EP Rules of Procedure: general revision

2016/2114(REG) - 13/12/2016 - Text adopted by Parliament, single reading

The European Parliament adopted by 548 votes to 145 with 13 abstentions a decision on the general revision of Parliament's Rules of Procedure.

The amendments made to the Rules of Procedure have taken due account of the provisions of the Interinstitutional Agreement on Better Law-Making of 13 April 2016.

The revised Rules set out the following provisions:

Interinstitutional negotiations by Parliament:

Ahead of Parliament's first reading*:* where a committee has adopted a legislative report, it may decide, by a majority of its Members, to enter into negotiations on the basis of that report:

- decisions to enter into negotiations shall be announced **at the beginning of the part-session** following their adoption in committee. Political groups or individual Members who together constitute **at least one tenth of the Members of Parliament** may request in writing that a committee decision to enter into negotiations be put to the vote. Parliament shall vote on such requests during the same part-session;
- 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** , with a deadline for amendments.

Ahead of Council's first reading: the position adopted by Parliament at first reading will 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.

Ahead of Parliament's second reading: in order to prepare for negotiations, a committee may adopt guidelines for the negotiating team where the Council position contains elements not covered by the draft legislative act or by the Parliament's position at first reading.

Trilogues*:* after each meeting with the Council and Commission ('trilogue'), the Chair of the negotiating team and the Rapporteur, on behalf of the negotiating team, shall report back to the next meeting of the committee responsible. 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 and shall be published.**

Members' financial interests and standards of conduct: the amendments cover the following points:

- Members should adopt the systematic practice of only meeting interest representatives that have registered in the **Transparency Register** (Rule 11);
- they shall not resort to **defamatory, racist or xenophobic language** or behaviour in parliamentary debates, nor in that context shall they unfurl banners (Rule 11);
- penalties may, where appropriate, be **imposed upon the Member concerned** where a person employed by a Member, or another person for whom the Member has arranged access to Parliament's premises or equipment, fails to comply with the rules (Article 11);

- Members shall **not solicit, accept or receive any direct or indirect benefit or other reward, whether in cash or in kind,** in exchange for specific behaviour in the scope of Members' parliamentary work (Annex I, Article 2);
- Members shall not engage in **paid professional lobbying** directly linked to the Union decision-making process (Annexe I, Article 2);
- there is a **more detailed breakdown for Members' declaration of financial interests** (Annex I, Article 4); if the President believes that the declaration of financial interests of a Member is substantially incorrect, he may consult the advisory committee and where appropriate, shall request the Member to correct the declaration within 10 days;
- rapporteurs may voluntarily list in the explanatory statement to their report **outside interests who have been consulted** on matters pertaining to the subject of the report (Annex I, Article 4);
- **former Members** of the European Parliament who engage in professional lobbying shall inform the European Parliament thereof (Annex I, Article 6).

Application of the Interinstitutional Agreement on Better Law-Making: the revision of the Rules incorporates the amendments needed for the application of the agreement, and the following, in particular, should be noted:

- the President may negotiate an agreement on annual interinstitutional **programming** on the Commission Work Programme with the Commission and Council; before negotiations, 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 (Rule 37 1a);
- the committee responsible may **accelerate the legislative procedures** regarding specific proposals, selected in particular from among those identified as priorities in the annual interinstitutional programming (Rule 47a);
- the Commission shall be invited to **discuss the withdrawal of a proposal** with the competent committee of the European Parliament, and may be requested to make a statement in plenary (Rule 37 (4));
- the Commission shall be regularly monitored on whether it is complying with its obligation to **reply to requests for submission of proposals within three months** by adopting a specific communication stating the intended follow-up actions to be taken (Rule 46 6a);
- interinstitutional discussions shall take place where 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 (Rule 63).

Organisation of the plenary and measures to improve efficiency: the amendments relate to the following:

- establishment of clearer rules on **the order of voting**;
- amendments to **Question Time** (Rule 129) allowing Members to ask Commissioners one question and one supplementary question; the President shall ensure that Members holding different political views and from different Member States are given the opportunity to put a question in turn;
- organisation of one or two **debates on a topical matter** for not less than one hour each on an issue of major interest to European Union policy (Rule 153 a);
- each Member may submit a maximum of twenty **written questions** over a rolling period of three months (Rule 130);
- each Member may table no more than one **motion for a resolution** per month (Rule 133);
- each political group may table no more than one hundred requests for **roll call votes** per part-session (Rule 180);
- **written declarations** are abolished.

Thresholds (Rule 168a): the revised Rules contain three thresholds:

- **low threshold:** one-twentieth of Parliament's component Members or a political group;
- **medium threshold:** one-tenth of Parliament's component Members, made up of one or more political groups or individual Members, or a combination of the two;
- **high threshold:** one-fifth of Parliament's component Members made up of one or more political groups or individual Members, or a combination of the two.

Penalties (Rule 166):

- penalties for Members resorting to defamatory, racist or xenophobic language or behaviour in parliamentary debates, are strengthened;
- penalties for serious misbehaviour have been increased up to 30 days daily allowance, (doubled in case of repetition), and includes prohibition of the Member from representing the Parliament on an inter-parliamentary delegation, inter-parliamentary conference or any inter-institutional forum, for up to one year;
- once the penalty is final, it shall be published prominently on Parliament's website for the remainder of the parliamentary term .

Distribution of committee seats among political groups (Rule 199):

- Members will no longer be elected to committee seats by the Plenary. Instead, political groups will appoint Members, the number **depending on the seats to which they are entitled;**
- seats in committees to which a Member is appointed would stay with the group concerned if the Member leaves the group.

Parliament's request: Members indicated that the amendments to the Rules shall enter into force on the first day of the part-session following that of their adoption, with the exception of: (a) the amendments to Rule 212(1) and (2) on the composition of **interparliamentary delegations;** (b) amendments to Rule 199 on the **composition of committees**; (c) the deletion of Rule 200 on substitutes, which shall enter into force at the opening of the first part-session following the next elections to the European Parliament due to be held in 2019.

Parliament also asked for:

- **the deletion of Rule 106(4)** from the Rules of Procedure as soon as the regulatory procedure with scrutiny has been removed from any existing legislation;
- **the review, by the Conference of Presidents, of the Code of Conduct** for negotiating in the context of the ordinary legislative procedure in order to bring it in line with Rules adopted as a result of the Decision;
- **the review of Rule 168a concerning the new definitions of thresholds**, as well as the review, one year after the entry into force of that Rule, of the application of such thresholds to specific Rules.

Lastly, Members shall **adapt their declaration of financial interests** to reflect changes to Article 4 of Annex I to the Rules (Declaration of Members) at the latest six months after the date of entry into force of those changes.