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THIRD REPORT

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

on the amendment of Chapter XI of the Rules of Procedure of the European
Parliament

Rapporteur: Mr W. W. HAMILTON

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PE 46.048/fin.

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English Edition

By letter of 29 September 1975, the President of the European Parliament referred an extract (PE 41.441/BUR/extr.) of the Minutes of the Meeting of the enlarged Bureau of 23, 24 and 25 June 1975, relating to the consideration of procedural problems and those concerning the organization of the work of the European Parliament, to the Committee on the Rules of Procedure and Petitions.

At its meeting of 2 and 3 December 1975, the Committee on the Rules of Procedure and Petitions decided to draft different reports in line with the various chapters of the Rules of Procedure. At this same meeting, the committee held an exchange of views on this matter, on the basis of a working document (PE 42.704) drafted by its chairman.

At its meeting on 13 January 1976, the committee decided that one of those reports should deal with Chapter XI of the Rules and to amendments relating thereto, and appointed Mr Hamilton, its chairman, rapporteur.

The committee considered the report at its meeting of 28 January 1976 and adopted it unanimously.

At the plenary sitting of 7 July 1976, before Parliament voted on the motion for resolution contained in the Hamilton report, Mr Hamilton asked for all the amendments tabled on the proposed modifications contained in the report to be referred to the Committee on the Rules of Procedure and Petitions for consideration. The controversial parts of the reports were considered to have been withdrawn. Since this request was made by the committee responsible, it was automatically granted under Rule 29(5).

At its meeting on 27 September 1976 the Committee on the Rules of Procedure and Petitions considered the amendments and unanimously adopted a second report on Rules 46, 47A and 47B. The committee decided to make Rule 47 (oral questions with debate) the subject of a third report.

At its meeting on 3 and 4 November 1976 the committee considered the amendments to Rule 47 and unanimously adopted this third report.

The following were present : Mr Hamilton, Chairman and rapporteur; Mr Memmel, Vice-Chairman; Mr Lagorce, Mr Martens, Mr Rivierez, Mr Schulz and Sir Derek Walker-Smith.

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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 amendment of Chapter XI of the Rules of Procedure of the European Parliament

The European Parliament,

- having regard to Rule 54 of its Rules of Procedure,
 - having regard to the third report of the Committee on the Rules of Procedure and Petitions (Doc.408 /76),
1. Decides to amend its Rules of Procedure as follows:
 2. Instructs its President to have this resolution published in the Official Journal of the European Communities and to forward it for information to the Commission and Council of the European Communities and instructs its Secretary-General to have published a new edition of the Rules of Procedure thus amended, making sure there is perfect concordance between the texts in the six official languages;
 3. Decides that the Rules of Procedure thus amended shall enter into force at the beginning of the part-session following that at which they have been adopted.

EXISTING TEXT OF THE RULES

Rule 47

1. Questions may be put to the Commission or Council by a committee, a political group or five or more Representatives for placing on the agenda of Parliament in order that they may be dealt with by oral procedure with debate.

Such questions, which may also relate to problems of a general nature, shall be passed in writing to the President, who shall place them before the enlarged Bureau at the next meeting held for the purpose of drafting the agenda.

2. The enlarged Bureau shall decide whether the Commission or Council is to be consulted. It shall decide whether the question is to be converted into a question for written answer, dealt with by oral procedure without debate in accordance with Rule 46, or dealt with by the procedure with debate as provided below.

Any question put by a political group shall be automatically dealt with by the procedure with debate.

The decision of the enlarged Bureau shall be notified immediately to the questioner and to the institutions concerned.

PROPOSED NEW TEXT

Rule 47

1. Questions may be put to the Commission, to the Council or to the Conference of Foreign Ministers by a committee, a political group or five or more Members for placing on the agenda of Parliament in order that they may be dealt with by oral procedure with debate.

Such questions, which may also relate to problems of a general nature, shall be submitted in writing to the President, who shall place them before the enlarged Bureau at the next meeting held for the purpose of drafting the agenda.

Subject to the provisions below, during each Part-Session each political group shall have the right to have not more than one question dealt with by the procedure with debate.

Oral questions with debate shall not be included in the agenda of a Part-Session if that agenda already provides for the subject to be discussed with the participation of the institutions concerned; they will, however, be included in the debate. If a question relates to a report submitted by a committee but not yet considered by Parliament, Parliament shall vote on whether it shall be placed on the agenda.

The enlarged Bureau shall, taking account of the above requirements, exercise its discretion in deciding the order on the agenda of all oral questions with debate.

2. The enlarged Bureau shall decide whether the Commission or Council is to be consulted. It shall decide whether the question is to be converted into a question for written answer, for oral answer at Question Time, or is to be dealt with either by oral procedure without debate under Rule 46 or by the procedure provided under this Rule.

Deleted

Unchanged

The procedure for oral questions with debate may be proposed only where notice of the question can be given within the following time-limits: if the question is addressed to the Commission at least one week and if to the Council at least six weeks before the opening of the sitting on whose agenda it is to appear.

In urgent cases, the President may propose direct to Parliament that a question which could not be placed before the enlarged Bureau under the foregoing conditions be placed on the agenda. Such questions, together with any that could not be notified within the time-limits specified above, may be placed on the agenda only with the agreement of the institutions to which they are addressed.

3. One of the questioners may speak to the question for up to twenty minutes. One member of the institution concerned shall answer. Representatives who wish to speak may do so for not more than ten minutes and may speak only once.

One of the questioners may, at his request, briefly comment on the answer given.

4. In order to wind up the debate on a question put to the Commission, any committee or political group, or five or more Representatives, may place before the President a motion for a resolution with a request that a vote be taken on it immediately.

As soon as the motion for a resolution has been distributed, Parliament shall first decide, if necessary after hearing one of the movers, whether a vote is to be taken immediately. Thereafter only explanations of vote shall be permitted.

Should an immediate vote be decided upon, the motion for a resolution shall be put to the vote without reference to committee. Only explanations of vote shall be permitted.

The procedure for oral questions with debate may be proposed only where notice of the question can be given within the following time-limits: if the question is addressed to the Commission, at least one week and if to the Council at least five weeks before the opening of the sitting on whose agenda it is to appear.

Unchanged

3. Questions may be put to the Conference of Foreign Ministers under the same conditions laid down in this Rule for questions to the Council.

4. One of the questioners may speak to the question for not more than ten minutes. One member of the institution concerned shall answer. Other Members of Parliament may speak for not more than five minutes, and may do so only once.

Unchanged

5. In order to wind up the debate on a question put to the Commission, any committee or political group, or five or more Members, may place before the President a motion for a resolution with a request that a vote be taken on it immediately.

Unchanged

Unchanged

6. The enlarged Bureau may ask the authors of questions to reword them.

7. At the request of the author of an oral question with debate acting in agreement with any co-authors, the question may be withdrawn by them, but may be immediately taken over by any other Member, under the conditions set out in paragraph 1 above, with the agreement of Parliament deciding by vote without debate.

EXPLANATORY STATEMENT

1. This explanatory statement sets out all the amendments which were tabled on the proposals in the first report, together with the results of the Committee's deliberations on them.

Rule 47, paragraph 2, sub-paragraph 2

2. Amendment no 14 tabled by the Socialist Group, which would have re-instated the deleted sub-paragraph 2 of paragraph 2, was rejected unanimously.

3. There followed a joint discussion on amendments nos 7 and 8, tabled by Mr Krieg on behalf of the European Progressive Democrats, and on amendment no 20, which had been tabled by Mr Hamilton at the Committee's meeting of 27/28 September 1976. Amendment no 20 read as follows :

' Sub-paragraph 2 of paragraph 2 to read : "During each part-session not more than one question put by any political group may be dealt with by the procedure with debate. Such questions shall not be included in the agenda of a part-session if that agenda already provides for the subject to be discussed with the participation of the institution concerned, or if the question relates to a report submitted by a committee but not yet considered by Parliament. The enlarged Bureau shall exercise its discretion in its choice of such questions, bearing in mind such considerations as the protection of all minorities, the relative sizes of the political groups and the topicality of the questions."

Sub-paragraph 6 to be deleted. '

As a result of this discussion it was decided unanimously not to adopt any of the three amendments, but to adopt a revised version of amendment no

20. This reads as follows :

' Sub-paragraph 3 of paragraph 1 to read : "Subject to the provisions below, during each Part-Session each political group shall have the right to have not more than one question dealt with by the procedure with debate."

Oral questions with debate shall not be included in the agenda of a Part-Session if that agenda already provides for the subject to be discussed with the participation of the institutions concerned; they will, however, be included in the debate. If the question relates to a report submitted by a committee but not yet considered by Parliament, Parliament shall vote on whether they shall be placed on the agenda.

The enlarged Bureau shall, taking account of the above requirements, exercise its discretion in deciding the order on the agenda of all oral questions with debate.

Sub-paragraph 6 to be deleted.

Rule 47, new paragraph 2(b)

4. Amendment no 15 tabled by the Socialist Group, which would have limited the number of oral questions with debate during any one sitting to six, unless a proposal to the contrary by the Enlarged Bureau was supported by two-thirds of the members present, was rejected unanimously.

Rule 47, paragraph 7

5. The committee finally discussed amendment no. 16, tabled by the Socialist Group. It read as follows :

'At the request of the author of an oral question with debate acting in agreement with any co-authors, the question may be withdrawn by them, but may be immediately taken over by any other Member.'

On a proposal from Sir Derek Walker-Smith, it was unanimously agreed to amend the amendment by adding the words 'under the conditions set out in paragraph 1 above' and, at the end, 'with the agreement of Parliament deciding by vote without debate'. The amendment, thus amended, was adopted unanimously.