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REPORT

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

on an amendment to Rule 40 of the Rules of Procedure

Rapporteur: Mr R. CICCIOMESSERE

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PE 101.506/fin.  
Or. It.



On 9 September 1985, the President of the European Parliament referred the amendment tabled by Mr Patterson to Rule 40 of the Rules of Procedure pursuant to Rule 112 of the Rules of Procedure (Doc. B 2-738/85) to the Committee on the Rules of Procedure and Petitions.

At its meeting of 16 and 17 September 1985, the committee appointed Mr CiccioMessere rapporteur. It considered this report at its meetings of 25 November 1985 and 3 February 1986.

At the last meeting, it adopted the amended version of paragraph 3 by 10 votes in favour and 3 abstentions and the proposal for a decision by 11 votes in favour and 5 abstentions.

The following took part in the vote: Mr AMADEI, chairman; Mr CHANTERIE, first vice-chairman; Mr SCHWALBA-HOTH, third vice-chairman; Mr CICCIOMESSERE, rapporteur; Mr ALVAREZ DE PAZ, Mr ANASTASSOPOULOS, Mr COLLINS, Mr COTTRELL, Mr GRIFFITHS, Mr HERRERO MEREDIZ, Mr MALANGRE, Mrs MARINARO, Mr PLASKOVITIS, Mr PROUT, Mr RAGGIO, Mr ROTHLEY, Mrs VAYSSADE and Mr WEDEKIND.

This report was tabled on 7 February 1986.

The deadline for tabling amendments to this report will be indicated in the draft agenda for the part-session at which it will be debated.

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A

The Committee on the Rules of Procedure and Petitions hereby submits to the European Parliament the following proposed amendments and proposal for a decision, together with explanatory statement:

Rule 40 (former text)

1. Members of the Commission and the Council and the Foreign Ministers meeting in political cooperation may at any time ask the President for permission to make a statement. The President shall decide when the statement may be made.

2. Unless Parliament decides otherwise, such a statement shall not be followed by a debate. Members may, however, avail themselves of a period of thirty minutes in which to put brief and concise questions with a view to clarifying specific points in such statements.

Rule 40 (new amended text)

1. Idem

2. Idem

3. Parliament may decide, on a proposal from the President or a committee or a political group or at least twenty-three Members, that a statement made pursuant to paragraph 1 of this Rule shall be followed by a debate.

In order to wind up the debate, any committee or political group, or seven or more Members, may place before the President a motion for a resolution with a request that an early vote be taken on it.

As soon as the motion for a resolution has been distributed, Parliament shall first decide, if necessary after hearing one of the authors, whether an early vote is to be taken.

Should an early vote be decided upon, the motion for a resolution shall be put to the vote not later than at voting time of the next sitting without referral to committee. Only explanations of vote shall be permitted.

## PROPOSAL FOR A DECISION

on an amendment to Rule 40 of the European Parliament's Rules of Procedure

### The European Parliament,

- having regard to Rule 112 of the Rules of Procedure,
  - having regard to the amendment tabled by Mr PATTERSON (Doc. B 2-738/85),
  - having regard to the report of the Committee on the Rules of Procedure and Petitions (Doc. A 2-217/85),
1. Decides to make the abovementioned amendment to its Rules of Procedure;
  2. Instructs its Secretary-General to verify that the texts in the nine official Community languages are exactly identical;
  3. Instructs its President to forward this resolution for information to the Council, the Commission and the Foreign Ministers meeting in political cooperation.

EXPLANATORY STATEMENT

On the basis of a draft amendment (Doc. B 2-738/85) tabled by Mr Patterson, the Committee on the Rules of Procedure and Petitions considered the question of modifying Rule 40 of the Rules of Procedure to bring it into line with current parliamentary practice.

The derogation clause in Rule 40 (2) of the Rules of Procedure, which allows statements made by members of the Commission and the Council or by the Foreign Ministers meeting in political cooperation to be followed by a debate, is being invoked by Parliament with increasing frequency.

However, Rule 40 does not spell out the procedures for winding up such debates, and the current practice is to apply, by extension, the provisions of Rule 42(5). Even in the absence of a specific provision on the matter, it is thus possible to table motions for resolutions and put them to the vote.

In order to make good this deficiency in the Rules of Procedure, it is proposed to formalize current practice by adding a new paragraph to Rule 40 specifying the procedures for opening, conducting and closing debates in conformity with what is already laid down for questions for oral answer with debate.

With this new provision, it will also be possible to deal with matters raised in the resolutions tabled pursuant to Rule 48, by inviting the Commission, the Council or the Foreign Ministers meeting in political cooperation to avail themselves of the right conferred on them by Rule 40. This will make it possible to ease the pressure created by the debates on urgent and topical resolutions.

