

EP Rules of Procedure, Rules 123 and 42: written declarations and legislative initiatives

2011/2058(REG) - 13/12/2012 - Text adopted by Parliament, single reading

The European Parliament adopted a decision on the amendment of Rule 123 on written declarations and Rule 42 on legislative initiatives of Parliament's Rules of Procedure.

Parliament recalls that written declarations have a very limited impact, in terms of both agenda-setting and influencing decisions taken by the institutions, and may give a misleading impression as to their effectiveness; when properly used, however, they still retain value as a popular campaigning tool. Moreover, for proposals calling for a legislative action, Rule 42(2) should be used, giving individual Members a real opportunity to influence Union legislation and to incorporate a given proposal into the work of Parliament's committees.

In light of these considerations, Parliament has decided to amend its Rules of Procedure as follows:

Rule 42 – paragraphs 2 and 3 (legislative initiatives):

- any Member may table a proposal for a Union act on the basis of the right of initiative granted to Parliament under Article 225 of the Treaty on the Functioning of the European Union. Such a proposal may be tabled together by up to 10 Members. The proposal shall indicate its legal basis 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. He may refer the proposal for an opinion on the appropriateness of the legal basis to the committee responsible for such verification . If the President declares the proposal admissible, he shall announce it in plenary and refer it to the committee responsible;
- where such a proposal is signed by a majority of Parliament's component members, the report on the proposal shall be deemed to be authorised by the Conference of Presidents. The committee shall draw up a report in accordance with Rule 48, after having heard the authors of the proposal;
- where a proposal is not opened for additional signatures or is not signed by a majority of Parliament's component Members the committee responsible shall take a decision on further action within three months of the referral, and after having heard the authors of the proposal.

Rule 123 (written declarations):

- **at least 10 Members** from at least three political groups may submit a written declaration of not more than 200 words relating exclusively to a matter falling within the competence of the European Union;
- the contents of such a declaration may not go beyond the form of a declaration. In particular, it **may not call for any legislative action**, contain any decision on matters for which specific procedures and competences are laid down in these Rules of Procedure or deal with the subject of ongoing proceedings in Parliament
- The authorisation to proceed further shall be subject to a reasoned decision by the President pursuant to paragraph 1 in any given case. Written declarations shall be published in the official languages on Parliament's website and distributed electronically to all Members. They shall be entered, with the names of the signatories, in an electronic register. This register shall be public and shall be accessible through Parliament's website.
- The signature of any Member may be added to a declaration entered in the electronic register. It may be withdrawn at any time before the end of a period of three months from the entry of the

declaration in the register. In the event of such a withdrawal the Member concerned shall not be permitted to add his or her signature again to the declaration.

Members take the view that the institutions to which a written declaration is addressed should **inform Parliament about the intended follow-up** within three months from receipt of such a declaration. Members intend, moreover, to seek an agreement with the Commission on this principle on the occasion of the next negotiations on the revision of the Framework Agreement on relations between the European Parliament and the Commission.

Lastly, the resolution notes that the quality and relevance of some written declarations, and in particular their concordance with the competences of the Union as set out in Title I of Part I of the Treaty on the Functioning of the European Union, can be underwhelming. In the next term, therefore, Parliament might assess the impact of the new provisions of its Rules of Procedure concerning written declarations and examine their effectiveness.