

Brussels, 31 January 2018

**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 2017 - 29 January 2018.

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 internet:
<http://www.europarl.europa.eu/relnatparl/en/connect.html>**

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 2017 - 29 JANUARY 2018)²

ECON Committee Rapporteurs: BALZ Burkhard BERÈS Pervenche	Procedure: 2017/0230(COD)	COM(2017)0536	Deadline: 11 January 2018
<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL Amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority); Regulation (EU) No 1094/2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority); Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority); Regulation (EU) No 345/2013 on European venture capital funds; Regulation (EU) No 346/2013 on European social entrepreneurship funds; Regulation (EU) No 600/2014 on markets in financial instruments; Regulation (EU) 2015/760 on European long-term investment funds; Regulation (EU) 2016/1011 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds; and Regulation (EU) 2017/1129 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market</p> <p>1 reasoned opinion: Swedish Parliament*</p> <p>2 contributions: Portuguese Parliament*, Spanish Parliament*</p>			
IMCO Committee Rapporteur: CORAZZA BILDT Anna Maria	Procedure: 2017/0228(COD)	COM(2017)0495	Deadline: 6 December 2017
<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a framework for the free flow of non-personal data in the European Union</p> <p>1 reasoned opinion: French Senate</p> <p>3 contributions: Czech Senate*, Portuguese Parliament*, Spanish Parliament</p>			
ITRE Committee Rapporteur: NIEBLER Angelika	Procedure: 2017/0225(COD)	COM(2017)0477	Deadline: 7 December 2017
<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ENISA, the "EU Cybersecurity Agency", and repealing Regulation (EU) 526/2013, and on Information and Communication Technology cybersecurity certification ("Cybersecurity Act")</p> <p>1 reasoned opinion: French Senate*</p> <p>5 contributions: Czech Senate*, German Bundesrat*, Portuguese Parliament*, Romanian Senate*, Spanish Parliament</p>			
ITRE Committee Rapporteur: BUZEK Jerzy	Procedure: 2017/0294(COD)	COM(2017)0660	Deadline: 11 January 2018
<p>Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2009/73/EC concerning common rules for the internal market in natural gas</p> <p>1 reasoned opinion: French Senate*</p> <p>2 contributions: Portuguese Parliament*, Spanish Parliament*</p>			

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

LIBE Committee Rapporteur: KAUFMANN Sylvia- Yvonne	Procedure: 2017/0226(COD)	COM(2017)0489	Deadline: 21 November 2017
<p>Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on combating fraud and counterfeiting of non-cash means of payment and replacing Council Framework Decision 2001/413/JHA 6 contributions: Czech Senate*, German Bundesrat, Italian Chamber, Portuguese Parliament, Romanian Chamber*, Spanish Parliament</p>			

LIBE Committee Rapporteur: FAJON Tanja	Procedure: 2017/0245(COD)	COM(2017)0571	Deadline: 20 December 2017
<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2016/399 as regards the rules applicable to the temporary reintroduction of border control at internal borders 4 contributions: Czech Senate*, Hellenic Parliament*, Portuguese Parliament*, Spanish Parliament*</p>			

TRAN Committee Rapporteur: LIBERADZKI Bogusław	Procedure: 2017/0237(COD)	COM(2017)0548	Deadline: 23 November 2017
<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on rail passengers' rights and obligations (Recast) 5 contributions: German Bundesrat, Italian Senate*, Portuguese Parliament, Romanian Senate*, Spanish Parliament</p>			

TRAN Committee Rapporteur: Z LE Roberts	Procedure: 2017/0288(COD)	COM(2017)0647	Deadline: 11 January 2018
<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 1073/2009 on common rules for access to the international market for coach and bus services 1 reasoned opinion: Irish Houses of the Oireachtas* 1 contribution: Spanish Parliament*</p>			

TRAN Committee Rapporteur: AIUTO Daniela	Procedure: 2017/0290(COD)	COM(2017)0648	Deadline: 22 January 2018
<p>Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States 1 reasoned opinion: Swedish Parliament* 1 contribution: Portuguese Parliament*</p>			

II. DRAFT LEGISLATIVE ACTS SUBJECT TO PROTOCOL 2 ON THE DRAFT AGENDA FOR DEBATE OF THE FEBRUARY PLENARY PART-SESSION (5 - 8 February 2018)³

BUDG Committee Rapporteur: GARDIAZABAL RUBIAL Eider	Procedure: 2016/0274(COD)	COM(2016)0582	Deadline: 30 November 2016
Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC, Euratom) No 480/2009 establishing a Guarantee Fund for external actions 1 contribution: Italian Senate			
ENVI Committee Rapporteur: GIRLING Julie	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, Italian Senate, Luxembourg Parliament, Romanian Chamber, Spanish Parliament			
IMCO Committee Rapporteur: THUN UND HOHENSTEIN Ró a Gräfin von	Procedure: 2016/0152(COD)	COM(2016)0289	Deadline: 26 July 2016
Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on addressing geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC 1 reasoned opinion: Austrian Federal Council 2 contributions: Luxembourg Parliament, Portuguese Parliament			

III. FACTS & FIGURES

A. Since the previous State of Play note (6 December 2017)

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

- **17 draft legislative acts** in the context of Protocol 2,
- **5 reasoned opinions** on different draft legislative acts,
- **40 contributions** by national Parliaments on different draft legislative acts.

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.

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

Since the beginning of the 8th legislative term regarding Protocol 2, the European Parliament has received **251 draft legislative acts**, **144 reasoned opinions** and **935 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)
AFCO	1	0	3	3
AFET	1	0	3	3
AGRI	7	0	15	15
BUDG	2	0	1	1
CONT	2	0	5	5
CULT	6	0	21	21
DEVE	1	0	2	2
ECON	54	22	157	179
EMPL	11	21	55	76
ENVI	25	12	103	115
IMCO	21	25	85	110
INTA	6	0	6	6
ITRE	25	30	119	149
JURI	13	6	61	67
LIBE	42	21	201	222
PECH	0	0	2	2
REGI	10	0	11	11
TRAN	24	7	85	92
TOTAL	251	144	935	1079

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 **724 draft legislative acts** have been **sent to national Parliaments** for examination under the terms of Protocol No 2 of the Treaty of Lisbon. 717 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 **2813 submissions** from national Parliaments. Of these, **431 reasoned opinions** while the remaining **2382 are contributions**.

