detailed rules on that register and on those declarations and their publication on Parliament's website.

7. The Quaestors shall ensure the effective enforcement of this Rule.

8. In the event of a breach of this Rule, the Quaestors may impose on the unofficial grouping a ban on using Parliament's facilities for a period which may not exceed the remainder of the parliamentary term.

### **Rule 37**

#### **Non-attached Members**

1. Members who do not belong to a political group shall be provided with a secretariat. The detailed arrangements concerning such provision of secretariats shall be laid down by the Bureau on a proposal from the Secretary-General.

2. The Bureau shall determine the status and parliamentary rights of non-attached Members.

3. The Bureau shall lay down the rules relating to the provision, implementation and auditing of appropriations entered in Parliament's budget to cover the secretarial expenses and administrative facilities for non-attached Members.

**Rule 38**

**Allocation of seats in the Chamber**

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

## TITLE II Rule 39

### TITLE II

### LEGISLATIVE, BUDGETARY, DISCHARGE AND OTHER PROCEDURES

#### CHAPTER 1

#### LEGISLATIVE PROCEDURES - GENERAL PROVISIONS

##### **Rule 39**

##### **Annual programming**

1. Parliament shall work together with the Commission and the Council to determine the legislative planning of the Union.

Parliament and the Commission shall cooperate in preparing the Commission Work Programme – which is the Commission’s contribution to the Union’s annual and multiannual programming – in accordance with the timetable and arrangements agreed between the two institutions<sup>15</sup>.

2. After the adoption of the Commission Work Programme, the Parliament, the Council and the Commission will, pursuant to paragraph 7 of the Interinstitutional Agreement on Better Law-Making<sup>16</sup>, exchange views and agree on a joint declaration on annual interinstitutional programming that sets out broad objectives and priorities.

Before negotiating with the Council and the Commission on the joint declaration, the President shall hold an exchange of views with the Conference of Presidents and the Conference of Committee Chairs regarding Parliament's broad objectives and priorities.

Before signing the joint declaration, the President shall seek the approval of the Conference of Presidents.

3. The President shall forward any resolution adopted by Parliament concerning legislative planning and priorities to the other institutions which participate in the Union's legislative procedure and to the parliaments of the Member States.

4. If the Commission intends to withdraw a proposal, the relevant Commissioner shall be invited by the committee responsible to a meeting to discuss that intention. The Presidency of the Council may also be invited to that meeting. If the committee responsible disagrees with the intended withdrawal, it may request that the Commission make a statement to Parliament. Rule 136 shall apply.

##### **Rule 40**

##### **Respect for fundamental rights**

1. In all of its activities, Parliament shall fully respect the rights, freedoms and principles recognised by Article 6 of the Treaty on European Union, and the values enshrined in Article 2

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<sup>15</sup> Framework Agreement of 20 October 2010 on relations between the European Parliament and the European Commission (OJ L 304, 20.11.2010, p. 47, ELI: [http://data.europa.eu/eli/agree\\_interinst/2010/1120/oj](http://data.europa.eu/eli/agree_interinst/2010/1120/oj)).

<sup>16</sup> Interinstitutional Agreement of 13 April 2016 between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1, ELI: [http://data.europa.eu/eli/agree\\_interinst/2016/512/oj](http://data.europa.eu/eli/agree_interinst/2016/512/oj)).



thereof.

2. Where the committee responsible for the subject matter, a political group or Members reaching at least the low threshold are of the opinion that a proposal for a legislative act, in whole or in part, does not comply with the fundamental rights of the European Union, the matter shall, at their request, be referred to the committee responsible for the protection of fundamental rights.

3. That request shall be submitted within four working weeks of the announcement in Parliament of the referral to the committee responsible for the subject matter.

4. The opinion of the committee responsible for the protection of fundamental rights shall be annexed to the report of the committee responsible for the subject-matter.

## **Rule 41**

### **Verification of legal basis**

1. When a proposal for a legally binding act is referred to the committee responsible for the subject-matter, that committee shall first verify its legal basis.

2. If that committee disputes the validity or the appropriateness of the legal basis, including in the context of the verification of compliance with Article 5 of the Treaty on European Union, it shall request the opinion of the committee responsible for legal affairs.

3. In addition, the committee responsible for legal affairs may, on its own initiative, take up at any stage of the legislative procedure questions concerning the legal basis. In such cases it shall duly inform the committee responsible for the subject-matter.

4. If, where appropriate after the exchange of views with the Council and the Commission in accordance with the arrangements agreed at interinstitutional level<sup>17</sup>, 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. Without prejudice to Rule 62, Parliament shall vote on this before voting on the substance of the proposal.

5. If the committee responsible for the subject-matter or the committee responsible for legal affairs have not disputed the validity or appropriateness of the legal basis, amendments tabled in Parliament to change the legal basis shall be inadmissible.

## **Rule 42**

### **Delegation of legislative powers and conferral of implementing powers**

1. When scrutinising a proposal for a legislative act which delegates powers to the Commission as provided for in Article 290 of the Treaty on the Functioning of the European Union, Parliament shall pay particular attention to the objectives, content, scope and duration of the delegation, and to the conditions to which it is subject.

2. When scrutinising a proposal for a legislative act which confers implementing powers pursuant to Article 291 of the Treaty on the Functioning of the European Union, Parliament shall pay particular attention to the fact that, in exercising an implementing power, the Commission may neither amend nor supplement the legislative act, even in respect of its non-essential elements.

3. The committee responsible for the subject-matter may at any time request the opinion of

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<sup>17</sup> Interinstitutional Agreement on Better-Law Making, paragraph 25.

## TITLE II Rule 43

the committee that is responsible for the interpretation and application of Union law.

4. In addition, the committee responsible for the interpretation and application of Union law may, on its own initiative, take up questions concerning the delegation of legislative powers and the conferral of implementing powers. In such cases, it shall duly inform the committee responsible for the subject-matter.

### Rule 43

#### **Examination of respect for the principles of subsidiarity and proportionality**

1. During the examination of a proposal for a legislative act, Parliament shall pay particular attention to whether that proposal respects the principles of subsidiarity and proportionality.

2. Only the committee responsible for respect for the principle of subsidiarity may make recommendations, for the attention of the committee responsible for the subject-matter, in respect of a proposal for a legislative act.

3. Except in the cases of urgency referred to in Article 4 of Protocol No 1 on the role of national parliaments in the European Union, the committee responsible for the subject-matter shall not proceed to its final vote before the expiry of the deadline of eight weeks laid down in Article 6 of Protocol No 2 on the application of the principles of subsidiarity and proportionality.

4. If a national parliament sends the President a reasoned opinion in accordance with Article 3 of Protocol No 1, that document shall be referred to the committee responsible for the subject-matter and forwarded, for information, to the committee responsible for respect for the principle of subsidiarity.

5. Where reasoned opinions on the non-compliance of a proposal for a legislative act with the principle of subsidiarity represent at least one third of all the votes allocated to the national parliaments in accordance with the second subparagraph of Article 7(1) of Protocol No 2, or a quarter in the case of a proposal for a legislative act submitted on the basis of Article 76 of the Treaty on the Functioning of the European Union, Parliament shall not take a decision until the author of the proposal has stated how it intends to proceed.

6. Where, under the ordinary legislative procedure, reasoned opinions on the non-compliance of a proposal for a legislative act with the principle of subsidiarity represent at least a simple majority of the votes allocated to the national parliaments in accordance with the second subparagraph of Article 7(1) of Protocol No 2, the committee responsible for the subject-matter, having considered the reasoned opinions submitted by the national parliaments and the Commission, and having heard the views of the committee responsible for respect for the principle of subsidiarity, may recommend to Parliament that it reject the proposal on the grounds of infringement of the principle of subsidiarity or submit to Parliament any other recommendation, which may include suggestions for amendments related to respect of the principle of subsidiarity. The opinion given by the committee responsible for respect for the principle of subsidiarity shall be annexed to any such recommendation.

The recommendation shall be submitted to Parliament for debate and a vote. If a recommendation to reject the proposal is adopted by a majority of the votes cast, the President shall declare the procedure to be closed. Where Parliament does not reject the proposal, the procedure shall continue, taking into account any recommendations approved by Parliament.

**Rule 44****Access to documents and provision of information to Parliament**

1. Throughout the legislative procedure, Parliament and its committees shall request access to all documents relating to proposals for legislative acts under the same conditions as the Council and its working parties.
2. During the examination of a proposal for a legislative act, the committee responsible shall ask the Commission and the Council to keep it informed of the progress of that proposal in the Council and its working parties, and in particular to inform it of any emerging compromises which would substantially amend the original proposal or of the author's intention to withdraw its proposal.

**Rule 45****Representation of Parliament in Council meetings**

When the Council invites Parliament to take part in a Council meeting, the President shall ask the Chair or rapporteur of the committee responsible for the subject matter, or another Member designated by that committee, to represent Parliament.

**Rule 46****Right of Parliament to submit proposals**

In cases where the Treaties confer a right of initiative on Parliament, the committee responsible may decide to draw up an own-initiative report in accordance with Rule 55.

The report shall include:

- (a) a motion for a resolution;
- (b) a draft proposal;
- (c) an explanatory statement including, where appropriate, a financial statement.

Where the adoption of an act by Parliament requires the approval or the consent of the Council and the opinion or the consent of the Commission, Parliament may, following the vote on the proposed act, and on a proposal by the rapporteur, decide to postpone the vote on the motion for a resolution until the Council or the Commission have stated their position.

**Rule 47****Requests to the Commission for submission of proposals**

1. Parliament may request the Commission, pursuant to Article 225 of the Treaty on the Functioning of the European Union, to submit any appropriate proposal to it for the adoption of a new act or the amendment of an existing act. Parliament shall do so by adopting a resolution on the basis of an own-initiative report drawn up by the committee responsible in accordance with Rule 55. The resolution shall be adopted by a majority of the component Members of Parliament in the final vote. Parliament may, at the same time, set a deadline for the submission of such a proposal.

Parliament's resolution shall indicate the appropriate legal basis of the proposal.

## TITLE II Rule 47

Parliament shall consider the financial implications, if any, of the proposal.

2. Any Member may table a proposal for a Union act on the basis of the right of initiative granted to Parliament pursuant to Article 225 of the Treaty on the Functioning of the European Union.

Such a proposal may be tabled jointly by up to 10 Members. The proposal shall indicate the legal basis on which it is made and may be accompanied by an explanatory statement of no more than 150 words.

The proposal shall be submitted to the President, who shall verify whether the legal requirements are fulfilled. The President may refer the proposal to the committee responsible for legal affairs for an opinion on the appropriateness of the legal basis, which shall be delivered without undue delay. If the President declares the proposal to be admissible, he or she shall announce it in plenary and refer it to the committee responsible for the subject matter.

Before such referral to the committee responsible for the subject matter, the proposal shall be translated into those official languages which the Chair of that committee considers to be necessary in order for summary consideration to be possible.

The committee responsible for the subject matter shall take a decision on further action within three months of the referral, after giving the authors of the proposal the opportunity to address the committee.

The authors of the proposal shall be named in the title of the report.

Where the committee responsible for the subject-matter has decided to draw up an own-initiative report in accordance with Rule 55 on the proposal and the President has not referred the proposal to the committee responsible for legal affairs for an opinion on the appropriateness of the legal basis, the committee responsible for the subject-matter shall request such an opinion from that committee, which shall be delivered without undue delay.

3. The committee responsible for the subject-matter may also table such a proposal on its own initiative. It shall request an opinion on the appropriateness of the legal basis from the committee responsible for legal affairs, which shall be delivered without undue delay.

4. The committee responsible for budgetary issues may provide the committee responsible for the subject-matter with an opinion on the potential financial implications of the proposal. It shall provide such an opinion if so requested by the committee responsible for the subject-matter. Any such opinion shall be delivered without undue delay.

5. Parliament's resolution shall be accompanied by recommendations concerning the content of the requested proposal.

6. Parliament's resolution shall be brought to the attention of the Council and the Commission with a view to its possible inclusion in the joint declaration on annual interinstitutional programming referred to in Rule 39(2).

7. The committee responsible for the subject matter shall monitor the progress of preparation of any proposed Union legal act drawn up following a particular request by Parliament.

After the expiry of the deadline of three months provided for in paragraph 16, third subparagraph, of the Framework Agreement on relations between the European Parliament and the European Commission and in paragraph 10 of the Interinstitutional Agreement on Better Law-Making, the

Commission may be invited to make a statement in plenary pursuant to Rule 136 in order to inform Parliament about the follow-up actions it intends to take.

If such a statement is not placed on the agenda of the first or second part-session following the expiry of the deadline referred to in the second subparagraph of this paragraph, the committee responsible for the subject-matter shall invite the Commissioner responsible to provide the information referred to in the second subparagraph of this paragraph at one of its forthcoming meetings.

8. The Conference of Committee Chairs shall regularly monitor and report to the Conference of Presidents on whether the Commission is complying with paragraph 16, third subparagraph, of the Framework Agreement as well as with paragraph 10 of the Interinstitutional Agreement on Better Law-Making, according to which the Commission is to reply to requests for the submission of proposals within three months by adopting a specific communication stating the intended follow-up actions to be taken.

## **Rule 48**

### **Referral of legally binding acts and questions of competence**

1. The President shall refer proposals for legally binding acts received from other institutions or Member States to the committee responsible, or to the committees responsible pursuant to Rule 59, for consideration. The President may at the same time refer proposals to one or more committees for them to deliver an opinion pursuant to Rule 57. The other committees and the political groups shall be informed of the referral at the same time.

2. Within two weeks of the referral, a committee or a political group may challenge the President's referral to the committee or committees responsible. In such a case, that committee or political group shall provide a detailed written justification and a substantiated alternative based on Annex VI at least one week before the next meeting of the Conference of Presidents.

The Conference of Presidents may request a recommendation on the matter from the Conference of Committee Chairs. The Conference of Committee Chairs or its Chair shall adopt that recommendation at its next meeting. The Conference of Presidents shall take a decision on the final referral at its next meeting, provided that the transmission by the Conference of Committee Chairs of its recommendation has taken place at least one week before.

If no committee or political group challenges the President's referral to the committee or committees responsible within the deadline laid down in the first subparagraph, the President's referral shall be final.

3. In cases of doubt, the President may, before the referral provided for in paragraph 1, request a recommendation on the question of competence from the Conference of Committee Chairs. The Conference of Committee Chairs or its Chair shall adopt that recommendation at its next meeting. After receiving the recommendation, the President shall make the referral. Political groups shall be informed of the referral at the same time. Within two weeks of the referral, a political group may challenge the President's referral to the committee or committees responsible. In such a case, that group shall provide a detailed written justification and a substantiated alternative based on Annex VI at least two weeks before the next meeting of the Conference of Presidents. The Conference of Presidents shall take a decision on the final referral at its next meeting.

If no political group challenges the President's referral to the committee or committees responsible

## TITLE II Rule 49

within the deadline laid down in the first subparagraph, the President's referral shall be final.

4. Within two weeks of the referral, a committee to which the President has not referred the proposal for an opinion pursuant to paragraph 1 may request an authorisation from the Conference of Committee Chairs to deliver such an opinion. That request shall be based on a written statement of reasons justifying that the matter falls to a substantial extent within its competence pursuant to Annex VI. The Conference of Committee Chairs or its Chair shall take a decision at its next meeting and inform the President thereof.

5. The President shall announce the referral in Parliament after receiving the proposal in all official languages of the European Union and, except in cases of requests for the application of the urgent procedure pursuant to Rule 170, after, where relevant, any question of competence between committees has been settled. Once it has been announced in Parliament, the referral shall be made public on Parliament's website.

6. For the purpose of calculating the deadlines referred to in this Rule, weeks without parliamentary activities and weeks set aside for external parliamentary activities shall not be taken into account.

### **Rule 49**

#### **Acceleration of legislative procedures**

The acceleration of legislative procedures in coordination with the Council and Commission regarding specific proposals, selected in particular from among those identified as priorities in the joint declaration on annual interinstitutional programming pursuant to Rule 39(2), shall be agreed by the committee or committees responsible.

Accelerated legislative procedures shall be carried out on the basis of a report from the committee or committees responsible. To this end, questions to be dealt with in accordance with accelerated legislative procedures may be given priority over other items on the committee agenda.

### **Rule 50**

#### **Legislative procedures on initiatives originating from institutions other than the Commission or from Member States**

1. When dealing with initiatives originating from institutions other than the Commission or originating from Member States, the committee responsible may invite representatives of the institutions or those originating Member States to present their initiative to the committee. The representatives of the originating Member States may be accompanied by the Presidency of the Council.

2. Before the committee responsible proceeds to the vote, it shall ask the Commission whether it is preparing an opinion on the initiative, or if it intends to submit an alternative proposal within a short period of time. If the answer that it receives is in the affirmative, the committee shall not adopt its report before receiving that opinion or alternative proposal.

3. When two or more proposals originating from the Commission and/or another institution and/or the Member States with the same legislative objective have been submitted to Parliament simultaneously or within a short period of time, Parliament shall deal with them in a single report. In its report, the committee responsible shall indicate to which text it has proposed amendments and it shall refer to all other texts in the legislative resolution.

## CHAPTER 2

## PROCEDURE IN COMMITTEE

**Rule 51****Legislative reports**

1. The Chair of the committee to which a proposal for a legally binding act is referred shall propose to the committee the procedure to be followed.
2. After taking a decision on the procedure to be followed, and provided that the simplified procedure under Rule 52 does not apply, the committee shall appoint a rapporteur on the proposal for a legally binding act from among its members or permanent substitutes.

The committee responsible may also decide to appoint a rapporteur to follow the preparatory phase of a proposal. It shall particularly consider doing so where the proposal is listed in the Commission Work Programme.

3. The committee's report shall include:
  - (a) amendments, if any, to the proposal, accompanied, if appropriate, by short justifications, which shall be the responsibility of the author and which shall not be put to the vote;
  - (b) a draft legislative resolution, in accordance with Rule 60(5);
  - (c) if appropriate, an explanatory statement including, where necessary, a financial statement which establishes the magnitude of the financial impact of the report, if any, and its compatibility with the multiannual financial framework;
  - (d) if available, a reference to the Impact Assessment by Parliament.

**Rule 52****Simplified procedure**

1. Following a first discussion of a proposal for a legally binding act, the Chair may propose that it be approved without amendment. Unless members or a political group or groups reaching at least the medium threshold in the committee object, the proposed procedure shall be deemed to have been approved. The Chair, or, if one has been appointed, the rapporteur, shall present to Parliament a report approving the proposal. The second subparagraph of Rule 165(1) and Rule 165(2) and (4) shall apply.
2. Alternatively, the Chair may propose setting a deadline for tabling amendments without a draft report having first been drawn up. Unless members or a political group or groups reaching at least the medium threshold in the committee object, the proposed procedure shall be deemed to have been approved.

The amendments tabled shall be put to the vote at the earliest possible meeting of the committee after the deadline for the amendments has passed, following which a draft legislative resolution and amendments shall be submitted to Parliament.

3. With the exception of the provisions concerning the submission to Parliament, this Rule shall apply *mutatis mutandis* to committee opinions within the meaning of Rule 57.

## **TITLE II Rule 53**

### **Rule 53**

#### **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 committee's report shall include:
  - (a) a motion for a resolution;
  - (b) an explanatory statement including, where necessary, a financial statement which establishes the magnitude of the financial impact of the report, if any, and its compatibility with the multiannual financial framework;
  - (c) the texts of any motions for resolutions to be included under Rule 149(7).

### **Rule 54**

#### **Co-rapporteurship**

1. Exceptionally, without prejudice to Rule 51(2) and at the request of the committee responsible, the Conference of Presidents may authorise the appointment of maximum three co-rapporteurs. As a general rule, co-rapporteurs shall come from different political groups.
2. The appointment of co-rapporteurs shall not be authorised under paragraph 1 for reports drawn up by committees jointly under Rule 59, for opinions pursuant to Rule 57 or for own-initiative reports, except for own-initiative reports of a budgetary or institutional nature.

### **Rule 55**

#### **Own-initiative reports**

1. A committee intending to draw up a non-legislative report or a report under Rule 46 or 47 on a subject within its competence on which no referral has taken place, may do so only with the authorisation of the Conference of Presidents.

The Conference of Presidents shall take a decision on requests for authorisation to draw up reports submitted pursuant to the first subparagraph on the basis of implementing provisions, which it shall lay down.

2. Where the Conference of Presidents decides to withhold such authorisation, it shall state its reasons for doing so.

Where the subject matter of the report falls within Parliament's right of initiative referred to in Rule 46, the Conference of Presidents may only decide to withhold such authorisation if the conditions set out in the Treaties are not met.

3. In the cases referred to in Rules 46 and 47, the Conference of Presidents shall take a decision within two months.
4. Motions for resolutions submitted to Parliament shall be examined under the short presentation procedure set out in Rule 166 or submitted directly for a vote in plenary. Amendments to such motions for resolutions and requests for split votes or separate votes shall only be admissible for consideration in plenary if they are tabled either by the rapporteur, in order



to take account of new information, or by at least one-tenth of the Members. Political groups may table alternative motions for resolutions in accordance with Rule 188(3). Rule 197 shall apply to the committee's motion for a resolution and amendments thereto. Rule 197 shall also apply to the single vote on alternative motions for resolutions.

5. Paragraph 4 shall not apply where the subject of the report qualifies for a key debate in plenary, where the report is drawn up pursuant to the right of initiative referred to in Rule 46 or 47, where the report has been authorised as a strategic report or as an implementation report or for annual activity and monitoring reports listed in the implementing provisions laid down by the Conference of Presidents.

6. The committee Chairs may enter into agreements with other committee Chairs concerning the allocation of an own-initiative report or a non-legislative report to a particular committee.

If a question of competence arises among two or more standing committees, the matter shall be examined by the Conference of Committee Chairs. If no agreement has been found among those committees, the Conference of Committee Chairs or its Chair shall issue a recommendation. The Conference of Presidents shall take a decision on the basis of that recommendation at its earliest possible meeting and at the latest within six weeks after its transmission. If the Conference of Presidents fails to take a decision within that period, the recommendation shall be deemed to have been approved.

## **Rule 56**

### **Drafting of reports**

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

2. 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. If it fails to do so, the Chair of the committee may delete the explanatory statement.

3. The report shall state the result of the vote taken on the report as a whole and shall indicate, in line with Rule 224(3), how each member voted.

4. Minority positions may be expressed when the vote on the text as a whole is taken and may, at the request of their authors, be the subject of a written declaration not exceeding 200 words in length, which shall be annexed to the explanatory statement.

The Chair shall settle any disputes which may arise as a result of the application of this paragraph.

5. On a proposal from its Chair, the committee may set a deadline within which the rapporteur must submit the draft report. This deadline may be extended or a new rapporteur appointed.

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

## TITLE II Rule 57

### Rule 57

#### Opinions of committees

1. Committees may be authorised to deliver an opinion pursuant to Rule 48 or Rule 55 if a matter falls to a substantial extent within their competence pursuant to Annex VI<sup>18</sup>.

The opinion-giving committee may appoint a rapporteur for opinion from among its members or permanent substitutes or send its views in the form of a letter from the Chair.

2. The Chairs and rapporteurs of the committee responsible and of any opinion-giving committee are bound by the principle of good and sincere cooperation. The rapporteurs of those committees shall keep each other informed and shall endeavour to agree on the texts that they decide to propose to their committees and on their positions with regard to amendments.

3. Where the opinion concerns a proposal for a legally binding act, it shall consist of amendments to the text referred to the committee, accompanied, where appropriate, by short justifications. Such justifications shall be the responsibility of their author and shall not be put to the vote. If necessary, the opinion-giving committee may submit a short written justification for the opinion as a whole. That short written justification shall be the responsibility of the rapporteur for the opinion.

The committee responsible shall set a reasonable deadline by which the opinion-giving committees must deliver an opinion if it is to be taken into account by the committee responsible. Any changes to the announced timetable shall be immediately communicated by the committee responsible to the opinion-giving committees together with the justification for such change. The committee responsible shall not reach its final conclusions before that deadline has expired.

4. Where the opinion does not concern a proposal for a legally binding act, it shall consist of amendments to the draft report of the committee responsible. The timetable set by the committee responsible shall allow the opinion-giving committees sufficient time to set a specific deadline to provide their amendments and to complete their work.

5. The committee responsible shall put the amendments of the opinion-giving committees to the vote. Amendments from an opinion-giving committee which are not adopted by the committee responsible may be tabled by that opinion-giving committee directly for consideration by Parliament, except in the case of opinions pursuant to Rule 95, Rule 121 and Annex V.

6. The opinions shall deal solely with those matters that fall within the areas of competence of the opinion-giving committee. Amendments falling outside the areas of competence of that opinion-giving committee shall not be admissible.

7. All opinions adopted by the opinion-giving committees shall be annexed to the report of the committee responsible.

8. The Chair and rapporteur of the opinion-giving committee shall be invited to take part in an advisory capacity in meetings of the committee responsible. The rapporteur of the opinion-giving committee shall also be invited in an advisory capacity to shadow meetings and preparatory meetings taking place within the framework of interinstitutional negotiations. As regards the ordinary legislative procedure, this paragraph shall only apply to the first-reading stage.

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<sup>18</sup> This subparagraph is without prejudice to the other provisions of these Rules of Procedure relating to opinions and assessments on horizontal matters as well as to opinions on budgetary and discharge matters.

**Rule 58****Budgetary assessment on proposals for legally binding acts with budgetary implications**

1. Without prejudice to the application of Rule 48, where a proposal for a legally binding act has implications for the Union budget, that proposal shall be referred by the President to the committee responsible for budgetary issues. That committee shall then issue a budgetary assessment of the proposal if it deems it appropriate or if so requested by the committee responsible for the subject-matter. This paragraph is without prejudice to the possibility for the committee responsible for budgetary issues to be authorised to deliver opinions pursuant to Rule 57 or to act jointly with one or more committees pursuant to Rule 59.

2. The committee responsible for the subject-matter shall set a deadline within which the budgetary assessment is to be provided. Any changes to the announced timetable shall be immediately communicated to the committee responsible for budgetary issues. The committee responsible for the subject-matter shall not adopt its report before that deadline has expired.

3. In the budgetary assessment, the committee responsible for budgetary issues shall examine whether the proposal for a legally binding act provides for sufficient financial and human resources, and evaluate the potential impact of the financing proposed on other Union programmes or policies. It shall also determine whether the proposal is compatible with the multiannual financial framework, the system of own resources and the corresponding interinstitutional agreement, as well as the budgetary principles laid down in Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council<sup>19</sup> (the “Financial Regulation”). Where applicable, the committee responsible for budgetary issues shall also determine whether the proposal is compatible with Parliament’s position on any proposal to amend or replace that framework, that system, that agreement or those principles.

4. The budgetary assessment shall consist of an evaluation of the aspects of the proposal for a legally binding act referred to in paragraph 3. The budgetary assessment may, where appropriate, also contain amendments to that proposal covering exclusively those aspects referred to in paragraph 3. Amendments on those aspects by the committee responsible for the subject-matter shall be inadmissible. The budgetary assessment, including the amendments, shall be integrated into the report as such.

5. Where a budgetary assessment is provided, the committee responsible for the subject-matter and the committee responsible for budgetary issues shall cooperate throughout the procedure to ensure full consistency between policy and budgetary objectives. To this end, they shall invite each other’s rapporteurs to their discussions within Parliament relating to the proposal for a legally binding act, including to the meetings between the rapporteurs and shadow rapporteurs.

6. Where a budgetary assessment is provided, the negotiating team referred to in Rule 75(1) shall include the rapporteur from the committee responsible for budgetary issues for the aspects referred to in paragraph 3. Where a budgetary assessment is not provided, the committee responsible for the subject-matter may ask the committee responsible for budgetary issues to provide assistance to the negotiating team referred to in Rule 75(1) in relation to the aspects referred to in paragraph 3 at any stage of the interinstitutional negotiations.

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<sup>19</sup> Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (OJ L, 2024/2509, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>).

## TITLE II Rule 59

### Rule 59

#### Joint committee procedure

1. When a matter falls within the competence of two or three committees, without the competence of any of them prevailing, the procedure with joint meetings of committees and a joint vote may be applied pursuant to Rule 48 or Rule 55. Each committee shall appoint one rapporteur.

2. In that event, the respective rapporteurs shall draw up a single draft report, which shall be examined and voted on by the committees involved, under the joint chairmanship of the committee Chairs. The chairmanship of meetings shall alternate among the Chairs of the committees involved, unless otherwise agreed between the Chairs.

At all stages of the procedure, the rights attaching to the status of committee responsible may be exercised by the committees involved only when they are acting jointly. The committees involved may set up working groups to prepare the meetings and votes. For the calculation of quorums, majorities and thresholds, all committees involved shall be considered to constitute a single committee.

3. At the second-reading stage of the ordinary legislative procedure, the Council position shall be considered at a joint meeting of the committees involved. If no agreement is reached between the Chairs of those committees, the joint meeting shall be held on the Wednesday of the first week set aside for meetings of parliamentary bodies following the communication of the Council's position to Parliament. If no agreement is reached on the convening of a further meeting, any such meeting shall be convened by the Chair of the Conference of Committee Chairs. The vote on the recommendation for second reading shall be taken at a joint meeting on the basis of a joint text drafted by the respective rapporteurs of the committees involved or, in the absence of a joint text, on the basis of the amendments tabled in the committees involved.

At the third-reading stage of the ordinary legislative procedure, the Chairs and rapporteurs of the committees involved shall be members *ex officio* of the delegation to the Conciliation Committee.

## CHAPTER 3

### ORDINARY LEGISLATIVE PROCEDURE

#### SECTION 1 - FIRST READING

##### Rule 60

#### Vote in Parliament – first reading

1. Parliament may approve, amend or reject the draft legislative act.

2. Parliament shall first vote on any proposal for the immediate rejection of the draft legislative act that has been tabled in writing by the committee responsible, a political group or Members reaching at least the low threshold.

If that proposal for rejection is adopted, the President shall ask the originating institution to withdraw the draft legislative act.

If the originating institution does so, the President shall declare the procedure closed.

If the originating institution does not withdraw the draft legislative act, the President shall announce that the first reading of Parliament is concluded, unless, on a proposal of the Chair or

rapporteur of the committee responsible or of a political group or Members reaching at least the low threshold, Parliament decides to refer the matter back to the committee responsible for reconsideration.

If that proposal for rejection is not adopted, Parliament shall then proceed in accordance with paragraphs 3, 4 and 5.

3. Any provisional agreement tabled by the committee responsible under Rule 75(4) shall be given priority in voting and shall be put to a single vote, unless, at the request of a political group or Members reaching at least the low threshold, Parliament decides instead to proceed with the vote on amendments in accordance with paragraph 4. In that case, Parliament shall also decide whether to hold the vote on the amendments immediately. If not, Parliament shall set a new deadline for amendments and the vote shall take place at a subsequent sitting.

If, in that single vote, the provisional agreement is adopted, the President shall announce that the first reading of Parliament has been concluded.

If, in that single vote, the provisional agreement fails to secure the majority of the votes cast, the President shall set a new deadline for amendments to the draft legislative act. Such amendments shall then be put to the vote at a subsequent sitting in order for Parliament to conclude its first reading.

4. Save where a proposal for rejection has been adopted in accordance with paragraph 2 or a provisional agreement has been adopted in accordance with paragraph 3, any amendments to the draft legislative act shall then be put to the vote, including, where applicable, individual parts of the provisional agreement where requests have been made for split or separate votes, or competing amendments have been tabled.

Before Parliament votes on the amendments, the President may ask the Commission to state its position and the Council to comment.

After it has voted on those amendments, Parliament shall vote on the whole draft legislative act, amended or otherwise.

If the whole draft legislative act, amended or otherwise, is adopted, the President shall announce that the first reading has been concluded, unless, on a proposal of the Chair or the rapporteur of the committee responsible or of a political group or Members reaching at least the low threshold, Parliament decides to refer the matter back to the committee responsible, for interinstitutional negotiations in accordance with Rules 61 and 75.

If the whole draft legislative act, as amended or otherwise, fails to secure a majority of the votes cast, the President shall announce that the first reading has been concluded, unless, on a proposal of the Chair or rapporteur of the committee responsible or of a political group or Members reaching at least the low threshold, Parliament decides to refer the matter back to the committee responsible for reconsideration.

5. After the votes taken under paragraphs 2, 3 and 4, and the votes subsequently taken on amendments to the draft legislative resolution relating to procedural requests, if any, the legislative resolution shall be deemed to have been adopted. If necessary, the legislative resolution shall be modified pursuant to Rule 209(2), in order to reflect the outcome of the votes taken under paragraphs 2, 3 and 4.

The text of the legislative resolution and of Parliament's position shall be forwarded, by the President, to the Council and the Commission, as well as, where the draft legislative act originates

## TITLE II Rule 61

from them, to the originating group of Member States, the Court of Justice or the European Central Bank.

### **Rule 61**

#### **Referral back to the committee responsible**

If, in accordance with Rule 60, a matter is referred back to the committee responsible for reconsideration or for interinstitutional negotiations in accordance with Rule 75, the committee responsible shall, orally or in writing, report to Parliament within four months. That period may be extended by the Conference of Presidents.

*Nothing prevents Parliament from deciding to hold, if appropriate, a concluding debate following the report by the committee responsible, to which the matter was referred back.*

### **Rule 62**

#### **Renewed referral to Parliament**

1. The President shall, at the request of the committee responsible, ask the Commission to refer its proposal again to Parliament where:

- the Commission replaces, substantially amends or intends to substantially amend its initial proposal after Parliament has adopted its position, except where this is done in order to take account of Parliament's position;
- the nature of the problem with which the proposal is concerned substantially changes as a result of the passage of time or changes in circumstances; or
- new elections to Parliament have taken place since it adopted its position, and the Conference of Presidents considers it desirable.

2. If a modification of the legal basis of a proposal is envisaged which would result in the ordinary legislative procedure no longer applying to that proposal, the Parliament, Council and Commission will, pursuant to paragraph 25 of the Interinstitutional Agreement on Better Law Making, acting through their respective Presidents or their representatives, exchange views thereon.

3. Following the exchange of views referred to in paragraph 2, the President shall, at the request of the committee responsible, ask the Council to refer the draft legally binding act to Parliament again, where the Commission or the Council intends to modify the legal basis provided for in Parliament's position at first reading, with the result that the ordinary legislative procedure would no longer apply.

### **Rule 63**

#### **First-reading agreement**

Where, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union, the Council has informed Parliament that it has approved Parliament's position, the President, following finalisation in accordance with Rule 209, shall announce in Parliament that the legislative act has been adopted in the wording which corresponds to the position of Parliament.

**SECTION 2 - SECOND READING****Rule 64****Communication of the Council's position**

1. Communication of the Council's position pursuant to Article 294 of the Treaty on the Functioning of the European Union takes place when it is announced by the President in Parliament. The President shall make the announcement after receiving the documents which contain the position itself, all declarations made in the Council minutes when it adopted the position, the reasons which led the Council to adopt its 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 those documents.

*Before making the announcement, the President establishes, after consulting the Chair of the committee responsible, or the rapporteur, or both of them, that the text received is indeed Council's first reading 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, seeks an appropriate solution.*

2. On the day of its announcement in Parliament, the Council's position shall be deemed to have been referred automatically to the committee responsible at first reading.

3. A list of such communications shall be published in the minutes of the sitting together with the names of the committees responsible.

**Rule 65****Extension of time limits**

1. The President shall, at the request of the Chair of the committee responsible, extend the time-limits for second reading in accordance with Article 294(14) of the Treaty on the Functioning of the European Union.

2. The President shall notify Parliament of any extension of time limits under Article 294(14) of the Treaty on the Functioning of the European Union, whether such extensions occur at the initiative of Parliament or of the Council.

**Rule 66****Procedure in the committee responsible**

1. The Council's position shall be entered as a priority item on the agenda of the first meeting of the committee responsible to take place after its communication. The Council may be invited to present its position.

2. Unless the committee responsible decides otherwise, the rapporteur at second reading shall be the same as the rapporteur at first reading.

3. The provisions of Rule 69(2) and (3) that concern the admissibility of the amendments to the Council's position 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.

4. The committee responsible shall submit a recommendation for second reading, proposing

## **TITLE II Rule 67**

the approval, amendment or rejection of the position adopted by the Council. The recommendation shall include a short justification for the decision proposed.

5. Rules 51, 52, 57 and 204 shall not apply during second reading.

### **Rule 67**

#### **Submission to Parliament**

The Council's position and, where available, the committee responsible's recommendation for second reading shall be automatically placed on the draft agenda for the part-session the Wednesday of which falls before and closest to the day that the three month period or, if extended in accordance with Rule 65, the four month period, expires, unless the matter has been dealt with at an earlier part-session.

### **Rule 68**

#### **Vote in Parliament – second reading**

1. Parliament shall first vote on any proposal for the immediate rejection of Council's position that has been tabled in writing by the committee responsible, a political group or Members reaching at least the low threshold. For it to be adopted, such a proposal for rejection shall require the votes of a majority of the component Members of Parliament.

If that proposal for rejection is adopted, the Council's position is rejected and the President shall announce in Parliament that the legislative procedure is closed.

If that proposal for rejection is not adopted, Parliament shall then proceed in accordance with paragraphs 2 to 5.

2. Any provisional agreement tabled under Rule 75(4) by the committee responsible shall be given priority in voting and put to a single vote, unless, at the request of a political group or Members reaching at least the low threshold, Parliament decides to proceed immediately with the vote on amendments in accordance with paragraph 3.

If, in a single vote, the provisional agreement secures the votes of a majority of the component Members of Parliament, the President shall announce in Parliament that the second reading of Parliament has been concluded.

If, in a single vote, the provisional agreement fails to secure the majority of the component Members of Parliament, Parliament shall then proceed in accordance with paragraphs 3, 4 and 5.

3. Except where a proposal for rejection has been adopted in accordance with paragraph 1 or a provisional agreement has been adopted in accordance with paragraph 2, any amendments to the Council's position, including those contained in the provisional agreement tabled in accordance with Rule 75(4) by the committee responsible, shall then be put to the vote. Any amendment to the Council's position shall be adopted only if it secures the votes of a majority of the component Members of Parliament.

Before voting on the amendments, the President may ask the Commission to state its position and the Council to comment.

4. Notwithstanding a vote by Parliament against the initial proposal to reject the Council's position under paragraph 1, Parliament may, on the proposal of the Chair or the rapporteur of the



committee responsible or of a political group or Members reaching at least the low threshold, consider a further proposal for rejection after voting on the amendments under paragraphs 2 or 3. For it to be adopted, such a proposal shall require the votes of a majority of the component Members of Parliament.

If the Council's position is rejected, the President shall announce in Parliament that the legislative procedure is closed.

5. After the votes taken under paragraphs 1 to 4 and the votes subsequently taken on amendments to the draft legislative resolution relating to procedural requests, the President shall announce that the second reading of Parliament has been concluded and the legislative resolution shall be deemed to have been adopted. If necessary, the legislative resolution shall be modified, pursuant to Rule 209(2), in order to reflect the outcome of the votes taken under paragraphs 1 to 4 or the application of Rule 70.

The text of the legislative resolution and of Parliament's position, if any, shall be forwarded by the President to the Council and to the Commission.

Where no proposal to reject or amend the Council's position has been tabled, it shall be deemed to have been approved.

## **Rule 69**

### **Admissibility of amendments to the Council's position**

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

2. An amendment to the Council's position shall be admissible only if it complies with Rules 187 and 188 and seeks:

- (a) to restore wholly or partly the position adopted by Parliament at its first reading; or
- (b) to reach a compromise between the Council and Parliament; or
- (c) to amend a part of the text of a Council position which was not included in - or differs in content from - the proposal submitted at first reading; or
- (d) to take account of a new fact or legal situation which has arisen since the adoption of Parliament's position at first reading.

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

3. If new elections have taken place since the first reading, but Rule 62 has not been invoked, the President may decide to waive the restrictions on admissibility laid down in paragraph 2.

## **Rule 70**

### **Second-reading agreement**

Where no proposal to reject the Council's position and no amendments to that position have been tabled under Rules 68 and 69 within the time limits set for tabling and voting on amendments or on proposals to reject, the President shall announce in Parliament that the proposed act has been adopted.

## TITLE II Rule 71

### **SECTION 3 - INTERINSTITUTIONAL NEGOTIATIONS DURING THE ORDINARY LEGISLATIVE PROCEDURE**

#### **Rule 71**

##### **General provisions**

Negotiations with the other institutions aimed at reaching an agreement in the course of a legislative procedure may only be entered into following a decision taken in accordance with Rule 72, Rule 73 or Rule 74 or following a referral back by Parliament for interinstitutional negotiations. Such negotiations shall be conducted having regard to the Code of Conduct laid down by the Conference of Presidents<sup>20</sup>.

#### **Rule 72**

##### **Negotiations ahead of Parliament's first reading**

1. Where a committee has adopted a legislative report pursuant to Rule 51, it may decide, by a majority of its members, to enter into negotiations on the basis of that report.

2. Decisions to enter into negotiations shall be announced at the beginning of the part-session following their adoption in committee. By the end of the day following the announcement in Parliament, Members or a political group or groups reaching at least the medium threshold or a committee having delivered an opinion pursuant to Rule 57 may request in writing that a committee decision to enter into negotiations be put to the vote. Parliament shall then proceed to that vote during the same part-session.

If no such request is received by the expiry of the deadline laid down in the first subparagraph, the President shall inform Parliament that this is the case. If a request is made, the President may, immediately prior to the vote, give the floor to one speaker from each political group to speak on the committee's decision to enter into negotiations. Each speaker may make a statement lasting no more than one minute.

3. If Parliament rejects the committee's decision to enter into negotiations, the draft legislative act and the report of the committee responsible shall be placed on the agenda of the following part-session, and the President shall set a deadline for amendments. Rule 60(4) shall apply.

4. Negotiations may start at any time after the deadline laid down in the first subparagraph of paragraph 2 has expired without a request for a vote in Parliament on the decision to enter into negotiations having been made. If such a request has been made, negotiations may start at any time after the committee decision to enter into negotiations has been approved in Parliament.

#### **Rule 73**

##### **Negotiations ahead of Council's first reading**

Where Parliament has adopted its position at first reading, that position shall constitute the mandate for any negotiations with other institutions. The committee responsible may decide, by a majority of its members, to enter into negotiations at any time thereafter. Such decisions shall be announced in Parliament during the part-session following the vote in committee and a reference to them shall be included in the minutes.

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<sup>20</sup> Code of Conduct for negotiating in the context of the ordinary legislative procedures.

**Rule 74****Negotiations ahead of Parliament's second reading**

Where the Council position at first reading has been referred to the committee responsible, Parliament's position at first reading shall, subject to Rule 69, constitute the mandate for any negotiations with other institutions. The committee responsible may decide to enter into negotiations at any time thereafter.

Where the Council position at first reading contains elements not covered by the draft legislative act or by Parliament's position at first reading, the committee may adopt guidelines, including in the form of amendments to the Council position, for the negotiating team.

**Rule 75****Conduct of negotiations**

1. Parliament's negotiating team shall be led by the rapporteur and shall be presided over by the Chair of the committee responsible or by a Vice-Chair designated by the Chair, who may not be a shadow rapporteur for the report concerned. If neither the Chair nor a Vice-Chair can attend a specific negotiation meeting with the Council and the Commission ("trilogue"), the Chair shall inform the President before the meeting takes place that the negotiating team will be exceptionally presided over by the rapporteur at that trilogue.

Without prejudice to Rule 58, the negotiating team shall consist of the shadow rapporteur from each political group that wishes to participate. If a shadow rapporteur is unable to attend a specific trilogue, his or her political group may appoint another Member to replace the shadow rapporteur.

2. Any document intended to be discussed at a trilogue shall be circulated to the negotiating team at least 48 hours or, in cases of urgency, at least 24 hours in advance of that trilogue.

3. After each trilogue, the Chair of the negotiating team and the rapporteur shall, on behalf of the negotiating team, report back to the next meeting of the committee responsible.

Where it is not feasible to convene a meeting of the committee in a timely manner, the Chair of the negotiating team and the rapporteur shall, on behalf of the negotiating team, report back to a meeting of the committee coordinators.

4. If negotiations lead to a provisional agreement, the committee responsible shall be informed without delay. Documents reflecting the outcome of the concluding trilogue shall be made available to the committee responsible and shall be published. The provisional agreement shall be submitted to the committee responsible, which shall decide, by way of a single vote by a majority of the votes cast, whether to approve it. If approved, it shall be tabled for consideration by Parliament, in a presentation which clearly indicates the modifications to the draft legislative act.

5. In the event of a disagreement relating to the opening of negotiations and the conduct of negotiations between the committees involved under Rule 59, the detailed rules for such negotiations shall be determined by the Chair of the Conference of Committee Chairs in accordance with the principles set out in Rule 59.

## **TITLE II Rule 76**

### **SECTION 4 - CONCILIATION AND THIRD READING**

#### **Rule 76**

##### **Extension of time limits**

1. The President shall, at the request of Parliament's delegation to the conciliation committee, extend the time limits for third reading in accordance with Article 294(14) of the Treaty on the Functioning of the European Union.
2. The President shall notify Parliament of any extension of time limits under Article 294(14) of the Treaty on the Functioning of the European Union, whether such extensions occur on the initiative of Parliament or of the Council.

#### **Rule 77**

##### **Convening of the Conciliation Committee**

Where the Council informs Parliament that it is unable to approve all of Parliament's amendments to the Council's position, the President shall, together with the Council, agree on a time and place for a first meeting of the Conciliation Committee. The six-week, or, if extended, eight-week, deadline provided for in Article 294(10) of the Treaty on the Functioning of the European Union shall run from the day on which the Committee first meets.

#### **Rule 78**

##### **Delegation to the 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 determine the exact number of Members from each political group that are to serve as members of Parliament's delegation.
3. The members of the delegation shall be appointed by the political groups for each conciliation case, preferably from among the members of the committee responsible, 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 Chair and the rapporteur in second reading of the committee responsible shall in each case be members of the delegation.
4. The political groups represented on the delegation shall appoint substitutes.
5. Political groups not represented on the delegation may each send one representative to any internal preparatory meeting of the delegation. If the delegation does not include any non-attached Members, one non-attached Member may attend any internal preparatory meetings 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 not be public.

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

8. The delegation shall report back the results of the conciliation to Parliament.

## **Rule 79**

### **Joint text**

1. Where agreement on a joint text is reached within the Conciliation Committee, the matter shall be placed on the agenda of a sitting of Parliament to be held within six or, if extended, eight weeks of the date of approval of the joint text by the Conciliation Committee.
2. The Chair or another designated member of Parliament's delegation to the Conciliation Committee shall make a statement on the joint text, which shall be accompanied by a report.
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.
5. If no agreement is reached on a joint text within the Conciliation Committee, the Chair or another designated member of Parliament's delegation to the Conciliation Committee shall make a statement. That statement shall be followed by a debate.
6. During the conciliation procedure between Parliament and the Council following the second reading, no referral back to committee shall take place.
7. Rules 51, 52 and 57 shall not apply during third reading.

## **SECTION 5 – CONFLICT OF RULES**

### **Rule 80**

#### **Conflict of rules**

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.

## **SECTION 6 – CONCLUSION OF THE PROCEDURE**

### **Rule 81**

#### **Signing and publication of adopted acts**

After finalisation of the text adopted in accordance with Rule 209 and Annex VIII and once it has been verified that all the procedures have been duly completed, acts adopted in accordance with the ordinary legislative procedure shall be signed by the President and the Secretary-General.

After signature of the act, the Secretaries-General of Parliament and of the Council shall arrange for its publication in the *Official Journal of the European Union*.

## TITLE II Rule 82

### CHAPTER 4

#### PROVISIONS SPECIFIC TO THE CONSULTATION PROCEDURE

##### **Rule 82**

###### **Modified proposal for a legally binding act**

If the Commission intends to replace or modify its proposal for a legally binding act, the committee responsible may postpone its examination of the matter until it has received the new proposal or the amendments of the Commission.

##### **Rule 83**

###### **Commission position on amendments**

Before the committee responsible proceeds to the final vote on a proposal for a legally binding act, it may ask the Commission to state its position on all the amendments to the proposal that the committee has adopted.

If appropriate, that position shall be included in the report.

##### **Rule 84**

###### **Vote in Parliament**

Rule 60(1), (2), (4) and (5) shall apply *mutatis mutandis*.

##### **Rule 85**

###### **Follow-up to Parliament's position**

1. In the period following the adoption by Parliament of its position on a draft legally binding act, the Chair and the rapporteur of the committee responsible shall monitor the progress of that draft act over the course of the procedure leading to its adoption by the Council, in particular in order to ensure that any undertakings given by the Council or the Commission to Parliament concerning its position are properly observed. The Chair and the rapporteur of the committee responsible shall report back to the committee regularly.

2. The committee responsible may invite the Commission and the Council to discuss the matter with it.

3. At any stage of the follow-up procedure, the committee responsible may, if it deems it to be necessary, table a motion for a resolution recommending that Parliament:

- call upon the Commission to withdraw its proposal,
- call upon the Commission or the Council to refer the matter to Parliament once again, pursuant to Rule 86, or call upon the Commission to present a new proposal, or
- decide to take any other action that it deems to be appropriate.

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

**Rule 86****Renewed referral to Parliament**

1. At the request of the committee responsible, the President shall call on the Council to reconsult Parliament in the same circumstances and under the same conditions as those set out in Rule 62(1). At the request of the committee responsible, the President shall also call on the Council to reconsult Parliament where the Council substantially amends or intends to substantially amend the draft legally binding act on which Parliament originally delivered its position, except where this is done in order to incorporate Parliament's amendments.

2. The President shall also request that a draft legally binding act be referred again to Parliament in the circumstances defined in this Rule where, on a proposal from a political group or Members reaching at least the low threshold, Parliament so decides.

## CHAPTER 5

## CONSTITUTIONAL MATTERS

**Rule 87****Ordinary Treaty revision**

1. In accordance with Rules 46 and 55, the committee responsible may submit to Parliament a report containing proposals, addressed to the Council, for the amendment of the Treaties.

2. Where Parliament is consulted, in accordance with Article 48(3) of the Treaty on European Union, on a proposal for a decision of the European Council in favour of examining amendments to the Treaties, the matter shall be referred to the committee responsible. The committee shall draw up a report comprising:

- a motion for a resolution which states whether Parliament approves or rejects the proposed decision and which may contain proposals for the attention of the Convention or of the conference of representatives of the governments of the Member States;
- if appropriate, an explanatory statement.

3. If the European Council decides to convene a Convention, Parliament shall, on a proposal by the Conference of Presidents, appoint Parliament's representatives to that Convention.

Parliament's delegation shall elect its leader and its candidates for membership of any steering group or bureau set up by the Convention.

4. Where the European Council requests Parliament's consent to a decision not to convene a Convention for the examination of proposed amendments of the Treaties, this request shall be referred to the committee responsible in accordance with Rule 107.

**Rule 88****Simplified Treaty revision**

1. In accordance with Rules 46 and 55, the committee responsible may submit to Parliament, in accordance with the procedure laid down in Article 48(6) of the Treaty on European Union, a report containing proposals, addressed to the European Council, for the revision of all or part of

## TITLE II Rule 89

the provisions of Part Three of the Treaty on the Functioning of the European Union.

2. Where Parliament is consulted, in accordance with Article 48(6) of the Treaty on European Union, on a proposal for a decision of the European Council amending Part Three of the Treaty on the Functioning of the European Union, Rule 87(2) shall apply *mutatis mutandis*. In that event, the motion for a resolution may contain proposals for amendments only of provisions of Part Three of the Treaty on the Functioning of the European Union.

### Rule 89

#### Accession treaties

1. Any application by a European State to become a member of the European Union, in accordance with Article 49 of the Treaty on European Union, shall be referred for consideration to the committee responsible.

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

3. The committee responsible shall request the Commission and the Council to provide it with full and regular information about the progress of the accession negotiations, if necessary on a confidential basis.

4. At any stage of the accession negotiations, Parliament may, on the basis of a report from the committee responsible, adopt recommendations and require that those recommendations be taken into account before the conclusion of a Treaty for the accession of an applicant State to the European Union.

5. When the accession negotiations have been completed, but before any agreement is signed, the draft agreement shall be submitted to Parliament for its consent, in accordance with Rule 107. In accordance with Article 49 of the Treaty on European Union, the consent of Parliament shall require the votes of a majority of its component members.

### Rule 90

#### Withdrawal from the Union

If a Member State decides, pursuant to Article 50 of the Treaty on European Union, to withdraw from the Union, the matter shall be referred to the committee responsible. Rule 89 shall apply *mutatis mutandis*. Parliament shall decide whether to give its consent to an agreement on the withdrawal by a majority of the votes cast.

### Rule 91

#### Breach by a Member State of fundamental principles and values

1. Parliament may, on the basis of a specific report of the committee responsible drawn up in accordance with Rules 46 and 55:

- (a) vote on a reasoned proposal calling on the Council to act pursuant to Article 7(1) of the Treaty on European Union;
- (b) vote on a proposal calling on the Commission or the Member States to submit a proposal pursuant to Article 7(2) of the Treaty on European Union;



- (c) vote on a proposal calling on the Council to act pursuant to Article 7(3) or, subsequently, Article 7(4) of the Treaty on European Union.

2. Any request from the Council for consent in relation to a proposal submitted pursuant to Article 7(1) and (2) of the Treaty on European Union shall, along with any observations submitted by the Member State in question, be announced to Parliament and referred to the committee responsible, in accordance with Rule 107. Except in urgent and justified circumstances, Parliament shall take its decision on a proposal from the committee responsible.

3. In accordance with Article 354 of the Treaty on the Functioning of the European Union, the adoption by Parliament of decisions on proposals referred to in paragraphs 1 and 2 of this Rule shall require a two-thirds majority of the votes cast, representing a majority of its component Members.

4. Subject to the authorisation of the Conference of Presidents, the committee responsible may submit an accompanying motion for a resolution. That motion for a resolution shall set out Parliament's views on a serious breach by a Member State, on the appropriate measures to be taken and on varying or revoking those measures.

5. The committee responsible shall ensure that Parliament is kept fully informed and, where necessary, asked for its views on all follow-up measures to its consent as given pursuant to paragraph 3. The Council shall be invited to outline developments as appropriate. On a proposal from the committee responsible, drawn up with the authorisation of the Conference of Presidents, Parliament may adopt recommendations for the Council.

## **Rule 92**

### **Composition of Parliament**

In good time before the end of a parliamentary term, Parliament may, on the basis of a report drawn up by its committee responsible, in accordance with Article 14(2) of the Treaty on European Union and with Rules 46 and 55, make a proposal to modify its composition. The European Council's draft decision establishing the composition of Parliament shall be examined by Parliament in accordance with Rule 107.

## **Rule 93**

### **Enhanced cooperation between Member States**

1. Requests for the introduction of enhanced cooperation between Member States pursuant to Article 20 of the Treaty on European Union shall be referred by the President to the committee responsible for consideration. Rule 107 shall apply.

2. The committee responsible shall verify compliance with Article 20 of the Treaty on European Union and Articles 326 to 334 of the Treaty on the Functioning of the European Union.

3. Acts subsequently proposed under enhanced cooperation, once it is established, shall be dealt with in Parliament in accordance with the same procedures as those which would have applied if no enhanced cooperation had been established. Rule 48 shall apply.

## TITLE II Rule 94

### CHAPTER 6

#### BUDGETARY PROCEDURES

##### **Rule 94**

###### **Multiannual financial framework**

Where the Council requests Parliament's consent to the proposal for a regulation laying down the multiannual financial framework, the matter shall be dealt with in accordance with Rule 107. In accordance with the first subparagraph of Article 312(2) of the Treaty on the Functioning of the European Union, Parliament's consent shall require the votes of a majority of its component Members.

##### **Rule 95**

###### **Annual budgetary procedure**

The committee responsible may decide to draw up any report that is deemed to be appropriate concerning the budget, having regard to the Annex to the Interinstitutional Agreement on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources<sup>21</sup>.

Any other committee may deliver an opinion within the time limit set by the committee responsible.

##### **Rule 96**

###### **Parliament's position on the draft budget**

1. Individual Members may table amendments to the Council's position on the draft budget in the committee responsible.

A political group or Members reaching at least the low threshold or a committee may table in Parliament amendments to the Council's position on the draft budget.

2. Amendments shall be presented and justified in writing, bear the signature of their authors and specify the budget line to which they refer.

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

4. Amendments concerning pilot projects and preparatory actions shall be subject to a prior executability assessment by the Commission, in accordance with the Interinstitutional Agreement on budgetary discipline, on cooperation in budgetary matters and on sound financial management. Proposed pilot projects and preparatory actions directly linked to reports being drawn up, or to proposals having been adopted, in accordance with Rule 47 shall be sent to the Commission for information purposes.

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<sup>21</sup> Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources (OJ L 433I, 22.12.2020, p. 28, ELI: [http://data.europa.eu/eli/agree\\_interinstit/2020/1222/oj](http://data.europa.eu/eli/agree_interinstit/2020/1222/oj)).

The committee responsible for budgetary issues shall lay down for each year the procedure and timetable for the executability assessment. That procedure and that timetable shall allow sufficient time for the preparation of amendments to the Council's position on the draft budget. The committee responsible for budgetary issues shall only send proposed pilot projects and preparatory actions to the Commission where those proposals have the support of a committee, a political group or Members reaching at least the low threshold.

5. The committee responsible shall vote on all budgetary amendments before they are discussed in Parliament. Amendments concerning pilot projects and preparatory actions directly linked to reports being drawn up, or to proposals having been adopted, in accordance with Rule 47 shall be given priority in voting.

6. Amendments tabled in Parliament which have been rejected in the committee responsible may only be put to the vote if this has been requested in writing, before a deadline to be set by the President, by a committee or by a political group or Members reaching at least the low threshold. That deadline shall not be less than 24 hours before the start of the vote.

7. In the case of amendments to the estimates of Parliament which are similar to those already rejected by Parliament at the time when the estimates were drawn up, Parliament shall discuss them only where the committee responsible has delivered a favourable opinion.

8. Parliament shall take successive votes:

- on the amendments to Council's position on the draft budget, section by section,
- on a motion for a resolution concerning the draft budget.

However, Rule 190(4) to (10) shall apply.

9. Articles, chapters, titles and sections of the draft budget in respect of which no amendments have been tabled shall be deemed to have been adopted.

10. In accordance with Article 314(4)(c) of the Treaty on the Functioning of the European Union, amendments shall require for adoption the votes of a majority of the component Members of Parliament.

11. If Parliament has amended the Council's position on the draft budget, the position as amended shall be forwarded to the Council and the Commission, together with the justifications and the minutes of the sitting at which the amendments were adopted.

## **Rule 97**

### **Budgetary conciliation**

1. The President shall convene the Conciliation Committee in accordance with Article 314(4) of the Treaty on the Functioning of the European Union.

2. The delegation representing Parliament at meetings of the Conciliation Committee in the budgetary procedure shall consist of a number of members equal to that of the Council delegation.

3. Each year, prior to Parliament's vote on the Council's position, the political groups shall appoint the members of Parliament's delegation to the Conciliation Committee, preferably from amongst the members of the committee responsible for budgetary issues and other committees concerned. The delegation shall be led by the President of Parliament. The President may delegate this role to a Vice-President who has experience of budgetary matters or to the Chair of the

## TITLE II Rule 98

committee responsible for budgetary issues.

4. Rule 78(2), (4), (5), (7) and (8) shall apply.

5. Where agreement on a joint text is reached within the Conciliation Committee, the matter shall be placed on the agenda of a sitting of Parliament to be held within 14 days from the date of that agreement. The joint text shall be made available to all Members. Rule 79(2) and (3) shall apply.

6. The joint text as a whole shall be put to a single vote. The vote shall be taken by roll-call vote. The joint text shall be deemed to have been approved unless it is rejected by a majority of the component Members of Parliament.

7. If Parliament approves the joint text whilst the Council rejects it, the committee responsible may table all or some of Parliament's amendments to the Council's position for a confirmation in accordance with point (d) of Article 314(7) of the Treaty on the Functioning of the European Union.

The vote on the confirmation shall be placed on the agenda of a sitting of Parliament to be held within 14 days from the date of the communication by the Council of its rejection of the joint text.

The amendments shall be deemed to be confirmed if they are approved by a majority of the component Members of Parliament and three fifths of the votes cast.

### Rule 98

#### Definitive adoption of the budget

Where the President considers that the budget has been adopted in accordance with the provisions of Article 314 of the Treaty on the Functioning of the European Union, he or she shall declare in Parliament that the budget has been definitively adopted. The President shall arrange for its publication in the *Official Journal of the European Union*.

### Rule 99

#### Provisional twelfths system

1. Any decision by the Council authorising expenditure in excess of the provisional one twelfth of the budget appropriations for the preceding financial year shall be referred to the committee responsible.

2. The committee responsible may table a draft decision to reduce the expenditure referred to in paragraph 1. Parliament shall decide on it within 30 days after the adoption of the Council's decision.

3. Parliament shall act by a majority of its component Members.

### Rule 100

#### Implementation of the budget

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

2. Each year, before its reading of the draft budget for the following financial year, Parliament shall consider 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.

### **Rule 101**

#### **Discharge to the Commission in respect of implementation of the budget**

The provisions governing the procedure for granting discharge to the Commission in respect of the implementation of the budget in accordance with the financial provisions of the Treaty on the Functioning of the European Union and the Financial Regulation are attached to these Rules as an annex<sup>22</sup>.

*Discharge to the Commission includes non-traditionally financed instruments, off-budget instruments and performance-based hybrid instruments. Since such instruments require a special control framework, the committee responsible concerning discharge has to be systematically associated with the consideration of those instruments in accordance with Rule 57.*

### **Rule 102**

#### **Other discharge procedures**

The provisions governing the procedure for granting discharge to the Commission in accordance with Article 319 of the Treaty on the Functioning of the European Union, in respect of the implementation of the budget, shall also apply to the procedure for granting discharge to:

- the President of the European Parliament in respect of the implementation of the budget of the European Parliament;
- the persons responsible for the implementation of the budgets of other institutions and bodies of the European Union such as the Council, the Court of Justice of the European Union, the Court of Auditors, the European Economic and Social Committee and the Committee of the Regions;
- the Commission in respect of the implementation of the budget of the European Development Fund;
- the bodies responsible for the budgetary management of legally independent entities which carry out Union tasks, insofar as their activities are subject to legal provisions requiring discharge by the European Parliament.

### **Rule 103**

#### **Interinstitutional cooperation**

In accordance with Article 324 of the Treaty on the Functioning of the European Union, the President shall participate in regular meetings between the Presidents of the European Parliament, the Council and the Commission convened, on the initiative of the Commission, under the budgetary procedures referred to in Title II of Part Six of the Treaty on the Functioning of the European Union. The President shall take all the necessary steps to promote consultation and the reconciliation of the positions of the institutions in order to facilitate the implementation of the procedures aforementioned.

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<sup>22</sup> See Annex V.

## TITLE II Rule 104

The President of Parliament may delegate this task to a Vice-President who has experience of budgetary matters or to the Chair of the committee responsible for budgetary issues.

### CHAPTER 7

#### INTERNAL BUDGETARY PROCEDURES

##### **Rule 104**

###### **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 tabling 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 the Council.
6. The foregoing provisions shall also apply to estimates for amending budgets.

##### **Rule 105**

###### **Procedure to be applied when drawing up Parliament's estimates**

1. As regards Parliament's budget, the Bureau and the committee responsible for budgetary issues shall take decisions in successive stages on:
  - (a) the establishment plan;
  - (b) the preliminary draft and the draft estimates.
2. The decisions concerning the establishment plan will be taken in accordance with the following procedure:
  - (a) the Bureau shall draw up the establishment plan for each financial year;
  - (b) a conciliation procedure between the Bureau and the committee responsible for budgetary issues shall be opened in cases where the opinion of that committee diverges from the initial decisions taken by the Bureau;
  - (c) at the end of the procedure, the Bureau shall take the final decision on the estimates for the establishment plan, in accordance with Rule 240(3), without prejudice to decisions taken pursuant to Article 314 of the Treaty on the Functioning of the European Union.
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 that procedure will be those laid down in Rule 104. A conciliation procedure shall be opened in cases where the positions of the committee responsible for budgetary issues and of the Bureau are

widely divergent.

### **Rule 106**

#### **Power to incur and settle expenditure, to approve accounts and to grant discharge**

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 granting of a discharge.

## CHAPTER 8

### CONSENT PROCEDURE

#### **Rule 107**

##### **Consent procedure**

1. Where Parliament is asked to give its consent to a legally binding act, the committee responsible shall submit to Parliament a recommendation to approve or reject the proposed act.

The recommendation shall include citations but shall not include recitals. Amendments in committee shall be admissible only if they aim to reverse the recommendation proposed by the rapporteur.

The recommendation may be accompanied by a short explanatory statement. That statement shall be the sole responsibility of the rapporteur and shall not be put to the vote. Rule 56(2) shall apply *mutatis mutandis*.

2. The committee responsible may also, if necessary, table a report, including a motion for a non-legislative resolution setting out the reasons why Parliament should give or refuse its consent and, where appropriate, making recommendations for the implementation of the proposed act.
3. The committee responsible shall deal with the request for consent without undue delay. If the committee responsible has not adopted its recommendation within six months after the request for consent was referred to it, the Conference of Presidents may either place the matter on the agenda for consideration at a subsequent part-session or, in duly justified cases, decide to extend the six-month period.
4. Parliament shall decide on the proposed act by means of a single vote on consent, regardless of whether the recommendation from the committee responsible is to approve or reject the act, and no amendments may be tabled. If the majority required is not obtained, the proposed act shall be deemed to have been rejected.
5. Where Parliament's consent is required, the committee responsible may, at any time, present an interim report to Parliament, including a motion for a resolution containing recommendations for the modification or the implementation of the proposed act.

## TITLE II Rule 108

### CHAPTER 9

#### OTHER PROCEDURES

##### **Rule 108**

###### **Procedure for delivering opinions on derogations to the adoption of the euro**

1. When Parliament is consulted pursuant to Article 140(2) of the Treaty on the Functioning of the European Union, the committee responsible shall submit a report to Parliament advocating approval or rejection of the proposed act on the basis of which Parliament shall deliberate.
2. Parliament shall take a single vote on the proposed act, to which no amendments may be tabled.

##### **Rule 109**

###### **Procedure for delivering Parliament's position on the establishment or extension of Union trust funds for external actions**

1. Where the Commission consults Parliament on its intention to establish or extend a Union trust fund for emergency or post-emergency actions pursuant to Article 238(1), third subparagraph, or Article 238(5), first subparagraph, of the Financial Regulation, the committee responsible shall draw up draft recommendations.

Those draft recommendations may include specific recommendations to the Commission concerning the details of the Union trust fund, such as the objectives that it should pursue or how it should operate.

Rule 121(2) to (6) shall apply *mutatis mutandis*.

2. Where Parliament is asked by the Commission to give its approval to a draft decision on the establishment or extension of a Union trust fund for thematic actions pursuant to Article 238(1), fourth subparagraph, or Article 238(5), first subparagraph, of the Financial Regulation, the committee responsible shall prepare a recommendation to approve or reject the draft decision.

Rule 107(1) to (4) shall apply *mutatis mutandis*.

3. Members or a political group or groups reaching at least the medium threshold or the committee responsible may submit to Parliament a motion for a resolution requesting the Commission to discontinue appropriations for a Union trust fund, or to revise the constitutive agreement with a view to the liquidation of a Union trust fund, pursuant to Article 238(5), second subparagraph, of the Financial Regulation.

##### **Rule 110**

###### **Procedures relating to dialogue between management and labour**

1. The President shall refer any document drawn up by the Commission pursuant to Article 154 of the Treaty on the Functioning of the European Union or agreements reached by management and labour pursuant to Article 155(1) of that Treaty, as well as any proposals submitted by the Commission under Article 155(2) of that Treaty, to the committee responsible, for consideration.
2. Where management and labour inform the Commission of their wish to initiate the process



provided for in Article 155 of the Treaty on the Functioning of the European Union, the committee responsible may draw up a report on the substantive issue in question.

3. Where management and labour have reached an agreement and have requested jointly that their agreement be implemented by a Council decision on a proposal from the Commission in accordance with Article 155(2) of the Treaty on the Functioning of the European Union, the committee responsible shall table a motion for a resolution recommending the adoption or rejection of the request.

## **Rule 111**

### **Procedures for scrutiny of envisaged voluntary agreements**

1. Where the Commission informs Parliament of its intention to explore the use of voluntary agreements as an alternative to legislation, the committee responsible may draw up a report on the substantive issue in question pursuant to Rule 55.

2. Where the Commission announces that it intends to enter into a voluntary agreement, the committee responsible may table a motion for a resolution recommending that Parliament approve or reject the proposal, and under what conditions.

## **Rule 112**

### **Codification**

1. When a proposal for codification of Union legislation is submitted to Parliament, it shall be referred to the committee responsible for legal affairs. That committee shall examine the proposal in accordance with the arrangements agreed at interinstitutional level<sup>23</sup> in order to ascertain that the proposal is a straightforward codification, with no changes of a substantive nature.

2. The committee which was responsible for the acts to be codified may, at its own request or at the request of the committee responsible for legal affairs, be asked to deliver an opinion on the desirability of codification.

3. Amendments to the text of the proposal shall be inadmissible.

However, the Chair of the committee responsible for legal affairs may, at the rapporteur's request, submit, for that committee's approval, technical adaptations, provided that those adaptations do not involve any substantive change to the proposal and are necessary in order to ensure that the proposal complies with the codification rules.

4. If the committee responsible for legal affairs concludes that the proposal does not entail any substantive change to Union legislation, it shall refer it to Parliament for approval.

If the committee responsible for legal affairs takes the view that the proposal entails a substantive change, it shall propose that Parliament reject the proposal.

In either of those two cases, Parliament shall adopt a decision by means of a single vote, without amendment or debate.

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<sup>23</sup> Interinstitutional Agreement of 20 December 1994, Accelerated working method for official codification of legislative texts, point 4 (OJ C 102, 4.4.1996, p. 2).

## TITLE II Rule 113

### Rule 113

#### Recasting

1. Where a proposal recasting Union legislation is submitted to Parliament, it shall be referred to the committee responsible for legal affairs and to the committee responsible for the subject-matter.
2. The committee responsible for legal affairs shall examine the proposal in accordance with the arrangements agreed at interinstitutional level<sup>24</sup> in order to check that it entails no substantive changes other than those identified as such in the proposal.

For the purpose of that examination, amendments to the text of the proposal shall be inadmissible. However, the second subparagraph of Rule 112(3) shall apply to provisions which remain unchanged in the recasting proposal.

3. If the committee responsible for legal affairs considers that the proposal does not entail any substantive changes other than those identified as such in the proposal, it shall inform the committee responsible for the subject matter thereof.

In such a case, over and above the conditions laid down in Rules 187 and 188, amendments shall be admissible within the committee responsible for the subject-matter only if they concern those parts of the proposal which contain changes.

However, amendments to parts of the proposal which remain unchanged may, by way of exception and on a case-by-case basis, be accepted by the Chair of the committee responsible for the subject matter if he or she considers that this is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Such reasons must be stated in a written justification to the amendments.

4. If the committee responsible for legal affairs considers that the proposal entails substantive changes other than those which have been identified as such in the proposal, it shall propose that Parliament reject the proposal and shall inform the committee responsible for the subject-matter that it has done so.

In such a case the President shall ask the Commission to withdraw it. If the Commission does so, the President shall declare that the procedure in Parliament is superfluous and shall inform the Council accordingly. If the Commission does not withdraw its proposal, Parliament shall refer it back to the committee responsible for the subject-matter, which shall consider it in accordance with the normal procedure.

## CHAPTER 10

### DELEGATED AND IMPLEMENTING ACTS

#### Rule 114

##### Delegated acts

1. When the Commission forwards a delegated act to Parliament, the President shall refer it to the committee responsible for the basic legislative act, which may decide to designate one of its

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<sup>24</sup> Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts (OJ C 77, 28.3.2002, p. 1.), point 9.

members to consider one or more delegated acts.

2. During the part-session following its reception, the President shall announce to Parliament the date on which the delegated act was received in all the official languages and the period during which objections may be raised. The period in question shall commence on the date of reception.

The announcement shall be published in the minutes of the sitting, together with the name of the committee responsible.

3. In accordance with the provisions of the basic legislative act and – if the committee responsible considers it appropriate to do so – after consulting any other committees concerned, the committee responsible may table a reasoned motion for a resolution objecting to the delegated act. If, 10 working days before the start of the part-session of which the Wednesday falls before and closest to the day of expiry of the deadline referred to in paragraph 5, the committee responsible has not tabled such a motion for a resolution, a political group or Members reaching at least the low threshold may table a motion for a resolution on the matter for inclusion on the agenda for the part-session referred to above.

4. Any motion for a resolution tabled in accordance with paragraph 3 shall state the reasons for Parliament's objections and may incorporate a request calling on the Commission to submit a new delegated act which takes account of Parliament's recommendations.

5. Parliament shall approve such a motion by the deadline laid down in the basic legislative act and, in accordance with the second subparagraph of Article 290(2) of the Treaty on the Functioning of the European Union, by a majority of its component Members.

Where the committee responsible considers that it is appropriate to extend the deadline for raising objections to the delegated act in accordance with the provisions of the basic legislative act, the committee Chair shall notify the Council and the Commission, on behalf of Parliament, of that extension.

6. If the committee responsible recommends that, prior to the expiry of the deadline set in the basic legislative act, Parliament should declare that it has no objections to the delegated act:

- the committee responsible shall inform the Chair of the Conference of Committee Chairs by means of a letter setting out its reasons and table a recommendation to that effect;
- if no objections are raised at the next meeting of the Conference of Committee Chairs, or, on grounds of urgency, by written procedure, the Chair of that body shall inform the President of Parliament, who shall in turn inform the plenary as soon as possible;
- if, within 24 hours following the announcement in Parliament, a political group or Members reaching at least the low threshold object to the recommendation, it shall be put to the vote;
- if, within the same period, no objections are raised, the proposed recommendation shall be deemed to have been approved;
- the adoption of such a recommendation shall render inadmissible any subsequent proposal objecting to the delegated act.

7. The committee responsible may, in accordance with the provisions of the basic legislative

## TITLE II Rule 115

act, submit to Parliament a motion for a resolution revoking, in full or in part, that delegation of powers or opposing the tacit extension of that delegation of powers.

In accordance with the second subparagraph of Article 290(2) of the Treaty on the Functioning of the European Union, a decision to revoke the delegation of powers shall require the votes of a majority of Parliament's component Members.

8. The President shall inform the Council and Commission of the positions taken under this Rule.

### Rule 115

#### Implementing acts and measures

1. When the Commission forwards a draft implementing act or measure to Parliament, the President shall refer it to the committee responsible for the basic legislative act, which may decide to designate one of its members to consider one or more draft implementing acts or measures.

2. The committee responsible may table a reasoned motion for a resolution stating that a draft implementing act or measure goes beyond the implementing powers conferred in the basic legislative act or is not consistent with Union law in other respects.

3. The motion for a resolution may incorporate a request to the Commission to withdraw the draft implementing act or measure, to amend it in keeping with the objections raised by Parliament, or to submit a new legislative proposal. The President shall inform the Council and the Commission of the decision taken.

4. If the implementing acts envisaged by the Commission fall under the regulatory procedure with scrutiny provided for by Council Decision 1999/468/EC<sup>25</sup>, the following additional provisions shall apply:

- (a) the time for scrutiny shall start to run when the draft implementing measure has been submitted to Parliament in all the official languages. Where the shorter time limit for scrutiny provided for in Article 5a(5)(b) of Decision 1999/468/EC applies, and in the urgent cases provided for in Article 5a(6) of that Decision, the time for scrutiny shall, unless the Chair of the committee responsible objects, start to run from the date of receipt by Parliament of the final draft implementing measure in the language versions submitted to the members of the committee set up in accordance with that Decision. Rule 174 shall not apply in the two instances mentioned in the previous sentence;
- (b) if the draft implementing measure is based on paragraph 5 or 6 of Article 5a of Decision 1999/468/EC, which prescribes curtailed time limits for opposition by Parliament, a motion for a resolution opposing the adoption of the draft measure may be tabled by the Chair of the committee responsible if that committee has not been able to meet in the time available;
- (c) Parliament, acting by a majority of its component Members, may adopt a resolution opposing the adoption of the draft implementing measure and indicating that the draft exceeds the implementing powers conferred in the basic act, is not compatible

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<sup>25</sup> Council Decision 1999/468/EC of 28 June 1999 laying down procedures for the exercise of the implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23, ELI: <http://data.europa.eu/eli/dec/1999/468/oj>).

with the aim or the content of the basic act or does not respect the principles of subsidiarity or proportionality;

If, 10 working days prior to the start of the part-session of which the Wednesday falls before and closest to the day of expiry of the deadline for opposing the adoption of the draft implementing measure, the committee responsible has not tabled a motion for such a resolution, a political group or Members reaching at least the low threshold may table a motion for a resolution on the matter for inclusion on the agenda for the part-session referred to above.

- (d) if the committee responsible recommends, by means of a letter to the Chair of the Conference of Committee Chairs setting out its reasons, that Parliament should declare that it has no objections to the proposed measure prior to the expiry of the normal time limit laid down in Article 5a(3)(c) and/or Article 5a(4)(e) of Decision 1999/468/EC, the procedure provided for in Rule 114(6) shall apply<sup>26</sup>.

## **Rule 116**

### **Consideration under the joint committee procedure**

If the basic legislative act was adopted by Parliament under the procedure provided for in Rule 59, the following additional provisions shall apply to the consideration of delegated acts and draft implementing acts or measures:

- upon receipt of the delegated act or draft implementing act or measure, the President shall determine which committee is responsible or which committees are jointly responsible for it, in accordance with the criteria laid down in Rule 59 and with any agreements reached between the Chairs of the committees concerned;
- if a delegated act or a draft implementing act or measure has been forwarded for consideration under the joint committee procedure, each committee may request that a joint meeting be convened to consider a motion for a resolution. If the Chairs of the committees concerned fail to reach agreement, the joint meeting shall be convened by the Chair of the Conference of Committee Chairs.

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<sup>26</sup> Rule 115(4) shall be deleted from the Rules of Procedure as soon as the regulatory procedure with scrutiny has been totally removed from existing legislation.

## TITLE III Rule 117

### TITLE III

### EXTERNAL RELATIONS

### CHAPTER 1

### INTERNATIONAL AGREEMENTS

#### **Rule 117**

#### **International agreements**

1. When it is intended to open negotiations on the conclusion, renewal or amendment of an international agreement, the committee responsible may decide to draw up a report or otherwise monitor the preparatory phase. It shall inform the Conference of Committee Chairs of its decision.
2. The committee responsible shall, as soon as possible, ascertain from the Commission the chosen legal basis for concluding the international agreements referred to in paragraph 1. The committee responsible shall verify that chosen legal basis in accordance with Rule 41.
3. Parliament may, on a proposal from the committee responsible, a political group or Members reaching at least the low threshold, ask the Council not to authorise 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.
4. At any stage of the negotiations and from the end of the negotiations to the conclusion of the international agreement, Parliament may, on the basis of a report from the committee responsible, drawn up by that committee on its own initiative or after considering any relevant proposal tabled by a political group or Members reaching at least the low threshold, adopt recommendations to the Council, the Commission or the Vice President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and require them to be taken into account before the conclusion of that agreement.
5. Requests by the Council for Parliament's consent or opinion shall be referred by the President to the committee responsible for consideration in accordance with Rule 107 or Rule 48(1).
6. At any time before Parliament votes on a request for consent or opinion, the committee responsible or at least one-tenth of Parliament's component Members may propose that Parliament seek an opinion from the Court of Justice on the compatibility of an international agreement with the Treaties.

Before Parliament votes on that proposal, the President may request the opinion of the committee responsible for legal affairs, which shall report its conclusions to Parliament.

If Parliament approves the proposal to seek an opinion from the Court of Justice, the vote on a request for consent or opinion shall be adjourned until the Court has delivered its opinion.

7. Where the Council requests that Parliament give its consent to the conclusion, renewal or amendment of an international agreement, Parliament shall decide by a single vote in accordance with Rule 107.

If Parliament declines to give its consent, the President shall inform the Council that the agreement in question cannot be concluded, renewed or amended.

Without prejudice to Rule 107(3), Parliament may decide, on the basis of a recommendation from the committee responsible, to postpone its decision on the consent procedure for no longer than one year.

8. Where the Council requests that Parliament gives its opinion on the conclusion, renewal or amendment of an international agreement, no amendments to the text of the agreement shall be admissible. Without prejudice to Rule 188(1), amendments to the draft Council decision shall be admissible.

If that opinion adopted by Parliament is unfavourable, the President shall ask the Council not to conclude the agreement in question.

9. The Chair and rapporteur of the committee responsible shall jointly check that, in accordance with Article 218(10) of the Treaty on the Functioning of the European Union, the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy immediately and regularly provide Parliament with full information, if necessary on a confidential basis, at all stages of the preparations for the negotiation, the negotiation and the conclusion of international agreements, including information on the draft and the finally adopted text of negotiating directives, as well as information relating to the implementation of those agreements.

## **Rule 118**

### **Provisional application or suspension of the application of international agreements or establishment of the Union's position in a body set up by an international agreement**

Where the Commission or the Vice-President of the Commission /High Representative of the Union for Foreign Affairs and Security Policy informs Parliament and the Council of its intention to propose the provisional application or suspension of an international agreement, Parliament may invite the Council, the Commission or the Vice-President/High Representative to make a statement, following which there shall be a debate. Parliament may issue recommendations on the basis of a report by the committee responsible or pursuant to Rule 121, which may include, in particular, a request to the Council not to provisionally apply an agreement until the Parliament has given consent.

That procedure shall also apply when the Commission or the Vice-President/High Representative proposes positions to be adopted on the Union's behalf in a body set up by an international agreement.

## CHAPTER 2

### EXTERNAL REPRESENTATION OF THE UNION AND THE COMMON FOREIGN AND SECURITY POLICY

## **Rule 119**

### **Special representatives**

1. Where the Council intends to appoint a special representative under Article 33 of the Treaty on European Union, the President, at the request of the committee responsible, shall invite the Council to make a statement, and to answer questions, concerning the mandate, the objectives and other relevant matters relating to the tasks and role to be performed by the special representative.

## **TITLE III Rule 120**

2. After the special representative has been appointed, but before he or she has taken up that position, he or she may be invited to appear before the committee responsible to make a statement and answer questions.
3. Within two months after the hearing, the committee responsible may make recommendations to the Council, to the Commission or to the Vice President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy relating directly to the appointment.
4. The special representative shall be invited to keep Parliament fully and regularly informed concerning the practical implementation of the mandate.

### **Rule 120**

#### **International representation**

1. Before appointment, the nominee for a post of head of a Union external delegation may be invited to appear before the committee responsible in order to make a statement and to answer questions.
2. Within two months of the hearing provided for in paragraph 1, the committee responsible may adopt a resolution or make a recommendation, as appropriate, relating directly to the appointment.

## **CHAPTER 3**

### **RECOMMENDATIONS ON THE UNION'S EXTERNAL ACTION**

#### **Rule 121**

##### **Recommendations on the Union's external policies**

1. In accordance with Rule 55(1) and (2), the committee responsible may draw up draft recommendations for the Council, for the Commission or for the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on subjects under Title V of the Treaty on European Union (the Union's external action), or in cases where an international agreement falling within the scope of Rule 117 has not been referred to Parliament or Parliament has not been informed thereof under Rule 118.
2. In urgent cases, the President may authorise an emergency meeting of the committee concerned.
3. During the procedure for adopting those draft recommendations at committee stage, it shall be necessary for a written text to be put to the vote. Other committees may deliver an opinion to the committee responsible in accordance with Rule 57.
4. In the urgent cases referred to in paragraph 2, Rule 174 shall not apply at committee stage, and oral amendments shall be admissible. Members may not object to oral amendments being put to the vote in committee.
5. The draft recommendations drawn up by the committee shall be included on the agenda for the next part-session. In urgent cases decided upon by the President, recommendations may be included on the agenda for a current part-session.
6. Recommendations shall be deemed to have been adopted unless, before the beginning of



the part-session, a political group or Members reaching at least the low threshold submit a written objection. Where such an objection is submitted, the committee's draft recommendations shall be included on the agenda of the same part-session. Such recommendations may be the subject of a debate, and any amendment tabled by a political group or Members reaching at least the low threshold shall be put to the vote.

## **Rule 122**

### **Consultation of, and provision of information to, Parliament within the framework of the common foreign and security policy**

1. When Parliament is consulted pursuant to Article 36 of the Treaty on European Union, the matter shall be referred to the committee responsible, which may draw up draft recommendations pursuant to Rule 121.
2. The committees concerned shall seek to ensure that the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy provides them, regularly and in a timely manner, with information on the development and implementation of the Union's common foreign and security policy, on the costs envisaged each time that a decision entailing expenditure is adopted under that policy and on any other financial considerations relating to the implementation of actions under that policy. Exceptionally, at the request of the Vice-President/High Representative, a committee may decide to hold its proceedings in camera.
3. Twice a year, a debate shall be held on the consultative document drawn up by the Vice-President/High Representative on the main aspects and basic choices of the common foreign and security policy, including the common security and defence policy and the financial implications for the Union budget. The procedures laid down in Rule 136 shall apply.
4. The Vice-President/High Representative shall be invited to every plenary debate that involves either foreign, security or defence policy.

## **Rule 123**

### **Breach of human rights**

At each part-session, the committees responsible may, without requiring authorisation, each table a motion for a resolution under the same procedure as that laid down in Rule 121(5) and (6) concerning cases of breaches of human rights.

## TITLE IV Rule 124

### TITLE IV

### TRANSPARENCY OF BUSINESS

#### Rule 124

##### **Transparency of Parliament's activities**

1. Parliament shall ensure that its activities are conducted with the utmost transparency, in accordance with the second paragraph of Article 1 of the Treaty on European Union, Article 15 of the Treaty on the Functioning of the European Union and Article 42 of the Charter of Fundamental Rights of the European Union.

2. Debates in Parliament shall be public.

3. Committees shall normally meet in public. At the latest when the agenda for a meeting is adopted, they may, however, decide to divide that agenda into items open to the public and items closed to the public. However, if a meeting is held in camera, the committee may decide to make documents from the meeting available for public access.

#### Rule 125

##### **Public access to documents**

1. Any citizen of the Union and any natural or legal person residing or having its registered office in a Member State has a right of access to Parliament documents in accordance with Article 15 of the Treaty on the Functioning of the European Union. Such access to Parliament documents is subject to the principles, conditions and limits laid down in Regulation (EC) No 1049/2001.

Access to Parliament documents shall as far as possible be granted to other natural or legal persons in the same way.

2. For the purpose of access to documents, the term 'Parliament documents' means any content within the meaning of Article 3(a) of Regulation (EC) No 1049/2001 which has been drawn up or received by officers of Parliament within the meaning of Title I, Chapter 2, of these Rules, by Parliament's governing bodies, committees or interparliamentary delegations, or by Parliament's Secretariat.

In accordance with Article 4 of the Statute for Members of the European Parliament, documents drawn up by individual Members or political groups are Parliament documents for the purposes of access to documents only if they are tabled in accordance with the Rules of Procedure.

The Bureau shall lay down rules to ensure that all Parliament documents are registered.

3. Parliament shall establish a public register website for Parliament documents. Legislative documents and certain other categories of documents shall, in accordance with Regulation (EC) No 1049/2001, be made directly accessible through Parliament's public register website. References to other Parliament documents shall, as far as possible, be included in Parliament's public register website.

The categories of documents which are to be directly accessible through Parliament's public register website shall be set out in a list adopted by the Bureau and published on Parliament's public register website. That list shall not restrict the right of access to documents not falling within the categories listed; those documents may be made available on written application in

accordance with Regulation (EC) No 1049/2001.

The Bureau shall adopt rules for access to documents, pursuant to Regulation (EC) No 1049/2001, which shall be published in the *Official Journal of the European Union*

4. The Bureau shall designate the bodies responsible for the handling of initial applications (Article 7 of Regulation (EC) No 1049/2001) and for the adoption of decisions on confirmatory applications (Article 8 of that Regulation) and on applications for access to sensitive documents (Article 9 of that Regulation).

5. One of the Vice-Presidents shall be responsible for supervising the handling of applications for access to documents.

6. The Bureau shall adopt the annual report referred to in Article 17(1) of Regulation (EC) No 1049/2001.

7. Parliament's committee responsible shall regularly examine the transparency of Parliament's activities and shall submit a report with its conclusions and recommendations to the plenary.

The committee responsible may also examine and evaluate the reports adopted by the other institutions and agencies in accordance with Article 17 of Regulation (EC) No 1049/2001.

8. The Conference of Presidents shall designate Parliament's representatives on the interinstitutional committee established pursuant to Article 15(2) of Regulation (EC) No 1049/2001.

## **Rule 126**

### **Access to Parliament**

1. Access badges for Members, former Members, Members' assistants and third persons shall be issued on the basis of the rules laid down by the Bureau. Those rules shall also govern the use and withdrawal of access badges.

2. Badges shall not be issued to individuals within a Member's entourage who fall within the scope of the Interinstitutional Agreement on a mandatory transparency register.

3. Entities entered in the transparency register, and their representatives who have been issued with long-term access badges to the European Parliament must respect:

- the Code of Conduct for Registrants annexed to the Interinstitutional Agreement;
- the procedures and other obligations laid down by the Interinstitutional Agreement; and
- the provisions implementing this Rule.

Without prejudice to the applicability of the general rules governing the withdrawal or temporary de-activation of long-term access badges, and unless there are significant arguments to the contrary, the Secretary-General shall, with the authorisation of the Quaestors, withdraw or deactivate a long-term access badge where its holder has been disbarred from the transparency register for a breach of the Code of Conduct for Registrants, has been guilty of a serious breach of the obligations laid down in this paragraph, or has refused, without offering a sufficient justification, to comply with a formal summons to attend a hearing or committee meeting or to

## TITLE IV Rule 127

cooperate with a committee of inquiry.

4. The Quaestors may determine to what extent the Code of Conduct referred to in paragraph 3 is applicable to persons who, whilst in possession of a long-term access badge, do not fall within the scope of the Interinstitutional Agreement.

5. The Bureau, acting on a proposal from the Secretary-General, shall lay down the measures needed to implement the transparency register, in accordance with the provisions of the Interinstitutional Agreement.

### **Rule 127**

#### **Cooperation with committees or in the context of special scrutiny hearings**

A representative of a Union institution or body and any other person shall be expected to cooperate in the case of requests to attend meetings of committees and special scrutiny hearings as well as to supply relevant documents to the committees and for such hearings. In the case of lack of cooperation, a committee or Chair of a special scrutiny hearing may request the President to take action. The President, after consulting the Conference of Presidents, shall decide on whether to apply one or more of the following measures:

- (a) an instruction to the Secretary General to seek authorisation from the Quaestors to withdraw or deactivate long-term access badges in accordance with Rule 126(3);
- (b) a formal statement expressing Parliament's dissatisfaction;
- (c) a request to the relevant Union institution or body or any other organisation to send a representative to a meeting of the Conference of Presidents to explain its refusal;
- (d) any other appropriate measures.

## TITLE V

### RELATIONS WITH OTHER INSTITUTIONS AND BODIES AND POLITICAL ACCOUNTABILITY

#### CHAPTER 1

#### APPOINTMENTS

##### **Rule 128**

##### **Election of the President of the Commission**

1. When the European Council proposes a candidate for President of the Commission, the President shall request the candidate to make a statement and to present his or her political guidelines to Parliament. The statement shall be followed by a debate.

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

2. In accordance with Article 17(7) of the Treaty on European Union, Parliament shall elect the President of the Commission by a majority of its component Members.

The vote shall be taken by secret ballot.

3. If the candidate is elected, the President shall inform the Council accordingly, asking it and the President-elect of the Commission to propose, by common accord, the nominees for the various posts of Commissioners.

4. If the candidate does not obtain the required majority, the President shall invite the European Council to propose a new candidate within one month for election in accordance with the same procedure.

##### **Rule 129**

##### **Election of the Commission**

1. The President shall invite the President-elect of the Commission to inform Parliament about the planned structure of the new Commission and the allocation of responsibilities (portfolios) in the proposed new College of Commissioners in accordance with the political guidelines of the President-elect as well as about other horizontal issues, including gender balance in that College.

2. The President shall, after consulting the President-elect of the Commission, request the nominees proposed by the President-elect of the Commission and by the Council for the various posts of Commissioner to appear before the appropriate committees or bodies according to their prospective fields of responsibility.

3. The confirmation hearings shall be conducted by the committees. Exceptionally, a confirmation hearing may be carried out in a different format when the responsibilities of a Commissioner-designate are primarily horizontal in nature, provided that such a confirmation hearing involves the committees responsible.

The confirmation hearings shall be held in public.

## TITLE V Rule 130

4. The appropriate committee or committees shall invite the Commissioner-designate to make a statement and to answer questions. The confirmation hearings shall be organised in such a way as to enable Commissioners-designate to disclose to Parliament all relevant information. Provisions relating to the organisation of such confirmation hearings shall be laid down in an annex to these Rules of Procedure<sup>27</sup>.
5. The President-elect shall be invited to present the college of Commissioners and their programme at a sitting of Parliament. The President of the European Council and the President of the Council shall be invited to attend. The statement shall be followed by a debate.
6. In order to wind up that debate, a political group or Members reaching at least the low threshold may table a motion for a resolution. Rule 136(3) to (8) shall apply.
7. Following the vote on the motion for a resolution, Parliament shall elect or reject the Commission by a majority of the votes cast, by roll call. Parliament may defer the vote until the next sitting.
8. The President shall inform the Council of the election or rejection of the Commission.
9. In the event of a substantial portfolio change or a change in the composition of the Commission during the Commission's term of office, the Commissioners concerned or any other Commissioners designate shall be invited to participate in a confirmation hearing held in accordance with paragraphs 3 and 4.
10. In the event of a change in the Commissioner's portfolio or in the financial interests of a Commissioner during his or her term of office, this situation shall be subject to scrutiny by Parliament in accordance with Annex VII.

If a conflict of interests is identified during a Commissioner's term of office and the President of the Commission fails to implement Parliament's recommendations for resolving that conflict of interests, Parliament may ask the President of the Commission to withdraw confidence in the Commissioner in question, pursuant to paragraph 5 of the Framework agreement on relations between the European Parliament and the European Commission and, where appropriate, to take action with a view to depriving the Commissioner in question of his or her right to a pension or other benefits in lieu of pension in accordance with the second paragraph of Article 245 of the Treaty on the Functioning of the European Union.

### **Rule 130**

#### **Multiannual programming**

Upon the appointment of a new Commission, the Parliament, the Council and the Commission will, pursuant to paragraph 5 of the Interinstitutional Agreement on Better Law-Making, exchange views and agree on joint conclusions on multiannual programming.

To that effect, and before negotiating with the Council and the Commission on the joint conclusions on multiannual programming, the President shall hold an exchange of views with the Conference of Presidents regarding the principal policy objectives and priorities for the new legislative term. This exchange of views will take into consideration, inter alia, the priorities presented by the President-elect of the Commission, as well as the replies given by Commissioners-designate during the confirmation hearings provided for in Rule 129.

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<sup>27</sup> See Annex VII.

Before signing the joint conclusions, the President shall seek the approval of the Conference of Presidents.

### **Rule 131**

#### **Motion of censure on the Commission**

1. A motion of censure in respect of the Commission may be submitted to the President by one tenth of the component Members of Parliament. If a motion of censure has been voted on in the preceding two months, any new one tabled by less than one fifth of the component Members of Parliament shall be inadmissible.
2. The motion shall be called a 'motion of censure' and shall state reasons. It shall be forwarded to the Commission.
3. The President shall announce to Members that a motion of censure has been tabled immediately after he or she has received it.
4. The debate on censure shall not take place until at least 24 hours after the receipt of a motion of censure 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. Without prejudice to paragraphs 4 and 5, the debate and the vote shall take place, at the latest, during the part-session following the submission of the motion.
7. In accordance with Article 234 of the Treaty on the Functioning of the European Union, 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 President of the Council and the President of the Commission shall be notified of the result of the vote.

### **Rule 132**

#### **Nomination of Judges and Advocates-General at the Court of Justice of the European Union**

On a proposal from the committee responsible, Parliament shall appoint its nominee to the panel of seven persons charged with scrutinising the suitability of candidates to hold the office of Judge or Advocate-General of the Court of Justice and the General Court. The committee responsible shall select the nominee that it wishes to propose by holding a vote by simple majority. For that purpose, the coordinators of that committee shall establish a shortlist of candidates.

### **Rule 133**

#### **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 to answer questions put by its members. The committee shall vote on each nomination separately by secret ballot.
2. The committee responsible shall make a recommendation to Parliament as to whether the nomination should be approved.
3. The vote in plenary shall take place within two months of receipt of the nomination unless Parliament, at the request of the committee responsible, a political group or Members reaching at

## **TITLE V Rule 134**

least the low threshold, decides otherwise. Parliament shall vote on each nomination separately by secret ballot.

4. If the opinion, adopted by Parliament, on an individual nomination, is unfavourable, the President shall ask the Council to withdraw its nomination and to submit a new nomination to Parliament.

### **Rule 134**

#### **Appointment of the Members of the Executive Board of the European Central Bank**

1. The candidate nominated as President, Vice-President or Member of the Executive Board of the European Central Bank shall be invited to make a statement before the committee responsible and to answer questions put by its 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 receipt of the nomination unless Parliament, at the request of the committee responsible, a political group or Members reaching at least the low threshold, decides otherwise. Parliament shall vote on each nomination separately, by secret ballot.

4. If the opinion adopted by Parliament on a nomination is unfavourable, the President shall ask for the withdrawal of the nomination and for the submission to Parliament of a new nomination.

### **Rule 135**

#### **Appointments to the economic governance bodies**

1. This Rule shall apply to the appointment of:

- the Chair and the Vice-Chair of the Supervisory Board of the European Central Bank;
- the Chair, the Vice-Chair and the full-time members of the Single Resolution Board of the Single Resolution Mechanism;
- the Chairs and Executive Directors of the European Supervisory Authority (European Banking Authority, European Securities and Markets Authority, European Insurance and Occupational Pensions Authority); and
- the Managing Director and Deputy Managing Director of the European Fund for Strategic Investments.

2. Each candidate shall be invited to make a statement before the committee responsible and to answer questions put by its members.

3. The committee responsible shall make a recommendation to Parliament on each proposal for appointment.

4. The vote shall take place within two months of receipt of the proposal for appointment unless Parliament, at the request of the committee responsible, a political group or Members reaching at least the low threshold, decides otherwise. Parliament shall vote on each appointment separately, by secret ballot.



5. If the decision adopted by Parliament on a proposal for appointment is unfavourable, the President shall ask for its withdrawal and for the submission to Parliament of a new proposal.

## CHAPTER 2

### STATEMENTS

#### **Rule 136**

##### **Statements by the Commission, Council and European Council**

1. Members of the Commission, the Council and the European Council may, at any time, ask the President of Parliament for permission to make a statement. The President of the European Council shall make a statement after each of its meetings. The President of Parliament shall decide when the statement may be made and whether it is to be followed by a full debate or by a period of brief and concise questions from Members lasting 30 minutes.

2. When placing a statement with debate on its agenda, Parliament shall decide whether or not to wind up the debate with a resolution. It shall not do so if a report on the same matter is scheduled for the same or the next part-session, unless the President, for exceptional reasons, proposes otherwise. If Parliament decides to wind up a debate with a resolution, a committee, a political group or Members reaching at least the low threshold may table a motion for a resolution.

3. Motions for resolutions shall be put to the vote at the earliest possible voting time. The President shall decide on any exceptions. Explanations of vote shall be admissible.

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

5. If a joint motion for a resolution is tabled by political groups representing a clear majority, the President may put that motion to the vote first.

6. After a resolution has been adopted, no further motions may be put to the vote unless the President, in exceptional circumstances, decides otherwise.

7. The author or authors of a motion for a resolution tabled under paragraph 2 or Rule 150(2) shall be entitled to withdraw it before the final vote.

8. A motion for a resolution which has been withdrawn may be taken over and retabled immediately by a group, a committee or the same number of Members as is entitled to table it. This paragraph and paragraph 7 shall also apply to resolutions tabled under Rules 114 and 115.

#### **Rule 137**

##### **Statements explaining Commission decisions**

The President shall invite the President of the Commission, the Commissioner responsible for relations with the European Parliament or, by agreement, another Commissioner, to make a statement to Parliament, after each meeting of the Commission, explaining the main decisions taken, unless, for timetabling reasons or because of the relative political relevance of the subject-matter, the Conference of Presidents decides that this is not necessary. The statement shall be followed by a debate of at least 30 minutes in which Members may put brief and concise questions.

**Rule 138**

**Statements explaining the use of Article 122 of the Treaty on the Functioning of the European Union as a legal basis**

1. When the Commission plans to adopt a proposal for a legal act based on Article 122 of the Treaty on the Functioning of the European Union, the President shall invite the President of the Commission to make a statement to Parliament explaining the reasons for the choice of that legal basis, as well as outlining the main objectives and elements of the proposal. The statement shall be made prior to the formal adoption of the proposal by the Commission. Failing that, it shall be included in the draft agenda of the first part-session following the adoption of the proposal by the Commission, unless the Conference of Presidents decides otherwise. The Conference of Presidents shall decide whether the statement is to be followed by a debate. Rule 136(2) to (8) concerning the tabling and voting of motions for resolutions shall apply *mutatis mutandis*.

When such statement is not placed on the agenda of the first part-session following the adoption of the proposal mentioned in the first subparagraph, the committee responsible for the subject-matter shall invite the Commissioner responsible to provide the information referred to in the first subparagraph at one of its forthcoming meetings.

2. The President shall refer the proposal to the committee responsible for legal affairs for verification of the legal basis. If that committee decides to dispute the validity or the appropriateness of the legal basis, it shall report its conclusions to Parliament, if necessary orally. Rule 155(3) to (5) shall apply.

3. When a proposal for a legal act based on Article 122 of the Treaty on the Functioning of the European Union has potential appreciable implications for the Union budget, Parliament shall request that the procedure of budgetary scrutiny provided for in the joint declaration of the European Parliament, the Council and the Commission of 16 December 2020<sup>28</sup> be initiated.

Parliament's delegation to the Joint Committee provided for in the joint declaration referred to in the first subparagraph shall be made up of one member of its committee responsible for budgetary issues from each political group and one member from any committee responsible for the subject-matter.

4. At the earliest three months after the entry into force of the legal act based on Article 122 of the Treaty on the Functioning of the European Union and at appropriate intervals thereafter, the President shall invite the Commissioner responsible to make a statement to Parliament reporting on the implementation of the legal act concerned and on the necessity to maintain its provisions in light of the requirements of the Treaties. The procedure set out in paragraph 1 shall apply *mutatis mutandis*.

**Rule 139**

**Statements by the Court of Auditors**

1. In the context of the discharge procedure or of Parliament's activities in the sphere of budgetary control, the President of the Court of Auditors may be invited to make a statement to Parliament in order to present the comments contained in the Annual Report, special reports or

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<sup>28</sup> Joint declaration of the European Parliament, the Council and the Commission of 16 December 2020 on budgetary scrutiny of new proposals based on Article 122 TFEU with potential appreciable implications for the Union budget (OJ C 444 I, 22.12.2020, p. 5).

opinions of the Court, or in order to explain the Court's work programme.

2. Parliament may decide to hold a separate debate, with the participation of the Commission and the Council, on any questions raised in such statements in particular when irregularities in financial management have been reported.

### **Rule 140**

#### **Statements by the European Central Bank**

1. The President of the European Central Bank shall be invited to present to Parliament the Bank's Annual Report on the activities of the European System of Central Banks and on the monetary policy of both the previous and the current year.

2. This presentation shall be followed by a general debate.

3. The President of the European Central Bank shall be invited to attend meetings of the committee responsible at least four times a year in order to make a statement and to answer questions.

4. If they or Parliament so request, the President, Vice-President and other Members of the Executive Board of the European Central Bank shall be invited to attend additional meetings.

5. A verbatim report of the proceedings under paragraphs 3 and 4 shall be drawn up.

## **CHAPTER 3**

### **SPECIAL SCRUTINY HEARINGS AND PARLIAMENTARY QUESTIONS**

#### **Rule 141**

##### **Special scrutiny hearings**

1. In order to question one or more Commissioners on an issue of major political importance, the Conference of Presidents may, upon a proposal by the President, by a committee or by Members or a political group or groups reaching at least the medium threshold, convene at short notice a special scrutiny hearing.

2. The Conference of Presidents shall determine the number of Members to be appointed for a given special scrutiny hearing by the political groups and the non-attached Members. Where relevant, political groups shall ensure that the committees concerned are duly represented.

3. A special scrutiny hearing shall be chaired by the President or, by delegation, by one of the Vice-Presidents. It shall be entirely public unless decided otherwise by the Conference of Presidents.

4. The speaking time allocated to a political group shall be treated as a block. Each political group shall distribute the speaking time within its block between those of its members who are participating in the hearing. Speaking time allocated to non-attached Members shall not be treated as a block.

5. Following the conclusion of the special scrutiny hearing, its Chair may submit to the Conference of Presidents written recommendations on behalf of Members who participated in the hearing.

### Rule 142

#### Questions for oral answer with debate

1. Questions to the Council, to the Commission or to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy may be put by a committee, a political group or Members reaching at least the low threshold, accompanied with a request that they be placed on the agenda of Parliament.

Such questions shall be submitted in writing to the President. The President shall immediately refer them to the Conference of Presidents.

The Conference of Presidents shall decide whether or not to place those questions on the draft agenda in accordance with Rule 163. Questions not placed on Parliament's draft agenda within three months of being submitted shall lapse.

2. Questions to the Commission and to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy shall be referred to the addressee at least one week before the sitting on the agenda of which they are to appear and questions to the Council at least three weeks before that date.

3. Where the questions concern the common security and defence policy, the time limits provided for in paragraph 2 shall not apply, and the reply must be given sufficiently promptly for Parliament to be kept properly informed.

4. A Member designated in advance by the questioners shall move the question in Parliament. If that Member is not present, the question shall lapse. The addressee shall answer.

5. Rule 136(2) to (8) concerning the tabling and voting of motions for resolutions shall apply *mutatis mutandis*.

### Rule 143

#### Question Time

1. Question Time with one or more Commissioners may be held at each part-session for a duration of up to about 90 minutes on one or more themes to be decided upon by the Conference of Presidents in advance, and at the latest on the Thursday before the relevant part-session. The Commissioners invited to participate in Question Time by the Conference of Presidents shall have a portfolio related to the theme or themes on which questions are to be put to them.

2. As a general rule, once per part-session, a special scrutiny session shall be held with the President of the Commission or selected Commissioners without a pre-defined theme.

3. Question Time may also be held, under the terms laid down in paragraph 1, with the President of the European Council, with the Presidency of the Council, with the President of the Commission, with the entire college of Commissioners or specific categories of Commissioners, with the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, with the President of the Eurogroup and with other relevant representatives of Union institutions and bodies.

4. Question time shall not be specifically allocated in advance. The President shall, as far as possible, ensure that Members that hold different political views and that come from different Member States are given the opportunity to put a question in turn.

5. The Member shall be given one minute in which to formulate the question and the person being questioned two minutes in which to reply. That Member may put a supplementary question, lasting no longer than 30 seconds and having a direct bearing on the main question. The person being questioned shall then be given two minutes in which to give a supplementary reply.
6. Questions and supplementary questions must be directly related to the theme decided under paragraph 1. The President may rule on their admissibility.
7. Members shall not have pre-allocated seats and shall be encouraged to sit at the front of the Chamber.

#### **Rule 144**

##### **Questions for written answer**

1. Any Member, a political group or a committee may put questions for written answer to the President of the European Council, to the Council, to the Commission or to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy in accordance with criteria laid down in an annex to these Rules of Procedure<sup>29</sup>. The content of questions shall be the sole responsibility of their authors.
2. Questions shall be submitted in electronic form to the President. Issues concerning the admissibility of a question shall be decided by the President. The President's decision shall not be based exclusively on the provisions of the annex referred to in paragraph 1 but on the provisions of these Rules of Procedure in general. The questioner shall be notified of the President's reasoned decision.
3. Each Member, political group or committee may submit a maximum of twenty questions over a rolling period of three months. As a general rule, the questions shall be answered by the addressee within six weeks of being forwarded to it. However, any Member, political group or committee may every month designate one of its questions as a "priority question" to be answered by the addressee within three weeks of being forwarded to it.
4. A question may be supported by Members other than the author. Such questions shall only count towards the author's and not the supporter's maximum number of questions under paragraph 3.
5. If a question was not answered by the addressee within the deadline provided for in paragraph 3, the committee responsible may decide to place it on the agenda for its next meeting.
6. Questions, and answers, including their related annexes, thereto, shall be published on Parliament's website.

#### **Rule 145**

##### **Major interpellations for written answer**

1. Major interpellations shall consist of questions for written answer put to the Council, the Commission or the Vice-President of the Commission/High-Representative of the Union for Foreign Affairs and Security Policy by a political group.
2. The major interpellation shall be of general interest and shall be submitted in writing to the

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<sup>29</sup> See Annex III.

## TITLE V Rule 146

President. It shall not exceed 500 words. Provided that the major interpellation is in accordance with the provisions of the Rules in general, the President shall immediately transmit it to the addressee for a written answer.

3. There shall be maximum 30 major interpellations every year. The Conference of Presidents shall ensure a fair distribution of such interpellations among the political groups, and no political group shall submit more than one per month.

4. If the addressee fails to answer the major interpellation within six weeks of being forwarded to it, the interpellation shall, at the request of the author, be placed on the final draft agenda of Parliament in accordance with the procedure provided for in Rule 163 and subject to paragraph 6.

5. On receipt of the written answer, if Members or a political group or groups reaching at least the medium threshold so request, the major interpellation shall be placed on the final draft agenda of Parliament in accordance with the procedure provided for in Rule 163 and subject to paragraph 6.

6. The number of major interpellations debated during the same part-session shall not exceed three. If debates are requested for more than three major interpellations during the same part-session, the Conference of Presidents shall include them in the final draft agenda in the order it has received those requests for debate.

7. A Member designated in advance by the author, or by those requesting the debate in accordance with paragraph 5, shall move the major interpellation in Parliament. If that Member is not present, the major interpellation shall lapse. The addressee shall answer.

Rule 136(2) to (8) concerning the tabling of, and voting on, motions for resolutions shall apply *mutatis mutandis*.

8. Such interpellations, as well as the answers to them, shall be published on Parliament's website.

### **Rule 146**

#### **Questions for written answer to the European Central Bank**

1. Any Member may put a maximum of six questions for written answer per month to the European Central Bank in accordance with criteria laid down in an annex to these Rules of Procedure<sup>30</sup>. The content of questions shall be the sole responsibility of their authors.

2. Such questions shall be submitted in writing to the Chair of the committee responsible. On receiving such questions, the Chair of the committee responsible shall notify them to the European Central Bank. Issues concerning the admissibility of a question shall be decided by the Chair of the committee responsible. The questioner shall be notified of any such decision.

3. Such questions, as well as the answers to them, shall be published on Parliament's website.

4. If a question for written answer has not received a reply within six weeks, it may, at the request of its author, be included on the agenda for the next meeting of the committee responsible with the President of the European Central Bank.

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<sup>30</sup> See Annex III.

**Rule 147****Questions for written answer concerning the Single Supervisory Mechanism and the Single Resolution Mechanism**

1. Rule 146 (1), (2) and (3) shall, with regard to questions for written answer concerning the Single Supervisory Mechanism and the Single Resolution Mechanism, apply *mutatis mutandis*. The number of such questions shall be subtracted from the maximum of six per month provided for in Rule 146(1).
2. If a question for written answer has not received a reply within five weeks, it may, at the request of its author, be included on the agenda for the next meeting of the committee responsible with the Chair of the Board of the addressee.

## CHAPTER 4

## REPORTS OF OTHER INSTITUTIONS AND BODIES

**Rule 148****Annual and other reports of other institutions or bodies**

1. Annual and other reports of other institutions or bodies in respect of which the Treaties provide for consultation of Parliament, or in respect of which other legal provisions require an opinion by Parliament, shall be dealt with in a report submitted to the plenary.
2. Annual and other reports of other institutions or bodies not covered by paragraph 1 shall be referred to the committee responsible, which shall examine them, and which may submit a short motion for resolution to Parliament or propose the drawing up of a report under Rule 55 if it considers that Parliament should take a position on an important matter covered in the reports.

## CHAPTER 5

## RESOLUTIONS AND RECOMMENDATIONS

**Rule 149****Motions for resolutions**

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

That motion may not be more than 200 words long.

2. Such a motion may not:
  - contain any decision on matters for which other specific procedures and competences are laid down in these Rules of Procedure, in particular Rule 47, or
  - deal with the subject of ongoing proceedings in Parliament.
3. Each Member may table no more than one such motion per month.
4. The motion for a resolution shall be submitted to the President, who shall verify whether it fulfils the applicable criteria. If the President declares the motion to be admissible, he or she shall

## TITLE V Rule 150

announce it in plenary and refer it to the committee responsible.

5. The committee responsible shall decide what procedure is to be followed, which may include the combination of the motion for a resolution with other motions for a resolution or with reports; the adoption of an opinion, which may take the form of a letter; or the drawing up of a report under Rule 55. The committee responsible may also decide not to follow up the motion for a resolution.

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

7. The report referred to in paragraph 5 shall contain the text of the motion for a resolution.

8. Opinions in the form of a letter referred to in paragraph 5 that are addressed to other institutions of the European Union shall be forwarded to them by the President.

9. A motion for a resolution tabled in accordance with paragraph 1 may be withdrawn by its author or authors or by its first signatory before the committee responsible has decided, in accordance with paragraph 5, to draw up a report on it.

Once that motion for a resolution has been thus taken over by the committee responsible, only that committee shall have the power to withdraw it. The committee responsible shall retain that power of withdrawal until the opening of the final vote in plenary.

### **Rule 150**

#### **Debates on cases of breaches of human rights, democracy and the rule of law**

1. A committee, an interparliamentary delegation, a political group or Members reaching at least the low threshold may ask the President in writing for a debate to be held on an urgent case of a breach of human rights, democracy and the rule of law.

2. The Conference of Presidents shall draw up a list of subjects to be included in the final draft agenda for the next debate on cases of breaches of human rights, democracy and the rule of law on the basis of the requests referred to in paragraph 1 and in accordance with the provisions of Annex IV. The total number of subjects included in the agenda shall not exceed three, including sub-chapters.

In accordance with Rule 164, Parliament may abandon a topic due to be debated and replace it with an unscheduled topic. Motions for resolutions on the subjects chosen may be tabled by a committee, a political group or Members reaching at least the low threshold by the evening of the day on which the agenda is adopted. The President shall set the precise deadline for tabling such motions for resolutions.

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 178(5) and (6), up to a maximum time for debates of 60 minutes per part-session.

Any time remaining after the time required to introduce the motions for resolutions and any speaking time allocated to the Commission and Council has been deducted shall be divided among the political groups and the non-attached Members.

4. At the end of the debate there shall be an immediate vote. Rule 201, concerning explanations of vote, shall not apply.



*Votes taken under this Rule may be organised 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 136(4) and (5) shall apply.

6. The President and the Chairs of the political groups may decide that a motion for a resolution is to be put to the vote without debate. Such a decision shall require the unanimous agreement of all the Chairs of the political groups.

*The provisions of Rule 204 do not apply to motions for resolutions included on the agenda for a debate on cases of breaches of human rights, democracy and the rule of law.*

*Motions for resolutions are tabled for a debate on cases of breaches of human rights, democracy and the rule of law only after the list of subjects has been adopted. Motions for resolutions that cannot be dealt with in the time allocated for the debate lapse. The same applies to motions for resolutions for which it is established, following a request under Rule 185(3), that a quorum is not present. The authors are entitled to retable such motions either for consideration in committee under Rule 149 or for the debate on cases of breaches of human rights, democracy and the rule of law at the next part-session.*

*A subject may not be included on the agenda for a debate on cases of breaches of human rights, democracy and the rule of law if it 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 the second subparagraph of paragraph 2, and a committee report on the same subject.*

*When a request is made under Rule 185(3) to establish whether a quorum is present, that 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.*

## CHAPTER 6

### CONSULTATION OF OTHER INSTITUTIONS AND BODIES

#### **Rule 151**

##### **Consultation of the European Economic and Social Committee**

1. Where the Treaty on the Functioning of the European Union provides for the consultation of the Economic and Social Committee, the President shall initiate the consultation procedure and inform Parliament thereof.

2. A committee may request that the European Economic and Social Committee be consulted on matters of a general nature or on specific points.

The committee shall indicate, in its request, the deadline for delivery by the European Economic and Social Committee of its opinion.

A request for consultation of the European Economic and Social Committee shall be announced to Parliament at its next part-session and shall be deemed to have been approved, unless, within 24 hours from the announcement, a political group or Members reaching at least the low threshold

## **TITLE V Rule 152**

request that it be put to the vote.

3. Opinions forwarded by the Economic and Social Committee shall be referred to the committee responsible.

### **Rule 152**

#### **Consultation of the Committee of the Regions**

1. Where the Treaty on the Functioning of the European Union provides for the consultation of the Committee of the Regions, the President shall initiate the consultation procedure and inform Parliament thereof.

2. A committee may request that the Committee of the Regions be consulted on matters of a general nature or on specific points.

The committee shall indicate, in its request, the deadline for delivery by the Committee of the Regions of its opinion.

A request for consultation of the Committee of the Regions shall be announced to Parliament at its next part-session and shall be deemed to have been approved, unless within 24 hours from the announcement a political group or Members reaching at least the low threshold request that it be put to the vote.

3. Opinions forwarded by the Committee of the Regions shall be referred to the committee responsible.

### **Rule 153**

#### **Requests to European Agencies**

1. Where Parliament has the right to submit a request to a European Agency, any Member may submit that request in writing to the President of Parliament. Such requests shall be on matters that fall within the remit of the Agency concerned and shall be accompanied by background information explaining the issue and the Union interest.

2. The President shall, after consulting the committee responsible, either forward the request to the Agency or take any other appropriate course of action. The Member submitting the request shall be notified immediately. Any request sent by the President to an Agency shall include a time-limit for response.

3. If the Agency considers itself to be unable to respond to the request as formulated, or seeks to have it modified, it shall forthwith inform the President, who shall take any appropriate course of action, after consulting the committee responsible if necessary.

## **CHAPTER 7**

### **INTERINSTITUTIONAL AGREEMENTS**

#### **Rule 154**

##### **Interinstitutional agreements**

1. Parliament may enter into agreements with other institutions in the context of the application of the Treaties, or in order to improve or clarify procedures.

Such agreements may take the form of joint declarations, exchanges of letters, codes of conduct or other appropriate instruments. After they have been examined by the committee responsible for constitutional affairs and approved by Parliament, they shall be signed by the President.

2. Where such agreements necessitate changes to existing procedural rights or obligations, establish new procedural rights or obligations for Members or bodies of Parliament, or otherwise necessitate amendment or interpretation of the Rules of Procedure, the matter shall be referred to the committee responsible for the subject matter for its consideration in accordance with Rule 242(2) to (6) before the agreement is signed.

## CHAPTER 8

### REFERRALS TO THE COURT OF JUSTICE OF THE EUROPEAN UNION

#### Rule 155

##### **Proceedings before the Court of Justice of the European Union**

1. Parliament shall, within the time limits specified, by the Treaties and the Statute of the Court of Justice of the European Union, for action by the institutions of the Union and by natural or legal persons, examine Union legislation and its implementation in order to ensure that the Treaties have been fully complied with, in particular where Parliament's rights are concerned.

2. If it suspects a breach of Union law, the committee responsible for legal affairs shall report to Parliament, orally if necessary. Where appropriate, the committee responsible for legal affairs may hear the views of the committee responsible for the subject matter.

3. The President shall bring an action on behalf of Parliament in accordance with the recommendation of the committee responsible for legal affairs.

At the start of the following part-session, the President may ask Parliament to decide whether the action should be maintained. If Parliament rules against the action by a majority of the votes cast, the President shall withdraw the action.

If the President brings an action contrary to the recommendation of the committee responsible for legal affairs, he or she shall, at the start of the following part-session, ask Parliament to decide whether the action should be maintained.

4. The President shall, after consulting the committee responsible for legal affairs, submit observations or intervene in court proceedings on behalf of Parliament.

If the President intends to depart from the recommendation of the committee responsible for legal affairs, he or she shall inform the committee accordingly and shall refer the matter to the Conference of Presidents, stating his or her reasons.

If the Conference of Presidents takes the view that Parliament should, exceptionally, not submit observations or intervene in a case before the Court of Justice of the European Union in which the legal validity of an act of Parliament is being questioned, the matter shall be submitted to Parliament without delay.

*Nothing in the Rules prevents the committee responsible for legal affairs from deciding on appropriate procedural arrangements for the timely transmission of its recommendation in urgent cases.*

## TITLE V Rule 155

*Where it is necessary to take a decision 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 155 of these Rules of Procedure, the procedure provided for in this rule should apply mutatis mutandis.*

5. In urgent cases, the President may, after consulting, where possible, the Chair and the rapporteur of the committee responsible for legal affairs, take precautionary action in order to comply with the relevant time-limits. In such cases, the procedures provided for in paragraphs 3 or 4 shall, as applicable, be implemented at the earliest opportunity.

6. The committee responsible for legal affairs shall lay down the principles that it will use in its application of this Rule.

## TITLE VI

## RELATIONS WITH NATIONAL PARLIAMENTS

**Rule 156****Exchange of information, contacts and reciprocal facilities**

1. Parliament shall keep the national parliaments of the Member States regularly informed of its activities.
2. The organisation and promotion of effective and regular interparliamentary cooperation within the Union, pursuant to Article 9 of the Protocol No 1 on the role of national parliaments in the European Union, shall be negotiated on the basis of a mandate given by the Conference of Presidents, after consulting the Conference of Committee Chairs.

Parliament shall approve any agreements on such matters in accordance with the procedure set out in Rule 154.

3. A committee may directly engage in dialogue with national parliaments at committee level within the limits of the budgetary appropriations set aside for that purpose. This may include appropriate forms of pre-legislative and post-legislative cooperation, including scrutiny of the implementation of Union law and Union policies.
4. Any document concerning a legislative procedure at Union level that is officially transmitted by a national parliament to the European Parliament shall be forwarded to the committee responsible for the subject-matter dealt with in that document.
5. The Conference of Presidents may give a mandate to the President to negotiate facilities for the national parliaments of the Member States, on a reciprocal basis, and to propose any other measures to facilitate contacts with those national parliaments.

**Rule 157****Conference of Parliamentary Committees for Union Affairs (COSAC)**

1. On a proposal from the President, the Conference of Presidents shall name the members of, and may grant a mandate to, Parliament's delegation to COSAC. The delegation shall be headed by a Vice-President of the European Parliament who is responsible for the implementation of relations with the national parliaments and by the Chair of the committee responsible for constitutional affairs.
2. The other members of the delegation shall be chosen in the light of the subjects to be discussed at the COSAC meeting and shall include, as far as possible, representatives of the committees responsible for those subjects.
3. When choosing members of the delegation, due account shall be taken of the overall political balance within Parliament.
4. The delegation shall, after each COSAC meeting, submit a report to the Conference of Presidents.

## **TITLE VI Rule 158**

### **Rule 158**

#### **Conferences of parliaments**

The Conference of Presidents shall designate the members of Parliament's delegation to any conference or similar body attended by representatives of parliaments and shall grant a mandate to that delegation that conforms to any relevant Parliament resolutions. The delegation shall elect its Chair and, where appropriate, one or more Vice-Chairs.

TITLE VII

SESSIONS

CHAPTER 1

SESSIONS OF PARLIAMENT

**Rule 159**

**Parliamentary term, sessions, part-sessions, sittings**

1. The parliamentary term shall run concurrently with the term of office of Members provided for in the Act of 20 September 1976.
2. The session shall be the annual period prescribed by the Act and the Treaties.
3. 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.*

**Rule 160**

**Convening of Parliament**

1. In accordance with the first paragraph of Article 229 of the Treaty on the Functioning of the European Union, Parliament shall meet, without requiring to be convened, on the second Tuesday in March each year. It shall itself determine the duration of adjournments of the session.
2. In addition, Parliament shall 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 10(1) of the Act of 20 September 1976.
3. The Conference of Presidents, stating its reasons, may alter the duration of the adjournments decided pursuant to paragraph 1 at least two weeks before the date previously fixed by Parliament for resuming the session. The resumption of the session shall not, however, be postponed by more than two weeks.
4. At the request of a majority of its component Members or at the request of the Commission or the Council, the President shall, after consulting the Conference of Presidents, convene Parliament on an exceptional basis.

The President shall have the right, with the approval of the Conference of Presidents, to convene Parliament on an exceptional basis in cases of urgency.

5. The Conference of Presidents may decide, on a proposal from a committee or Members or a political group or groups reaching at least the high threshold, to hold ad hoc part-sessions on matters of significant political importance. In such cases, no voting session may take place.

The President shall, following the decision of the Conference of Presidents, convene Parliament.

## TITLE VII Rule 161

### Rule 161

#### Venue of sittings and meetings

1. Parliament shall hold its sittings and its committee meetings in accordance with the provisions of the Treaties.

*Proposals for additional part-sessions in Brussels and any amendments thereto will require only a majority of the votes cast.*

2. Any committee may decide to request that one or more meetings be held elsewhere. Such a request, which shall be supported by reasons, 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 or herself. If the request is rejected by the Bureau or the President, the reasons for the rejection shall be stated.

### Rule 162

#### Attendance of Members at sittings

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

2. The names of the Members recorded as being present in the attendance register shall be indicated in the minutes of each sitting as "present". The names of the Members excused by the President shall be indicated in the minutes of each sitting as "excused".

## CHAPTER 2

## ORDER OF BUSINESS OF PARLIAMENT

### Rule 163

#### 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 Chairs.

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

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

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

### Rule 164

#### Adopting and amending the agenda

1. At the beginning of each part-session, Parliament shall adopt its agenda. A committee, a political group or at least one tenth of the Members may propose one amendment to the final draft agenda in response to events or political developments, which arose after the adoption of the final draft agenda. Any such amendments must be received by the President at least one hour before the opening of the part-session. The President may give the floor to the mover and to one speaker against, and in each case for not more than one minute.



2. Once adopted, the agenda may not be amended, except pursuant to Rules 170, 204, 205, 206 or 207, 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.

*The drafting or amendment of the title of a resolution tabled to wind up a debate under Rules 136, 142 or 150 does not constitute a change to the agenda, provided that the title remains within the scope of the subject being debated.*

3. Before closing the sitting, the President shall announce the date, time and agenda of the next sitting.

## **Rule 165**

### **Procedure in plenary without amendment and debate**

1. Where a report was adopted in committee with fewer than one tenth of the members of the committee voting against, it shall be placed on the draft agenda of Parliament for vote without amendment.

The item shall then be subject to a single vote unless, before the drawing up of the final draft agenda, Members or a political group or groups reaching at least the medium threshold have requested in writing that the item be open to amendment, in which case the President shall set a deadline for tabling amendments.

2. Items placed on the final draft agenda for vote without amendment shall also be put to the vote without debate unless Parliament, when adopting its agenda at the start of a part-session, decides otherwise on a proposal from the Conference of Presidents or at the request of a political group or Members reaching at least the low threshold.

3. When drawing up the final draft agenda for a part-session, the Conference of Presidents may propose that other items be put to the vote without amendment or without debate. When adopting its agenda, Parliament may not accept any such proposal if a political group or Members reaching at least the low threshold have tabled their opposition in writing at least one hour before the opening of the part-session.

4. When an item is put to the vote without debate, the rapporteur or the Chair of the committee responsible may, immediately prior to the vote, make a statement, which shall last no more than two minutes.

## **Rule 166**

### **Short presentation**

At the request of the rapporteur or on a proposal from the Conference of Presidents, Parliament may also decide that an item that does not need a full debate will be dealt with by means of a short presentation in plenary by the rapporteur. In that event, the Commission shall have the opportunity to respond, followed by up to ten minutes of debate in which the President may give the floor, for up to one minute each, to Members who catch his or her eye.

## **Rule 167**

### **Debates on specific matters of interest to the European Union – Parliament’s statements**

1. Parliament may place debates on specific matters of interest to the European Union on the agenda, in accordance with Rules 163 and 164.
2. Rule 136(2) to (8) concerning the tabling and voting of motions for resolutions shall apply *mutatis mutandis*.

## **Rule 168**

### **Extraordinary debate**

1. A political group or Members reaching at least the low threshold may request that an extraordinary debate on a matter of major interest relating to European Union policy be placed on Parliament's agenda. As a rule, no more than one extraordinary debate shall be held during each part-session.
2. The request shall be submitted to the President in writing at least three hours before the start of the part-session at which the extraordinary debate is to take place. The vote on this request shall be taken at the start of the part-session when Parliament adopts its agenda.
3. In response to events that take place after the adoption of the agenda for a part-session, the President, after consulting the Chairs of the political groups, may propose an extraordinary debate. Any such proposal shall be voted on at the start of a sitting or at a scheduled voting time. Members shall be notified of any such proposal for an extraordinary debate at least one hour before the vote.
4. The President shall determine the time at which such a debate is to be held. The overall duration of the debate shall not exceed 60 minutes. Speaking time shall be allocated to the political groups and the non-attached Members in accordance with Rule 178(5) and (6).
5. The debate shall be wound up without the adoption of a resolution.

## **Rule 169**

### **Topical debate requested by a political group**

1. At each part-session, one or two periods of at least 60 minutes each shall be set aside in the draft agenda for debates on a topical matter of major interest for European Union policy.
2. Each political group shall have the right to propose a topical matter of its choice for at least one such debate per year. The Conference of Presidents shall ensure, over a rolling period of one year, a fair distribution among the political groups of the exercise of that right.
3. The political groups shall transmit the topical matter of their choice to the President in writing before the drawing up of the final draft agenda by the Conference of Presidents. Rule 40(1) concerning the rights, freedoms and principles recognised by Article 6 of the Treaty on European Union and the values enshrined in its Article 2 shall be fully respected.
4. The Conference of Presidents shall determine the time at which such a debate is to be held. It may, by a majority representing four-fifths of the Parliament Members, decide to reject a matter put forward by a group.
5. The debate shall be introduced by a representative of the political group having proposed

the topical matter. Speaking time following this introduction shall be allocated in accordance with Rule 178(5) and (6).

6. The debate shall be wound up without the adoption of a resolution.

## **Rule 170**

### **Urgent procedure**

1. A request to decide urgently on a proposal submitted to Parliament pursuant to Rule 48(1) as a result of unforeseen developments may be made to Parliament by the President, a committee, a political group, Members reaching at least the low threshold, the Commission or the Council. Such requests shall be made in writing and supported by reasons. For requests made by the Commission or the Council, the statement of reasons shall contain a detailed justification of each proposal and, where appropriate, a precise indication of legally required deadlines for the adoption or entry into force of the proposed legally binding act.

2. Requests for an urgent decision shall be announced in Parliament as soon as possible after they are received by the President. 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 to Members in the official languages. Where there are several requests for an urgent decision on the same subject, the approval or rejection of the request for an urgent decision shall apply to all such requests.

3. Before the vote on the request for an urgent decision, only the mover, and one speaker against may be heard, along with the Chair or rapporteur of the committee responsible, or both. None of those speakers may speak for more than three minutes.

4. Where the request for an urgent decision is approved, the item shall be given priority over other items on the agenda. The President shall determine the time of the debate, where one is appropriate, and the time of the vote.

5. Parliament shall take the urgent decision on the proposal on the basis of a report from the committee responsible in accordance with the usually applicable rules and with due consideration of the urgency of the matter. In such a case, the examination of the proposal shall be given priority over other items on the committee agenda and the committee responsible shall, where expedient, apply the simplified procedure pursuant to Rule 52.

6. If requested by the President, a committee, a political group or Members reaching at least the low threshold, Parliament may exceptionally decide to take the urgent decision on the proposal without a report or on the basis of an oral report by the committee responsible. In such cases, if interinstitutional negotiations take place, Rules 71 and 72 shall not apply and Rule 75 shall apply *mutatis mutandis*.

## **Rule 171**

### **Joint debate**

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

## TITLE VII Rule 172

### Rule 172

#### Time limits

Except in the cases of urgency referred to in Rules 150 and 170, a debate and vote shall not be held on a text unless it has been made available to Members at least 24 hours earlier.

## CHAPTER 3

### GENERAL RULES FOR THE CONDUCT OF SITTINGS

#### Rule 173

##### 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 staff whose duties require them to be there, and any person invited by the President.
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 removed by the ushers.

#### Rule 174

##### Languages

1. All documents of Parliament shall be drawn up in the official languages.
2. All Members shall have the right to speak in Parliament in the official language of their choice. Speeches delivered in one of the official languages shall be simultaneously interpreted into the other official languages and into any other language that the Bureau may consider to be necessary.
3. Interpretation shall be provided in committee and delegation meetings from and into the official languages that are used and requested by the members and substitutes of that committee or delegation.
4. During missions away from the usual places of work, interpretation shall be provided from and into the languages of those members who have confirmed that they will attend the meeting concerned. These arrangements shall be determined on the basis of the Code of Conduct on multilingualism and may exceptionally be made more flexible. The Bureau shall adopt the necessary provisions.
5. After the result of a vote has been announced, the President shall rule on any requests concerning alleged discrepancies between the different language versions.

**Rule 175****Transitional arrangement**

1. During a transitional period expiring at the end of the tenth parliamentary term<sup>31</sup>, derogations from Rule 174 shall be permissible if and to the extent that, despite adequate precautions having been taken, interpreters or translators for an official language are not available in sufficient numbers.
2. The Bureau, on a proposal from the Secretary-General and having due regard to the arrangements referred to in paragraph 3, shall ascertain with respect to each of the official languages concerned whether the conditions set out in paragraph 1 are fulfilled. The Bureau shall, on the basis of a progress report from the Secretary-General, review its decision to permit a derogation at six-monthly intervals. The Bureau shall adopt the necessary implementing rules.
3. The temporary special arrangements adopted by the Council on the basis of the Treaties concerning the drafting of legal acts shall apply.
4. Parliament may, on the basis of a reasoned recommendation from the Bureau, decide at any time to repeal this Rule early or, at the end of the period indicated in paragraph 1, to extend it.

**Rule 176****Distribution of documents**

The documents that form the basis for Parliament's debates and decisions shall be made available to Members.

Without prejudice to the first paragraph, Members and political groups shall have direct access to the European Parliament's internal computer system for the purpose of consulting any non-confidential preparatory document (draft report, draft recommendation, draft opinion, working document, amendments tabled in committee).

**Rule 177****Electronic handling of documents**

Parliament documents may be prepared, signed and distributed in electronic form. The Bureau shall decide on the technical specifications, and on the presentation, of the electronic form.

**Rule 178****Allocation of speaking time<sup>32</sup>**

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. No speaker may speak unless called upon to do so by the President. If speakers depart from the subject matter of the debate, the President shall call them to order.
3. Speakers whose interventions are foreseen on the list of speakers shall speak from the central rostrum, unless the President decides otherwise when appropriate. Speakers with

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<sup>31</sup> Extended by Parliament's decision of 12 March 2024.

<sup>32</sup> Rule 178(2) applies mutatis mutandis to committees.

## TITLE VII Rule 178

disabilities may speak from their places if they prefer.

For all other interventions, speakers shall speak from their places.

4. The President may draw up, for the first part of a particular debate, a list of speakers that includes one or more rounds of speakers from each political group wishing to speak, in the order of the relative size of those political groups. Speaking time allocated to political groups shall be in proportion to the total number of their members.

5. Speaking time for this part of a debate 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 second fraction shall be divided among the political groups in proportion to the total number of their members;
- (c) the Members who do not belong to a political group shall be allocated an overall speaking time based on the fractions allocated to each political group under point (b), in proportion to the total number of non-attached Members up to the number of Members provided for in Rule 33(2);
- (d) the allocation of speaking time in the plenary shall take into consideration the fact that Members with disabilities might need more time.

6. Where a total speaking time is allocated for several items on the agenda, the political groups shall inform the President of the fractions of their speaking time to be used for each individual item. The President shall ensure that these speaking times are respected.

7. The remaining part of the time for a debate shall not be specifically allocated in advance. Instead, the President may call on Members to speak, as a general rule for no more than one minute. The President shall, as far as possible, ensure that speakers who hold different political views and who come from different Member States are heard in turn. Speaking time allocated to speakers from political groups shall be in proportion to the total number of their members. The Conference of Presidents shall determine the amount of that remaining part of the time for all debates.

8. On request, the President may give priority to the Chair and to the rapporteur of the committee responsible, as well as to those Chairs of political groups who wish to speak on their groups' behalf, or to speakers who are deputising for them.

9. As a general rule, Members shall be present for the debate in which they are scheduled to speak or in which they wish to speak.

10. The President may give the floor to Members who indicate, by raising a blue card or by using the electronic system, their wish to put to another Member, during that Member's speech, a question of no longer than half a minute's duration related to what that Member has said. The President shall only do so if the speaker agrees to the question and if the President is satisfied that this will lead neither to disruption of the debate nor, through the putting of successive questions by raising a blue card, to a gross imbalance in the political group affinities of Members speaking in that debate. The Member raising the blue card and the speaker shall not be from the same political group, and they shall not both be non-attached Members. Subject to the conditions set out in the second sentence, applied *mutatis mutandis*, the President may allow the Member who has asked

such a question to react to the speaker's answer for no longer than half a minute. The speaker may then follow up on that reaction.

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

12. In the debate on a report, the Commission and the Council shall, as a rule, be heard immediately after the presentation, by the rapporteur, of his or her report. The Commission, the Council and the rapporteur may be heard again, in particular in order to respond to the statements made by Members.

13. Members who have not spoken in a debate may, no more than once per part-session, hand in a written statement of not more than 200 words, which shall be appended to the verbatim report of the debate.

14. Having due regard to Article 230 of the Treaty on the Functioning of the European Union, the President shall seek to reach an understanding with the Commission, the Council and the President of the European Council on an appropriate allocation to them of speaking time.

## **Rule 179**

### **One-minute speeches**

For a period of not more than 30 minutes during the first sitting of each part-session, the President shall call Members who wish to draw Parliament's attention to a matter of political importance to speak. Speaking time for each Member shall not exceed one minute. The President may allow a further such period later during the same part-session.

## **Rule 180**

### **Personal statements**

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

The Members concerned may not speak on substantive matters but shall confine their observations to rebutting any remarks that have been made concerning their person in the course of the debate or opinions that have been attributed to them, or correcting observations that they themselves have made.

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

## **Rule 181**

### **Prevention of obstruction<sup>33</sup>**

The President shall have the power to put an end to the excessive use of motions such as points of order, procedural motions or explanations of vote, or of requests for separate, split or roll-call votes, where he or she is convinced that those motions or requests are manifestly intended to

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<sup>33</sup> Rule 181 applies mutatis mutandis to committees (see Rule 225).

## TITLE VII Rule 182

cause, and would result in, a prolonged and serious obstruction of the procedures of Parliament or the rights of the Members.

### CHAPTER 4

## MEASURES TO BE TAKEN IN THE EVENT OF NON-COMPLIANCE WITH THE STANDARDS OF CONDUCT OF MEMBERS

### Rule 182

#### Immediate measures

1. The President shall call to order any Member who breaches the standards of conduct defined in Rule 10 (3) or (4).
2. If the breach is repeated, the President shall call the Member to order a second time, and the fact shall be recorded in the minutes.
3. If the breach continues, or if a further breach is committed, the Member may be denied the right to speak and may be excluded from the Chamber by the President for the remainder of the sitting. In cases of exceptional seriousness, the President may also resort to exclusion of the Member concerned from the Chamber for the remainder of the sitting immediately and without a second call to order. The Secretary-General shall, without delay, see to it that such disciplinary measures are carried out, with the assistance of the ushers and, if necessary, of Parliament's Security Service.
4. Should disturbances threaten to obstruct the business of the House, the President shall close or suspend the sitting for a specific period in order to restore order. If the President cannot make himself or herself heard, he or she shall leave the chair; this shall have the effect of suspending the sitting. The President shall reconvene the sitting.
5. The President may decide to interrupt the live broadcasting of the sitting in the case of a breach of Rule 10 (3) or (4) by a Member.
6. The President may order the deletion from the audiovisual record of the proceedings of those parts of a speech by a Member that breach Rule 10 (3) or (4).  
That order shall take immediate effect. It shall, however, be subject to confirmation by the Bureau not later than four weeks thereafter, or, if the Bureau does not meet during that period, at its next meeting.
7. The powers provided for in paragraphs 1 to 6 shall be vested, *mutatis mutandis*, in the presiding officers of bodies, committees and delegations as provided for in the Rules of Procedure.
8. Where appropriate, and bearing in mind the seriousness of the breach of the standards of conduct of Members, the Member in the chair of a part-session, body, committee or delegation may, no later than the following part-session or the following meeting of the body, committee or delegation concerned, ask the President to apply Rule 183.

### Rule 183

#### Penalties

1. In serious cases of breach of Rule 10(2) to (9), Rule 35 or Rule 36, the President shall



adopt a reasoned decision imposing upon the Member concerned the appropriate penalty in accordance with this Rule.

In relation to Rule 10 (3) or (4), the President may adopt a reasoned decision under this Rule regardless of whether or not an immediate measure within the meaning of Rule 182 had previously been imposed upon the Member concerned.

In relation to Rule 10(6), as regards the prohibition of any type of psychological or sexual harassment laid down in the first subparagraph of that paragraph, the President may only adopt a reasoned decision under this Rule following the establishment of the occurrence of a harassment in accordance with the applicable internal administrative procedure on harassment and its prevention.

2. The President may also impose a penalty upon a Member in cases in which provision is made, by these Rules of Procedure, including the Code of Conduct for Members of the European Parliament regarding integrity and transparency<sup>34</sup>, or by a decision adopted by the Bureau under Rule 25, for the application of this Rule.

3. The Member concerned shall be invited by the President to submit written observations before the decision is adopted. The President may decide to convene an oral hearing instead whenever it is more appropriate.

The decision imposing the penalty shall be notified to the Member concerned.

Once the penalty becomes final, it shall be announced by the President in Parliament. The presiding officers of the bodies, committees and delegations on which the Member serves shall be informed.

The penalty imposed shall be published prominently on Parliament's website and on the Member's online page on Parliament's website.

4. When assessing the conduct observed, account shall be taken of its exceptional, recurrent or permanent nature and of its seriousness. Account shall also be taken, if applicable, of possible damage inflicted on the dignity and reputation of Parliament.

5. The penalty imposed shall be effective, proportionate and dissuasive. The penalty may consist of one or more of the following measures:

- (a) a reprimand;
- (b) prohibition of the Member from representing the Parliament on an interparliamentary delegation, inter-parliamentary conference or any interinstitutional forum, for up to one year;
- (c) in the case of a breach of confidentiality, a limitation in the rights to access confidential or classified information for up to one year;
- (d) forfeiture of entitlement to the daily subsistence allowance for a period of between two and sixty days;
- (e) without prejudice to the right to vote in plenary, and subject, in this instance, to strict compliance with the Members' standards of conduct, temporary suspension from participation in all or some of the activities of Parliament for a period of

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<sup>34</sup> See Annex I.

## TITLE VII Rule 184

between two and sixty days on which Parliament or any of its bodies, committees or delegations meet.

6. The measures laid down in paragraph 5, points (b) to (e), may be doubled in the case of repeated breaches, or if the Member refuses to comply with a measure taken under Rule 182(3).

7. In addition, the President may submit a proposal to the Conference of Presidents for the suspension or removal of the Member from one or more of the offices held by that Member in Parliament, in accordance with the procedure laid down in Rule 21.

8. The President shall decide on the period of publication of the penalties taking into account that the minimum period of publication shall be, irrespective of the end of the mandate of the Member concerned, as follows:

- two years for the penalties referred to in paragraph 5, points (a), (b) and (c);
- three years for the penalties referred to in paragraph 5, points (d) and (e).

However, in cases of minor breaches, the President may decide on a shorter period of publication.

### **Rule 184**

#### **Internal appeal procedures**

The Member concerned may lodge an internal appeal with the Bureau within two weeks of notification of the penalty imposed by the President by virtue of Rule 183(1) to (6). Such an appeal shall have the effect of suspending the application of that penalty. The Bureau may, not later than four weeks after the lodging of the appeal or, if it does not meet in that period, at its next meeting, annul, confirm or modify the penalty imposed, without prejudice to the external rights of appeal open to the Member concerned. If the Bureau fails to take a decision within the time limit laid down, the penalty shall be deemed to be null and void.

## CHAPTER 5

### QUORUM, AMENDMENTS AND VOTING

#### **Rule 185**

##### **Quorum**

1. Parliament may deliberate, settle its agenda and approve its minutes, irrespective of 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 Members voting unless the President, on a request made by at least 39 Members before voting began, establishes that a quorum is not present. If the number of Members required to make up a quorum is not present, the President shall declare that a quorum is not present, and the vote shall be placed on the agenda for the next sitting.

*The electronic voting system may be used in order to check the threshold of 39 Members, but it may not be used for checking the quorum. The doors of the Chamber may not be closed.*

4. Members who ask for the quorum to be established must be present in the Chamber when

the request is made, and shall be counted as being present within the meaning of paragraphs 2 and 3, even if they then leave the Chamber.

5. If fewer than 39 Members are present, the President may rule that there is no quorum.

## **Rule 186**

### **Thresholds<sup>35</sup>**

1. For the purposes of these Rules, and unless specified otherwise, the following definitions shall apply:

- (a) “low threshold” means one-twentieth of Parliament’s component Members or a political group;
- (b) “medium threshold” means one-tenth of Parliament’s component Members, made up of one or more political groups or individual Members, or a combination of the two;
- (c) “high threshold” means one-fifth of Parliament’s component Members made up of one or more political groups or individual Members, or a combination of the two.

2. Where, for the purpose of determining whether an applicable threshold has been reached, a Member’s signature is required, that signature may be either handwritten or in electronic form, in which case it shall be produced by the electronic signature system of Parliament. Within the relevant time-limits, a Member may withdraw, but may not subsequently renew, his or her signature.

3. Where the support of a political group is necessary in order for a threshold to be reached, the group shall act through its Chair or through a person duly designated by him or her for that purpose.

4. For the application of the medium and high thresholds, the support of a political group shall be counted as follows:

- where a Rule laying down such a threshold is invoked in the course of a sitting or meeting: all Members who belong to the supporting group and are physically present;
- in all other cases: all Members who belong to the supporting group.

## **Rule 187**

### **Tabling and presenting amendments<sup>36</sup>**

1. Amendments for consideration in Parliament may be tabled by the committee responsible, a political group or Members reaching at least the low threshold. The names of all co-signatories shall be published.

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

Amendments to proposals for legally binding acts may be accompanied by a short justification.

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<sup>35</sup> Rule 186 applies *mutatis mutandis* to committees (see Rule 225).

<sup>36</sup> Rule 187 applies *mutatis mutandis* to committees (see Rule 225).

## TITLE VII Rule 188

Such justifications shall be the responsibility of the author and shall not be put to the vote.

2. Subject to the limitations laid down in Rule 188, an amendment may seek to change any part of a text. It may be directed to deleting, adding or replacing words or figures.

*In this Rule and Rule 188, the term “text” means the whole of a motion for a resolution/draft legislative resolution, of a proposal for a decision or of a proposal for a legally binding act.*

3. The President shall set a deadline for the tabling of amendments.

4. An amendment may be presented during the debate by its author or by any other Member appointed by the author to replace him or her.

5. Where an amendment is withdrawn by its author, it shall fall unless it is immediately taken over by another Member.

6. Amendments shall be put to the vote only after they have been made available in all the official languages, unless Parliament decides otherwise. Parliament may not decide otherwise if at least 39 Members object. Parliament shall avoid taking decisions which would place Members who use a particular language at an unacceptable disadvantage.

Where fewer than 100 Members are present, Parliament may not decide otherwise if at least one tenth of the Members present object.

*On a proposal from the President, an oral amendment, or any other oral modification, shall be treated in the same way as an amendment not made available in all the official languages. If the President considers that it is admissible under Rule 188(2), and save in the case of objection under Rule 187(6), it shall be put to the vote in accordance with the order of voting established.*

*In committee, the number of votes needed to object to such an amendment or such a modification is established on the basis of Rule 225 proportionally to that applicable in plenary, rounded up, where necessary, to the nearest complete number.*

### Rule 188

#### Admissibility of amendments<sup>37</sup>

1. Without prejudice to the additional conditions laid down in Rule 55(4) concerning own initiative reports and Rule 69(2) concerning amendments to the Council’s position, 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) it seeks to amend more than one of the individual articles or paragraphs of the text to which it relates with the exception of compromise amendments and amendments which seek to make identical changes to a particular form of words throughout the text;
- (d) it seeks to amend a proposal for codification of Union legislation; however, the second subparagraph of Rule 112(3) shall apply *mutatis mutandis*;

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<sup>37</sup> Rule 188 applies *mutatis mutandis* to committees (see Rule 225).

- (e) it seeks to amend those parts of a proposal recasting Union legislation which remain unchanged in such proposal; however, the second subparagraph of Rule 113(2) and the third subparagraph of Rule 113(3) shall apply *mutatis mutandis*;
- (f) it only seeks to ensure the linguistic correctness, or address the terminological consistency, of the text in the language in which the amendment is tabled; in this case, the President shall seek a suitable linguistic remedy together with those concerned.

2. The President shall decide whether amendments are admissible.

*The President's decision under paragraph 2 concerning the admissibility of amendments is not based exclusively on the provisions of paragraph 1 of this Rule but on the provisions of the Rules in general.*

3. A political group or Members reaching at least the low threshold may table an alternative motion for a resolution seeking to replace a motion for a non-legislative resolution contained in a committee report.

In such a case, the group or the Members concerned may not table amendments to the motion for a resolution by the committee responsible. The alternative motion for a resolution may not be longer than the committee's motion for a resolution. It shall be put to a single vote in Parliament without amendment.

Rule 136(4) and (5) concerning joint motions for resolutions shall apply *mutatis mutandis*.

4. With the agreement of the President, amendments may, exceptionally, be tabled after the close of the deadline for amendments if they are compromise amendments, or if there are technical problems. The President shall decide on the admissibility of such amendments. The President shall obtain the agreement of Parliament to do so before putting such amendments to the vote.

*The following general criteria for admissibility of compromise amendments may be applied:*

- *as a general rule, the compromise amendments relate to parts of the text which have been the subject of amendments prior to the deadline for tabling amendments;*
- *as a general rule, the compromise amendments are tabled by political groups representing a majority in Parliament, the Chairs or rapporteurs of the committees concerned or the authors of other amendments;*
- *as a general rule, the compromise amendments 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 votes cast.*

## Rule 189

### Voting procedure<sup>38</sup>

1. Save where these Rules specifically provide otherwise, the following voting procedure shall apply to texts submitted to Parliament:

- (a) first, where applicable, voting any amendment to the proposal for a legally binding act,
- (b) second, where applicable, voting on that proposal as a whole, amended or otherwise,

*If the proposal for a legally binding act, as amended or otherwise, does not secure a majority of the votes cast in committee, then the committee shall propose to Parliament that the proposal be rejected.*

- (c) third, voting on any amendment to the motion for a resolution/draft legislative resolution,
- (d) finally, voting on the motion for a resolution as a whole (final vote).

Parliament shall not vote on any explanatory statement contained in a report.

2. In voting on proposals for legally binding acts and on motions for non-legislative resolutions, votes relating to substantive parts shall be taken first, followed by votes relating to citations and recitals.

3. An amendment shall fall if it is inconsistent with decisions previously taken on the text during the same vote.

4. The only Member permitted to speak during the vote shall be the rapporteur, or, in his or her place, the Chair of the committee. He or she shall have the opportunity of expressing briefly the views of the committee responsible on the amendments put to the vote.

## Rule 190

### Order of voting on amendments<sup>39</sup>

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 be deemed to have been rejected; if it is rejected, the amendment next in priority shall be put to the vote, and this procedure shall be repeated for each of the remaining amendments. Where there is a doubt as to priority, the President shall decide. If all amendments are rejected, the original text shall be deemed to have been adopted unless a separate vote has been requested within the deadline specified.

3. However, where the President considers that this will facilitate the vote, he or she may put the original text to the vote first, or put an amendment that is closer to the original text to the vote

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<sup>38</sup> Rule 189 applies mutatis mutandis to committees (see Rule 225).

<sup>39</sup> Rule 190 applies mutatis mutandis to committees (see Rule 225).

before the amendment that departs furthest from the original text.

If either of these secures a majority, all other amendments tabled to the same part of the text shall fall.

4. Where compromise amendments are put to the vote, they shall be given priority in voting.
5. A split vote shall not be admissible in the case of a vote on a compromise amendment.
6. Where the committee responsible has tabled a set of amendments to the text with which the report is concerned, the President shall put them to the vote collectively, unless on particular points a political group or Members reaching at least the low threshold have requested separate or split votes or unless other competing amendments have been tabled.
7. The President may put other amendments to the vote collectively where they are complementary, unless a political group or Members reaching at least the low threshold have requested separate or split votes. Authors of amendments may also propose collective votes on their amendments.
8. The President may decide, following the adoption or rejection of a particular amendment, that several other amendments of similar content or with similar objectives shall be put to the vote collectively. The President may seek the agreement of Parliament before doing so.

Such a set of amendments may relate to different parts of the original text.

9. Where two or more identical amendments are tabled by different authors, they shall be put to the vote as one.
10. Amendments in respect of which a roll-call vote has been requested shall be put to the vote separately from other amendments.

## **Rule 191**

### **Committee filter of plenary amendments**

When more than 50 amendments or requests for a split or separate vote have been tabled concerning a text tabled by a committee for consideration in Parliament, the President may, after consulting its Chair, ask that committee to meet to vote on each of those amendments or requests. Any amendment or request for a split or separate vote that does not receive votes in favour at this stage from at least one-third of the members of the committee shall not be put to the vote in Parliament.

## **Rule 192**

### **Split voting<sup>40</sup>**

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 that have a distinct meaning and/or normative value, a split vote may be requested by a political group or Members reaching at least the low threshold.
2. The request shall be made at the latest on the evening before the vote, unless the President sets a different deadline. The President shall decide on the request.

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<sup>40</sup> Rule 192(1) applies mutatis mutandis to committees (see Rule 225).

## TITLE VII Rule 193

### Rule 193

#### Right to vote<sup>41</sup>

The right to vote is a personal right.

Members shall cast their votes individually and in person.

*Any infringement of this Rule is considered a serious breach of Rule 10(3).*

### Rule 194

#### Voting<sup>42</sup>

1. As a general rule, Parliament shall vote by show of hands.

However, the President may, at any time, decide that the voting operations will be carried out by means of the electronic voting system.

2. The President shall declare votes open and closed.

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

3. In calculating whether a text has been adopted or rejected, account shall be taken only of votes cast for and against, except in those cases for which the Treaties lay down a specific majority.

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

5. The President shall establish the result of the vote and announce it.

6. The result of the vote shall be recorded.

### Rule 195

#### Final vote

When deciding on the basis of a report, Parliament shall take any single and/or final vote by roll call in accordance with Rule 197(3).

*The provisions of Rule 195 on voting by roll call do not apply to the reports provided for in Rule 8(2) and Rule 9(4), (7) and (9) in the context of procedures relating to the immunity of a Member.*

### Rule 196

#### Tied votes<sup>43</sup>

1. In the event of a tied vote under Rule 189(1)(b) or (d), the text as a whole shall be referred back to committee. This shall also apply to votes under Rules 3 and 9.

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<sup>41</sup> Rule 193 applies mutatis mutandis to committees (see Rule 225).

<sup>42</sup> Rule 194 applies mutatis mutandis to committees (see Rule 225).

<sup>43</sup> Rule 196 applies mutatis mutandis to committees (see Rule 225).



2. In the event of a tied vote on a text put to a split vote under Rule 192, the text shall be deemed to have been 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 to have been rejected.

*Rule 196(3) is to be interpreted as meaning that, where there is a tied vote on a draft recommendation under Rule 155(4) not to intervene in proceedings before the Court of Justice of the European Union, such a tie does not signify the adoption of a recommendation according to which Parliament should intervene in those proceedings. In such a case, the committee responsible is to be deemed not to have expressed any recommendation.*

*The President may vote, but shall not have a casting vote.*

## **Rule 197**

### **Voting by roll call<sup>44</sup>**

1. In addition to the cases provided for in these Rules, the vote shall be taken by roll call if this is requested in writing by a political group or Members reaching at least the low threshold at the latest the evening before the vote unless the President sets a different deadline.

*The provisions of Rule 197 on voting by roll call do not apply to the reports provided for in Rule 8(2) and Rule 9(4), (7) and (9) in the context of procedures relating to the immunity of a Member.*

2. Each political group may table no more than one hundred requests for roll call votes per part-session.

3. The roll call vote shall be taken using the electronic voting system.

Where the latter cannot be used for technical reasons, the roll may 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 oral and shall be expressed by saying the words "Yes", "No", or "I abstain".

4. Votes shall be recorded in the minutes of the sitting by political group in the alphabetical order of Members' names, with an indication of how they voted.

## **Rule 198**

### **Voting by secret ballot<sup>45</sup>**

1. In the case of appointments, voting shall be by secret ballot without prejudice to Rules 15(1) and 219(2), first subparagraph.

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

2. Voting shall also be by secret ballot if this is requested by Members or a political group or groups reaching at least the high threshold. 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.

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<sup>44</sup> Rule 197(3) and (4) applies mutatis mutandis to committees (see Rule 225).

<sup>45</sup> Rule 198 applies mutatis mutandis to committees (see Rule 225).

## **TITLE VII Rule 199**

4. Between two and eight Members chosen by lot shall count the votes cast in a secret ballot, unless an electronic vote is taken.

In the case of votes under 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 199**

#### **Use of electronic voting system<sup>46</sup>**

1. The technical arrangements for using the electronic voting system shall be governed by instructions from the Bureau.

2. Where an electronic vote is taken, unless it concerns a roll call vote, only the numerical result of the vote shall be recorded.

3. The President may at any time decide to use the electronic voting system in order to check a threshold.

### **Rule 200**

#### **Disputes on voting<sup>47</sup>**

1. Points of order concerning the validity of a vote may be raised after the President has declared that vote to be closed.

2. After the result of a vote by show of hands has been announced, a Member may request that that result be checked using the electronic voting system.

3. The President shall decide whether the result announced is valid. His or her decision shall be final.

### **Rule 201**

#### **Explanations of votes**

1. Any Member may give an oral explanation on the single and/or final vote on an item submitted to Parliament for not longer than one minute. Such explanations of votes shall be given at the end of the sitting during which the vote concerned has taken place, unless the President decides on an exceptional basis to postpone them until later in the part-session. Each Member may give a maximum of three oral explanations of votes per part-session.

Any Member may, on such vote, hand in a written explanation of vote of no more than 200 words which shall be included on the Member's page on Parliament's website.

Any political group may give an explanation of vote lasting not more than two minutes.

No further requests to give explanations of votes shall be accepted once the first explanation of vote on the first item has begun.

*Explanations of votes are admissible on the single and/or final vote on any item submitted to*

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<sup>46</sup> Rule 199 applies mutatis mutandis to committees (see Rule 225).

<sup>47</sup> Rule 200 applies mutatis mutandis to committees (see Rule 225).

*Parliament. For the purposes of this Rule, the term "final vote" does not refer to the type of vote, but means the last vote on any item.*

2. Explanations of votes shall not be admissible in the case of secret ballot or votes on procedural matters.

3. Where an item has been included on the agenda of Parliament without amendments or without debate, Members may only submit written explanations of votes in accordance with paragraph 1.

*Explanations of votes given either orally or in writing must have a direct bearing on the item submitted to Parliament.*

## CHAPTER 6

### POINTS OF ORDER AND PROCEDURAL MOTIONS

#### Rule 202

##### Points of order<sup>48</sup>

1. Members may be allowed to speak in order to draw the attention of the President to any failure to comply with Parliament's Rules of Procedure. They shall first specify to which Rule they are referring.

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

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 it immediately after the point of order has been raised. No vote shall be taken concerning the President's decision.

5. Exceptionally, the President may state that he or she will announce the decision later, but the President shall not do so more than 24 hours after the point of order was raised. Postponement of the ruling shall not entail the adjournment of the debate. The President may refer the matter to the committee responsible.

*A request to raise a point of order must relate to the agenda item under discussion. The President may take a point of order concerning a different matter at an appropriate time, e.g. after the discussion of the agenda item in question is closed or before the sitting is suspended.*

#### Rule 203

##### Procedural motions

1. Requests to move a procedural motion, namely:
  - (a) referral back to committee (Rule 204);
  - (b) the closure of a debate (Rule 205);

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<sup>48</sup> Rule 202 applies mutatis mutandis to committees (see Rule 225).

## **TITLE VII Rule 204**

- (c) the adjournment of a debate or vote (Rule 206); or
- (d) the suspension or closure of the sitting (Rule 207)

shall take precedence over other requests to speak.

In addition to the mover, only the following Members shall be heard on these motions: one speaker against and the Chair or rapporteur of the committee responsible.

2. The speaking time shall not exceed one minute.

### **Rule 204**

#### **Referral back to committee**

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

The intention to present a motion calling for referral back to committee shall be notified at least 24 hours in advance to the President, who shall inform Parliament immediately.

2. A motion calling for referral back to committee may also be presented by a political group or Members reaching at least the low threshold before or during a vote. Such a motion shall be put to the vote immediately.
3. Such a motion may be made only once at each of the procedural stages referred to in paragraphs 1 and 2.
4. Referral back to committee shall entail suspension of the consideration of the item.
5. Parliament may set a time limit for the committee to report its conclusions.

### **Rule 205**

#### **Closure of a debate**

1. A debate may, on a proposal from the President or at the request of a political group or Members reaching at least the low threshold, be closed before the list of speakers has been exhausted. Such a proposal or request shall be put to the vote immediately.
2. If the proposal or request is carried, one Member only 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 the same debate, except by the President.

### **Rule 206**

#### **Adjournment of a debate or vote<sup>49</sup>**

1. At the start of a debate on an item on the agenda, a political group or Members reaching at

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<sup>49</sup> Rule 206 applies mutatis mutandis to committees (see Rule 225).

least the low threshold may move that the debate be adjourned to a specific date and time. Such a motion shall be put to the vote immediately.

The intention to move adjournment shall be notified to the President at least 24 hours in advance. The President shall immediately inform Parliament of any notification.

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 the same part-session.
4. Before or during a vote, a political group or Members reaching at least the low threshold may present a motion calling for the vote to be adjourned. Such a motion shall be put to the vote immediately.

### **Rule 207**

#### **Suspension or closure of the sitting<sup>50</sup>**

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 Members or a political group or groups reaching at least the high threshold. Such a proposal or request shall be put to the vote immediately.

*If a request to suspend or close the sitting is presented, the procedure to vote on that request is to be initiated without undue delay. The usual means of announcing plenary votes should be used and, in accordance with existing practice, sufficient time should be given for Members to reach the Chamber.*

*By analogy with the second subparagraph of Rule 164(2), if such a request has been rejected, a similar request cannot be tabled again during the same day. In accordance with Rule 181, the President has the right to put an end to excessive use of requests presented under this Rule.*

## CHAPTER 7

### PUBLIC RECORD OF PROCEEDINGS

#### **Rule 208**

##### **Minutes**

1. The minutes of each sitting, detailing the proceedings, the names of speakers and the decisions of Parliament, including the result of any vote on any amendment, shall be made available at least half an hour before the beginning of the afternoon period of the next sitting.
2. A list of documents forming the basis for Parliament's debates and decisions shall be published in the minutes.
3. At the beginning of the afternoon period of each sitting, the President shall place before Parliament, for its approval, the minutes of the previous sitting.
4. If any objections to the minutes are raised, Parliament shall, if necessary, decide whether the changes requested should be taken into account. No Member may speak on the subject for

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<sup>50</sup> Rule 207 applies mutatis mutandis to committees (see Rule 225).

## TITLE VII Rule 209

more than one minute.

5. The minutes shall be signed by the President and the Secretary-General and preserved in the records of Parliament. They shall be published in the *Official Journal of the European Union*.

### Rule 209

#### Texts adopted

1. Texts adopted by Parliament shall be published immediately after the vote. They shall be placed before Parliament in conjunction with the minutes of the relevant sitting and preserved in the records of Parliament.

2. Texts adopted by Parliament shall be subject to legal-linguistic finalisation, under the responsibility of the President. Where such texts are adopted on the basis of an agreement reached between Parliament and the Council, such finalisation shall be carried out by those two institutions, acting in close cooperation and by mutual agreement.

3. The procedure laid down in Rule 251 shall apply where, in order to ensure the coherence and quality of the text in accordance with the will expressed by Parliament, adaptations are required which go beyond corrections of typographical errors or corrections necessary to ensure the concordance of all language versions, their linguistic correctness and their terminological consistency.

4. Positions adopted by Parliament under the ordinary legislative procedure shall take the form of a consolidated text. Where the vote in Parliament is not based on an agreement with the Council, the consolidated text shall identify any amendments that were adopted.

5. After finalisation, the texts adopted shall be signed by the President and the Secretary-General and published in the *Official Journal of the European Union*.

### Rule 210

#### Verbatim reports<sup>51</sup>

1. A verbatim report of the proceedings of each sitting shall be drawn up as a multilingual document in which all oral contributions appear in the original official language.

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

3. Speakers may make corrections to typescripts of their oral contributions within five working days. Corrections shall be sent within that deadline to the Secretariat.

4. The multilingual verbatim report shall be published as an annex to the *Official Journal of the European Union* and preserved in the records of Parliament.

5. A translation into any official language of an extract from the verbatim report shall be made if it is requested by a Member. If necessary, the translation shall be provided at short notice.

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<sup>51</sup> Rule 210 (2), (3) and (5) applies mutatis mutandis to committees where a verbatim report is drawn up (see Rule 222(5)).

**Rule 211**

**Audiovisual record of proceedings**

1. The proceedings of Parliament in the languages in which they are conducted, as well as the multilingual soundtrack from all active interpretation booths, shall be broadcast in real time on its website.
2. Immediately after the sitting, an indexed audiovisual record of the proceedings in the languages in which they were conducted, as well as the multilingual soundtrack from all active interpretation booths, shall be produced and made available on Parliament's website for the remainder of the parliamentary term and during the following parliamentary term, after which it shall be preserved in the records of Parliament. That audiovisual record shall be linked to the multilingual verbatim reports of the proceedings as soon as they are available.

## TITLE VIII Rule 212

### TITLE VIII

### COMMITTEES AND DELEGATIONS

#### CHAPTER 1

#### COMMITTEES

##### **Rule 212**

##### **Setting-up of standing committees**

Parliament shall, on a proposal from the Conference of Presidents, set up standing committees. Their responsibilities shall be defined in an annex to these Rules of Procedure<sup>52</sup>. That annex shall be adopted by a majority of the votes cast. Their members shall be appointed during the first part-session following the re-election of Parliament.

*The responsibilities of standing committees can also be redefined at a time other than that at which the committee is set up.*

##### **Rule 213**

##### **Special committees**

1. Members or a political group or groups reaching at least the high threshold may, at any time, request the Conference of Presidents to propose to Parliament the setting up of a special committee.
2. Before taking a decision on such a request, the Conference of Presidents may seek a recommendation from the Conference of Committee Chairs.
3. On a proposal from the Conference of Presidents, Parliament may, at any time, set up special committees, the responsibilities, numerical strength and term of office of which shall be defined at the same time as the decision to set them up is taken.
4. The term of office of special committees may not exceed 12 months except where Parliament extends that period before its expiry. Unless otherwise decided in Parliament's decision setting up the special committee, its term of office shall start running from the date of its constitutive meeting.
5. Special committees shall not have the right to deliver opinions to other committees.

##### **Rule 214**

##### **Temporary legislative committees**

1. When it results from the procedure in Rule 48 or Rule 55 that a matter falls within the competence of more than three committees, without the competence of any committee prevailing, the Conference of Presidents may as a last resort, on the basis of a recommendation from the Conference of Committee Chairs, propose to Parliament the setting up of a temporary legislative committee to deal with a specific proposal for a legally binding act or a pre-legislative strategic document. The recommendation by the Conference of Committee Chairs shall indicate the

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<sup>52</sup> See Annex VI.



committees responsible for scrutiny of the implementation of the legislation.

2. The numerical strength of a temporary legislative committee shall be decided upon by Parliament, on the basis of a proposal by the Conference of Presidents. Its term of office shall run from the date of its constitutive meeting until the adoption of the legally binding act, without prejudice to the need for scrutiny activities. In the case of a pre-legislative strategic document, its term of office shall run from the date of its constitutive meeting until the adoption of the report in plenary.

Members of a temporary legislative committee shall be appointed by the political groups and the non-attached Members, in principle drawing from the members of the committees involved. The Conference of Presidents shall decide whether one or more rapporteurs are to be appointed at the same time that the proposal is made to set up the committee.

3. Other committees shall not be authorised to deliver to temporary legislative committees opinions pursuant to Rule 57.

4. Temporary legislative committees shall not have the right to deliver opinions to other committees.

## **Rule 215**

### **Committees of inquiry**

1. In accordance with Article 226 of the Treaty on the Functioning of the European Union and Article 2 of Decision 95/167/EC, Euratom, ECSC of the European Parliament, the Council and the Commission<sup>53</sup>, Parliament may, at the request of one quarter of its component Members, set up a committee of inquiry to investigate alleged contraventions or maladministration in implementation of Union law which would appear to be the act of an institution or body of the European Union, of a public administrative body of a Member State, or of persons empowered by Union law to implement that law.

The subject of the inquiry, as defined by one quarter of Parliament's component Members, and the period laid down in paragraph 11 shall not be open to amendments.

2. The decision to set up a committee of inquiry shall be published in the *Official Journal of the European Union* within one month of being taken.

3. The modus operandi of a committee of inquiry shall be governed by the provisions of the Rules relating to committees, save as otherwise specifically provided for in this Rule and in Decision 95/167/EC, Euratom, ECSC.

4. The request to set up a committee of inquiry must precisely specify the subject of the inquiry and include a detailed statement of the grounds for it. Parliament, on a proposal from the Conference of Presidents, shall decide whether to set up a committee and, if so, its numerical strength.

5. Committees of inquiry shall not have the right to deliver opinions to other committees.

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<sup>53</sup> Decision 95/167/EC, Euratom, ECSC 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 (OJ L 113, 19.5.1995, p. 1, ELI: <http://data.europa.eu/eli/dec/1995/167/oj>).

## TITLE VIII Rule 215

6. At any stage of its proceedings, only full members or, in their absence, substitutes may vote in a committee of inquiry.

7. A committee of inquiry shall elect its Chair and Vice-Chairs 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.

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

9. With regard to the languages used, a committee of inquiry shall apply the provisions of Rule 174. However, the bureau of the committee:

- may restrict interpretation to the official languages of those members of the committee taking part in the deliberations, if it deems this to be necessary for reasons of confidentiality,
- shall decide about the translation of the documents received in such a way as to ensure that the committee can carry out its deliberations efficiently and rapidly, as well as to ensure that the necessary secrecy and confidentiality are respected.

10. Requests for documents and for witnesses to provide testimony, in accordance with Decision 95/167/EC, Euratom, ECSC shall be formally made by the President at the request of the committee of inquiry. Rule 127 shall apply in the case of a refusal of a request for documents or for a witness to provide testimony without sufficient justification.

Committees of inquiry may, in accordance with Decision 95/167/EC Euratom, ECSC and with these Rules of Procedure:

- organise fact-finding missions to Member States;
- request documents and expert reports;
- invite witnesses;
- hear officials and other servants of the Union or of Member States;
- request national authorities for assistance in the course of its investigations;
- request the parliaments of the Member State concerned to cooperate in the investigation.

The President may invite the witnesses to testify under oath. No one shall be obliged to testify under oath, but formal note shall be taken where a witness declines to testify under oath.

11. A committee of inquiry shall conclude its work by presenting to Parliament a report on the results of its work within no more than 12 months from its constitutive meeting. Parliament may twice decide to extend this period by three months. The report may, if appropriate, contain minority positions in accordance with the conditions laid down in Rule 56. The report shall be published.

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

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

13. The President shall instruct the committee responsible under Annex VI to monitor the action taken on the results of the work of the committee of inquiry and, if appropriate, to report thereon. The President shall take any further steps which are deemed to be appropriate in order to ensure that the conclusions of the inquiry are acted upon in practice.

## **Rule 216**

### **Composition of committees**

1. Members of committees, special committees and committees of inquiry shall be appointed by the political groups and the non-attached Members.

The Conference of Presidents shall set a deadline by which political groups and the non-attached Members are to communicate their appointments to the President, who shall then announce them to Parliament.

2. The composition of the committees shall, as far as possible, reflect the composition of Parliament. The distribution of committee seats among political groups must be either the nearest whole number above or the nearest whole number below the proportional calculation.

In the process of determining the composition of each committee, political groups should strive for a fair gender representation.

Where there is no agreement among the political groups on their proportional weight or gender representation within one or more specific committees, the Conference of Presidents shall decide.

3. If a political group decides not to take seats on a committee, or fails to appoint its members within the deadline set by the Conference of Presidents, the seats in question shall remain vacant. Exchange of seats between political groups is not allowed.

4. Where a Member's change of political group has the effect of disturbing the proportional distribution of committee seats as defined in paragraph 2, and there is no agreement among political groups to ensure compliance with the principles set out therein, the Conference of Presidents shall take the necessary decisions.

5. Any modifications decided to the appointments by political groups and non-attached Members shall be communicated to the President, who shall announce them to Parliament at the latest at the beginning of the next sitting. These decisions shall take effect from the day of the announcement.

6. The political groups and the non-attached Members may appoint a number of substitutes for each committee which shall not exceed the number of full members that the political group or the non-attached Members are entitled to appoint in the committee. The President shall be informed accordingly. These substitutes shall be entitled to attend and to speak at committee meetings and, if the full member is absent, to take part in the vote.

7. In the absence of the full member and where substitutes either have not been appointed or are absent, the full member may arrange to be represented at meetings by another member of the same political group, or, where the member is a non-attached Member, by another non-attached Member, who shall be entitled to vote. The Chair of the committee shall be notified at the latest by the beginning of the voting session.

## TITLE VIII Rule 217

*The advance notification provided for in the last sentence of paragraph 7 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.*

*In accordance with this Rule:*

- the status of a full or substitute member of a committee shall depend exclusively on membership of a given political group;*
- if the number of a political group's full members in a committee changes, the maximum number of permanent substitutes which it can appoint to that committee shall change accordingly;*
- Members who change their political group may not keep the status of full or substitute member of a committee which they had as members of their original group;*
- a committee member may not under any circumstances be a substitute for a colleague who belongs to another political group.*

### **Rule 217**

#### **Duties of committees**

1. Standing committees shall examine questions referred to them by Parliament or, during an adjournment of the session, the President on behalf of the Conference of Presidents.
2. 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 to depart from this rule under the conditions laid down in paragraph 1.

3. Any two or more committees or subcommittees may jointly consider matters falling within their competence, but they may not take a decision jointly, except where Rule 59 applies.
4. Any committee may, with the agreement of Parliament's relevant bodies, instruct one or more of its members to undertake a study or fact-finding mission.

### **Rule 218**

#### **Subcommittees**

1. Subcommittees may be set up in accordance with Rule 212. A standing or special committee may also, in the interests of its work and subject to prior authorisation by the Conference of Presidents, appoint one or more subcommittees, at the same time determining their composition, in accordance with the relevant provisions laid down in Rule 216, as well as their areas of responsibility, which must fall within the areas of responsibility of the parent committee. Subcommittees shall report to their parent committee.
2. Unless otherwise specified in these Rules, the procedure for subcommittees shall be the same as for committees.
3. Full members of a subcommittee shall be chosen from among the members of the parent

committee.

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

5. The Chair of the parent committee may involve the Chairs of the subcommittees in the work of the coordinators or may allow them to chair debates in the parent committee on issues specifically dealt with by the subcommittees in question, provided that this way of proceeding is submitted to the committee bureau for its consideration and approved.

## **Rule 219**

### **Committee bureaux**

1. At the first committee meeting after the appointment of committee members pursuant to Rule 216, and again two and a half years thereafter, the committee shall elect a bureau consisting of a Chair and of Vice-Chairs from among its full members in separate ballots. The number of Vice-Chairs to be elected shall be determined by Parliament upon a proposal by the Conference of Presidents. The diversity of Parliament must be reflected in the composition of the bureau of each committee. The Chair and the first Vice-Chair of a committee shall not be of the same gender. Gender balance shall also apply to the other members of the bureau. It shall not be permissible for all of the bureau members to come from the same Member State.

2. Where the number of nominations corresponds to the number of seats to be filled, the election shall take place by acclamation. However, if there is more than one candidate on a given ballot, or members or a political group or groups reaching at least the high threshold in the committee requested a vote, the election shall take place by secret ballot.

If there is only one candidate, the election shall be by an absolute majority of the votes cast, for and against.

If there is more than one candidate, the candidate who obtains an absolute majority of the votes cast at the first ballot shall be elected. At the second ballot, the candidate who obtains the highest number of votes shall be elected. In the event of a tie, the oldest candidate shall be elected.

3. The following Rules concerning the Officers of Parliament shall apply *mutatis mutandis* to committees: Rule 14 (Provisional Chair), Rule 15 (Nominations and general provisions), Rule 16 (Election of President - opening address), Rule 19 (Term of office of Officers) and Rule 20 (Vacancies).

## **Rule 220**

### **Committee coordinators**

1. The political groups may designate one of their members in each committee to be a coordinator.

2. A meeting of the committee coordinators shall if necessary be convened by the committee Chair to prepare decisions to be taken by the committee, in particular decisions on procedure and on the appointment of rapporteurs. The committee may delegate the power to take certain decisions to the coordinators, with the exception of decisions concerning the adoption of reports, motions for resolutions, opinions or amendments.

The Vice-Chairs may be invited to participate in the meetings of committee coordinators in a

## TITLE VIII Rule 221

consultative role.

When consensus cannot be attained, the coordinators may only act by a majority that clearly represents a large majority of the committee, having regard to the respective strengths of the various political groups.

The Chair shall announce in committee all decisions and recommendations of the coordinators, which shall be deemed to have been adopted if they have not been contested. In cases of contestation, the committee shall vote with a simple majority. Those decisions and recommendations shall be duly mentioned in the minutes of the committee meeting.

*Non-attached Members do not constitute a political group within the meaning of Rule 33 and they cannot therefore designate coordinators, who are the only Members entitled to attend coordinator meetings.*

*In all cases, non-attached Members must be guaranteed access to information, in accordance with the principle of non-discrimination, through the supply of information and the presence of a member of the non-attached Members' secretariat at coordinator meetings.*

### **Rule 221**

#### **Shadow Rapporteurs**

The political groups may designate a shadow rapporteur for each report to follow the progress of the relevant report and find compromises within the committee on behalf of the group. Their names shall be communicated to the committee Chair.

### **Rule 222**

#### **Committee meetings**

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

When convening such a meeting, the Chair may decide, on a case-by-case basis and with the approval of coordinators representing a majority of the committee members, that the meeting may also be attended remotely, except for committee meetings to be held in camera.

When convening the meeting, the Chair shall submit a draft agenda, in which it shall be stated whether the meeting may also be attended remotely. The committee shall take a decision on the agenda at the beginning of the meeting.

2. The Commission, the Council and other Union institutions may take the floor in committee meetings if invited to do so on behalf of a committee by its Chair.

By decision of a committee, any other person may be invited to attend and to take the floor at a meeting.

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

3. Without prejudice to Rule 57(8) and unless the committee concerned decides otherwise, Members who attend meetings of committees to which they do not belong, may not take part in their deliberations.

They may, however, be allowed by the committee to take part in its meetings in an advisory capacity.

4. Rule 178(2) shall apply *mutatis mutandis* to committees.
5. Where a verbatim report is drawn up, Rule 210 (2), (3) and (5) shall apply *mutatis mutandis*.
6. For any remote participation, it shall be ensured that:
  - Members are able to exercise their parliamentary mandate, including, in particular, their right to speak in committees without impairment;
  - the information technology solutions made available are ‘technology neutral’;
  - secure electronic means that are managed and supervised by Parliament’s services directly and internally are used;
  - the technical equipment enables the necessary audio and video quality; and
  - the intervention is done from an appropriate place.

### **Rule 223**

#### **Minutes of committee meetings**

The minutes of each meeting of a committee shall be made available to all its members and submitted to the committee for its approval.

### **Rule 224**

#### **Voting in committee**

1. Without prejudice to Rule 66(3) on second readings, amendments or draft proposals for rejection tabled for consideration in committee shall always be signed by a full or substitute member of the committee concerned or co-signed by at least one such member.

2. A committee may validly vote when one quarter of its members are actually present. However, if so requested by members or a political group or groups reaching at least the high threshold in the committee before voting begins, the vote shall be valid only if the majority of its members have taken part in it.

3. Any single and/or final vote in committee on a report or opinion shall be taken by roll call in accordance with Rule 197(3) and (4). The vote on amendments and other votes shall be taken by a show of hands, unless the Chair decides to proceed to an electronic vote or members or a political group or groups reaching at least the high threshold in the committee request a vote by roll call.

*The provisions of Rule 224(3) on voting by roll call do not apply to the reports provided for in Rule 8(2) and Rule 9(4), (7) and (9) in the context of procedures relating to the immunity of a Member.*

4. In the light of the amendments tabled, the committee may, instead of proceeding to a vote, ask 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.

## Rule 225

### Provisions concerning plenary sittings applicable in committee

The following Rules concerning voting, points of order and procedural motions shall apply *mutatis mutandis* to committees: Rule 181 (Prevention of obstruction), Rule 186 (Thresholds), Rule 187 (Tabling and presenting amendments), Rule 188 (Admissibility of amendments), Rule 189 (Voting procedure), Rule 190 (Order of voting on amendments), Rule 192(1) (Split voting), Rule 193 (Right to vote), Rule 194 (Voting), Rule 196 (Tied votes), Rule 197(3) and (4) (Voting by roll call), Rule 198 (Voting by secret ballot), Rule 199 (Use of electronic voting system), Rule 200 (Disputes on voting), Rule 202 (Points of order), Rule 206 (Adjournment of a debate or vote) and Rule 207 (Suspension or closure of the sitting).

## Rule 226

### Question Time in committee

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

## Rule 227

### Procedure for the consultation by a committee of confidential information in a committee meeting in camera

1. When Parliament is under a legal obligation to treat information received as confidential information, the Chair of the committee responsible shall automatically apply the confidential procedure laid down in paragraph 3.
2. Without prejudice to paragraph 1, in the absence of any legal obligation to treat the information received as confidential information, any committee may apply the confidential procedure laid down in paragraph 3 on its own motion 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 the adoption of a decision to apply the confidential procedure in such a case.
3. Once the Chair of the committee has declared that the confidential procedure is to be applied, the meeting shall be in camera and may be attended only by members of the committee, including substitute members. The committee may decide, in compliance with the applicable inter-institutional legal framework, that other Members may attend the meeting pursuant to Rule 222(3). The meeting may also be attended by those persons who have been designated in advance by the Chair, as having a need-to-know, in due respect of any restrictions stemming from the applicable rules governing the treatment of confidential information by Parliament. As regards the consultation of classified information at the level of CONFIDENTIEL UE/EU CONFIDENTIAL and above, or in case of specific limitations of access stemming from the interinstitutional legal framework, additional restrictions may apply.

The documents shall be distributed at the beginning of the meeting and collected again at the end. They shall be numbered. No notes and no photocopies may be taken.

The minutes of the meeting shall make no mention of the discussion of the item dealt with under the confidential procedure. Only the relevant decision, if any, may be recorded.

4. Without prejudice to the applicable rules on breach of confidentiality in general, Members



or a political group or groups reaching at least the medium threshold in the committee which has applied the confidential procedure may request consideration of a breach of confidentiality. This request may be placed on the agenda of the next committee meeting. By a majority of its members, the committee may decide to submit the matter to the President for further consideration under Rules 10 and 183.

*This Rule applies to the extent that the applicable legal framework relating to the treatment of confidential information provides for the possibility of consulting the confidential information at a meeting in camera outside the secure facilities.*

## **Rule 228**

### **Public hearings and debates on citizens' initiatives**

1. When the Commission has published the notice on a citizens' initiative in the relevant register pursuant to Article 14(1) of Regulation (EU) 2019/788 of the European Parliament and of the Council<sup>54</sup>, the President of the European Parliament, on a proposal from the Chair of the Conference of Committee Chairs:

- (a) shall task the committee responsible for the subject-matter according to Annex VI with organising the public hearing provided for in Article 14(2) of Regulation (EU) 2019/788; the committee responsible for petitions shall be automatically involved in accordance with the principle of good and sincere cooperation as referred to in Rule 57;
- (b) may, where two or more citizens' initiatives for which the notices have been published in the relevant register pursuant to Article 14(1) of Regulation (EU) 2019/788 have a similar subject-matter, decide, after consulting the organisers, that a joint public hearing is to be organised at which all of the citizens' initiatives involved shall be dealt with on an equal footing.

2. The committee responsible for the subject-matter:

- (a) shall ascertain whether the Commission has received the group of organisers at an appropriate level in accordance with Article 15(1) of Regulation (EU) 2019/788;
- (b) shall ensure, if necessary with the support of the Conference of Committee Chairs, that the Commission is properly involved in organising the public hearing and that it is represented at an appropriate level at the hearing.

3. The Chair of the committee responsible for the subject-matter shall convene the public hearing at an appropriate date within three months of the submission of the initiative to the Commission pursuant to Article 13 of Regulation (EU) 2019/788.

4. The committee responsible for the subject matter shall organise the public hearing at Parliament, if appropriate together with such other institutions and bodies of the Union that wish to participate. It may invite other stakeholders to attend.

The committee responsible for the subject matter shall invite a representative group of organisers, including at least one of the contact persons referred to in Article 5(3), first subparagraph, of

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<sup>54</sup> Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative (OJ L 130, 17.5.2019, p. 55, ELI: <http://data.europa.eu/eli/reg/2019/788/oj>).

## TITLE VIII Rule 229

Regulation (EU) 2019/788, to present the initiative at the hearing.

5. The Bureau shall, in accordance with the arrangements agreed with the Commission, adopt rules concerning the reimbursement of incurred costs.

6. The President of Parliament and the Chair of the Conference of Committee Chairs may delegate their powers under this Rule to a Vice-President and another committee Chair respectively.

7. If the conditions laid down in Rule 59 are met, that provision shall also apply, *mutatis mutandis*, to other committees. Rules 55(6) and 217 shall also apply.

Rule 25(9) shall not apply to public hearings on citizens' initiatives.

8. Parliament shall hold a debate on a citizens' initiative for which a notice has been published in the relevant register pursuant to Article 14(1) of Regulation (EU) 2019/788, at a part-session following the public hearing and shall, when placing the debate on its agenda, decide whether or not to wind up the debate with a resolution. It shall not wind up the debate with a resolution if a report on an identical or similar subject matter is scheduled for the same or the next part-session, unless the President, for exceptional reasons, proposes otherwise. If Parliament decides to wind up a debate with a resolution, the committee responsible for the subject matter or a political group or Members reaching at least the low threshold may table a motion for a resolution. Rule 136(3) to (8) concerning the tabling and voting of motions for resolutions shall apply *mutatis mutandis*.

9. Following the Commission's communication setting out its legal and political conclusions on a specific citizens' initiative, Parliament shall assess the actions taken by the Commission as a result of such communication. In the event that the Commission fails to submit an appropriate proposal on a citizens' initiative, the committee responsible for the subject matter may organise a hearing in consultation with the citizens' initiative organisers. Furthermore, Parliament may decide whether to hold a plenary debate and whether to wind up this debate with a resolution. The procedure set out in paragraph 8 shall apply *mutatis mutandis*. Parliament may also decide to exercise the right conferred on it by Article 225 of the Treaty on the Functioning of the European Union, thereby activating the procedure laid down in Rule 47.

## CHAPTER 2

### INTERPARLIAMENTARY DELEGATIONS

#### Rule 229

##### Setting-up and duties of interparliamentary delegations

1. On a proposal from the Conference of Presidents, Parliament shall set up standing interparliamentary delegations and decide on their nature and the number of their members in the light of their duties. The members shall be appointed by the political groups and the non-attached Members during the first or second part-session following the re-election of Parliament for the duration of the parliamentary term.

2. The political groups shall ensure as far as possible that Member States, political views and gender are fairly represented. It shall not be permissible for more than one third of the members of a delegation to have the same nationality. Rule 216 shall apply *mutatis mutandis*.

3. The bureaux of the delegations shall be constituted in accordance with the procedure laid

down for the committee bureaux in Rule 219. However, members of the bureaux of the delegations shall be elected for the duration of the parliamentary term.

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

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

6. The Chair of a delegation shall regularly report back to the committee responsible for foreign affairs on the activities of the delegation.

7. The Chair of a delegation shall be given an opportunity to be heard by a committee when an item on the agenda touches on the delegation's area of responsibility. The same shall apply to the Chair or rapporteur of that committee in the case of meetings of the delegation.

### **Rule 230**

#### **Joint parliamentary committees**

1. The European Parliament may set up joint parliamentary committees with the parliaments of States associated with the Union or States with which the Union has commenced accession negotiations.

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, in accordance with the agreements with the third countries.

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

4. Joint parliamentary committees shall draw up their own rules of procedure and submit them for approval, within the European Parliament to its Bureau, and within the third country parliament involved to the latter's relevant body.

5. The appointment of the members of the European Parliament's delegations to joint parliamentary committees and the constitution of the bureaux of these delegations shall take place in accordance with the procedure laid down for interparliamentary delegations.

### **Rule 231**

#### **Cooperation with the Parliamentary Assembly of the Council of Europe**

1. Parliament's bodies, and in particular its committees, shall cooperate with their counterparts at the Parliamentary Assembly of the Council of Europe in fields of mutual interest, with the aim in particular of improving the efficiency of their work and avoiding duplication of effort.

2. The Conference of Presidents, in agreement with the competent authorities of the Parliamentary Assembly of the Council of Europe, shall decide on the arrangements for that cooperation.

TITLE IX

PETITIONS

**Rule 232**

**Right of petition**

1. In accordance with Article 227 of the Treaty on the Functioning of the European Union, 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 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 and the permanent address of each petitioner.

3. Submissions to Parliament that are clearly not intended to be a petition shall not be registered as petitions; instead, they shall be forwarded without delay to the appropriate service for further treatment.

4. Where a petition is signed by several natural or legal persons, the signatories shall designate a representative and deputy representatives who shall be regarded as the petitioners for the purposes of this Title.

If no such representatives have been designated the first signatory or another appropriate person shall be regarded as the petitioner.

5. Each petitioner may at any time withdraw his, her or its signature from the petition.

If all petitioners withdraw their signatures, the petition shall become null and void.

6. Petitions must be written in an official language of the European Union.

Petitions written in any other language will be considered only if the petitioner has attached a translation in an official language. Parliament's correspondence with the petitioner shall employ the official language in which the translation is drawn up.

The Bureau may decide that petitions and correspondence with petitioners may be drafted in other languages which, in accordance with the constitutional order of the Member States concerned, enjoy official status in all or part of their territory.

7. Petitions can be submitted either by post or through the Petitions portal, which shall be made available on Parliament's website and which shall guide the petitioner to formulate the petition in a manner that complies with paragraphs 1 and 2.

8. Where several petitions are received on a similar subject matter, they may be dealt with jointly.

9. 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. Petitions that do not comply with those conditions shall be filed, and the petitioner shall be informed of the reasons for this.

10. Petitions entered in the register shall be forwarded by the President to the committee responsible for petitions, which shall first establish the admissibility of the petition in accordance with Article 227 of the Treaty on the Functioning of the European Union.

If the committee fails to reach a consensus on the admissibility of the petition, it shall, at the request of at least one-third of the members of the committee, be declared admissible.

11. Petitions that have been declared inadmissible by the committee shall be filed. The petitioner shall be informed of the decision and the reasons for it. Where possible, alternative means of redress may be recommended.

12. Petitions, once registered, shall become public documents, and the name of the petitioner, possible co-petitioners and possible supporters and the contents of the petition may be published by Parliament for reasons of transparency. The petitioner, co-petitioners and supporters shall be informed accordingly.

13. Notwithstanding paragraph 12, the petitioner, a co-petitioner or a supporter may request that his, her or its name be withheld in order to protect his, her or its privacy, in which case Parliament shall comply with the request.

Where the petitioner's complaint cannot be investigated because of the petitioner's anonymity, the petitioner shall be consulted on the further steps to be taken.

14. In order to protect the rights of third parties, Parliament may, on its own motion or at the request of the third party concerned, anonymise a petition and/or other data contained therein, if it sees fit to do so.

15. Petitions addressed to 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. The committee may ask to see those which it wishes to consider.

## **Rule 233**

### **Examination of petitions**

1. Admissible petitions shall be considered by the committee responsible for petitions in the course of its normal activity, either through discussion at a regular meeting or by written procedure. Petitioners may be invited to participate in meetings of the committee if their petition is to be the subject of discussion, or they may ask to be present. The right to speak shall be granted to petitioners at the discretion of the Chair.

2. With regard to an admissible petition, the committee may decide to submit a short motion for a resolution to Parliament, provided that the Conference of Committee Chairs is informed in advance and there is no objection by the Conference of Presidents. Such motions for resolutions shall be placed on the draft agenda of the part-session to be held no later than eight weeks after the adoption of those motions for resolutions in the committee. They shall be put to a single vote. The Conference of Presidents may propose to apply Rule 166, failing which those motions for resolutions shall be put to the vote without debate.

3. Where, with regard to an admissible petition, the committee intends to draw up under Rule 55(1) an own initiative report dealing with, in particular, the application or interpretation of Union law or proposed changes to existing law, the committee responsible for the subject-matter shall be associated in accordance with Rule 57. The committee shall without a vote accept suggestions for parts of the motion for a resolution received from the committee responsible for the subject-matter where those suggestions deal with the application or interpretation of Union law or changes to existing law. If the committee does not accept such suggestions, the committee responsible for the

## TITLE IX Rule 234

subject matter may table them directly in plenary.

4. Signatories may lend support to, or withdraw support from, an admissible petition on the Petitions Portal. That portal shall be made available on Parliament's website.

5. The committee may request assistance from the Commission particularly in the form of information on the application of, or compliance with, Union law and information or documents relevant to the petition. Representatives of the Commission shall be invited to attend meetings of the committee.

6. The committee may ask the President to forward its opinion or recommendation to the Commission, the Council or the Member State authority concerned for its action or response.

7. The committee shall report to Parliament annually on the outcome of its deliberations and, where appropriate, on the measures taken by the Council or the Commission on petitions referred to them by Parliament.

When consideration of an admissible petition has been concluded, it shall be declared closed by a decision of the committee.

8. The petitioner shall be informed of all relevant decisions taken by the committee and the reasons thereof.

9. A petition may be re-opened by committee decision, if relevant new facts relating to the petition have been brought to its attention and the petitioner so requests.

10. By a majority of its members, the committee shall adopt guidelines for the treatment of petitions in accordance with these Rules of Procedure.

### Rule 234

#### Fact-finding visits

1. When investigating petitions, establishing facts or seeking solutions the committee may organise fact-finding visits to the Member State or region that are concerned by admissible petitions that have been already debated in the committee. As a general rule, fact-finding visits shall cover issues raised in several petitions. The Bureau Rules governing committee delegations within the European Union shall apply.

2. Members elected in the Member State of destination shall not be part of the delegation. They may be allowed to accompany the fact-finding visit delegation in an *ex officio* capacity.

3. After each visit, a mission report shall be drafted by the official members of the delegation. The Head of the delegation shall coordinate the drafting of the report and shall seek consensus on its content among the official members on an equal footing. Failing such a consensus, the mission report shall set out the divergent assessments.

Members taking part in the delegation *ex officio* shall not participate in the drafting of the report.

4. The mission report, including possible recommendations, shall be submitted to the committee. Members may table amendments to the recommendations, but not to the parts of the report concerning the facts established by the delegation.

The committee shall first vote on the amendments to the recommendations, if any, then on the mission report as a whole.

The mission report, if approved, shall be forwarded to the President, for information.

### **Rule 235**

#### **Notice of petitions**

1. Notice shall be given in Parliament of the petitions entered in the register referred to in Rule 232(9) 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 title and a summary of the texts of petitions entered in the register, together with the texts of the opinions and the most important decisions forwarded in connection with the examination of the petitions, shall be made available to the public on the Petitions Portal on Parliament's website.

### **Rule 236**

#### **Citizens' initiative**

1. When Parliament is informed that the Commission has been invited to submit a proposal for a legal act under Article 11(4) of the Treaty on European Union and in accordance with Regulation (EU) 2019/788, the committee responsible for petitions shall ascertain whether this is likely to affect its work and, if need be, shall inform those petitioners who have addressed petitions on related subjects.

2. Proposed citizens' initiatives which have been registered in accordance with Article 6 of Regulation (EU) 2019/788, but which cannot be submitted to the Commission in accordance with Article 13 of that Regulation since not all the relevant procedures and conditions laid down have been complied with, may be examined by the committee responsible for petitions if it considers that follow-up is appropriate. Rules 232, 233, 234 and 235 shall apply *mutatis mutandis*.

## TITLE X Rule 237

### TITLE X

### OMBUDSMAN

#### Rule 237

##### **Election of the Ombudsman**

1. At the start of each parliamentary term or in the case of death, resignation or dismissal of the Ombudsman, the President shall call for nominations for the office of Ombudsman and set a time limit for their submission. A notice calling for nominations shall be published in the *Official Journal of the European Union*.

2. Nominations must have the support of at least 39 Members who are nationals of at least two Member States.

Each Member may support only one nomination. The support of a Member shall only be valid if indicated on a standardised form, provided by Parliament's services immediately after the publication of the notice calling for nominations in the *Official Journal of the European Union*. That standardised form shall clearly state the date of signature. That date shall be within the time limit for submission of nominations set in accordance with paragraph 1.

Members may withdraw their signatures of support by notifying the President of the withdrawal before the end of that time limit. If, at the end of that time limit, a Member is found to have granted signatures in support of more than one nomination, none of those signatures shall count for any of the nominations.

Nominations shall include all the supporting documents needed to show conclusively that the nominee fulfils the conditions laid down in Article 11(2) of Regulation (EU, Euratom) 2021/1163 of the European Parliament<sup>55</sup>.

3. Nominations shall be forwarded to the committee responsible. A full list of the Members who have given their support to the nominees shall be made available to the public on the working day following the expiry of the time limit for submission of nominations set in accordance with paragraph 1.

4. Nominees shall, upon request, be issued with a temporary badge granting him or her access to Parliament's premises.

5. The committee responsible may ask to hear the nominees. Such hearings shall be open to all Members.

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

7. The Ombudsman shall be elected by 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.

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<sup>55</sup> Regulation (EU, Euratom) 2021/1163 of the European Parliament of 24 June 2021 laying down the regulations and general conditions governing the performance of the Ombudsman's duties (Statute of the European Ombudsman) and repealing Decision 94/262/ECSC, EC, Euratom (OJ L 253, 16.7.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/1163/oj>).



In the event of any tie the oldest candidate shall be appointed.

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

### **Rule 238**

#### **Activities of the Ombudsman**

1. The committee responsible shall examine cases of maladministration that it has been informed of by the Ombudsman pursuant to Article 4(1) and (3) of Regulation (EU, Euratom) 2021/1163, following which it may decide to draw up a report under Rule 55.

2. The committee responsible shall examine the report submitted by the Ombudsman at the end of each annual session on the outcome of his or her inquiries, in accordance with Article 4(5) of Regulation (EU, Euratom) 2021/1163. The committee responsible may submit a motion for resolution to Parliament if it considers that Parliament needs to take a position in respect of any aspect of that report.

3. In line with Article 4(4) of Regulation (EU, Euratom) 2021/1163, the Ombudsman may, on his or her own initiative or at the request of the committee responsible, be heard by that committee or provide information on his or her activities.

4. Where the Ombudsman consults Parliament on draft implementing provisions for Regulation (EU, Euratom) 2021/1163 pursuant to Article 18 thereof, the committee responsible for that Regulation shall submit a report to Parliament pursuant to Rule 51. Rule 60(1), (2), (4) and (5) shall apply *mutatis mutandis*.

### **Rule 239**

#### **Dismissal of the Ombudsman**

1. One tenth of Parliament's component Members may request the dismissal of the Ombudsman if he or she no longer fulfils the conditions required for the performance of his or her duties or is guilty of serious misconduct. Where such a request for dismissal has been voted on in the preceding two months, a new one may only be tabled by one fifth of the component Members of Parliament.

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

4. If the vote is in favour of the Ombudsman's dismissal and he or she does not resign, 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 and request that a ruling be given without delay.

Resignation by the Ombudsman shall terminate the procedure.

## TITLE XI Rule 240

### TITLE XI

### PARLIAMENT'S SECRETARIAT

#### **Rule 240**

##### **Parliament's 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 or her duties conscientiously and with absolute impartiality.

2. The Secretary-General shall head a Secretariat the composition and organisation of which shall be determined by the Bureau.

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

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

## TITLE XII

## POWERS AND RESPONSIBILITIES RELATING TO EUROPEAN POLITICAL PARTIES AND EUROPEAN POLITICAL FOUNDATIONS

**Rule 241****Powers and responsibilities relating to European political parties and European political foundations<sup>56</sup>**

1. Where, in accordance with Article 73(1) of the Financial Regulation, Parliament decides to reserve to itself the right to authorise expenditure, it shall act through its Bureau.

On this basis, the Bureau shall be competent to adopt decisions under Articles 17, 18, 24, 27(3) and 30 of Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council<sup>57</sup>.

Individual decisions adopted by the Bureau on the basis of this paragraph shall be signed by the President on its behalf and shall be notified to the applicant or to the beneficiary in accordance with Article 297 of the Treaty on the Functioning of the European Union. Individual decisions shall state the reasons on which they are based in accordance with the second paragraph of Article 296 of that Treaty.

The Bureau may at any time consult the Conference of Presidents.

2. At the request of one quarter of the component Members of Parliament representing at least three political groups, Parliament shall vote on the decision to request, in accordance with Article 10(3) of Regulation (EU, Euratom) No 1141/2014, the Authority for European political parties and European political foundations to verify whether a registered European political party or a registered European political foundation complies with the conditions laid down in point (c) of Article 3(1) and point (c) of Article 3(2) of Regulation (EU, Euratom) No 1141/2014.

3. On the basis of the first subparagraph of Article 10(3) of Regulation (EU, Euratom) No 1141/2014, a group of at least 50 citizens may submit a reasoned request inviting Parliament to request the verification mentioned in paragraph 2. That reasoned request shall not be launched or signed by Members. It shall include substantial factual evidence showing that the European political party or European political foundation in question does not comply with the conditions referred to in paragraph 2.

The President shall forward admissible requests from groups of citizens to the committee responsible for further examination.

Following that examination, which should take place within four months from the President's referral, the committee responsible may, by a majority of its component members representing at least three political groups, submit a proposal to follow up the request and inform the President thereof.

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<sup>56</sup> Rule 241 shall only apply to European political parties and European political foundations within the meaning of Article 2 (3) and (4) of Regulation (EU, Euratom) No 1141/2014.

<sup>57</sup> Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations (OJ L 317, 4.11.2014, p. 1, ELI: <http://data.europa.eu/eli/reg/2014/1141/oj>).

## TITLE XII Rule 241

The group of citizens shall be informed of the outcome of the committee's examination.

Upon reception of the committee proposal, the President shall communicate the request to Parliament.

Following such a communication, Parliament shall, by a majority of the votes cast, decide on whether or not to lodge a request to the Authority for European political parties and European political foundations.

The committee shall adopt guidelines for the treatment of such requests from groups of citizens.

4. At the request of one quarter of the component Members of Parliament representing at least three political groups, Parliament shall vote on a proposal for a reasoned decision to object, pursuant to Article 10(4) of Regulation (EU, Euratom) No 1141/2014, to the decision of the Authority for European political parties and European political foundations to deregister a European political party or a European political foundation within three months of the communication of the decision.

The committee responsible shall submit a proposal for a reasoned decision. If this proposal is rejected, the contrary decision shall be deemed to have been adopted.

5. On the basis of a proposal by the committee responsible, the Conference of Presidents shall appoint two members of the committee of independent eminent persons pursuant to Article 11(1) of Regulation (EU, Euratom) No 1141/2014.

## TITLE XIII

## APPLICATION AND AMENDMENT OF THE RULES OF PROCEDURE

**Rule 242****Application of the Rules of Procedure**

1. If doubt arises over the application or interpretation of these Rules of Procedure, the President may refer the matter to the committee responsible for examination.

Committee Chairs may do so when such a doubt arises in the course of the committee's work and is related to it.

2. The committee shall decide whether it is necessary to propose an amendment to the Rules of Procedure. If this should be the case, it shall proceed in accordance with Rule 243.

3. If the committee decides that an interpretation of the existing Rules is sufficient, it shall forward its interpretation to the President, who shall inform Parliament thereof at its next part-session.

4. If a political group or Members reaching at least the low threshold contest the committee's interpretation within a period of 24 hours following its announcement, the matter shall be put to the vote in Parliament. Adoption of the text shall be by a majority of the votes cast, provided that at least one third of Parliament's component 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.

6. Interpretations shall constitute precedents for the future application and interpretation of the Rules concerned.

7. The Rules of Procedure and interpretations shall be reviewed regularly by the committee responsible.

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 modified, in particular following enlargements of the European Union.

**Rule 243****Amendment of the Rules of Procedure**

1. Any Member may propose amendments to these Rules and to their annexes accompanied, where appropriate, by short justifications.

The committee responsible shall examine them and decide whether to submit them to Parliament.

For the purpose of applying Rules 187, 188 and 190 to consideration of such proposed amendments in Parliament, references made in those Rules to the 'original text' or the proposal for a legally binding act shall be considered as referring to the provision in force at the time.

2. In accordance with Article 232 of the Treaty on the Functioning of the European Union,

## TITLE XIII Rule 243

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 and to their annexes shall enter into force on the first day of the part-session following that of their adoption.

## TITLE XIV

## EXTRAORDINARY CIRCUMSTANCES

**Rule 244****Extraordinary measures**

1. This Rule applies to situations in which Parliament, due to exceptional and unforeseeable circumstances beyond its control, is hindered from carrying out its duties and exercising its prerogatives under the Treaties, and a temporary derogation from Parliament's usual procedures, set out elsewhere in these Rules, is necessary in order to adopt extraordinary measures to enable Parliament to continue to carry out those duties and to exercise those prerogatives.

Such extraordinary circumstances shall be considered to exist where the President comes to the conclusion, on the basis of reliable evidence confirmed, where appropriate, by Parliament's services, that for reasons of security, or safety or as a result of the non-availability of technical means it is, or will be, impossible or dangerous for Parliament to convene in accordance with its usual procedures as set out elsewhere in these Rules and its adopted calendar.

2. Where the conditions set out in paragraph 1 are fulfilled, the President may decide, with the approval of the Conference of Presidents, to apply one or more of the measures referred to in paragraph 3.

If it is impossible, due to reasons of imperative urgency, for the Conference of Presidents to convene in person or virtually, the President may decide to apply one or more of the measures referred to in paragraph 3. Such a decision shall lapse five days after its adoption unless approved by the Conference of Presidents within that period.

Following a decision by the President, approved by the Conference of Presidents, Members or a political group or groups reaching at least the medium threshold may, at any time, request that some or all of the measures provided for in that decision be submitted individually to Parliament for approval without debate. The vote in plenary shall be placed on the agenda of the first sitting following the day on which the request was tabled. No amendments may be tabled. If a measure fails to obtain a majority of the votes cast, it shall lapse after the end of the part-session. A measure approved by the plenary may not be the subject of a further vote during the same part-session.

3. The decision referred to in paragraph 2 may provide for all appropriate measures in order to address the extraordinary circumstances referred to under paragraph 1, and in particular for the following measures:

- (a) postponement of a scheduled part-session, sitting or meeting of a committee to a later date and/or cancellation or limitation of meetings of inter-parliamentary delegations and other bodies;
- (b) displacement of a part-session, sitting or meeting of a committee from Parliament's seat to one of its working places or to an external place, or from one of its working places to Parliament's seat, to one of Parliament's other working places or to an external place;
- (c) holding a part-session or a sitting on the premises of Parliament in whole or in part in separate meeting rooms allowing for appropriate physical distancing;

## TITLE XIV Rule 245

- (d) holding a part session, sitting or meeting of bodies of Parliament under the remote participation regime laid down in Rule 246;
- (e) in the event that the ad hoc replacement mechanism laid down in Rule 216(7) fails to provide sufficient remedies to address the extraordinary circumstances under consideration, temporary replacement of Members in a committee by political groups, unless the Members concerned oppose such temporary replacement.

4. A decision referred to in paragraph 2 shall be limited in time and shall state the reasons on which it is based. It shall enter into force upon its publication on Parliament's website or, if circumstances prevent such publication, upon its being made public by the best available alternative means.

All Members shall also be informed individually of the decision without delay.

The decision may be renewed by the President in accordance with the procedure under paragraph 2 once, or more than once, for a limited time. A decision to renew shall state the reasons on which it is based.

The President shall revoke a decision adopted under this Rule as soon as the extraordinary circumstances referred to in paragraph 1 that gave rise to its adoption have disappeared.

5. This Rule shall be applied only as a last resort, and only measures that are strictly necessary to address the extraordinary circumstances under consideration shall be selected and applied.

When applying this Rule, due account shall be taken, in particular, of the principle of representative democracy, of the principle of equal treatment of Members, of the right of Members to exercise their parliamentary mandate without impairment, including their rights stemming from Rule 174 and their right to vote freely, individually and in person, and of Protocol No 6 on the location of the seats of the institutions and of certain bodies, offices, agencies and departments of the European Union, annexed to the Treaties.

### **Rule 245**

#### **Disturbance of the political balance in Parliament**

1. The President may, with the approval of the Conference of Presidents, adopt measures necessary to facilitate the participation of Members or of a political group concerned if, on the basis of reliable evidence, the President comes to the conclusion that the political balance in Parliament is severely impaired because a significant number of Members or a political group cannot take part in Parliament's proceedings in accordance with its usual procedures, as set out elsewhere in these Rules, for reasons of security or safety, or as a result of the non-availability of technical means.

The sole aim of such measures shall be to allow the remote participation of Members concerned by the application of selected technical means under Rule 246(1) or by other appropriate means serving the same purpose.

2. Measures under paragraph 1 may be adopted for the benefit of a significant number of Members if exceptional and unforeseeable circumstances beyond their control occurring in a regional context lead to their non-participation.

Measures under paragraph 1 may also be adopted for the benefit of members of a political group if



that group has requested them where the non-participation of that group results from exceptional and unforeseeable circumstances beyond that group's control.

3. Rule 244(2), second and third subparagraphs, and the rules and principles laid down in Rule 244(4) and (5) shall apply accordingly.

## **Rule 246**

### **Remote participation regime**

1. Where the President decides in accordance with Rule 244(3), point (d), to apply the remote participation regime, Parliament may conduct its proceedings remotely inter alia by permitting all Members to exercise certain of their parliamentary rights by electronic means.

Where the President decides in accordance with Rule 245 that selected technical means under the remote participation regime are to be used, this Rule shall apply only to the extent necessary and only to the Members concerned.

2. The remote participation regime shall ensure that:

- Members are able to exercise their parliamentary mandate, including, in particular, their right to speak in plenary and in the committees, to vote and to table texts, without impairment;
- all votes are cast by Members individually and in person;
- the remote voting system enables Members to cast ordinary votes, roll call votes and secret ballots and to verify that their votes are counted as cast;
- a uniform voting system is applied for all Members, regardless of whether they are present or not on Parliament's premises;
- Rule 174 is applied to the greatest extent possible;
- the information technology solutions made available to Members and their staff are 'technology neutral';
- participation of Members in parliamentary debates and votes takes place using secure electronic means that are managed and supervised by Parliament's services directly and internally.

3. When taking the decision referred to in paragraph 1, the President shall determine whether that regime applies to the exercise of Members' rights in plenary only, or also to the exercise of Members' rights in Parliament's committees and/or other bodies.

The President shall also determine in his or her decision how rights and practices which cannot be exercised appropriately without the physical presence of Members are adapted for the duration of the regime.

These rights and practices concern, inter alia:

- the manner in which attendance at a sitting or meeting is counted;
- the conditions under which a request for a check of the quorum is made;
- the tabling of texts;

## TITLE XIV Rule 247

- requests for splits and separate votes;
- the allocation of speaking time;
- the scheduling of debates;
- the presentation of, and the objection to, oral amendments;
- the order of votes;
- the deadlines and time limits for the setting of the agenda and for procedural motions.

4. For the purposes of the application of the provisions of the Rules relating to quorum and voting in the Chamber, Members who are participating remotely shall be deemed to be physically present in the Chamber.

By way of derogation from Rule 178(13), Members who have not spoken in a debate may, once per sitting, hand in a written statement, which shall be appended to the verbatim report of the debate.

The President shall, where necessary, determine the manner in which the Chamber may be used by Members during the application of the remote participation regime, and in particular the maximum number of Members who can be physically present.

5. Where the President decides in accordance with paragraph 3, first subparagraph, to apply the remote participation regime to committees or other bodies, paragraph 4, first subparagraph, shall apply, *mutatis mutandis*.

6. The Bureau shall adopt measures concerning the operation and security of the electronic means used under this Rule, in accordance with the requirements and standards laid down in paragraph 2.

### **Rule 247**

#### **Holding of a part-session or a sitting in separate meeting rooms**

Where the President decides in accordance with Rule 244(3), point (c), to allow a part-session or a sitting to be held, in whole or in part, in more than one meeting room, including, where appropriate, the hemicycle, the following rules shall apply:

- the meeting rooms used in this context shall be considered to collectively constitute the Chamber;
- the President may, if necessary, determine the manner in which the respective meeting rooms can be used, in order to ensure that physical distancing requirements are respected.

## TITLE XV

### MISCELLANEOUS PROVISIONS

#### **Rule 248**

##### **The symbols of the Union**

1. Parliament shall recognise and espouse the following symbols of the Union:
  - the flag showing a circle of twelve golden stars on a blue background;
  - the anthem based on the "Ode to Joy" from the Ninth Symphony by Ludwig van Beethoven;
  - the motto "United in diversity".
2. Parliament shall celebrate Europe Day on 9 May.
3. The flag shall be flown at all Parliament premises and on the occasion of official events. The flag shall be used in each meeting room of the Parliament.
4. The anthem shall be performed at the opening of each constitutive sitting and at other solemn sittings, particularly those to welcome heads of State or government or to greet new Members following enlargements.
5. The motto shall be reproduced on Parliament's official documents.
6. The Bureau shall examine the further use of the symbols within the Parliament. The Bureau shall lay down detailed provisions for the implementation of this Rule.

#### **Rule 249**

##### **Gender Mainstreaming**

The Bureau shall adopt a gender action plan aimed at incorporating a gender perspective in all Parliament's activities, at all levels and all stages. The gender action plan shall be monitored bi-annually and reviewed at least every five years.

#### **Rule 250**

##### **Unfinished business**

At the end of the last part-session before elections, all Parliament's unfinished business shall be deemed to have lapsed, subject to the provisions of the second paragraph.

At the beginning of each parliamentary term, the Conference of Presidents shall take a decision on reasoned requests from parliamentary committees and other institutions to resume or continue the consideration of such unfinished business.

These provisions shall not apply to petitions, citizens' initiatives and communications that do not require a decision.

**Rule 251**

**Corrigenda**

1. If an error is identified in a text adopted by Parliament, the President shall, where appropriate, refer a draft corrigendum to the committee responsible.
2. If an error is identified in a text adopted by Parliament and agreed with other institutions, the President shall seek the agreement of those institutions on the necessary corrections before proceeding in accordance with paragraph 1.
3. The committee responsible shall examine the draft corrigendum and submit it to Parliament if it is satisfied that an error has occurred which can be corrected in the proposed manner.
4. The corrigendum shall be announced at the following part-session. It shall be deemed to have been approved unless, not later than 24 hours after its announcement, a request is made by a political group or Members reaching at least the low threshold that it be put to the vote. If the corrigendum is not approved, it shall be referred back to the committee responsible. The committee responsible may propose an amended corrigendum or close the procedure.
5. Approved corrigenda shall be published in the same way as the text to which they refer. Rule 81 shall apply *mutatis mutandis*.

## ANNEX I

**CODE OF CONDUCT FOR MEMBERS OF THE EUROPEAN PARLIAMENT  
REGARDING INTEGRITY AND TRANSPARENCY****Article 1****Guiding principles**

In exercising their duties, Members of the European Parliament:

- (a) are guided by and observe the following general principles of conduct: disinterest, integrity, openness, diligence, honesty, accountability and respect for Parliament's dignity and reputation,
- (b) act solely in the public interest and refrain from obtaining or seeking to obtain any direct or indirect benefit or other reward.

**Article 2****Main duties of Members**

In exercising their duties, Members of the European Parliament shall:

- (a) not enter into any agreement to act or vote in the interest of any other legal or natural person that would compromise their voting freedom, as enshrined in Article 6 of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage and Article 2 of the Statute for Members of the European Parliament,
- (b) not solicit, accept or receive any direct or indirect benefit or other reward, including in cash or in kind, in exchange for specific behaviour in the scope of the Member's parliamentary work, and shall consciously seek to avoid any situation which might imply bribery, corruption, or undue influence,
- (c) not engage in paid lobbying activities directly linked to the Union decision-making process.

**Article 3****Conflicts of interest**

1. A conflict of interest exists where the exercise of the mandate of a Member of the European Parliament in the public interest may be improperly influenced for reasons involving his or her family, emotional life or economic interest, or any other direct or indirect private interest.

A conflict of interest does not exist where a Member benefits only as a member of the general public or of a broad class of persons.

2. Members shall make every reasonable effort to detect conflicts of interest.

A Member who becomes aware of having a conflict of interest shall immediately endeavour to

## ANNEX I

resolve it. If unable to resolve it, the Member shall make sure that the private interest concerned is declared in accordance with Article 4.

3. Without prejudice to paragraph 2, Members shall disclose, before speaking or voting in plenary or in one of Parliament's bodies, any conflict of interest in relation to the matter under consideration, where such conflict is not evident from the information declared pursuant to Article 4. Such disclosure shall be made orally by intervening in the sitting or meeting concerned.

4. Before taking up the office of Vice-President, Quaestor, Chair or Vice-Chair of a committee or delegation, the Member shall submit a declaration indicating whether or not he or she is aware of having a conflict of interest in relation to the responsibilities of that office.

If the Member is aware of having such a conflict of interest, he or she shall describe the conflict in that declaration. In that case, he or she may only take up the office if the respective body decides that the conflict of interest does not prevent the Member from exercising his or her mandate in the public interest.

When such a conflict of interest arises during the exercise of the office in question, the Member shall submit a declaration describing that conflict and shall refrain from exercising the responsibilities with regard to this situation of conflict, unless the respective body decides that the conflict of interest does not prevent the Member from exercising his or her mandate in the public interest.

5. A Member who is proposed as a rapporteur or shadow rapporteur or as a participant in an official delegation or in interinstitutional negotiations shall submit a declaration indicating whether or not he or she is aware of having a conflict of interest in relation to, respectively, the report or opinion or the delegation or negotiations in question. If the Member is aware of having such a conflict of interest, he or she shall describe the conflict in that declaration.

Where the Member who has been proposed as a rapporteur declares that he or she has a conflict of interest, the respective committee may decide by a majority of the votes cast that the Member may nevertheless be appointed as a rapporteur on the ground that the conflict does not prevent the Member from exercising his or her mandate in the public interest.

Where the Member who has been proposed as a shadow rapporteur or as a participant in an official delegation or in interinstitutional negotiations declares that he or she has a conflict of interest, the respective political group may decide that the Member may nevertheless be designated as a shadow rapporteur or as a participant in an official delegation or in interinstitutional negotiations on the ground that the conflict does not prevent the Member from exercising his or her mandate in the public interest. The respective body may, however, oppose this designation by a majority of two thirds of the votes cast.

6. The Bureau shall draw up the form for the declarations mentioned in paragraphs 4 and 5 of this Article, pursuant to Article 12. Such declarations shall be published on Members' online page on Parliament's website.

### Article 4

#### Declaration of private interests

1. For reasons of transparency and accountability, Members of the European Parliament shall submit a declaration of private interests to the President by the end of the first part-session after elections to the European Parliament (or within 30 calendar days of taking up office with the

Parliament in the course of a parliamentary term), in accordance with a form drawn up by the Bureau pursuant to Article 12. They shall notify the President of any changes that have an influence on their declaration by the end of the month following each change occurring.

2. The declaration of private interests shall contain the following information, which shall be provided in a detailed and precise manner:

- (a) the Member's occupation or occupations during the three-year period before taking up office with the Parliament, and membership during that period of any boards or committees of companies, non-governmental organisations, associations or other bodies established in law,
- (b) any remunerated activity undertaken alongside the exercise of the Member's office, including the name of the entity as well as the field and the nature of the activity, where the total remuneration of all the Member's outside activities exceeds EUR 5 000 gross in a calendar year,
- (c) membership of any boards or committees of companies, non-governmental organisations, associations or other bodies established in law, or any other relevant outside activity that the Member undertakes,
- (d) any holding in any company or partnership, where there are potential public policy implications or where that holding gives the Member significant influence over the affairs of the body in question,
- (e) any support, whether financial or in terms of staff or material, additional to that provided by Parliament and granted to the Member in connection with his or her political activities by third parties, whose identity shall be disclosed,
- (f) any direct or indirect private interests within the meaning of Article 3(1) which might influence the performance of the Member's duties and which are not referred to in points (a) to (e).

3. For any item to be declared in accordance with paragraph 2, Members shall, where appropriate, indicate whether it generates income or other benefits or not.

If it generates income, Members shall indicate for each separate item the respective amount of that income and, where relevant, its periodicity. Other benefits shall be described in nature.

4. The information provided to the President in accordance with paragraphs 1, 2 and 3 shall be published on Parliament's website in an easily accessible manner.

5. Members may not be elected as office-holders of Parliament or of one of its bodies, be appointed as a rapporteur or be designated as a shadow rapporteur or participate in an official delegation or interinstitutional negotiations, if they have not submitted their declaration of private interests.

6. If the President receives information, which leads him or her to believe that the declaration of private interests of a Member is substantially incorrect or out of date, the President shall request clarification from the Member. In the absence of a satisfactory clarification, the President shall consult the Advisory Committee on the Conduct of Members, established under Article 10. If the Advisory Committee concludes that the declaration does not comply with this Code of Conduct, it shall recommend to the President that he or she request the Member to correct his or her declaration. If, taking into account that recommendation, the President concludes that the Member

## **ANNEX I**

has breached this Code of Conduct, he or she shall request the Member to correct the declaration within 15 calendar days. If the Member does not comply with this correction request, the President shall adopt a reasoned decision in accordance with Article 11(3). The internal appeal procedures defined in Rule 184 of the Rules of Procedure shall be available to the Member concerned.

### **Article 5**

#### **Declaration of assets**

Members shall declare their assets and liabilities at the beginning and end of every term of office. The Bureau shall lay down the list of categories of assets and liabilities to be declared and shall draw up the form for the declaration. Such declarations shall be submitted to the President and shall be accessible only to the relevant authorities, without prejudice to national law.

### **Article 6**

#### **Gifts or similar benefits**

1. Members of the European Parliament shall refrain from accepting, in their capacity as Members, any gifts or similar benefits, other than those with an approximate value of less than EUR 150 given in accordance with courtesy usage or those given to them in accordance with courtesy usage when they are representing Parliament in an official capacity.

2. Any gifts with an approximate value of more than EUR 150 presented to a Member in accordance with paragraph 1 when he or she is representing Parliament in an official capacity shall be handed over to the President and dealt with in accordance with implementing measures to be laid down by the Bureau pursuant to Article 12.

3. The provisions of paragraphs 1 and 2 shall not apply to the reimbursement of travel, accommodation and subsistence expenses of Members, or to the direct payment of such expenses by third parties, in full or in part, when Members attend, pursuant to an invitation and in the performance of their duties, any events organised by third parties. Members shall declare to the President their attendance at such events and the required information in accordance with implementing measures laid down by the Bureau pursuant to Article 12.

### **Article 7**

#### **Publication of meetings**

1. Members should only meet interest representatives that are entered in the transparency register established by means of the Interinstitutional Agreement on a mandatory transparency register<sup>58</sup>.

2. Members shall publish online all scheduled meetings relating to parliamentary business:

- (a) with interest representatives falling within the scope of the Interinstitutional Agreement on a mandatory transparency register; or
- (b) with representatives of public authorities of third countries, including their

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<sup>58</sup> Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register (OJ L 207, 11.6.2021, p. 1, ELI: [http://data.europa.eu/eli/agree\\_interinstit/2021/611/oj](http://data.europa.eu/eli/agree_interinstit/2021/611/oj)).



diplomatic missions and embassies.

3. The obligation laid down in paragraph 2 shall apply to meetings attended by the Member or by the Member's parliamentary assistants on his or her behalf.
4. By way of derogation from paragraph 2, Members shall not publish a meeting the disclosure of which would endanger the life, physical integrity or liberty of an individual or may decide not to publish a meeting where there are other compelling reasons for maintaining confidentiality. Such meetings shall instead be declared to the President, who shall keep this declaration confidential or shall decide on an anonymised or delayed publication. The Bureau shall lay down the conditions under which the President may disclose such a declaration.
5. The Bureau shall provide for the necessary infrastructure on Parliament's website.
6. Article 4(6) shall apply *mutatis mutandis*.

## **Article 8**

### **Declaration of input**

Without prejudice to the requirement to publish meetings pursuant to Article 7, rapporteurs shall list the entities or persons from whom they received input on matters pertaining to the subject of the file in an annex to their report or opinion. Article 7(4) shall apply *mutatis mutandis*.

## **Article 9**

### **Activities of former Members**

Former Members of the European Parliament who engage in professional lobbying or representational activities directly linked to the European Union decision-making process should inform the European Parliament thereof and may not, throughout the period in which they engage in those activities, benefit from the facilities granted to former Members under the rules laid down by the Bureau to that effect<sup>59</sup>.

Members shall not engage with former Members whose mandate ended less than six months earlier and who fall under the categories of persons mentioned in Article 7(2) in any activity which could allow the former Members to influence the formulation or implementation of policy or legislation, or the decision-making processes of Parliament.

## **Article 10**

### **Advisory Committee on the Conduct of Members**

1. An Advisory Committee on the Conduct of Members ('the Advisory Committee') is hereby established.
2. The Advisory Committee shall be composed of eight current Members of the European Parliament, appointed by the President at the beginning of his or her term of office, taking due account of the Members' experience and of political and gender balance.

The office of chair shall rotate every six months among the members of the Advisory Committee.

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<sup>59</sup> Bureau Decision of 17 April 2023 on former Members of the European Parliament.

## ANNEX I

3. The President shall also, at the beginning of his or her term of office, appoint reserve members for the Advisory Committee, one for each political group not represented in the Advisory Committee.

In the event of an alleged breach of this Code of Conduct by a member of a political group not represented in the Advisory Committee or in the event of a request pursuant to paragraph 5 concerning such a member, the relevant reserve member shall serve as a ninth full member of the Advisory Committee.

4. In the event of an alleged breach of this Code of Conduct by a permanent member or by a reserve member of the Advisory Committee, the permanent member or reserve member concerned shall not take part in the proceedings of the Advisory Committee on that alleged breach.

5. At the request of a Member, the Advisory Committee shall give him or her guidance, in confidence and within 30 calendar days, on the interpretation and implementation of the provisions of this Code of Conduct, in particular with regard to conflicts of interest. The Member in question shall be entitled to rely on such guidance.

At the request of the President, the Advisory Committee shall also assess alleged breaches of this Code of Conduct and advise the President on possible action to be taken.

The Advisory Committee shall proactively monitor compliance by Members with this Code of Conduct and its implementing measures. It shall signal to the President any possible breaches of those provisions.

Alleged breaches of this Code of Conduct may be signalled directly to the Advisory Committee, which may assess them and advise the President on possible action to be taken. The Bureau may adopt rules on the procedure for the signalling of alleged breaches.

6. The Advisory Committee may seek advice from outside experts, in full confidentiality.

7. The Advisory Committee shall publish an annual report of its work and raise Members' awareness of this Code of Conduct and its implementing measures on a regular basis.

### **Article 11**

#### **Procedure in the event of alleged breaches of this Code of Conduct**

1. Where there is reason to believe that a Member of the European Parliament may have breached this Code of Conduct, the President shall refer the matter to the Advisory Committee.

2. The Advisory Committee shall examine the circumstances of the alleged breach, and may hear the Member concerned. Based on its findings, it shall make a recommendation to the President comprising, where appropriate, a penalty, which may consist of one or more of the measures listed in Rule 183(5), (6) and (7) of the Rules of Procedure.

3. If, taking into account that recommendation, and having invited the Member concerned to submit written observations, the President concludes that the Member concerned has breached this Code of Conduct, he or she shall adopt a reasoned decision imposing a penalty. The President shall notify that Member of the reasoned decision.

The penalty may consist of one or more of the measures listed in Rule 183(5), (6) and (7) of the Rules of Procedure.

4. The internal appeal procedures defined in Rule 184 of the Rules of Procedure shall be available to the Member concerned.

5. The President shall also refer to the Advisory Committee systematic, severe or repetitive failures to comply with disclosure obligations laid down in this Code of Conduct.

## **Article 12**

### **Implementation**

The Bureau shall lay down implementing measures for this Code of Conduct, including a compliance monitoring procedure and training for Members.

The Bureau may bring forward proposals for the revision of this Code of Conduct.

## ANNEX II

### ANNEX II

#### CODE OF APPROPRIATE BEHAVIOUR FOR MEMBERS OF THE EUROPEAN PARLIAMENT IN EXERCISING THEIR DUTIES

1. In exercising their duties, Members of the European Parliament will behave towards everyone working in the European Parliament with dignity, courtesy and respect and without prejudice or discrimination.
2. In exercising their duties, Members will behave in a professional manner and must refrain, in their relations with staff, from, in particular, degrading, insulting, offensive or discriminatory language or any other actions which are unethical, demeaning or unlawful.
3. Members may not, by their actions, incite or encourage staff to violate, circumvent or ignore the legislation in force, Parliament's internal rules or this Code, or tolerate such behaviour by staff under their responsibility.
4. With the aim of ensuring that the European Parliament functions effectively, Members will seek to ensure, exercising appropriate discretion, that any disagreements or conflicts involving staff under their responsibility are handled promptly, fairly and effectively.
5. Where necessary, Members will cooperate fully, in accordance with the procedures laid down by the Bureau, with a view to managing situations of conflict or harassment (psychological or sexual), including by responding promptly to any allegations of harassment.

Members who have not already done so shall take part in specialised training organised for them by Parliament on preventing conflict and harassment in the workplace and on good office management. That training shall be completed within the first six months of the Member's term of office save in duly substantiated exceptional cases. The Members' certificates of completion of that training will be published on Parliament's website.

6. Members will sign a declaration confirming their commitment to complying with this Code. All declarations, whether signed or not, will be published on Parliament's website.
7. Members who have not signed the declaration relating to this Code may not be elected as office-holders of Parliament or of one of its bodies, be appointed as a rapporteur or participate in an official delegation or interinstitutional negotiations.

## ANNEX III

## CRITERIA FOR QUESTIONS FOR WRITTEN ANSWER UNDER RULES 144, 146 AND 147

1. Questions for written answer shall:
  - clearly specify the addressee to whom they are to be transmitted through the usual interinstitutional channels;
  - fall exclusively within the limits of the competences of the addressee, as laid down in the relevant Treaties or in legal acts of the Union, or within its sphere of activity;
  - be of general interest;
  - be concise and contain an understandable interrogation;
  - not exceed 200 words;
  - not contain offensive language;
  - not relate to strictly personal matters;
  - not contain more than three sub-questions.
2. Questions to the Council may not deal with the subject of an ongoing ordinary legislative procedure or with Council's budgetary functions.
3. Upon request, the Secretariat shall provide authors with advice on how to comply in an individual case with the criteria laid down in paragraph 1.
4. If an identical or similar question has been put and answered during the preceding six months, or to the extent that a question merely seeks information on the follow-up to a specific resolution of Parliament of a kind which the Commission has already provided in a written follow-up communication during the preceding six months, the Secretariat shall transmit to the author a copy of the previous question and answer or follow-up communication. The renewed question shall not be forwarded to the addressee unless the President so decides in the light of significant new developments and in response to a reasoned request by the author.
5. If a question seeks factual or statistical information that is already available to Parliament's research services, it shall not be forwarded to the addressee but rather to those services, unless the President decides otherwise upon request by the author.
6. Questions concerning related matters may be merged into a single question by the Secretariat and answered together.

## **ANNEX IV**

### ANNEX IV

#### **GUIDELINES AND GENERAL PRINCIPLES TO BE FOLLOWED WHEN CHOOSING THE SUBJECTS TO BE INCLUDED ON THE AGENDA FOR THE DEBATE ON CASES OF BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW PROVIDED FOR UNDER RULE 150**

##### **Fundamental principles**

1. Priority shall be given to motions for resolutions intended to lead to a vote in Parliament addressed to 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 shall not exceed 500 words.
3. Subjects relating to the responsibilities of the European Union as laid down by the Treaties 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 should not exceed three, including sub-chapters.

##### **Practical details**

5. The fundamental principles applied in determining the choice of subjects to be included in the debate on cases of breaches of human rights, democracy and the rule of law 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 Chairs, shall reach agreement with the Council and the Commission on the limitation of the speaking time for their respective statements, if any, in the debate on cases of breaches of human rights, democracy and the rule of law.

##### **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 V

**PROCEDURE FOR THE CONSIDERATION AND ADOPTION OF DECISIONS  
ON THE GRANTING OF 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 287 of the Treaty on the Functioning of the European Union;
  - (d) the Council recommendation.
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****Consideration of report**

1. Parliament shall consider a report from the committee responsible concerning discharge by 15 May of the year following the adoption of the Court of Auditors' Annual Report as required by the Financial Regulation.
2. Parliament's Rules relating to amendments and voting shall apply unless otherwise provided in this Annex.

**Article 3****Content of the Report**

1. The discharge report drawn up by the committee responsible shall comprise:
  - (a) a proposal for a decision granting discharge or postponing the discharge decision (April part-session vote) or a proposal for a decision granting or refusing to grant discharge (October part-session vote);
  - (b) a proposal for a decision closing the accounts of all the Union's revenue, expenditure, assets and liabilities;
  - (c) a motion for a resolution containing comments accompanying the proposal for a

## ANNEX V

decision referred to in point (a) including both an assessment of the Commission's budgetary management over the financial year and observations relating to the implementation of expenditure for the future;

- (d) as an Annex, a list of the documents received from the Commission and those requested but not received;
- (e) the opinions of the committees concerned.

2. If the committee responsible proposes postponing the discharge decision, the relevant motion for a resolution shall also set out, *inter alia*:

- (a) the reasons for postponement;
- (b) the further action that the Commission is expected to take and the deadlines for doing so;
- (c) the documents required for Parliament to take an informed decision.

### Article 4

#### Consideration and vote in Parliament

1. Any report by the committee responsible concerning the discharge shall be included on the agenda of the first part-session following its tabling.

2. Amendments shall be admissible only to the motion for a resolution tabled in accordance with Article 3(1)(c).

3. Unless otherwise stipulated in Article 5, the vote on the proposals for decisions and the motion for a resolution shall follow the order of Article 3.

4. Parliament shall decide by a majority of the votes cast, in accordance with Article 231 of the Treaty on the Functioning of the European Union.

### Article 5

#### Procedural variants

1. April part-session vote

In the first instance, the discharge report shall propose either to grant or to postpone discharge.

(a) If a proposal to grant discharge secures a majority, discharge is granted. This shall also constitute closure of the accounts.

If a proposal to grant discharge fails to secure a majority, discharge shall be deemed to have been postponed and the committee responsible shall table a new report within six months containing a new proposal to grant or refuse to grant discharge.

(b) If a proposal to postpone discharge is adopted, the committee responsible shall table a new report within six months containing a new proposal to grant or refuse to grant discharge. In this case the closure of accounts shall also be postponed and retabled with the new report.

If a proposal to postpone discharge fails to secure a majority, discharge shall be deemed to have



been granted. In this instance the decision shall also constitute closure of the accounts. The motion for resolution may still be put to the vote.

## 2. October part-session vote

In the second instance, the discharge report shall propose either to grant or to refuse to grant discharge.

(a) If a proposal to grant discharge secures a majority, discharge is granted. This shall also constitute closure of the accounts.

If a proposal to grant discharge fails to secure a majority, this shall constitute refusal of discharge. A formal proposal to close the accounts for the year in question shall be submitted at a subsequent part-session at which the Commission shall be invited to make a statement.

(b) If a proposal to refuse discharge secures a majority, a formal proposal to close the accounts for the year in question shall be submitted at a subsequent part-session at which the Commission shall be invited to make a statement.

If a proposal to refuse discharge fails to secure a majority, discharge shall be deemed to have been granted. In this instance the decision shall also constitute closure of accounts. The motion for resolution may still be put to the vote.

3. In the event that the motion for resolution or the proposal on closure contains provisions which contradict Parliament's vote on the discharge, the President, after consulting the Chair of the committee responsible, may postpone that vote and fix a new deadline for tabling amendments.

## Article 6

### Implementation of discharge decisions

1. The President shall forward any decision or resolution of Parliament adopted pursuant to Article 3 to the Commission and to each of the other institutions and shall arrange for their publication in the *Official Journal of the European Union* 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 of the European Union against the institution concerned, pursuant to Article 265 of the Treaty on the Functioning of the European Union, for failure to comply with the obligations deriving from the comments accompanying the discharge decision or the other resolutions concerning implementation of expenditure.

## ANNEX VI

### ANNEX VI

#### POWERS AND RESPONSIBILITIES OF STANDING COMMITTEES<sup>60</sup>

##### **I. Committee on Foreign Affairs**

Committee responsible for the promotion, implementation and monitoring of the Union's foreign policy as regards:

1. the common foreign and security policy (CFSP);
2. relations with other Union institutions and bodies, the UNO and other international organisations and interparliamentary assemblies for matters falling under its responsibility;
3. oversight of the European External Action Service;
4. the strengthening of political relations with third countries by means of comprehensive cooperation and assistance programmes or international agreements such as association and partnership agreements;
5. the opening, monitoring and concluding of negotiations concerning the accession of European States to the Union;
6. all legislation, programming and scrutiny of actions carried out under the European Instrument for Democracy and Human Rights, the European Neighbourhood Instrument, the Instrument for Pre-Accession Assistance, the Instrument contributing to Stability and Peace and the Partnership Instrument for cooperation with third countries, and the policies underpinning them;
7. the monitoring and follow-up of, inter alia, the European Neighbourhood Policy (ENP), in particular with regard to ENP Annual Progress Reports;
8. issues concerning democracy, the rule of law, human rights, including the rights of minorities, in third countries and the principles of international law; in this context the committee is assisted by a subcommittee on human rights, which should ensure coherence between all the Union's external policies and its human rights policy; without prejudice to the relevant rules, members from other committees and bodies with responsibilities in this field shall be invited to attend the meetings of the subcommittee.
9. Parliament's involvement in election observation missions, where appropriate in cooperation with other relevant committees and delegations.

The committee provides political oversight to, and coordinates the work of, joint parliamentary committees and parliamentary cooperation committees as well as that of the interparliamentary delegations and ad hoc delegations falling within its remit.

##### **II. Committee on Security and Defence**

Committee responsible for the promotion, implementation and monitoring of the common security and defence policy (CSDP) and related defence-exclusive measures of the Union as envisaged in

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<sup>60</sup> Adopted by decision of Parliament of 15 January 2014.

Article 42(2) of the Treaty on European Union, including:

1. the developments threatening the territorial integrity of the Union and its Member States and the security of Union citizens;
2. the capabilities and assets for civilian and military CSDP missions outside the Union, complementary measures under the European Peace Facility (EPF) as well as other budget lines and financial instruments directly supporting or contributing to the CSDP framework;
3. the implementation and regular review of strategic defence decisions and policies;
4. the progressive framing of a common Union defence policy leading to a Common Defence Union and the alignment of CSDP instruments with other Union financial instruments, legislation and policies;
5. the capabilities to monitor and counter hybrid threats from outside the Union – including foreign information manipulation and interference (FIMI), cyber-defence, and related issues such as the protection of space assets, and the security of defence related critical infrastructure – within the limits of the CSDP and related defence-exclusive measures of the Union;
6. the defence capabilities, preparedness and resilience of the Union and its Member States, including defence-specific research, development and innovation, joint production and life-cycle management;
7. the measures, activities and instruments related to Union defence industrial integration and cooperation in pursuit of a single market for defence;
8. the military mobility infrastructure relevant to the defence readiness of the Union and its Member States and the capacities to protect that infrastructure from foreign threats, except in relation to TEN-T-related projects and dual-use transport infrastructure, where, when appropriate, advice shall be provided to the responsible Committee on Transport and Tourism;
9. the parliamentary oversight of defence-specific institutional Union structures and agencies, in particular:
  - the Directorate-General of the EU Military Staff,
  - the European Security and Defence College,
  - the European Defence Agency (EDA),
  - the Permanent Structured Cooperation (PESCO),
  - the EU Satellite Centre within the limits of the CSDP and in establishing the European Defence Union, and
  - the European External Action Service CSDP structure;
10. initiatives, programmes and policies insofar as they aim to strengthen the European defence technological and industrial base and consolidate defence industrial cooperation aimed for exclusively military use by Member States and relevant Union capacities;

## ANNEX VI

11. defence-specific international agreements, depending on their content and scope, on security and defence, the external dimension of counter-terrorism, cyber defence, arms exports and control, disarmament and non-proliferation;
12. relations with the Union's security and defence partners, including NATO, the UN Department of Peace Operations, the Organization for Security and Co-operation in Europe (OSCE), and other international organisations, and with inter-parliamentary bodies for matters falling under the responsibility of the Committee on Security and Defence;
13. political oversight and coordination with the work of the delegation for relations with the NATO Parliamentary Assembly and the possible future delegations with competences in the field of security and defence;
14. multilateral frameworks for security, arms exports and control and non-proliferation issues, the external dimension of counter-terrorism, good practices to improve the effectiveness of security and defence, and the Union legal and institutional developments in those fields within the limits of the CSDP and related defence-exclusive measures of the Union;
15. joint consultations, meetings and conferences on a regular basis to exchange information with the Council, the European External Action Service, and the Commission within the remit of the competences of the Committee on Security and Defence.

### III. Committee on Development

Committee responsible for:

1. the promotion, implementation and monitoring of the development and cooperation policy of the Union, notably:
  - (a) political dialogue with developing countries, bilaterally and in the relevant international organisations and interparliamentary fora,
  - (b) aid to, and cooperation agreements with, developing countries, notably oversight of effective aid funding and evaluation of output, including in relation to poverty eradication,
  - (c) monitoring of the relationship between the policies of the Member States and those implemented at Union level,
  - (d) promotion of democratic values, good governance and human rights in developing countries,
  - (e) the implementation, monitoring and advancement of policy coherence with regard to development policy;
2. all legislation, programming and scrutiny of actions carried out under the Development Cooperation Instrument (DCI), the European Development Fund (EDF) – in close cooperation with national parliaments – and the Humanitarian Aid Instrument, as well as all matters related to humanitarian aid in developing countries and the policy underpinning them;

3. matters relating to the ACP-EU Partnership Agreement and relations with the relevant bodies;
4. matters relating to Overseas Countries and Territories (OCTs);
5. Parliament's involvement in election observation missions, when appropriate in cooperation with other relevant committees and delegations.

The committee coordinates the work of the interparliamentary delegations and ad hoc delegations falling within its remit.

#### **IV. Committee on International Trade**

Committee responsible for matters relating to the establishment, implementation and monitoring of the Union's common commercial policy and its external economic relations, in particular:

1. financial, economic and trade relations with third countries and regional organisations;
2. the common external tariff and trade facilitation as well as the external aspects of customs provisions and management;
3. the opening, monitoring, conclusion and follow-up of bilateral, multilateral and plurilateral trade agreements governing economic, trade and investment relations with third countries and regional organisations;
4. measures of technical harmonisation or standardisation in fields covered by instruments of international law;
5. relations with the relevant international organisations and international fora on trade-related matters, and with organisations promoting regional economic and commercial integration outside the Union;
6. relations with the WTO, including its parliamentary dimension.

The committee liaises with the relevant interparliamentary and ad hoc delegations for the economic and trade aspects of relations with third countries.

#### **V. Committee on Budgets**

Committee responsible for:

1. the multiannual financial framework of the Union's revenue and expenditure and the Union's system of own resources;
2. Parliament's budgetary prerogatives, namely the budget of the Union as well as the negotiation and implementation of interinstitutional agreements in this field;
3. Parliament's estimates according to the procedure defined in the Rules;
4. the budget of the decentralised bodies;
5. the financial activities of the European Investment Bank which are not part of European economic governance;
6. the budgetisation of the European Development Fund, without prejudice to the

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powers of the committee responsible for the ACP-EU Partnership Agreement;

7. financial implications and compatibility with the multiannual financial framework of all Union acts, without prejudice to the powers of the relevant committees;
8. keeping track of and assessing the implementation of the current budget notwithstanding Rule 100(1), transfers of appropriations, procedures relating to the establishment plans, administrative appropriations and opinions concerning buildings-related projects with significant financial implications;
9. the Financial Regulation, excluding matters relating to the implementation, management and control of the budget.

### **VI. Committee on Budgetary Control**

Committee responsible for:

1. the control of the implementation of the budget of the Union and of the European Development Fund, and the decisions on discharge to be taken by Parliament, including the internal discharge procedure and all other measures accompanying or implementing such decisions;
2. the closure, presenting and auditing of the accounts and balance sheets of the Union, its institutions and any bodies financed by it, including the establishment of appropriations to be carried over and the settling of balances;
3. the control of the financial activities of the European Investment Bank;
4. monitoring of the cost-effectiveness of the various forms of Union financing in the implementation of the Union's policies, involving, upon the Committee on Budgetary Control's request, the specialised committees and acting, upon the Committee on Budgetary Control's request, in cooperation with the specialised committees for the examination of special reports of the Court of Auditors;
5. relations with the European Anti-Fraud Office (OLAF), consideration of fraud and irregularities in the implementation of the budget of the Union, measures aimed at preventing and prosecuting such cases, the strict protection of the Union's financial interests and the relevant actions by the European Public Prosecutor in this field;
6. relations with the Court of Auditors, the appointment of its members and consideration of its reports;
7. the Financial Regulation as far as the implementation, management and control of the budget are concerned.

### **VII. Committee on Economic and Monetary Affairs**

Committee responsible for:

1. the economic and monetary policies of the Union, the functioning of Economic and Monetary Union and the European monetary and financial system (including relations with the relevant institutions or organisations);
2. the free movement of capital and payments (cross-border payments, single payment area, 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 Union's capital);
3. the international monetary and financial system (including relations with financial and monetary institutions and organisations);
  4. rules on competition and State or public aid;
  5. tax provisions;
  6. the regulation and supervision of financial services, institutions and markets including financial reporting, auditing, accounting rules, corporate governance and other company law matters specifically concerning financial services;
  7. the relevant financial activities of the European Investment Bank as part of European economic governance in the euro area.

The committee is assisted by a subcommittee on tax matters, for tax-related matters and particularly the fight against tax fraud, tax evasion and tax avoidance, as well as financial transparency for taxation purposes.

### **VIII. Committee on Employment and Social Affairs**

Committee responsible for:

1. employment policy and all aspects of social policy including working conditions, social security, social inclusion and social protection;
2. workers' rights;
3. health and safety measures at the workplace;
4. the European Social Fund;
5. vocational training policy, including professional qualifications;
6. the free movement of workers and pensioners;
7. social dialogue;
8. all forms of discrimination at the workplace and in the labour market except those based on sex;
9. relations with:
  - the European Centre for the Development of Vocational Training (Cedefop),
  - the European Foundation for the Improvement of Living and Working Conditions,
  - the European Training Foundation,
  - the European Agency for Safety and Health at Work;
 as well as relations with other relevant Union bodies and international organisations.

### **IX. Committee on the Environment, Climate and Food Safety**

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Committee responsible for:

1. environmental and climate policy and protection measures, in particular concerning:
  - (a) climate change, adaptation, resilience and preparedness,
  - (b) environmental policy for the protection of public health,
  - (c) air, soil and water pollution, waste management and recycling, noise levels and the protection of biodiversity,
  - (d) chemicals, dangerous substances and preparations, pesticides and maximum residue levels, and cosmetics,
  - (e) sustainable development,
  - (f) international and regional measures and agreements aimed at protecting the environment,
  - (g) restoration of environmental damage,
  - (h) civil protection,
  - (i) the European Environment Agency and the European Chemicals Agency;
2. food safety issues, including in particular:
  - (a) the labelling and safety of foodstuffs,
  - (b) veterinary legislation concerning protection against risks to human health; public health checks on foodstuffs and food production systems,
  - (c) the European Food Safety Authority and the Commission's Directorate for Health and Food Audits and Analysis.

### **X. Committee on Public Health**

Committee responsible for public health matters related to:

1. pharmaceuticals and medical devices;
2. programmes and specific actions in the field of public health;
3. health crisis preparedness and response;
4. mental health and patients' rights;
5. health aspects of bioterrorism;
6. the European Medicines Agency and the European Centre for Disease Prevention and Control;
7. relations with the World Health Organization concerning the above matters.

### **XI. Committee on Industry, Research and Energy**



Committee responsible for:

1. the Union's industrial policy and related measures, and the application of new technologies, including measures related to SMEs;
2. the Union's research and innovation policy, including science and technology as well as the dissemination and exploitation of research findings;
3. European space policy;
4. the activities of the Joint Research Centre, the European Research Council, the European Institute of Innovation and Technology and the Institute for Reference Materials and Measurements, as well as JET, ITER and other projects in the same area;
5. Union measures relating to energy policy in general and in the context of the establishment and functioning of the internal energy market, including measures relating to:
  - (a) the security of energy supply in the Union,
  - (b) the promotion of energy efficiency and energy saving and the development of new and renewable forms of energy,
  - (c) the promotion of interconnection of energy networks and energy efficiency including the establishment and development of trans-European networks in the energy infrastructure sector;
6. the Euratom Treaty and Euratom Supply Agency; nuclear safety, decommissioning and waste disposal in the nuclear sector;
7. the information society, information technology and communications networks and services, including technologies and security aspects and the establishment and development of trans-European networks in the telecommunication infrastructure sector as well as the activities of the European Union Agency for Network and Information Security (ENISA).

## **XII. Committee on the Internal Market and Consumer Protection**

Committee responsible for:

1. coordination at Union level of national legislation in the sphere of the internal market and for the customs union, in particular:
  - (a) the free movement of goods including the harmonisation of technical standards,
  - (b) the right of establishment,
  - (c) freedom to provide services except in the financial and postal sectors;
2. the functioning of the Single Market, including measures aimed at the identification and removal of potential obstacles to the implementation of the Single Market, including the Digital Single Market;
3. the promotion and protection of the economic interests of consumers, except for

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public health and food safety issues;

4. policy and legislation regarding the enforcement of Single Market rules and consumer rights.

### **XIII. Committee on Transport and Tourism**

Committee responsible for:

1. matters relating to the development of a common policy for rail, road, inland waterway, maritime and air transport, in particular:
  - (a) common rules applicable to transport within the European Union,
  - (b) the establishment and development of trans-European networks in the area of transport infrastructure,
  - (c) the provision of transport services and relations in the field of transport with third countries,
  - (d) transport safety,
  - (e) relations with international transport bodies and organisations;
  - (f) the European Maritime Safety Agency, the European Union Agency for Railways, the European Union Aviation Safety Agency and the SESAR Joint Undertaking;
2. postal services;
3. tourism.

### **XIV. Committee on Regional Development**

Committee responsible for:

1. the operation and development of the Union's regional development and cohesion policy, as established in the Treaties;
2. the European Regional Development Fund, the Cohesion Fund and the other instruments of the Union's regional policy;
3. assessment of the impact of other Union policies on economic and social cohesion;
4. coordination of the Union's structural instruments;
5. the urban dimension of the cohesion policy;
6. outermost regions and islands as well as trans-frontier and interregional cooperation;
7. relations with the Committee of the Regions, interregional cooperation organisations and local and regional authorities.

### **XV. Committee on Agriculture and Rural Development**

Committee responsible for:

1. the operation and development of the common agricultural policy;
2. rural development, including the activities of the relevant financial instruments;
3. legislation on:
  - (a) veterinary and plant-health matters and animal feeding stuffs provided such measures are not intended to protect against risks to human health,
  - (b) animal husbandry and welfare;
4. improvement of the quality of agricultural products;
5. supplies of agricultural raw materials;
6. the Community Plant Variety Office;
7. forestry and agroforestry.

#### **XVI. Committee on Fisheries**

Committee responsible for:

1. the operation and development of the common fisheries policy and its management;
2. the conservation of fishery resources, the management of fisheries and fleets exploiting such resources and marine and applied fisheries research;
3. the common organisation of the market in fishery and aquaculture products and the processing and marketing thereof;
4. structural policy in the fisheries and aquaculture sectors, including the financial instruments and funds for fisheries guidance to support these sectors;
5. the integrated maritime policy as regards fishing activities;
6. sustainable fisheries partnership agreements, regional fisheries organisations and the implementation of international obligations in the field of fisheries.

#### **XVII. Committee on Culture and Education**

Committee responsible for:

1. the cultural aspects of the European Union, and in particular:
  - (a) improving the knowledge and dissemination of culture,
  - (b) the protection and promotion of cultural and linguistic diversity,
  - (c) the conservation and safeguarding of cultural heritage, cultural exchanges and artistic creation;
2. the Union's education policy, including the European higher education area, the promotion of the system of European schools and lifelong learning;
3. audiovisual policy and the cultural and educational aspects of the information society;

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4. youth policy;
5. the development of a sports and leisure policy;
6. information and media policy;
7. cooperation with third countries in the areas of culture and education and relations with the relevant international organisations and institutions.

### **XVIII. Committee on Legal Affairs**

Committee responsible for:

1. the interpretation, application and monitoring of Union law and compliance of Union acts with primary law, notably the choice of legal bases and respect for the principles of subsidiarity and proportionality;
2. the interpretation and application of international law, in so far as the European Union is affected;
3. better law-making and the simplification of Union law;
4. the legal protection of Parliament's rights and prerogatives, including its involvement in actions before the Court of Justice of the European Union;
5. Union acts which affect the Member States' legal order, namely in the fields of:
  - (a) civil and commercial law,
  - (b) company law,
  - (c) intellectual property law,
  - (d) procedural law;
6. measures concerning judicial and administrative cooperation in civil matters;
7. environmental liability and sanctions against environmental crime;
8. ethical questions related to new technologies;
9. the Statute for Members and the Staff Regulations of the European Union;
10. privileges and immunities as well as verification of Members' credentials;
11. the organisation and statute of the Court of Justice of the European Union;
12. the European Union Intellectual Property Office.

### **XIX. Committee on Civil Liberties, Justice and Home Affairs**

Committee responsible for:

1. the protection within the territory of the Union of citizens' rights, human rights and fundamental rights, including the protection of minorities, as laid down in the Treaties and in the Charter of Fundamental Rights of the European Union;

2. the measures needed to combat all forms of discrimination other than those based on sex or those occurring at the workplace and in the labour market;
3. legislation in the areas of transparency and of the protection of natural persons with regard to the processing of personal data;
4. the establishment and development of an area of freedom, security and justice while respecting the principles of subsidiarity and proportionality, in particular:
  - (a) measures concerning the entry and movement of persons, asylum and migration,
  - (b) measures concerning an integrated management of the common borders,
  - (c) measures relating to police and judicial cooperation in criminal matters, including terrorism, and substantive and procedural measures relating to the development of a more coherent Union approach to criminal law;
5. the European Union Drugs Agency and the European Union Agency for Fundamental Rights, Europol, Eurojust, Cefpol, the European Public Prosecutor's Office and other bodies and agencies in the same area;
6. the determination of a clear risk of a serious breach by a Member State of the principles common to the Member States.

## **XX. Committee on Constitutional Affairs**

Committee responsible for:

1. the institutional aspects of the European integration process, in particular the preparation, initiation and proceedings of ordinary and simplified Treaty revision procedures;
2. the implementation of the Treaties and the assessment of their operation;
3. the institutional consequences of enlargement negotiations of or withdrawal from the Union;
4. interinstitutional relations, including, with a view to their approval by Parliament, examination of interinstitutional agreements pursuant to Rule 154(2) of the Rules of Procedure;
5. uniform electoral procedure;
6. political parties and political foundations at European level, without prejudice to the competences of the Bureau;
7. the determination of the existence of a serious and persistent breach by a Member State of the principles common to the Member States;
8. the interpretation and application of the Rules of Procedure and proposals for amendments thereto.

## **XXI. Committee on Women's Rights and Gender Equality**

Committee responsible for:

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1. the definition, promotion and protection of women's rights in the Union and related Union measures;
2. the promotion of women's rights in third countries;
3. equal opportunities policy, including the promotion of equality between men and women with regard to labour market opportunities and treatment at work;
4. the removal of all forms of violence and discrimination based on sex;
5. the implementation and further development of gender mainstreaming in all policy sectors;
6. the follow-up and implementation of international agreements and conventions involving the rights of women;
7. the encouragement of awareness of women's rights.

### **XXII. Committee on Petitions**

Committee responsible for:

1. petitions;
2. the organisation of public hearings on citizens' initiatives pursuant to Rule 228;
3. relations with the European Ombudsman.

## ANNEX VII

APPROVAL OF THE COMMISSION AND MONITORING OF  
COMMITMENTS MADE DURING THE CONFIRMATION HEARINGS

## Part I – Parliament's consent with regard to the entire College of the Commission

**Article 1****Structure and organisation of portfolios of the Commission**

Pursuant to Rule 129, before the confirmation hearings, the President shall invite the President-elect of the Commission to inform the Conference of Presidents about the following:

- the planned structure of the new Commission, including the proposed titles of individual portfolios and their possible grouping;
- the allocation of responsibilities (portfolios) in the proposed new College of Commissioners in accordance with the political guidelines of the President-elect; and
- other horizontal questions, including gender balance in that College.

**Article 2****Basis for assessment**

1. Parliament shall evaluate Commissioners-designate based on their general competence, European commitment and personal independence. It shall assess knowledge of their prospective portfolio and their communication skills.
2. Parliament shall have particular regard to gender balance. It may express itself on the allocation of portfolio responsibilities by the President-elect.
3. Parliament may seek any information relevant to its reaching a decision on the aptitude of the Commissioners-designate. Parliament expects Commissioners-designate to make full disclosure of information relating to their financial interests. The declarations of interest of the Commissioners-designate shall be sent for scrutiny to the committee responsible for legal affairs.

**Article 3****Scrutiny of declaration of interests**

1. The committee responsible for legal affairs shall scrutinise the declarations of interests and assess whether the content of the declaration made by a commissioner-designate is accurate and complete and whether it is possible to infer a conflict of interests.
2. The confirmation by the committee responsible for legal affairs of the absence of any conflict of interests is an essential precondition for the holding of the confirmation hearing by the committee responsible for the subject matter. In the absence of such confirmation, the procedure for appointing the Commissioner-designate shall be suspended while the procedure laid down in paragraph 3(c) is followed.
3. The following guidelines shall be applied when the declarations of interests are scrutinised

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by the committee responsible for legal affairs:

- (a) if, when scrutinising a declaration of interests, the committee responsible for legal affairs considers, on the basis of the documents presented, that the declaration is accurate and complete and contains nothing indicating an actual or potential conflict of interests in connection with the portfolio of the Commissioner-designate, its Chair shall send a letter confirming this finding to the committees responsible for the confirmation hearing or to the committees involved in the event of a procedure taking place during a Commissioner's term of office; if the committee responsible for legal affairs finds in the declaration of interests of the Commissioner-designate elements, other than those related to financial interests, which should be considered in the overall evaluation of the Commissioner-designate, it shall immediately inform all the committees involved in the confirmation hearing;
- (b) if the committee responsible for legal affairs considers that the declaration of interests of a Commissioner-designate contains information related to financial interests, which is incomplete or contradictory, or that there is a need for further information regarding financial interests, it shall, pursuant to the Framework Agreement on relations between the European Parliament and the European Commission, request the Commissioner-designate to provide supplementary information without undue delay and shall consider and properly analyse it before making its decision; the committee responsible for legal affairs may decide, where appropriate, to invite the Commissioner-designate to a discussion;
- (c) if the committee responsible for legal affairs identifies a conflict of interests related to financial interests based on the declaration of interests or the supplementary information supplied by the Commissioner-designate, it shall draw up recommendations that aim to resolve the conflict of interests; the recommendations may include renouncing the financial interests in question or changes to the portfolio of the Commissioner-designate by the President of the Commission; in more serious cases, if no solution is found to the conflict of interests related to financial interests, and as a last resort, the committee responsible for legal affairs may conclude that the Commissioner-designate is unable to exercise his or her functions in accordance with the Treaties and the Code of Conduct; the President of Parliament shall then ask the President of the Commission what further steps the latter intends to take.

### Article 4

#### Confirmation hearings

1. Each Commissioner-designate shall be invited to appear before the appropriate committee or committees for a single confirmation hearing.
2. The confirmation hearings shall be organised by the Conference of Presidents based on a recommendation of the Conference of Committee Chairs, which shall specify the proposed allocation of responsibilities among committees as well as the proposed length of each individual confirmation hearing. The Chair and coordinators of each committee shall be responsible for the detailed arrangements.
3. Appropriate arrangements shall be made to allocate the responsibilities for a confirmation



hearing to committees. There are two options:

- (a) if the portfolio of the Commissioner-designate falls within the responsibility of a single committee or of several committees but with the competence of one committee prevailing, the Commissioner-designate shall be heard by that committee alone (the committee responsible); other committees may be invited to participate in the confirmation hearing if the portfolio falls to a substantial extent within their responsibility;
- (b) if significant parts of the portfolio of the Commissioner-designate fall within the responsibility of two or more committees without the competence of any of them prevailing, the Commissioner-designate shall be heard jointly by those committees; other committees may be invited to participate in the confirmation hearing if the portfolio falls to a substantial extent within their responsibility.

4. The President-elect of the Commission shall be fully consulted on the arrangements.

5. The committees shall submit written questions to the Commissioners-designate in good time before the confirmation hearings. For each Commissioner-designate there shall be two common questions drafted by the Conference of Committee Chairs, the first of which shall relate to the issues of general competence, European commitment and personal independence, and the second of which shall relate to the management of the portfolio and cooperation with Parliament. The committee responsible shall submit five other questions. In the case the Commissioner-designate is heard jointly by two or more committees, each of them shall have the right to submit three questions. Each invited committee shall have the right to submit one question. Sub-questions shall not be allowed.

The curriculum vitae of the Commissioners-designate and their response to the written questions shall be published on Parliament's website in advance of the confirmation hearing.

6. Confirmation hearings shall take place in circumstances, and under conditions, in which Commissioners-designate enjoy a fair opportunity to present themselves and their opinions. In principle, confirmation hearings shall be scheduled to last for three hours. However, in the case of Commissioners-designate with particularly large or complex portfolios involving more than one committee, the Conference of Committee Chairs may recommend that the confirmation hearing be scheduled to last for up to four hours. The recommended length of the confirmation hearing shall take due account of the number of invited committees in order to allow each of their Chairs to put one question.

7. Commissioners-designate shall be invited to make an opening oral statement, which shall last no longer than 15 minutes. The bulk of the speaking time shall be allocated to political groups, *mutatis mutandis* in accordance with Rule 178. The speaking time allocated to a political group shall be treated as a block, subject to the need to maintain a single harmonised format for each individual confirmation hearing. It shall be up to the political group to distribute that time between its Members participating in the hearing. Speaking time allocated to non-attached Members shall not be treated as a block. The Commissioner-designate shall be given, on average, twice as much time for his or her reply as the time given for the question. The conduct of the confirmation hearings shall aim to develop a pluralistic political dialogue between the Commissioners-designate and the Members. Before the end of the confirmation hearing, the Commissioners-designate shall be given the opportunity to make a brief closing statement.

8. A live audio-visual transmission of the confirmation hearings shall be made available free of charge to the public. An indexed recording of the confirmation hearings shall be made available

## ANNEX VII

to the public within 24 hours.

### Article 5

#### Evaluation

1. The Chair and coordinators shall meet without delay after the confirmation hearing to evaluate the individual Commissioners-designate. Those meetings shall be held in camera. The Chairs of the invited committees shall be invited to participate in the evaluation meetings. The coordinators of the committee responsible shall be invited to state whether, in their respective opinions, the Commissioners-designate are qualified both to be members of the College and to carry out the particular duties they have been assigned. The Conference of Committee Chairs shall design a pro forma template to assist the evaluation.

2. In the case a Commissioner designate is heard jointly by two or more committees, the Chair and the coordinators of the committees concerned shall act jointly throughout the procedure, including by holding joint evaluation meetings.

3. There shall be a single evaluation letter for each Commissioner-designate. The opinions of the invited committees, adopted by coordinators representing a simple majority of committee members belonging to a political group, shall be annexed to the evaluation letter.

4. The following principles shall apply to the coordinators' evaluation:

- (a) If the coordinators unanimously approve the Commissioner-designate, the Chair shall submit a letter of approval on their behalf.
- (b) If the coordinators unanimously reject the Commissioner-designate, the Chair shall submit a letter of rejection on their behalf.
- (c) If coordinators representing a majority of at least two-thirds of the committee members belonging to a political group approve the Commissioner-designate, the Chair shall submit a letter on their behalf stating that a large majority approve the Commissioner-designate. Minority views shall be mentioned in that letter upon request.
- (d) If coordinators cannot reach a majority of at least two-thirds of the committee members belonging to a political group to approve the candidate, they may request:
  - additional information by means of further written questions, which shall not exceed the number of written questions initially submitted to the Commissioner-designate, or/and
  - a resumed confirmation hearing of one and a half hours subject to the approval of the Conference of Presidents.

For the purposes of the first subparagraph, first indent, sub-questions shall not be allowed and invited committees shall not have the right to submit additional written questions.

Only one set of additional written questions and one resumed confirmation hearing may be requested as part of the evaluation of a Commissioner-designate.

Additional written questions and the Commissioner's-designate replies shall be

published on Parliament's website.

- (e) If, further to the application of point (d), coordinators representing a majority of at least two-thirds of the committee members belonging to a political group approve the Commissioner-designate, the Chair shall submit a letter on their behalf stating that a large majority approve the Commissioner-designate. Minority views shall be mentioned in that letter upon request.
- (f) If, further to the application of point (d), there is still no majority of coordinators representing at least two-thirds of the committee members belonging to a political group to approve the Commissioner-designate, the Chair shall convene a committee meeting and put to vote the two questions mentioned in paragraph 1. The Chair shall submit a letter stating the committee's evaluation.

5. The committees' letters of evaluation shall be transmitted within 24 hours after the completion of the evaluation process. The letters shall be examined by the Conference of Committee Chairs and conveyed subsequently to the Conference of Presidents. Unless it decides to seek further information, the Conference of Presidents, following an exchange of views, shall declare the confirmation hearings closed and authorise the publication of all letters of evaluation.

## **Article 6**

### **Presentation of the college**

1. The President-elect of the Commission shall be invited to present the whole College of Commissioners-designate and their programme at a sitting of Parliament which the President of the European Council and the President of the Council shall be invited to attend. The presentation shall be followed by a debate. In order to wind up the debate, a political group or Members reaching at least the low threshold may table a motion for resolution. Rule 136(3) to (8) shall apply.

2. Following the vote on the motion for resolution, Parliament shall vote on whether or not to give its consent to the appointment, as a body, of the President-elect and Commissioners-designate. Parliament shall decide by a majority of the votes cast, by roll call. It may defer the vote until the following sitting.

## **Article 7**

### **Monitoring of commitments made during the confirmation hearings**

The commitments made and priorities referred to by Commissioners-designate during the confirmation hearings shall be reviewed, throughout his or her mandate, by the committee responsible in the context of the annual structured dialogue with the Commission undertaken in accordance with paragraph 1 of Annex 4 to the Framework Agreement on relations between the European Parliament and the European Commission.

## **ANNEX VII**

### **Part II – Substantial portfolio change or change in the composition of the College of Commissioners during its term of office**

#### **Article 8**

##### **Vacancy**

When a vacancy caused by resignation, compulsory retirement or death is to be filled, Parliament, acting with dispatch, shall invite the Commissioner-designate to participate in a confirmation hearing under the same conditions as those laid down in Part I.

#### **Article 9**

##### **Accession of a new Member State**

In the event of the accession of a new Member State, Parliament shall invite the Commissioner-designate to participate in a confirmation hearing under the same conditions as those laid down in Part I.

#### **Article 10**

##### **Substantial portfolio change**

In the event of a substantial portfolio change during the Commission's term of office, the Commissioners affected shall be invited to participate in a confirmation hearing under the same conditions as those laid down in Part I before taking up their new responsibilities

#### **Article 11**

##### **Vote in plenary**

By way of derogation from the procedure laid down in Rule 129(7), when the vote in plenary concerns the appointment of a single Commissioner, the vote shall be by secret ballot.

## ANNEX VIII

## REQUIREMENTS FOR THE DRAFTING OF ACTS ADOPTED IN ACCORDANCE WITH THE ORDINARY LEGISLATIVE PROCEDURE

1. Acts shall indicate the type of the act followed by the reference number, the names of both institutions which adopted it, the date of their signature and an indication of their subject-matter.
2. Acts shall contain the following:
  - (a) "The European Parliament and the Council of the European Union";
  - (b) a reference to the provisions under which the act is adopted, preceded by the words "Having regard to";
  - (c) a citation containing a reference to proposals submitted, opinions obtained and consultations held;
  - (d) a statement of the reasons on which the act is based, introduced by the word "Whereas";
  - (e) a phrase such as "have adopted this Regulation" or "have adopted this Directive" or "have adopted this Decision", followed by the body of the act.
3. Acts shall be divided into articles, if appropriate grouped into parts, titles, chapters and sections.
4. The last article of an act shall specify the date of entry into force, where that date is before or after the twentieth day following publication.
5. The last article of an act shall be followed by:
  - the appropriate formulation, according to the relevant provisions of the Treaties, as to its applicability;
  - "Done at...", followed by the date on which the act was signed;
  - "For the European Parliament The President", "For the Council The President", followed by the name of the President of Parliament and of the President-in-Office of the Council at the time when the act was signed.