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Report

drawn up on behalf of the Committee on the Rules of Procedure and Petitions

on problems raised by the setting up of sub-committees (Rule 39(2))

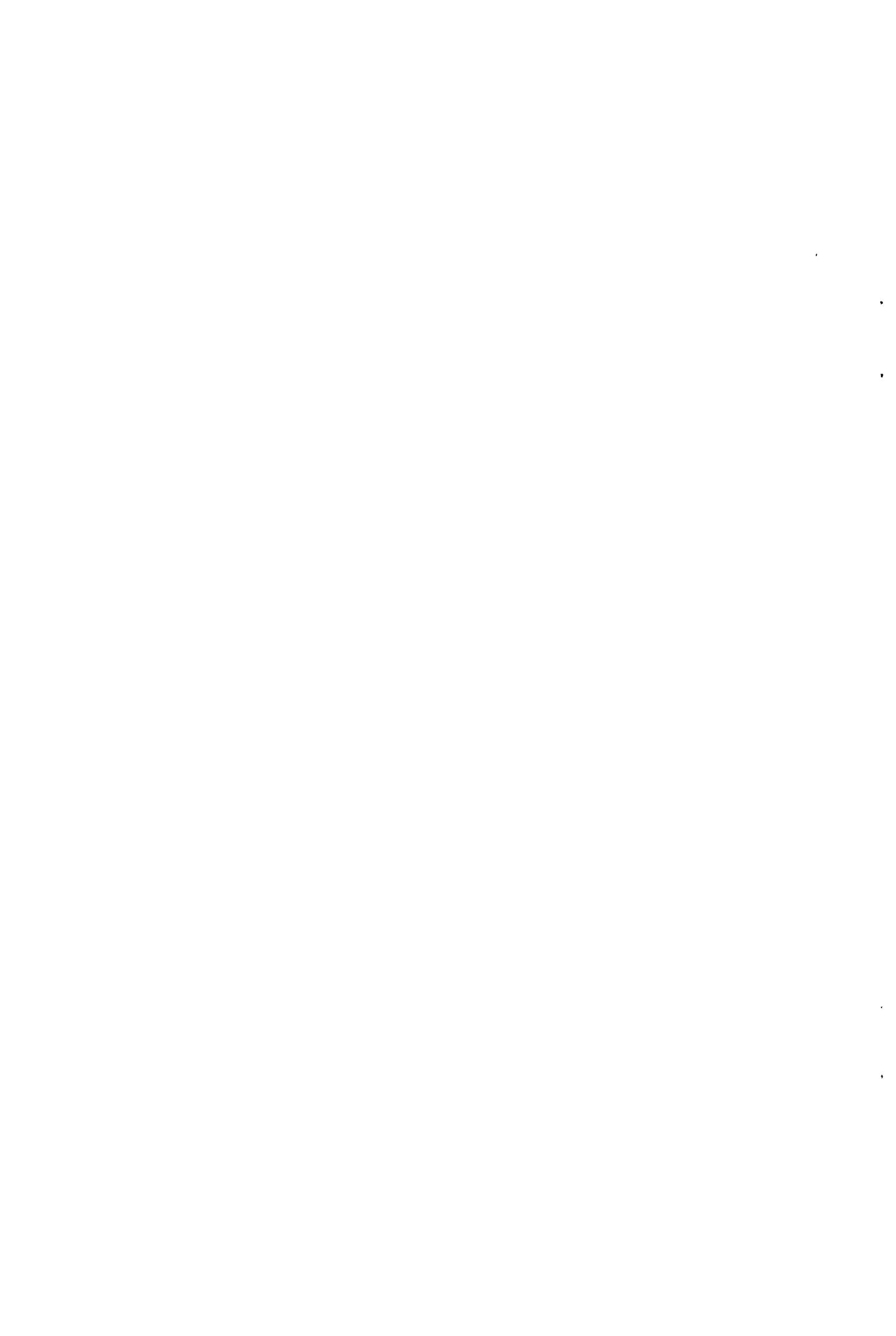
Rapporteur: Mr. P. LAGORCE

1

PE 46.854/fin.

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English Edition



By letter of 22 July 1976, the President of the European Parliament authorized the Committee on the Rules of Procedure and Petitions to draw up a report on the problems raised by the setting up of sub-committees (Rule 39(2)).

At its meeting of 28 September 1976 the committee appointed Mr Lagorce rapporteur.

It considered the problems of sub-committees at its meetings of 28 September and 29 November 1976.

At the latter meeting, the committee unanimously adopted this report and the motion for a resolution.

Present: Mr Memmel, acting chairman; Mr Lagorce, rapporteur; Mrs Iotti (deputizing for Mr Mascagni), Mr Klepsch (deputizing for Mr Schulz), Mr Masullo, Mr Rivierez.

C o n t e n t s

	<u>Page</u>
A - MOTION FOR A RESOLUTION	5
B - EXPLANATORY STATEMENT	7

The Committee on the Rules of Procedure and Petitions hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

on the problems raised by the setting up of sub-committees (Rule 39(2))

The European Parliament,

- having regard to its Rules of Procedure,
- having regard to the report by the Committee on the Rules of Procedure and Petitions (Doc. 461/76);

1. Decides to amend its Rules of Procedure as follows;
2. Instructs its President to forward this resolution to the Council and Commission of the European Communities for their information and instructs its Secretary-General to have the Rules of Procedure, so amended, republished, taking care to see that the text is perfectly concordant in the six official languages.
3. Decides that the Rules of Procedure so amended shall come into force at the beginning of the part-session following the one at which the amendment was adopted.

Rule 39

1. A committee shall meet when convened by its chairman or at the request of the President.
2. A committee may, in the interest of its work, appoint one or more sub-committees, of which it shall at the same time determine the composition and competence. Sub-committees shall report to the committee that set them up.
3. Any two or more committees or sub-committees may jointly consider matters coming within their competence but shall not take a decision.
4. Any committee may, with the agreement of the Bureau of Parliament, instruct one or more of its members to proceed on a study or fact-finding mission.

Rule 39

1. Unchanged.
2. Unchanged.
3. Unchanged.
4. Any committee may, with the agreement of the Bureau of Parliament, instruct one or more of its members, or a sub-committee appointed from among its members, to proceed on a study or fact-finding mission.

EXPLANATORY STATEMENTIntroduction

1. At its meeting of 21 and 22 June 1976 the Committee on the Rules of Procedure and Petitions discussed the problem caused by the publication of proceedings and minutes by the sub-committee of the Committee on Budgets responsible for parliamentary control of Community resources and expenditure (PE 45.234).

The chairman of the committee forwarded this note to the Bureau with a request for authorization to draw up a report on the general problem of the setting up of sub-committees within parliamentary committees. The President gave his authorization by letter dated 22 July 1976.

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2. The main problem at issue is not to establish whether sub-committees may be set up, but whether the setting up of one or more sub-committees is subject to the agreement of the enlarged Bureau.

3. At its meeting of 27 September the Committee on the Rules of Procedure and Petitions considered the text of Rule 39(2) as proposed in the report by Mr Martens and adopted by the committee in April 1976. This paragraph read as follows: 'A committee may, in the interest of its work, appoint one or more sub-committees, of which it shall at the same time determine the composition and competence. Sub-committees shall report to the committee that set them up.'¹

4. At the sitting of 7 July the Socialist Group tabled an amendment No. 23 seeking to retain the existing text of the Rules of Procedure and hence not to provide in them that the appointment of sub-committees should be subject to the agreement of the enlarged Bureau. This amendment was unanimously adopted by the Committee on the Rules of Procedure and Petitions² and, in consequence, Rule 39, as amended in the report by Mr Martens, no longer appears in that report and was not put to the vote at the November part-session, when the amendments to the Rules of Procedure were adopted.

¹PE 45.527/Ann. II, second column

²At its meeting of 27.9.76.

5. Practice in the national Parliaments varies from one Member State to another; some Parliaments provide for the setting up of sub-committees by the main committee, while others make no such provision.

In the case of the European Parliament, some sub-committees have been set up in the past, like the one set up by the Political Affairs Committee in 1963 to study Political Union and disbanded the following year. The Committee on Cultural Affairs and Youth set up a working party to study the European Schools.

The Committee on Budgets has had several sub-committees - on the Community Budget, the Budget of Parliament and Fiscal Harmonization. Only the Control Sub-committee remains.

6. The problem raised by sub-committees is mainly financial: the enlarged Bureau and other Members of Parliament are anxious to prevent the spread of sub-committees, working parties or delegations set up as sub-committees since they increase both the number of meetings and, possibly, the number of visits, study missions, etc.

Conclusions

7. The existing provisions of the Rules of Procedure should therefore be retained, and the principle of the autonomous right of committees to set up sub-committees upheld. In addition, the instructions should stipulate that sub-committees should, wherever possible, meet on the same day as the main committee, either before or after its meeting, in order to avoid additional travelling by Members of Parliament and practical problems of organization as regards conference rooms, interpretation, etc.

8. Sub-committees formed primarily for study and fact-finding missions should be governed by the provisions of Rule 39(4).

The term 'mission' may lead to confusion; what is implied here is in fact a mission entailing a change of location, a journey. On the other hand, the sub-committee does not have to seek authorization to hold an ordinary meeting.

As regards the drawing up of documents by sub-committees, the Committee on the Rules of Procedure and Petitions can only repeat the conclusion set out in its note to the Bureau on this subject (PE 45.234). Without taking any formal decision, it concluded that 'reports and minutes of the work of sub-committees should not be published except in the case of the sub-committee on 'control of Community resources and expenditure' which may be authorized by Parliament to publish them, Rule 41(9) notwithstanding, should the Committee on Budgets think fit'.