

Brussels, 8 February 2017

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 6 December 2016 - 3 February 2017.

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 Rapporteur¹.

Pursuant to Rule 42(4) 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>

¹ '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 (6 DECEMBER 2016 - 3 FEBRUARY 2017)²

ECON Committee Rapporteur: LAMASSOURE Alain	Procedure: 2016/0336(CNS)	COM(2016)683	Deadline: 3 January 2017
<p>Proposal for a Council Directive on a Common Consolidated Corporate Tax Base 6 reasoned opinions: Danish Parliament, Dutch Eerste Kamer, Dutch Tweede Kamer, Irish Parliament, Luxembourg Parliament, Maltese Parliament 5 contributions: Austrian Bundesrat, German Bundesrat, Portuguese Parliament, Spanish Cortes, UK House of Commons</p>			
ECON Committee Rapporteur: TANG Paul	Procedure: 2016/0337(CNS)	COM(2016)685	Deadline: 3 January 2017
<p>Proposal for a Council Directive on a Common Corporate Tax Base 6 reasoned opinions: Danish Parliament, Dutch Eerste Kamer, Dutch Tweede Kamer, Irish Parliament, Luxembourg Parliament, Maltese Parliament 5 contributions: Austrian Bundesrat, German Bundesrat, Portuguese Parliament, Spanish Cortes, UK House of Commons</p>			
ECON Committee Rapporteur: LUDVIGSSON Olle	Procedure: 2016/0339(CNS)	COM(2016)687	Deadline: 3 January 2017
<p>Proposal for a COUNCIL DIRECTIVE amending Directive (EU) 2016/1164 as regards hybrid mismatches with third countries 2 reasoned opinions: Dutch Eerste Kamer, Dutch Tweede Kamer 3 contributions: German Bundesrat, Portuguese Parliament, Spanish Cortes</p>			
ITRE Committee Rapporteur: DEL CASTILLO VERA Pilar	Procedure: 2016/0288(COD)	COM(2016)590	Deadline: 19 December 2016
<p>Proposal for a Directive of the European Parliament and of the Council establishing the European Electronic Communications Code (Recast) 1 reasoned opinion: Swedish Parliament 5 contributions: Czech Senate, German Bundesrat, Luxembourg Parliament, Portuguese Parliament, Romanian Senate</p>			
ITRE Committee Rapporteur: TOŠENOVSKÝ Evžen	Procedure: 2016/0286(COD)	COM(2016)591	Deadline: 12 December 2016
<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Body of European Regulators for Electronic Communications 1 reasoned opinion: French Senate 4 contributions: Czech Senate, German Bundesrat, Maltese Parliament, Polish Senate</p>			
ITRE Committee Rapporteur: BENDTSEN Bendt	Procedure: 2016/0381(COD)	COM(2016)765	Deadline: 27 January 2017
<p>Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2010/31/EU on the energy performance of buildings 2 reasoned opinion: Dutch Eerste Kamer, Dutch Tweede Kamer 2 contributions: Austrian Bundesrat, Portuguese Parliament</p>			

² 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.

JURI Committee Rapporteur: COMODINI CACHIA Therese	Procedure: 2016/0280(COD)	COM(2016)593	Deadline: 30 November 2016
Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on copyright in the Digital Single Market 5 contributions: Dutch Eerste Kamer, French Senate, German Bundesrat, Portuguese Parliament, Romanian Senate			

JURI Committee Rapporteur: WÖLKEN Tiemo	Procedure: 2016/0284(COD)	COM(2016)594	Deadline: 30 November 2016
Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes 4 contributions: Dutch Eerste Kamer, French Senate, German Bundesrat, Romanian Senate			

II. DRAFT LEGISLATIVE ACTS SUBJECT TO PROTOCOL 2 ON THE DRAFT AGENDA FOR DEBATE OF THE FEBRUARY II PLENARY PART-SESSION (13-16 February 2017)³

ENVI Committee Rapporteur: DUNCAN Ian	Procedure: 2015/0148(COD)	COM(2015)0337	Deadline: 28 October 2015
Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2003/87/EC to enhance cost-effective emission reductions and low-carbon investments 6 contributions: Czech Senate, Italian Chamber of Deputies, Italian Senate, Luxembourg Parliament, Romanian Chamber of Deputies, Spanish Cortes			

LIBE Committee Rapporteur: HOHLMEIER Monika	Procedure: 2015/0281(COD)	COM(2015)0625	Deadline: 17 February 2016
Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on combating terrorism and replacing Council Framework Decision 2002/475/JHA on combating terrorism 8 contributions: Austrian Bundesrat, Cypriot Parliament, Czech Senate, Italian Chamber of Deputies, Italian Senate, Portuguese Parliament, Romanian Chamber of Deputies, Romanian Senate			

LIBE Committee Rapporteur: MACOVEI Monica	Procedure: 2015/0307(COD)	COM(2015)0670	Deadline: 15 March 2016
Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation No 562/2006 (EC) as regards the reinforcement of checks against relevant databases at external borders 4 contributions: Czech Chamber of Deputies, Czech Senate, Italian Senate, Portuguese Parliament			

³ 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 (6 December 2016)

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

- *31 draft legislative acts* in the context of Protocol 2,
- *18 reasoned opinions* on different draft legislative acts,
- *62 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 *171 draft legislative acts*, *94 reasoned opinions* and *571 contributions*.

Nr of proposals and NPs' submissions according to the Committee - from 8th legislature				
EP Committee responsible	Proposals	Reasoned opinions	Contributions	Submissions (= reasoned opinions and contributions together)
AFET	1	0	3	3
AGRI	6	0	11	11
BUDG	2	0	1	1
CONT	2	0	5	5
CULT	4	0	11	11
DEVE	1	0	2	2
ECON	34	18	89	107
EMPL	9	16	36	52
ENVI	18	11	85	96
IMCO	16	11	52	63
INTA	4	0	4	4
ITRE	15	11	46	57
JURI	11	4	40	44
LIBE	31	20	141	161
PECH	0	0	2	2
REGI	7	0	7	7
TRAN	10	3	36	39
TOTAL	171	94	571	665

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 **643 draft legislative acts** have been **sent to national Parliaments** for examination under the terms of Protocol No 2 of the Treaty of Lisbon. 636 of those draft legislative acts are Commission proposals, while the remaining 7 are Council initiatives.

In response, the European Parliament has received a total of **2399 submissions** from national Parliaments. Of these, **381 reasoned opinions** while the remaining **2018 are contributions**.

