Basic information

2010/2291(ACI) ACI - Interinstitutional agreement procedure	Procedure completed
European Parliament/European Commission Agreement: transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation Amended by 2014/2010(ACI) **Subject** 8.40.01 European Parliament 8.40.03 European Commission 8.40.10 Interinstitutional relations, subsidiarity, proportionality, comitology 8.40.16 Relations with interest representatives	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFCO Constitutional Affairs	CASINI Carlo (PPE)	26/01/2011
	Shadow rapporteur GROOTE Matthias (S&D) HÄFNER Gerald (Verts /ALE) HANNAN Daniel (ECR) MESSERSCHMIDT Morten (EFD)	

Council of the European Union

European Commission

Commission DG	Commissioner
Human Resources and Security	ŠEFČOVIČ Maroš

Key events

Date	Event	Reference	Summary
20/01/2011	Committee referral announced in Parliament		
19/04/2011	Vote in committee		Summary
26/04/2011	Committee report tabled for plenary	A7-0174/2011	
10/05/2011	Debate in Parliament		

11/05/2011	Decision by Parliament	T7-0222/2011	Summary
11/05/2011	End of procedure in Parliament		
22/07/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/2291(ACI)
Procedure type	ACI - Interinstitutional agreement procedure
Procedure subtype	Interinstitutional agreement
Amendments and repeals	Amended by 2014/2010(ACI)
Legal basis	Rules of Procedure EP 154
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFCO/7/04697

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE458.636	02/03/2011	
Amendments tabled in committee		PE462.714	13/04/2011	
Committee report tabled for plenary, single reading		A7-0174/2011	26/04/2011	
Text adopted by Parliament, single reading		T7-0222/2011	11/05/2011	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Interinstitutional agreement 2011/0722(01)
OJ L 191 22.07.2011, p. 0029 Summary

European Parliament/European Commission Agreement: transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation

2010/2291(ACI) - 11/05/2011 - Text adopted by Parliament, single reading

The European Parliament approved the conclusion of the interinstitutional agreement between the European Parliament and the Commission on a common Transparency Register.

Members regards the agreement as an **important first step towards greater transparency** and intend to propose in due course that standards be raised so as to ensure the consistent integrity of the public administration of the Union and the strengthening of its institutional rules.

Parliament is of the opinion that the agreement will provide a strong incentive for registration since it will render it impossible for anyone to procure a badge giving access to Parliament without first registering. It repeats, however, the call for the **mandatory registration** of all lobbyists on the Transparency Register and calls for the necessary steps to be taken in the framework of the forthcoming review process in order to prepare for a transition to mandatory registration.

Parliament retains its unfettered right to decide who should be permitted to access its premises.

Members welcome, in particular, the following aspects contained in the agreement:

- the change of the name of the register to ‘the Transparency Register’;
- the scope of the register, which covers all the relevant actors except for, inter alia, the social partners as participants in the social dialogue, churches, political parties and local, regional and municipal authorities (including representations forming part of their administrations);
- the fact that the register introduces transparency for a wide range of actors in contact with the EU institutions, and in particular has separate sections covering representatives of special interests, civil society representatives and representatives of public authorities, thereby drawing a distinction between the differing roles played by lobbyists and those dealing with the EU institutions in an official capacity;
- the request for relevant financial information;
- binding measures in the event of failure to comply with the code of conduct annexed to the agreement.

The Bureau is requested to **devise a system** whereby all lobbyists who fall within the scope of the register and who have obtained a meeting with a relevant Member about a specific legislative dossier are recorded as having done so in the explanatory memorandum to the report or recommendation relating to the relevant draft legislative act.

Regretting that the Council has not yet become a party to the agreement, Members call on the Council to join the common register as soon as possible.

The register shall include the following:

a) a set of guidelines on: (i) the scope of the register, eligible activities and exemptions; (ii) sections open to registration (Annex 1); (iii) information required from registrants, including the financial disclosure requirements (Annex 2);

b) a code of conduct (Annex 3);

c) a complaint mechanism and measures to be applied in the event of non-compliance with the code of conduct, including the procedure for the investigation and treatment of complaints (Annex 4).

The scope of the register covers all activities carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions, irrespective of the channel or medium of communication used, for example outsourcing, media, contracts with professional intermediaries, think-tanks, platforms, forums, campaigns and grassroots initiatives. These activities include, inter alia, contacting Members, officials or other staff of the EU institutions, preparing, circulating and communicating letters, information material or discussion papers and position papers, and organising events, meetings or promotional activities and social events or conferences, invitations to which have been sent to Members, officials or other staff of the EU institutions.

Voluntary contributions and participation in formal consultations on envisaged EU legislative or other legal acts and other open consultations are also included.

The activities excluded from the scope of the register are as follows:

- activities concerning the provision of legal and other professional advice, in so far as they relate to the exercise of the fundamental right of a client to a fair trial, including the right of defence in administrative proceedings, such as carried out by lawyers or by any other professionals involved;
- activities of the social partners as participants in the social dialogue (trade unions, employers associations, etc.) when performing the role assigned to them in the Treaties. This applies mutatis mutandis to any entity specifically designated in the Treaties to play an institutional role;
- activities in response to direct and individual requests from EU institutions or Members of the European Parliament, such as ad hoc or regular requests for factual information, data or expertise and/or individualised invitations to attend public hearings or to participate in the workings of consultative committees or in any similar forums.

European Parliament/European Commission Agreement: transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation

2010/2291(ACI) - 23/06/2011 - Final act

PURPOSE: to reach an interinstitutional agreement on the establishment of a **common transparency register** for European lobbyists.

INTERINSTITUTIONAL AGREEMENT: agreement between the European Parliament and the European Commission on the establishment of a transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation.

CONTENT: this text seeks to establish a transparency register common to the three institutions for the registration and monitoring of organisations and self-employed individuals engaged in EU policy-making and policy implementation.

Principles of the register: the establishment and operation of the register shall respect the general principles of Union law, including the principles of proportionality and non-discrimination. The establishment and operation of the register shall respect the rights of Members of the European Parliament to exercise their parliamentary mandate without restriction, and shall not impede access for Members' constituents to the European Parliament's premises. The establishment and operation of the register shall not impinge on the competences or prerogatives of the parties hereto or affect their respective organisational powers. The parties hereto shall strive to treat all operators engaged in similar activities in a similar manner, and to allow for a level playing-field for the registration of lobbyists.

Structure of the register: guidelines are laid down in regard to i)the scope of the register, eligible activities and exemptions; ii) sections open to registration; iii) information required from registrants, including the financial disclosure requirements. The text also includes a specific code of conduct, as well as a complaint mechanism and measures to be applied in the event of non-compliance with the code of conduct.

Scope of the register: the scope of the register covers all activities carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions.

Excluded activities: the following activities are excluded from the scope of the register: i) activities concerning the provision of legal and other professional advice; ii) activities of the social partners as participants in the social dialogue (trade unions, employers associations, etc.) when performing the role assigned to them in the Treaties ; iii) activities in response to direct and individual requests from EU institutions or Members of the European Parliament, such as ad hoc or regular requests for factual information, data or expertise and/or individualised invitations to attend public hearings or to participate in the workings of consultative committees or in any similar forums.

Churches and religious communities, political parties, and regional, local and municipal authorities are not concerned by the register. However, networks, platforms or other forms of collective activity which have no legal status or legal personality but which constitute de facto a source of organised influence and which are engaged in activities falling within the scope of the register are expected to register.

Basic rules applicable to registrants: by registering, organisations and individuals concerned:

- agree that the information which they provide for inclusion in the register shall be public,
- agree to act in compliance with the code of conduct and, where relevant, to provide the text of any professional code of conduct by which they are bound,
- guarantee that the information provided for inclusion in the register is correct,
- accept that any complaint against them will be handled on the basis of the rules in the code of conduct underpinning the register,
- agree to be subject to any measures to be applied in the event of infringement of the code of conduct,
- note that the parties hereto may have to disclose correspondence and other documents concerning the activities of registrants.

Code of conduct: non-compliance with the code of conduct by registrants or by their representatives may lead, following an investigation paying due respect to the principle of proportionality and the right of defence, to the application of measures, such as suspension or removal from the register, and, if applicable, withdrawal of the badges affording access to the European Parliament issued to the persons concerned and, if appropriate, their organisations.

General provisions: technical implementation measures are provided for. The Secretaries-General of the European Parliament and the European Commission shall be responsible for supervision of the system and for all key operational aspects. The issue and control of badges affording long-term access to the European Parliament's buildings will remain a process operated by that institution. Such badges will only be issued to individuals representing, or working for, organisations falling within the scope of the register where those organisations or individuals have registered. However, registration shall not confer an automatic entitlement to such a badge.

The European Council and the Council are invited to join the register. Other EU institutions, bodies and agencies are encouraged to use this system themselves as a reference instrument for their own interaction with the organisations and self-employed individuals concerned.

Final provisions: the switchover from the existing registers of the parties hereto to the new common register will take place over a transition period of 12 months from the day of entry into operation of the common register.

Once the common register has entered into operation:

- registrants will be able to switch their existing registration to the common register,
- any new registration or update of existing data will only be possible through the common register.

The common register shall be subject to review no later than 2 years following its entry into operation.