Basic information

2020/2098(REG) REG - Parliament's Rules of Procedure	Procedure completed
Amendments to the Rules of Procedure in order to ensure the functioning of Parliament in extraordinary circumstances **Subject** 8.40.01.08 Business of Parliament, procedure, sittings, rules of procedure	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFCO Constitutional Affairs	BISCHOFF Gabriele (S&D)	08/06/2020
	Shadow rapporteur WIELAND Rainer (EPP) DURAND Pascal (Renew) DELBOS-CORFIELD Gwendoline (Greens/EFA) BOURGEOIS Geert (ECR) ANNEMANS Gerolf (ID) CASTALDO Fabio Massimo (NI) SCHOLZ Helmut (GUE/NGL)	

Key events

Date	Event	Reference	Summary
10/07/2020	Committee referral announced in Parliament		
12/10/2020	Vote in committee		
16/10/2020	Committee report tabled for plenary	A9-0194/2020	Summary
17/12/2020	Decision by Parliament	T9-0380/2020	Summary
17/12/2020	Results of vote in Parliament		
17/12/2020	End of procedure in Parliament		

Technical information

Procedure reference	2020/2098(REG)
Procedure type	REG - Parliament's Rules of Procedure
Procedure subtype	Rules
Legal basis	Rules of Procedure EP 243-p1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFCO/9/03319

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE654.009	10/07/2020	
Amendments tabled in committee		PE657.438	25/09/2020	
Committee report tabled for plenary, single reading		A9-0194/2020	16/10/2020	Summary
Text adopted by Parliament, single reading		T9-0380/2020	17/12/2020	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Amendments to the Rules of Procedure in order to ensure the functioning of Parliament in extraordinary circumstances

2020/2098(REG) - 16/10/2020 - Committee report tabled for plenary, single reading

The Constitutional Affairs Committee adopted a report by Gabriele BISCHOFF (S&D, DE) on amendments to the Rules of Procedure to ensure the functioning of Parliament in extraordinary circumstances.

Members stressed that the sanitary crisis caused by the COVID-19 pandemic has revealed the need to amend Parliament's Rules of Procedure to ensure the institution's functioning in different types of exceptional circumstances.

The report welcomed the importance of the temporary measures adopted during the current health crisis, considering that there were no alternatives to ensure the continuity of the Parliament's activities and enable it to exercise its legislative, budgetary and political control functions in accordance with the procedures laid down in the Treaties. These measures were fully justified and ensured the validity of all votes taken during their period of application.

In the light of these considerations, Members proposed that Parliament should amend its Rules of Procedure by introducing a new Title XIIIa entitled ‘Extraordinary circumstances’.

The proposed amendments relate to the following points:

Extraordinary measures (Rule 237a)

This Rule would apply to situations where the European Parliament, owing to exceptional and unforeseeable circumstances beyond its control, is prevented from carrying out its duties and exercising its prerogatives under the Treaties, and where a temporary derogation from the European Parliament's usual procedures is necessary in order to adopt extraordinary measures enabling it to continue to carry out those duties and to exercise those prerogatives.

Such exceptional circumstances would exist when the President concludes, on the basis of reliable evidence, that for reasons of security or safety or due to the unavailability of technical means, it is or will be impossible or dangerous for Parliament to convene in accordance with its usual procedures.

Disruption of the political balance in Parliament (Rule 237b)

The President could, with the approval of the Conference of Presidents, adopt the necessary measures to facilitate the participation of the Members or a political group concerned if he concludes, on the basis of reliable evidence, that the political balance of Parliament is seriously impaired because a significant number of Members or a political group cannot take part in Parliament's proceedings in accordance with its usual procedures, for reasons of security or safety, or as a result of the unavailability of technical means.

The sole aim of such measures should be to allow the remote participation of Members concerned by the application of selected technical means.

Remote participation regime (Rule 237c)

Where the President decides to apply the remote participation regime, Parliament could conduct its proceedings remotely inter alia by permitting all Members to exercise certain of their parliamentary rights by electronic means. This new Rule sets out the guarantees that the remote participation regime should provide in this case.

The President's decision would also determine how rights and practices which cannot be exercised appropriately without the Members' physical presence are to be adapted for the duration of the regime.

Regarding the rules on quorum and voting in the Chamber, Members participating remotely would be deemed to be physically present in the Chamber.

Holding of the plenary session in separate meeting rooms (Rule 237d)

This Rule sets out the rules applicable should the President decide to authorise the holding of a plenary session of Parliament in whole or in part in more than one meeting room, including, where appropriate, the hemicycle.

Amendments to the Rules of Procedure in order to ensure the functioning of Parliament in extraordinary circumstances

2020/2098(REG) - 17/12/2020 - Text adopted by Parliament, single reading

The European Parliament decided, by 598 votes to 58, with 33 abstentions, to amend its Rules of Procedure to ensure the functioning of Parliament in extraordinary circumstances.

The sanitary crisis caused by the COVID-19 pandemic has revealed the need to amend Parliament's Rules of Procedure to ensure the institution's functioning in different types of exceptional circumstances.

Members highlighted the importance of the temporary measures adopted during the current health crisis, considering that there were no alternatives to ensure the continuity of the Parliament's activities and enable it to exercise its legislative, budgetary and political control functions in accordance with the procedures laid down in the Treaties. These measures were fully justified and ensured the validity of all votes taken during their period of application.

Parliament recalled the importance of ensuring, to the best of its ability, reasonable accommodation for Members with disabilities and their staff when Parliament operates in extraordinary circumstances.

In the light of these considerations, Parliament decided to amend its Rules of Procedure by introducing a new Title XIIIa entitled 'Extraordinary circumstances'.

Extraordinary measures (Rule 237a)

This Rule should apply to situations where the European Parliament, owing to exceptional and unforeseeable circumstances beyond its control, is prevented from carrying out its duties and exercising its prerogatives under the Treaties, and where a temporary derogation from the European Parliament's usual procedures is necessary in order to adopt extraordinary measures enabling it to continue to carry out those duties and to exercise those prerogatives.

Such exceptional circumstances would exist when the President concludes, on the basis of reliable evidence, that for reasons of security or safety or due to the unavailability of technical means, it is or will be impossible or dangerous for Parliament to convene in accordance with its usual procedures.

The Rule lists the measures that the President may decide to apply, with the approval of the Conference of Presidents.

This Rule should be applied only as a last resort and only those measures which are strictly necessary to deal with the extraordinary circumstances under consideration should be applied.

Disruption of the political balance in Parliament (Rule 237b)

The President could, with the approval of the Conference of Presidents, adopt the necessary measures to facilitate the participation of the Members or a political group concerned if he concludes, on the basis of reliable evidence, that the political balance of Parliament is seriously impaired because a significant number of Members or a political group cannot take part in Parliament's proceedings in accordance with its usual procedures, for reasons of security or safety, or as a result of the unavailability of technical means.

The sole aim of such measures should be to allow the remote participation of Members concerned by the application of selected technical means.

Remote participation regime (Rule 237c)

Where the President decides to apply the remote participation regime, Parliament could conduct its proceedings remotely inter alia by permitting all Members to exercise certain of their parliamentary rights by electronic means. This new Rule sets out the guarantees that the remote participation regime should provide in this case.

The President's decision should also determine how rights and practices which cannot be exercised appropriately without the Members' physical presence are to be adapted for the duration of the regime.

Regarding the rules on quorum and voting in the Chamber, Members participating remotely would be deemed to be physically present in the Chamber.

Members who have not spoken in a debate may, once per sitting, hand in a written statement, which should be appended to the verbatim report of the debate.

Holding of the plenary session in separate meeting rooms (Rule 237d)

This Rule sets out the rules applicable should the President decide to authorise the holding of a plenary session of Parliament in whole or in part in more than one meeting room, including, where appropriate, the hemicycle.

Entry into force and application

Parliament decided that these changes should enter into force on 1 January 2021, but that they would only apply from 18 January 2021, i.e. at the opening of the first ordinary part-session of 2021.