

Brussels, 29 June 2016

## **STATE OF PLAY ON REASONED OPINIONS AND CONTRIBUTIONS SUBMITTED BY NATIONAL PARLIAMENTS UNDER PROTOCOL 2 OF THE LISBON TREATY**

This note by the Directorate for Relations with National Parliaments provides an update of submissions received by the European Parliament in the context of Protocol 2 during the period 1 June - 27 June 2016.

Protocol 2 of the Lisbon Treaty sets out a review mechanism involving national Parliaments regarding proposed legislation which does not fall under the exclusive competence of the European Union. Thus, national Parliaments/Chambers may review within eight weeks of transmission such proposed legislation and issue a "reasoned opinion" if they consider that a draft EU legislative act does not comply with the principle of subsidiarity. Reasoned opinions are translated into all EU official languages (with the exception of Gaelic and Maltese). In the majority of cases, submissions from national Parliaments go beyond the issue of subsidiarity, discussing the substantive merits of proposals. These submissions are called "contributions". Contributions may be translated into one other language on special request by the Committee Chair or the Rapporteur<sup>1</sup>.

Pursuant to Rule 42(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 142(4) of the Rules of Procedure).

The Directorate for Relations with National Parliaments advises the political bodies, Members and the secretariat of the EP in their institutional cooperation and legislative dialogue with the national Parliaments. Within this Directorate, the Legislative Dialogue Unit provides Members of the European Parliament, in particular Rapporteurs, with specific expertise on national Parliaments submissions throughout the legislative cycle.

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

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<sup>1</sup> 'Common approach for the treatment at Committee level of national Parliaments reasoned opinions and all other contributions of national Parliaments' adopted by the Conference of Committee Chairs on 14.12.2010.

## I. DRAFT LEGISLATIVE ACTS ELICITING NUMEROUS REASONED OPINIONS AND/OR CONTRIBUTIONS FROM NATIONAL PARLIAMENTS (1 JUNE - 27 JUNE 2016)<sup>2</sup>

|   |  |                     |                                   |
|---|--|---------------------|-----------------------------------|
| <b>EMPL Committee</b><br>Rapporteur:<br>MORIN-CHARTIER<br>Elisabeth<br>JONGERIUS Agnes  | Procedure: <b>2016/0070(COD)</b><br><b>"YELLOW CARD"</b> | <b>COM(2016)128</b> | Deadline: <b>10 May 2016</b>      |
| <p>Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 96/71/EC of The European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services</p> <p><b>14 reasoned opinions:</b> Bulgarian Parliament, Croatian Parliament, Czech Chamber of Deputies, Czech Senate, Danish Parliament, Estonian Parliament, Hungarian Parliament, Latvian Parliament, Lithuanian Parliament, Polish Sejm, Polish Senate, Romanian Chamber of Deputies, Romanian Senate and Slovak Parliament</p> <p><b>6 contributions:</b> French Senate, Italian Chamber of Deputies, Italian Senate, Polish Senate, Portuguese Parliament and Spanish Cortes</p> |  |                     |                                   |
| <b>IMCO Committee</b><br>Rapporteur: to be appointed  | Procedure: <b>2016/0148(COD)</b>                         | <b>COM(2016)283</b> | Deadline: <b>1 September 2016</b> |
| <p>Proposal for a European Parliament and Council Regulation on cooperation between national authorities responsible for the enforcement of consumer protection laws</p> <p><b>1 reasoned opinion:</b> Swedish Parliament</p>   |  |                     |                                   |
| <b>JURI Committee</b><br>Rapporteur:<br>REGNER Evelyn   | Procedure: <b>2016/0107(COD)</b>                         | <b>COM(2016)198</b> | Deadline: <b>15 June 2016</b>     |
| <p>Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2013/34/EU as regards disclosure of income tax information by certain undertakings and branches</p> <p><b>2 reasoned opinions:</b> Irish Parliament, Swedish Parliament</p> <p><b>2 contributions:</b> German Bundesrat, Portuguese Parliament</p>   |  |                     |                                   |
| <b>LIBE Committee</b><br>Rapporteur:<br>DÍAZ DE MERA<br>GARCÍA<br>CONSUEGRA<br>Agustín  | Procedure: <b>2016/0106(COD)</b>                         | <b>COM(2016)194</b> | Deadline: <b>28 June 2016</b>     |
| <p>Proposal for a Regulation of the European Parliament and of the Council establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third country national crossing the external borders of the Member States of the European Union and determining the conditions for access to the EES for law enforcement purposes and amending Regulation (EC) No 767/2008, and amending Regulation (EU) No 1077/2011</p> <p><b>4 contributions:</b> Czech Senate, Italian Senate, Portuguese Parliament and Romanian Chamber of Deputies</p>   |  |                     |                                   |

<sup>2</sup> In this section, reference is made to draft legislative acts for which at least *one reasoned opinion* has been transmitted during the current period under examination, or *four contributions* during the current and previous periods under examination.

## II. DRAFT LEGISLATIVE ACTS SUBJECT TO PROTOCOL 2 ON THE DRAFT AGENDA FOR DEBATE OF THE JUNE PLENARY PART-SESSION (4-7 JULY 2016)<sup>3</sup>

|   |                                  |                        |                             |
|---|----------------------------------|------------------------|-----------------------------|
| <b>ENVI Committee</b><br>Rapporteur:<br>GARDINI Elisabetta  | Procedure: <b>2014/0268(COD)</b> | <b>(COM(2014)0581)</b> | Deadline: <b>21/11/2014</b> |
| Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on requirements relating to emission limits and type-approval for internal combustion engines for non-road mobile machinery<br><b>3 contributions:</b> Italian Senate, Portuguese Parliament and Spanish Cortes   |                                  |                        |                             |
| <b>IMCO Committee</b><br>Rapporteur:<br>SCHWAB Andreas  | Procedure: <b>2013/0027(COD)</b> | <b>(COM(2013)0048)</b> | Deadline: <b>10/04/2013</b> |
| Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning measures to ensure a high common level of network and information security across the Union<br><b>1 reasoned opinion:</b> Swedish Parliament<br><b>5 contributions:</b> Czech Senate, German Bundesrat, Portuguese Parliament, Romanian Senate and Spanish Cortes   |                                  |                        |                             |
| <b>LIBE Committee</b><br>Rapporteur:<br>PABRIKS Artis   | Procedure: <b>2015/0310(COD)</b> | <b>(COM(2015)0671)</b> | Deadline: <b>15/03/2016</b> |
| Proposal for a Regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Regulation (EC) No 2007/2004, Regulation (EC) No 863/2007 and Decision 2005/267/EC<br><b>9 contributions:</b> Czech Chamber of Deputies, Czech Senate, Dutch Tweede Kamer, Italian Chamber of Deputies, Italian Senate, Polish Senate, Portuguese Parliament, Romanian Chamber of Deputies and Romanian Senate |                                  |                        |                             |
| <b>TRAN Committee</b><br>Rapporteur:<br>CRAMER Michael  | Procedure: <b>2015/0313(COD)</b> | <b>(COM(2015)0667)</b> | Deadline: <b>14/03/2016</b> |
| Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency<br><b>3 contributions:</b> Italian Senate, Portuguese Parliament and Romanian Senate   |                                  |                        |                             |

<sup>3</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.

### III. FACTS & FIGURES

#### A. Since the previous State of Play note (31 May 2016)

Since the previous update on the State of Play, the European Parliament has received:

- *10 draft legislative acts* in the context of Protocol 2,
- *3 reasoned opinions* on different draft legislative acts
- *24 contributions* by national Parliaments on different draft legislative acts.

#### B. For the 8th legislative term (2014-2019)

Since the beginning of the 8th legislative term regarding Protocol 2, the European Parliament has received *95 draft legislative acts*, *55 reasoned opinions* and *373 contributions*.

| Nr of proposals and NPs' submissions according to the Committee - from 8th legislature |      |                 |  |                         |  |                     |  |                   |  |
|--|------|-----------------|--|-------------------------|--|---------------------|--|-------------------|--|
| EP Committee responsible   |      | Nr of proposals |  | Nr of reasoned opinions |  | Nr of contributions |  | Nr of submissions |  |
|  | AGRI | 5               |  | 0                       |  | 11                  |  | 11                |  |
|  | CONT | 2               |  | 0                       |  | 5                   |  | 5                 |  |
|  | CULT | 2               |  | 0                       |  | 0                   |  | 0                 |  |
|  | ECON | 15              |  | 4                       |  | 53                  |  | 57                |  |
|  | EMPL | 3               |  | 15                      |  | 21                  |  | 36                |  |
|  | ENVI | 13              |  | 11                      |  | 73                  |  | 84                |  |
|  | IMCO | 12              |  | 7                       |  | 46                  |  | 53                |  |
|  | INTA | 2               |  | 0                       |  | 3                   |  | 3                 |  |
|  | ITRE | 7               |  | 6                       |  | 20                  |  | 26                |  |
|  | JURI | 5               |  | 4                       |  | 24                  |  | 28                |  |
|  | LIBE | 17              |  | 6                       |  | 87                  |  | 93                |  |
|  | REGI | 4               |  | 0                       |  | 4                   |  | 4                 |  |
|  | TRAN | 8               |  | 2                       |  | 26                  |  | 28                |  |
| <b>TOTAL</b>   |      | <b>95</b>       |  | <b>55</b>               |  | <b>373</b>          |  | <b>428</b>        |  |

**C. Since the entry into force of the Lisbon Treaty (1 December 2009)**

Since the entry into force of the Lisbon Treaty a total of **567 draft legislative acts** have been **sent to national Parliaments** for examination under the terms of Protocol No 2 of the Treaty of Lisbon. 563 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 **2162 submissions** from national Parliaments. Of these, **342 reasoned opinions** while the remaining **1820 are contributions**.

