



Directorate-General for the Presidency  
Directorate for Relations with National Parliaments  
Legislative Dialogue Unit

Brussels, 29 January 2014

**Subject: State of Play on reasoned opinions and contributions submitted by national Parliaments under Protocol No 2 of the Lisbon Treaty.**

Protocol No 2 of the Lisbon Treaty sets out a review mechanism involving national Parliaments with regard to proposed legislation which does not fall under the exclusive competence of the European Union. Thus, national Parliaments/Chambers may review such proposed legislation and to issue a "reasoned opinion" if they consider that a draft EU legislative act does not comply with the principle of subsidiarity. In such a case a national Parliament/Chamber should present its views in writing to the Presidents of the Parliament, Council and Commission within eight weeks from the transmission of the last linguistic version of the draft legislative act in question.

In the majority of cases, submissions from national Parliaments go beyond the issue of subsidiarity, discussing the substantive merits of proposals. In light of this, the Committee on Legal Affairs, which is responsible for issues in relation to compliance with the principle of subsidiarity, has provided the following definitions:

- "Reasoned opinions" are submissions which indicate the non-compliance of a draft legislative act with the principle of subsidiarity and have been communicated to the European Parliament within the eight week deadline referred to in Article 6 of Protocol No 2 of the Treaty of Lisbon.
- "Contributions" indicate any other submissions which do not fulfil the criteria listed above for a reasoned opinion.

Pursuant to Rule 38a(3) of the Rules of Procedure, all reasoned opinions are referred to the Committee(s) responsible for the draft legislative act and forwarded for information to the Committee on Legal Affairs. Contributions are referred to the Committee(s) responsible for the draft legislative act (Rule 130(4) of the Rules of Procedure).

This note provides an update of submissions received by the European Parliament in the context of Protocol No 2 during the period 4-28 January 2014.

**All national Parliament documents officially received by the EP are now available in the new "Connect" database on the EP intranet: <http://www.connect.ep.parl.union.eu>.**

## I. FACTS & FIGURES

Since the entry into force of the Lisbon Treaty a total of **452 draft legislative acts** have been **sent to national Parliaments** for examination under the terms of Protocol No 2 of the Treaty of Lisbon. 448 of those draft legislative acts are Commission proposals, while the remaining 4 are Council initiatives. In response, the European Parliament has received a total of **1640 submissions** from national Parliaments. Of these, **277 are reasoned opinions** while the remaining **1363 are contributions**.

Since the previous update on the State of Play regarding Protocol No. 2, the European Parliament has received 1 new reasoned opinion and 19 new contributions on a total of 17 different legislative proposals.

COM(year)	Draft legislative acts submitted to NPs and referred to the EP responsible committee(s)	Reasoned Opinions	Contributions	Total number of submissions
COM(2010)	90	41	299	340
COM(2011)	155	77	524	601
COM(2012)	79	71	224	295
COM(2013)	128	88	316	404
<b>All COM (years)</b>	<b>452</b>	<b>277</b>	<b>1363</b>	<b>1640</b>

For the complete list of all reasoned opinions and contributions sent to the European Parliament since the entry into force of the Treaty of Lisbon please visit the following Intranet site:

[http://www.connect.ep.parl.union.eu/parnaweb/cms/Subsidiarity\\_1](http://www.connect.ep.parl.union.eu/parnaweb/cms/Subsidiarity_1)

## II. DRAFT LEGISLATIVE ACTS ELICITING NUMEROUS REASONED OPINIONS AND/OR CONTRIBUTIONS FROM NATIONAL PARLIAMENTS (4 JANUARY 2014 - 28 JANUARY)<sup>1</sup>

**ENVI COD/2013/0435 COM(2013)894**: Proposal for a Regulation of the European Parliament and of the Council on novel foods

**One reasoned opinion** from the French Assembly

**Deadline for reasoned opinions**: 17 February 2014.

<sup>1</sup> In this section reference is made to draft legislative acts for which at least one reasoned opinion or four contributions have been presented during the period under examination. On the other hand, the actual reasoned opinions and contributions mentioned in the text refer to all of these submissions received to-date.

### III. DRAFT LEGISLATIVE ACTS SUBJECT TO PROTOCOL No 2 ON THE DRAFT AGENDA OF THE JANUARY PLENARY PART-SESSION (3-6 FEBRUARY 2014)<sup>2</sup>

**ECON COD/2011/0297 McCARTHY Arlene (S&D) COM(2011)654:** Proposal for a directive of the European Parliament and of the Council on criminal sanctions for insider dealing and market manipulation.

**One reasoned opinion** from the German *Bundesrat*.

**Six contributions** from the Portuguese Parliament, the Belgian Chamber of Representatives, the Romanian Chamber of Deputies, the German *Bundestag*, the Czech Chamber of Deputies and the Italian Senate.

**ECON COD/2012/0360 LANGEN Werner (PPE) COM(2012)360:** Insurance mediation Recast.

**Three contributions** from the Portuguese Parliament, the Italian Senate and the German *Bundesrat*.

**ECON COD/2013/0449 BOWLES Sharon (ALDE) COM(2013)0937:** Proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) N° 260/2012 as regards the migration to Union-wide credit transfers and direct debits.

?

**ITRE COD/2013/0082 VALEAN Adina-Ioana (ALDE) COM(2013)153:** Proposal for a regulation of the European Parliament and of the Council concerning the notification to the Commission of investment projects in energy infrastructure within the European Union and replacing Council Regulation (EU, Euratom) No 617/2010.

**Two contributions** the Portuguese Parliament and the Spanish *Cortes*.

**JURI COD/2012/180 GALLO Marielle (PPE) COM(2012)372:** Proposal for a directive of the European Parliament and of the Council on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online uses in the internal market.

**Four reasoned opinions** from the Polish *Sejm*, the Swedish Parliament, the French Senate and the Luxembourg Parliament.

**Five contributions** from the Portuguese Parliament, the Spanish *Cortes*, the German *Bundesrat*, the Dutch *Eerste Kamer* and the Italian Senate.

---

<sup>2</sup> Information contained in this section is provisional and subject to change following decisions by the Conference of Presidents or the Plenary. Information is presented in alphabetical order on the basis of the acronym of the committees concerned. The number of reasoned opinions and contributions mentioned refers to the total number of these submissions received to-date.

**JURI COD/2012/360 LEHNE Klaus-Heiner (PPE) COM(2012)744:** Proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1346/2000 on insolvency proceedings.

**Three contributions** from the Portuguese Parliament, the Romanian Chamber of Deputies and the Spanish *Cortes*.

**JURI COD/2013/0119 RAPKAY Bernhard (S&D) COM(2013)228:** Proposal for a regulation of the European Parliament and of the Council on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union and amending Regulation (EU) No 1024/2012.

**One reasoned opinion** from the Romanian Senate.

**Six contributions** from the Portuguese Parliament, the Romanian Chamber of Deputies, the Spanish *Cortes*, the German *Bundesrat*, the Czech Senate and the Italian Senate.

**LIBE COD/2010/210 MORAES Claude (S&D) COM(2010)379:** Proposal for a directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of seasonal employment

**Six reasoned opinions** from the Austrian *Bundesrat*, Austrian *Nationalrat*, the Czech Chamber of Deputies, the Czech Senate, the Dutch *Eerste Kamer* and Dutch *Tweede Kamer*.

**Eleven contributions** from the Italian Senate, the Spanish *Cortes*, the Italian Chamber of Deputies, the Portuguese Parliament, the Latvian Parliament, the Lithuanian Parliament, the German *Bundesrat*, the UK House of Commons, the Polish Senate, the UK House of Lords and the Finish Parliament.

**TRAN COD/2013/72 BACH Georges (PPE) COM(2013)130:** Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage by air.

**Five contributions** from the Portuguese Parliament, the Romanian Chamber of Deputies and the Spanish *Cortes*, the German *Bundesrat* and the Czech Senate.