

Brussels, 28 September 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 27 June - 23 September 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 (27 JUNE - 23 SEPTEMBER 2016)<sup>2</sup>

<b>IMCO Committee</b> Rapporteur: SEHNALOVÁ Olga	Procedure: <b>2016/0148(COD)</b>	<b>COM(2016)283</b>	Deadline: <b>1 September 2016</b>
<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on cooperation between national authorities responsible for the enforcement of consumer protection laws.</p> <p><b>4 reasoned opinions:</b> Austrian Bundesrat, Bulgarian Parliament, Czech Chamber of Deputies, Swedish Parliament</p> <p><b>1 contribution:</b> Portuguese Parliament</p>			
<b>IMCO Committee</b> Rapporteur: THUN UND HOHENSTEIN Ró a Gräfin von	Procedure: <b>2016/0152(COD)</b>	<b>COM(2016)289</b>	Deadline: <b>26 July 2016</b>
<p>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</p> <p><b>1 reasoned opinion:</b> Austrian Bundesrat</p> <p><b>2 contributions:</b> Luxembourg Parliament, Portuguese Parliament</p>			
<b>ITRE Committee</b> Rapporteur: BUZEK Jerzy	Procedure: <b>2016/0030(COD)</b>	<b>COM(2016)52</b>	Deadline: <b>27 April 2016</b>
<p>PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010</p> <p><b>2 reasoned opinions:</b> Austrian Bundesrat, Bulgarian Parliament</p> <p><b>9 contributions:</b> Czech Chamber of Deputies, Czech Senate, German Bundestag, German Bundesrat, Italian Chamber of Deputies, Portuguese Parliament, Romanian Chamber of Deputies, Romanian Senate, Spanish Parliament</p>			
<b>LIBE Committee</b> Rapporteur: WIKSTRÖM Cecilia	Procedure: <b>2016/0133(COD)</b>	<b>COM(2016)270</b>	Deadline: <b>27 October 2016</b>
<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast)</p> <p><b>2 reasoned opinions:</b> Hungarian Parliament, Slovak Parliament</p>			
<b>LIBE Committee</b> Rapporteur: DÍAZ DE MERA GARCÍA CONSUEGRA Agustín	Procedure: <b>2016/0142(COD)</b>	<b>COM(2016)290</b>	Deadline: <b>29 June 2016</b>
<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (revision of the suspension mechanism)</p> <p><b>4 contributions:</b> Czech Senate, Italian Senate, Netherlands House of Representatives, Portuguese Parliament</p>			
<b>LIBE Committee</b> Rapporteur: MORAES Claude	Procedure: <b>2016/0176(COD)</b>	<b>COM(2016)378</b>	Deadline: <b>22 September 2016</b>
<p>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 highly skilled employment</p> <p><b>2 reasoned opinions:</b> Czech Chamber of Deputies, Czech Senate</p> <p><b>5 contributions:</b> Austrian Bundesrat, Italian Senate, Polish Senate, Portuguese Parliament, Romanian Senate</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 OCTOBER I PLENARY PART-SESSION (3-6 October 2016)<sup>3</sup>

<b>LIBE Committee</b> Rapporteur: DE JONG Dennis	Procedure: <b>2013/0409(COD)</b>	<b>COM(2013)0824</b>	Deadline: <b>12 February 2014</b>
Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on provisional legal aid for suspects or accused persons deprived of liberty and legal aid in European arrest warrant proceedings <b>5 contributions:</b> Czech Senate, Italian Chamber of Deputies, Italian Senate, Portuguese Parliament, Spanish Parliament			

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<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 (27 June 2016)

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

- *28 draft legislative acts* in the context of Protocol 2,
- *8 reasoned opinions* on different draft legislative acts
- *44 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 *123 draft legislative acts*, *63 reasoned opinions* and *417 contributions*.

<b>Nr of proposals and NPs' submissions according to the Committee - from 8th legislature</b>				
<b>EP Committee responsible</b>	<b>Proposals</b>	<b>Reasoned opinions</b>	<b>Contributions</b>	<b>Submissions</b>
<b>AFET</b>	1	0	0	0
<b>AGRI</b>	5	0	11	11
<b>CONT</b>	2	0	5	5
<b>CULT</b>	3	0	4	4
<b>ECON</b>	19	4	56	60
<b>EMPL</b>	7	15	23	38
<b>ENVI</b>	15	11	75	86
<b>IMCO</b>	12	11	50	61
<b>INTA</b>	3	0	3	3
<b>ITRE</b>	7	6	26	32
<b>JURI</b>	6	4	26	30
<b>LIBE</b>	29	10	98	109
<b>PECH</b>	0	0	2	2
<b>REGI</b>	5	0	5	5
<b>TRAN</b>	9	2	33	35
<b>TOTAL</b>	<b>123</b>	<b>63</b>	<b>417</b>	<b>481</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 **595 draft legislative acts** have been **sent to national Parliaments** for examination under the terms of Protocol No 2 of the Treaty of Lisbon. 591 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 **2214 submissions** from national Parliaments. Of these, **350 reasoned opinions** while the remaining **1864 are contributions**.

