

**Rules of Procedure of the German Bundestag  
(Sections 93 and 93a) as at 17 September 2002**

**Rule 93**

**EU items**

(1) Initiatives pursuant to Sections 3 to 5 of the Law on Cooperation between the Federal Government and the German Bundestag in Matters concerning the European Union and pursuant to Article 2 of the Law ratifying the Treaties establishing the EEC and EURATOM as well as communications of the European Parliament (EU items) shall be sent to the Committee on the Affairs of the European Union direct.

(2) The appropriate committees may, prior to and independently, of the formal notification of the Bundestag, declare EU items and drafts of such items (EU documents) to be items for discussion. The committees shall inform the President and the chairman of the Committee on the Affairs of the European Union which EU documents they have declared to be items for discussion.

(3) The chairman of the Committee on the Affairs of the European Union shall, in agreement with the specialized committees, submit to the President a proposal for referral of the EU items received and of the EU documents which the committees have declared to be items for discussion. In agreement with the Council of Elders, the President shall refer the EU items and documents to one committee as the committee responsible and to other committees as committees asked for an opinion.

(4) The titles of the EU documents referred shall be recorded in a list, which shall be distributed and shall indicate to which committees the items have been referred. An EU document shall be distributed as a Bundestag printed paper if the Committee on the Affairs of the European Union so requests in its proposal for referral and the Council of Elders consents, if it is agreed in the Council of Elders or if the committee responsible submits a recommendation for a resolution going beyond acknowledgement.

(5) The committees may invite Members of the European Parliament as well as members of the Council and of the Commission of the European Union or persons commissioned by them to attend their deliberations on European affairs. They may deliberate on EU documents jointly with committees of the European Parliament with the same terms of reference.

(6) To prepare decisions on EU documents, the committees may send delegations to a committee of the European Parliament with the same terms of reference or to other organs of the European Union.

## **Rule 93a**

### **Committee on the Affairs of the European Union**

(1) The Committee on the Affairs of the European Union to be appointed by the Bundestag pursuant to Article 45 of the Basic Law shall have the task of dealing with EU items pursuant to Rule 93, paragraph (1) in accordance with the Rules of Procedure and the decisions of the Bundestag.

(2) Upon the motion of a parliamentary group or five percent of the Members of the Bundestag, the Bundestag may empower the Committee on the Affairs of the European Union, in respect of specifically designated EU items, to exercise the rights of the Bundestag in relation to the Federal Government in accordance with Article 23 of the Basic Law. The Bundestag's right at any time to take a decision itself on a matter concerning the European Union shall remain unaffected.

(3) In the case of its empowerment pursuant to paragraph (2), the Committee on the Affairs of the European Union shall, before stating its opinion to the Federal Government, request an opinion on the EU item from the specialized committees. Moreover, it may state its opinion on an EU item unless one of the specialized committees concerned objects. If the Committee on the Affairs of the European Union wishes to deviate from the opinion of one or more specialized committees, a joint meeting with the committees concerned should be convened. In urgent cases the chairmen of the committees concerned may have a written vote taken pursuant to the second sentence of Rule 72. The committee chairman shall also be entitled, in derogation of Rule 60, to convene a meeting of the Committee on the Affairs of the European Union outside the Bundestag's timetable or not at the permanent seat of the Bundestag, if the schedule of the relevant organs of the European Union so requires and the President has given his consent.

(4) In respect of the content of and the reasons for the opinion stated to the Federal Government by the Committee on the Affairs of the European Union on an EU item, the Committee on the Affairs of the European Union shall submit a report which shall be distributed as a Bundestag printed paper and placed on the agenda within three weeks of sittings of its distribution. A debate shall, however, take place only if a parliamentary group or five percent of the Members of the Bundestag present so demand.

(5) The Committee on the Affairs of the European Union may, in respect of an EU item which has been referred to it as a committee asked for an opinion, move motions for amendments to the recommendation for a Resolution submitted by the committee responsible; the motion for an amendment shall be submitted to the President by 18.00 hours at the latest on the day before the recommendation for the Resolution on the EU item is considered.

(6) German Members of the European Parliament shall have access to the meetings of the Committee on the Affairs of the European Union; additional German Members of the European Parliament shall be entitled to attend as substitutes. Upon the proposal of the parliamentary groups in the Bundestag from whose parties German Members have been elected to the European Parliament, the Members of the European Parliament entitled to participate in the deliberations shall be appointed by the President of the German Bundestag to serve until the next elections to the European Parliament or until the end of the electoral term of the German Bundestag at the latest. The Members of the European Parliament appointed shall be authorized to propose that items be deliberated upon as well as to provide information and state an opinion during the deliberations of the Committee on the Affairs of the European Union.

(7) The Committee on the Affairs of the European Union shall draw up principles governing the treatment of EU items sent to it pursuant to Rule 93 and use them as the basis for its recommendations for resolutions submitted to the Bundestag or for its opinions addressed to the Federal Government.