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European Communities

EUROPEAN PARLIAMENT

Working Documents

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Report

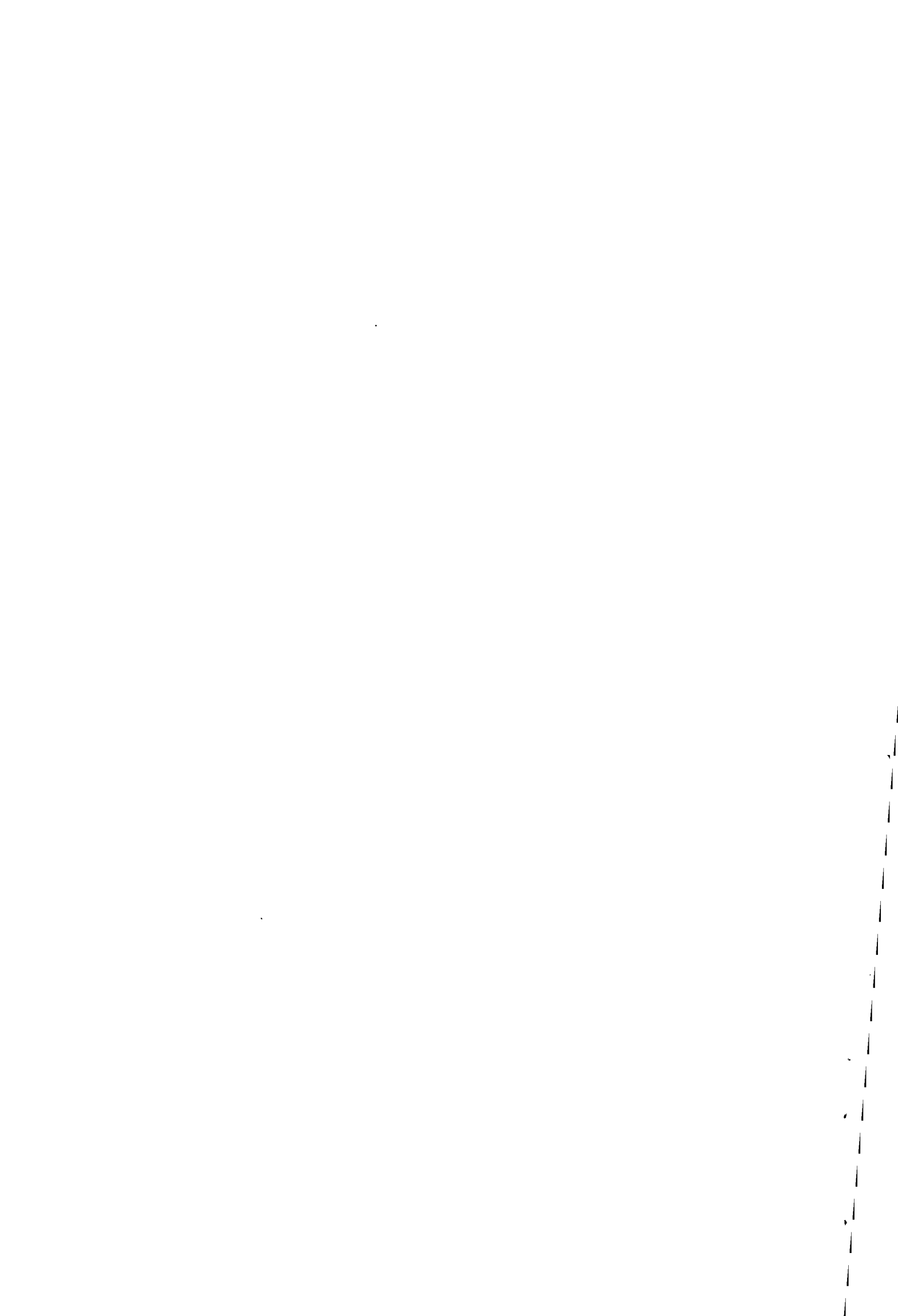
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drawn up on behalf of the Committee on Budgets

on the ~~the~~ internal rules of procedure for consideration of the draft general budget of the European Communities for the 1976 financial year

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Rapporteur: Mr E. LANGE

PE 41.955/fin.



At its meeting of 1 October 1975, the Committee on Budgets noted that the rules of procedure which had proved necessary a year ago for the application of the articles of the Treaties relating to the budgetary procedure had been laid down for 1975 only.

In addition, since the new treaty amending the budgetary provisions had not yet entered into force, the Committee on Budgets considered it necessary to submit to Parliament a resolution extending to the 1976 financial year the provisions adopted by Parliament for the 1975 financial year.

At the same meeting, the Committee on Budgets instructed Mr LANGE to submit a draft report on this subject.

On 7 October 1975 it considered and unanimously adopted the draft report.

Present: Mr Lange, chairman and rapporteur; Mr Durand, vice-chairman; Lord Bessborough, Lord Bruce of Donnington, Mr Dalyell, Mr Gerlach, Mr Hansen, Mr Kirk, Mr Radoux, Mr Rivierez (deputizing for Mr Terrenoire), Mr Scholten, Mr Shaw.



The Committee on Budgets hereby submits to the European Parliament the following motion for a resolution:

MOTION FOR A RESOLUTION

on the internal rules of procedure for consideration of the draft general budget of the European Communities for the 1976 financial year.

The European Parliament

- having regard to the Treaty of 22 April 1970 amending Certain Budgetary Provisions of the Treaties establishing the European Communities and the Treaty establishing a Single Council and a Single Commission of the European Communities,
 - whereas the provisions of the Treaty of 22 April 1970 are still applicable to the procedures for the 1976 budget of the Communities since the Treaty signed on 22 July 1975 has not yet been ratified by the Member States,
 - whereas if Article 78 of the ECSC Treaty, Article 203 of the EEC Treaty and Article 177 of the EAEC Treaty are to be applied, it will be necessary to lay down the following specific rules,
1. Agrees to extend to the 1976 financial year the procedures which it had adopted (resolution of 25 September 1974) for considering and establishing the 1975 budget of the Communities as set out in Articles 1 to 6 below;

Also agrees to supplement these provisions by the resolution adopted on 11 November 1974 for the 1975 financial year, which is set out in Article 7 below;
 2. Therefore instructs its President to extend the special internal implementing provisions previously adopted for the 1975 financial year in accordance with the rules contained in Articles 1 to 7 below.

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Article 1 (Working documents)

1. The following documents shall be printed and distributed:
 - (a) the communication from the Commission of the Communities on the maximum rate laid down in paragraph 8 of Article 78 of the ECSC Treaty, Article 203 of the EEC Treaty, and Article 177 of the EAEC Treaty.
 - (b) the proposal from the Commission of the Communities fixing a new rate;

- (c) the proposal from the Council fixing a new rate;
 - (d) a summary by the Council of its deliberations on the amendments and modifications adopted by Parliament to the draft budget;
 - (e) the modifications made by the Council to the amendments adopted by Parliament to the draft budget.
2. These documents shall be referred to the committee responsible. Any committee concerned may deliver an opinion.
 3. Where other committees wish to deliver opinions, the President shall fix the time-limit within which these shall be communicated to the committee responsible.

Article 2 (Rate)

1. Subject to the conditions set out below, any Representative may table and speak in support of proposals for decisions fixing a new maximum rate.
2. Such proposals shall be admissible only if they are presented in writing and bear the signatures of at least five Representatives or if they are tabled on behalf of a political group or committee.
3. The President shall fix a time-limit for the tabling of such proposals.
4. The committee responsible shall report on these proposals before they are discussed in plenary sitting.
5. Parliament shall then vote on the proposals.

Proposals shall be adopted only if they receive the support of a majority of the current Members of Parliament and three-fifths of the votes cast.

Article 3 (Consideration of the draft budget - first stage)

1. Subject to the conditions set out below, any Representative may table and speak in support of :
 - draft amendments to the draft budget;
 - proposed modifications to the draft budget.
2. Draft amendments shall be admissible only if they are presented in writing, bear the signatures of at least five Representatives or are submitted on behalf of a political group or committee, specify the budget heading to which they refer and ensure the maintenance of a balance between revenue and expenditure.

The same provisions shall apply to proposed modifications.

3. The President shall fix a time-limit for the submission of draft amendments and proposed modifications.
4. The committee responsible shall deliver its opinion on the texts submitted before they are discussed in plenary sitting.
5. Draft amendments to the estimates of the European Parliament which are similar to those already rejected by Parliament at the time the estimates were drawn up shall be discussed only where the committee responsible has delivered a favourable opinion.
6. Notwithstanding Rule 26(1) of the Rules of Procedure, Parliament shall take separate and successive votes on :
 - each draft amendment and each proposed modification,
 - each section of the draft budget,
 - the draft budget as a whole,
 - a motion for a resolution concerning the draft budget.
7. Articles, chapters, titles and sections of the draft budget in respect of which no draft amendments or proposed modifications have been submitted shall be adopted.
8. Draft amendments shall require for adoption the votes of a majority of the current Members of Parliament.

Proposed modifications shall require for adoption an absolute majority of the votes cast.

9. If Parliament has adopted draft amendments that would raise the expenditure shown in the draft budget above the maximum rate laid down, the committee responsible shall be required to submit to Parliament a proposal laying down a new maximum rate as provided in paragraph 8(4) of Article 78 of the ECSC Treaty, Article 203 of the EEC Treaty and Article 177 of the EAEC Treaty. The proposal shall be put to the vote after the various sections of the draft budget have been voted on. It shall be adopted only if it receives the support of a majority of the current Members of Parliament and three-fifths of the votes cast. Where the proposal is rejected the draft budget as a whole shall be referred to the committee responsible.

10. If Parliament has not amended the draft budget, adopted proposed modifications or adopted a proposal rejecting the draft budget, the President shall declare in plenary sitting that the budget has been finally adopted.

If Parliament has amended the draft budget or adopted proposed modifications, the draft budget thus amended or accompanied by proposed modifications shall be forwarded to the Council.

11. The minutes of proceedings of the sitting at which Parliament delivered its opinion on the draft budget shall be forwarded to the Council and the Commission.

Article 4 (Agreement or disagreement by the Council)

1. The following documents shall be printed and distributed:

- the position of the Council on the proposal fixing a new maximum rate,
- the communication from the Council informing the Assembly of the fact that it has not modified any of the amendments adopted by the Assembly and that it has accepted the proposed modifications.

2. Where the Council has informed the Assembly of its agreement to the increased rate, the President shall declare in plenary sitting that the modified rate has been adopted.

If this is not the case, the Council's position shall be referred to the committee responsible.

3. Where the Council has informed the Assembly that it has not modified its amendments and that it has accepted its proposed modifications, the President shall declare in plenary sitting that the budget has been adopted. He shall ensure that it is published in the Official Journal of the Communities.

Article 5 (Consideration of the Council's deliberations - second stage)

1. If the Council has modified one or more of the amendments adopted by the Assembly, the text thus modified by the Council shall be referred to the appropriate committee.
2. Subject to the conditions set out below, any Representative may table and speak in support of draft amendments to the text as modified by the Council.

3. Such drafts shall be admissible only if they are presented in writing, bear the signatures of at least five Representatives or are submitted on behalf of a political group or committee and ensure maintenance of a balance between revenue and expenditure.

A draft amendment shall not be admissible unless it refers exclusively to the text modified by the Council.

4. The President shall fix a time-limit for the tabling of draft amendments.
5. The committee responsible shall deliver its opinion on the texts modified by the Council and on the draft amendments to the modified texts.
6. Draft amendments tabled to the texts modified by the Council shall be put to the vote. They shall be adopted only if they receive the support of a majority of the current Members of Parliament and three-fifths of the votes cast. If they are adopted, the text modified by the Council shall be deemed rejected. If they are rejected, the text modified by the Council shall be adopted.
7. The Council's summary of the results of its deliberations on the proposed modifications adopted by Parliament shall be debated and a motion for a resolution may then be put to the vote.
8. Upon completion of the procedure provided for in this Article, and subject to the provisions of Article 6, the President shall declare in plenary sitting that the budget has been finally adopted. He shall ensure that it is published in the Official Journal.

Article 6 (Total rejection)

1. Five Representatives, a political group or a committee may, for important reasons, submit a proposal to reject the budget as a whole. Such a proposal shall be admissible only if it is justified in writing and presented within the time-limit set by the President.
2. The committee responsible shall deliver its opinion on such a proposal, which will then be voted on in plenary sitting.

It shall be adopted only if it receives the support of a majority of the current Members of Parliament and three-fifths of the votes cast. If it is adopted, the draft budget as a whole shall be referred back to the Council.

Article 7 (Application of Rule 35 of the Rules of Procedure)

1. Rule 35(3) of Parliament's Rules of Procedure for the vote on the draft general budget of the Communities for the 1976 financial year shall apply as follows:

- (a) The vote on draft amendments to the draft budget for the 1976 financial year shall be taken by sitting and standing; the President shall announce before Parliament the number of votes for and against and of abstentions, and establish the result of the vote.
- (b) If the result of the vote is doubtful or whenever ten or more Representatives so desire, the vote shall be taken by roll call.
- (c) The vote on a proposal for a decision laying down a new maximum rate of increase of expenditure and the vote on a proposal for rejection of the draft general budget as a whole shall be taken by roll call.