

AMENDMENT FORM

Suggestion for amendment of Article : National Parliament Protocol

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PROTOCOL ON THE ROLE OF NATIONAL PARLIAMENTS IN THE EUROPEAN UNION

This Protocol establishes the conditions under which Member State parliaments shall be involved in the activities of the European Union.

- 1. The primary role of national parliaments in relation to the affairs of the European Union is to advise, scrutinise and hold to account their own government for its activities in Council. Accordingly, governments shall keep their own parliaments thoroughly informed about EU developments. The Council will transmit promptly all its relevant communications to the parliaments, including the agendas and minutes of its ministerial meetings. When adopting a framework law in Council, each government shall state how it intends to implement the measure within its own state.. They shall declare which of their parliaments have the relevant legislative competence for the policy sector in question.*
- 2. In addition, the European Commission shall transmit promptly and directly to national parliaments all its proposals for legislative acts and other communications. Its draft legislation shall contain statements as to the motivation behind the initiative and its financial and regulatory implications, including its accordance with the principles of subsidiarity and proportionality.*
- 3. A six week period shall elapse between the transmission of a proposal to the European Parliament and the Council by the Commission and the date when it is placed on the agenda of either institution for decision or for adoption of a common position, subject to exceptions on grounds of urgency, the reasons for which shall be stated in the act or common position.*

A national parliament may address to the Presidents of the EU institutions a reasoned opinion on the conformity of a draft law with the provisions of Article 8 and the Protocol on the application of the principles of subsidiarity and proportionality. The Commission will respond specifically to each opinion. If, within the six week period, one third of member state parliaments delivers a similar reasoned opinion, the Commission will re-examine its proposal and thereafter maintain, amend or withdraw the draft law.

- 4. National parliaments will participate in any Convention established to amend the constitution of the Union on the basis of parity with the European Parliament.*
- 5. The European Council shall consult national parliaments on the multi-annual policy strategy. The European Commission shall transmit its annual legislative programme to*

national parliaments each November.

6. *Each national parliament shall be invited to report annually to the European Parliament on the adherence of its government to the broad economic policy guidelines.*
7. The Court of Auditors shall send its annual report to the Member States' national parliaments, for information, at the same time as to the European Parliament and to the Council.
8. *The European Parliament shall seek to involve appropriate representatives of member state parliaments in its relevant committee work.*
9. *Members of the European Parliament shall be enabled to participate in relevant activities of their own national parliament. They shall have the right to table written parliamentary questions of ministers.*
10. *National parliaments will coordinate their work in COSAC. COSAC may address any contribution it deems appropriate to the institutions of the European Union. It may invite representatives of the European Parliament to participate in its work. The Parliament shall consult COSAC with respect to the development of inter-parliamentary cooperation within the Union.*
11. *COSAC shall promote inter-parliamentary conferences to deliberate on specific policy questions as the need arises.*
12. *Contributions made by COSAC shall in no way bind member state parliaments or prejudice their position.*

Explanation:

In the form presented in CONV 579/03 this Protocol is not appropriate for a constitution. The 'High Contracting Parties' of international treaty law are subsumed within the constitutional settlement. We have modified and shortened the preamble, therefore.

It is sensible to spell out in paragraph 1 what is the main feature of the relationship between national parliaments and the EU institutions, namely, the holding to account of ministers in Council.

Paragraphs 2 and 3 reproduce the agreement on the early warning system.

Paragraph 4 recalls that national parliamentarians will now be members of any constitutional Convention.

Paragraph 5 makes the correct distinction between the role of the European Council with respect of the multi-annual policy strategy and of the Commission with respect to the legislative programme.

Paragraph 6 introduces the idea that national parliaments have a useful role in monitoring their country's obligations to the coordinated economic policy of the Union.

Paragraphs 8 and 9 seek to stretch the area of pragmatic collaboration between parliaments at the EU and national level.

Paragraphs 10-12 relates to the reformed COSAC.