

**Procedural Principles of the Committee on the Affairs of the  
European Union in Dealing with Items of Business Transmitted  
to it in Accordance with Section 93 of the German Bundestag's  
Rules of Procedure as adopted on 25 October 1995**

On the basis of Rule 93 a, paragraph (7) of the Rules of Procedure of the German Bundestag, the EU Committee hereby establishes the following guidelines for dealing with EU items transmitted to it in accordance with Rule 93 of the Rules of Procedure.

**Section 1**

**Terms of Reference**

The EU Committee shall be responsible for dealing with EU items (Rule 93, paragraph (1) of the Rules of Procedure) and EU documents (Rule 93, paragraph (2) of the Rules of Procedure). EU items shall be documents formally transmitted to the Committee by the Federal Government. EU documents shall be EU items or their drafts. For further details, reference is made to the explanatory note in Annex I.

In addition, the EU Committee may, in accordance with Rule 62, paragraph (1), third sentence of the Rules of Procedure, declare matters to be items for discussion which, within the framework of the European Union, could affect the interests of the Federal Republic of Germany, without the conditions contained in paragraph (1), first sentence being fulfilled.

**Section 2**

**Notification by the Federal Government**

Pursuant to the provisions of sections 3 and 4 of the Law on Cooperation between the Federal Government and the German Bundestag in Matters concerning the European Union, the Federal Government shall notify the EU Committee comprehensively and as early as possible of

- EU items and EU documents,
- initiatives taken by the Federal Government, the Leander and the Bundesrat as well as initiatives taken by Member States which facilitate decision-making by the competent organ of the European Union,
- the response to the opinions of the Bundestag in the decision-making process in the competent organs of the European Union.

### **Section 3**

#### **Form and Content of Notification**

Notification shall consist in the transmission to the Committee of EU items, EU documents and initiatives as defined in section 2. Within five sitting days, the Federal Government shall submit a written explanatory report on the EU items, EU documents and initiatives transmitted to the Committee. Reference is made to Annex II. With the permission of the Chairperson, the complete written report may be submitted at a later date. It must, however, be submitted at the latest 5 sitting days before it is due to be considered by the Committee. If the EU Committee so demands, the Federal Government shall supplement the report orally.

### **Section 4**

#### **Committee responsible and referral to the Committees**

The EU Committee shall be responsible for dealing with all EU items and EU documents; in individual cases it shall be responsible in line with the provisions of the decision on referral and the relevant authorization to state an opinion to the Federal Government. In the case of express authorization pursuant to Rule 93 a, paragraph (2), first sentence of the Rules of Procedure, the EU Committee should as a rule assert its claim to deal with EU items as the committee responsible.

In agreement with the Committee spokespersons, the Chairperson of the EU Committee shall submit to the chairpersons of the other committees concerned a proposal for referral indicating which committee should be the committee responsible and which committees should be asked for an opinion. If the chairpersons of one of these committees has reservations about this proposal, they shall inform the Chairperson of the EU Committee accordingly within three sitting days. The chairpersons shall then seek to reach agreement on this matter. Subsequently, the Chairperson of the EU Committee shall submit the proposal for

referral, including any reservations expressed, to the President of the Bundestag for a decision.

If the EU Committee considers an authorization pursuant to Rule 93, paragraph (2), first sentence of the Rules of Procedure necessary, it shall notify the President accordingly in the proposal for referral.

## **Section 5**

### **Report to the Bundestag**

In accordance with Rule 93 a, paragraph (4) of the Rules of Procedure, the EU Committee shall submit to the Bundestag a report on its opinions. In the report, it shall inform the Bundestag of the views of the committees concerned.

## **Section 6**

### **Statement of an opinion to the Federal Government in the case of authorization pursuant to Section 93 a, paragraph (2), first sentence of the Rules of Procedure**

In the case of an authorization pursuant to Rule 93 a, paragraph (2), first sentence of the Rules of Procedure, the EU Committee shall ask the committees concerned for their views before submitting its opinion to the Federal Government.

If the EU Committee wishes to deviate from the opinion stated by one or more of the committees concerned, a joint meeting with these committees should be convened.

## **Section 7**

### **Statement of an opinion to the Federal Government in the case of an authorization pursuant to Rule 93 a, paragraph (3), second sentence of the Rules of Procedure**

If the EU Committee wishes to state an opinion to the Federal Government in the cases provided for under Section 93 a, paragraph (3), second sentence of the Rules of Procedure, the Chairperson shall, after consulting the spokespersons of the Committee, immediately contact the chairpersons of the other committees concerned to ascertain whether the latter wish to object to the opinion which the EU Committee intends to state. An appropriate time limit for exercising the right to object must be agreed. If the objection is not lodged within the agreed time limit, the EU Committee shall state its opinion to the Federal Government.

## **Section 8**

### **Obligation of the Federal Government to report to the EU Committee**

The Federal Government shall inform the EU Committee continually on the progress of deliberations in the bodies of the European Union, particularly with regard to matters which the EU Committee has declared to be items for discussion.

## **Section 9**

### **Procedures**

All the EU items, EU documents, reports, opinions and other documents transmitted to the EU Committee shall be registered and stored by the Committee secretariat in an EDP system operated under the direction of the Committee.

The procedure for preparing the proposal for referral pursuant to Section 4, paragraph (2), first sentence shall be as follows:

- The Committee secretariat shall prepare for the Chairperson of the EU Committee a proposal for the referral of EU items received by the EU Committee and of EU documents which other committees have declared to be items for discussion.

The procedure to be followed in this respect must ensure that

- the other committees are, as quickly as possible, asked to state which items they wish to discuss,
  - the EU Committee is able to concentrate in its work on those EU items and other EU documents which are politically significant.
- The Committee secretariat immediately transmits to the Committee spokespersons and to the rapporteurs for the respective policy fields the EU items received by the Committee as well as other EU documents which, at the request of Committee members, are to be taken up by the Committee on its own authority.

The documents transmitted shall be accompanied by a list containing, in addition to the Council, Commission or EP document number and the title of each document, a proposal by the Committee secretariat for treatment, subdivided into three categories: a) deliberation recommended, b) deliberation not recommended (summary list), c) deliberation open/doubtful.

Once it has been notified of the items and documents the EU Committee wishes to deal with, the Committee secretariat shall immediately transmit the EU documents received by the Committee to the other committees concerned. At the same time, the list containing the proposals for the treatment of the documents shall be sent to all the committees concerned.

Once the President of the Bundestag has taken a decision on referral, the Committee secretariat shall, in conformity with this decision, transmit the documents listed in the first paragraph to the relevant committees.

A summary list of items which, on the basis of a proposal by the Committee secretariat, the Committee is merely to acknowledge, shall as a rule be dealt with under an item of the agenda reserved for this purpose. The Committee shall take its decision three weeks after transmission of the summary list to the spokespersons. If an objection is lodged against the inclusion of a given EU item in the summary list, this item shall be dealt with under a regular item of the agenda.

EU items relating to the Intergovernmental Conference on a Review of the Maastricht Treaty shall be listed and registered separately by the Committee secretariat and dealt with by the Committee under an item of the agenda reserved for this purpose.

Reports by the Federal Government on previous or forthcoming Council meetings shall be dealt with under an item on the agenda reserved for this purpose.

The Committee secretariat shall, without a prior request to this effect, transmit opinions and materials of the Federal Government, Land governments, the Bundesrat, Land parliaments, and the European Parliament and its committees to the rapporteurs and spokespersons. The Committee shall, without a prior request to this effect, inform the rapporteurs and spokespersons of time limits, deadlines and amendments.

## **Section 10**

### **Public meetings**

In the case of authorizations pursuant to Rule 93 a, paragraph (2), first sentence and Rule 93 a, paragraph (3), third sentence of the Rules of Procedure the Chairperson may, if none of the parliamentary groups represented on the Committee objects, convene a public meeting of the EU Committee for its final deliberations on these items of business. This shall not affect the right of the EU Committee to decide whether the public should be admitted to or excluded from its meetings.

## **Annex I**

### 1. EU items shall be

- Initiatives within the meaning of sections 3-5 of the Law on Cooperation between the Federal Government and the German Bundestag in Matters concerning the European Union, in particular:
  - All initiatives within the framework of the European Union which could be of interest to the Federal Republic of Germany, eg. communications of the Commission, green papers and white papers.
  - Drafts of European Union directives and regulations (including content, objective, procedure, time set for a Council decision, decision of the Federal Government, course of deliberations, opinions of the European Parliament, the European Commission and the Member States, and the decisions taken).
- Communications on developments in the EU and Euratom Councils and on Council decisions.
- Communications from the European Parliament and decisions taken by the EP committees under the codecision procedure.

### 2. EU documents shall be:

- All EU items
- All drafts of initiatives, reports, expert opinions and communications from the institutions of the European Union (in particular drafts of green and white papers) and the Member States which are made available to the Member States.

## **Annex II**

Subject:

Field:

Council document number:

Commission number:

EP number:

Bundesrat number:

Legal basis:

Objective:

Proof of need for regulation at European level:  
(subsidiarity assessment)

Main content:

Political significance:

Germany's specific interest:

Current position of the Bundestag:

Position of the Bundesrat:

Position of the European Parliament:

State of debate in the Council:

Stage of procedure:

Financial implications:



Timetable for treatment by:

- a) German Bundestag: in accordance with Article 23 of the Basic Law and the Law on Cooperation between the Federal Government and the German Bundestag in Matters concerning the European Union
- b) Bundesrat:
- c) EP:
- d) Council: