

# **EP Rules of Procedure: amendments following the new statute of Members (Decision 2005/684/EC, Euratom)**

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The Committee on Constitutional Affairs adopted the report by Ingo **FRIEDRICH** (EPP-ED, DE) on the amendment of Parliament's Rules of Procedure in the light of the Statute for Members. The main amendments were as follows:

## **Rule 8 (Payment of expenses and allowances)**

The present wording is inconsistent with the legal situation that will be created when the Statute for Members enters into force in 2009. From that moment on, the **payment of expenses and allowances** to Members will be governed by the Statute and no longer by Parliament's Rules of Procedure. The committee therefore proposed a new title for this rule ("**Implementation of the Statute for Members**") and stated that, "unless otherwise stipulated", the rules governing implementation of the Statute for Members shall be laid down by the Bureau. The committee felt that it made sense that implementing decisions concerning such matters should continue to be taken by the Bureau. The proposed new wording of Rule 8 will grant the Bureau corresponding regulatory powers.

## **Rule 39 (Initiative pursuant to Article 192 of the EC Treaty)**

A second series of amendments concern the possibility offered to individual Members, as laid down by Article 5 of the new Statute, **to table proposals for Community acts in the context of Parliament's right of initiative**. Under Rule 39, Parliament may request the Commission to submit to it any appropriate proposal pursuant to Article 192, second paragraph, of the EC Treaty by adopting a resolution on the basis of an own-initiative report from the committee responsible. This procedure is initiated under Rule 45 (own-initiative reports). In its amendments to Rule 39, in order to reflect the new right conferred by Article 5 of the Statute, the committee added a new paragraph stipulating that "any Member may table a proposal for a Community act on the basis of the right of initiative granted to Parliament pursuant to Article 192 of the EC Treaty". However, the committee also felt it was appropriate that legislative proposals tabled by individual Members should be referred to the committee responsible for summary preliminary consideration, and it included provisions to this effect. In order not to place an excessive burden on translation resources, prior to referral the proposal shall be translated into those official languages which the chairman of the committee responsible regards as necessary to make summary consideration possible. The committee shall take a decision on further action within 3 months following the referral and after hearing the author of the proposal. Where the committee decides to submit the proposal to Parliament pursuant to the procedure under Rule 45, the author of the proposal shall be named in the title of the report.

## **Rule 45 (Own-initiative reports)**

The committee added a new paragraph to Rule 45 in which it stipulated that, where the subject of the report is a proposal tabled by an individual Member under Rule 39, "authorisation may be withheld only if the conditions set out in Article 5 of the Statute for Members of the European Parliament and Article 192 of the EC Treaty are not met".

## **Rule 150 (Tabling and moving amendments)**

This rule as it currently stands makes it possible for a vote to be taken in plenary on amendments which have not been translated, if fewer than 40 Members object. Although this reflects the practical arrangements currently in place which allow for derogations from the principle of full multilingualism in the event of unavoidable shortages of translators and interpreters, the committee was concerned that Members who use a particular language should not be placed at a disadvantage if such exceptional circumstances do not apply. It therefore added a new clause to Rule 150 stipulating that "Parliament shall avoid taking decisions which would lead to Members who use a given language being disadvantaged to an unacceptable degree".

### **Annex VII (Confidential and sensitive documents and information)**

The committee introduced a new section into Annex VII, entitled "**Personal conflicts of interest**". It proposed that a Member may be denied the right to inspect a Parliament document if the Bureau comes to the conclusion that such inspection would cause "unacceptable damage to Parliament's institutional interests or 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, which must include reasons, against such a decision within a month of its transmission. Parliament shall reach a decision on the appeal without debate during the part-session that follows its being lodged.