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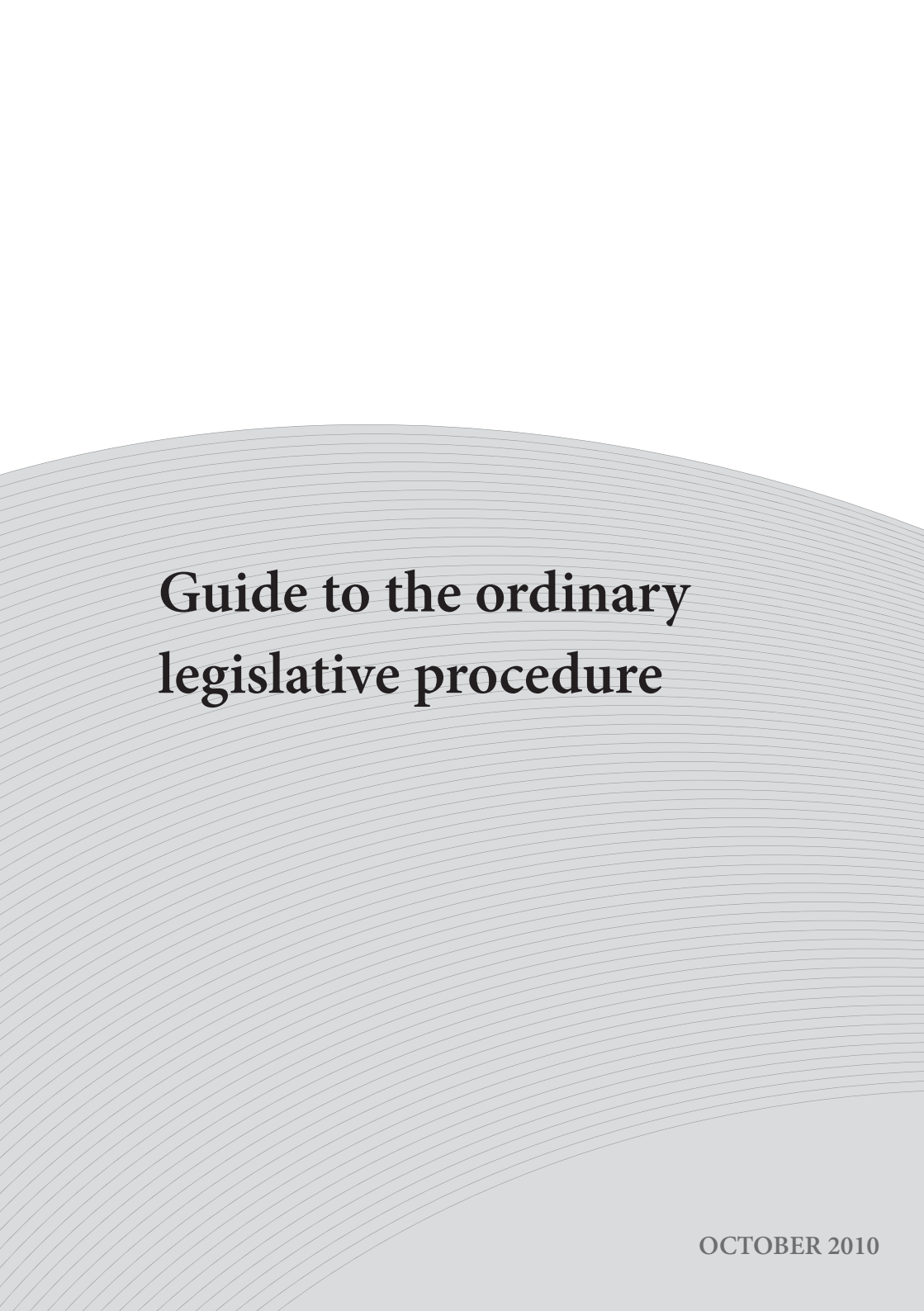
GENERAL SECRETARIAT OF THE COUNCIL

PRACTICAL GUIDES

# Guide to the ordinary legislative procedure

OCTOBER 2010





# **Guide to the ordinary legislative procedure**

OCTOBER 2010

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Luxembourg: Publications Office of the European Union, 2010

ISBN 978-92-824-2632-6

doi:10.2860/74684

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*Printed in Belgium*

Printed on elemental chlorine-free bleached paper (ECF)

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# CHAPTER I

## CONDUCT OF THE PROCEDURE

### First reading (no time-limit)

The European Commission, using its right of initiative, submits its legislative proposal simultaneously to the European Parliament (EP) and to the Council. Since the entry into force of the Treaty of Lisbon, the ordinary legislative procedure may also be launched on the initiative of a quarter of the Member States, on a recommendation from the European Central Bank, or at the request of the Court of Justice of the European Union.

For it to be possible to conclude dossiers subject to the ordinary legislative procedure (formerly 'codecision') at the end of the first reading, proceedings need to be conducted in parallel in the two institutions, there must be an intensive exchange of information, and the Council Presidency has to be readily available for exploratory contacts and negotiations with the EP. The act, which is then adopted in the wording which corresponds to the position of the EP, must therefore have undergone legal/linguistic revision beforehand.

Following the plenary vote on the EP's position at first reading, either:

- (a) the Council approves the EP's position at first reading, in which case — where it has been possible to reach agreement during the parallel exercise at first reading — the legislative act is adopted.

The legislative act — the text of the Commission proposal if the EP has not introduced any amendments, or the text of the amended Commission proposal — is adopted in the wording which corresponds to the position of the EP (PE-CONS document), and then submitted for signing by the Secretaries-General and Presidents of the EP and the Council (LEX PE-CONS document) and published in the *Official Journal of the European Union* (OJ);  
or

- (b) the Council does not approve the EP's position at first reading, in which case — where no agreement could be reached — the Council adopts its position at first reading.

Following legal/linguistic revision, the text of the position at first reading is sent to the EP, together with the statement of reasons and any statements made by the Council and/or the Commission for the Council's minutes. The Commission informs the EP fully of its position.

The Council's first reading will therefore result either in the approval of the EP's first reading, or in the non-approval of the EP's position at first reading and the adoption of the Council's position at first reading (which is the subject of the EP's second reading).

### NB: Arrangements for the EP's first reading<sup>1</sup>

After receiving the Commission proposal, the President of the EP refers it to the relevant parliamentary committee for examination of its substance and, if appropriate, to other committees which may issue an opinion on the matter (Rule 49 of the Rules of Procedure of the EP).

After deciding on the procedure to be followed for the examination of the proposal, the committee appoints a rapporteur on the Commission proposal from among its members or permanent substitutes, if it has not yet done so on the basis of the Commission's annual legislative programme (Rule 45 of the Rules of Procedure of the EP).

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1 The numbering of the Rules is that of the Rules of Procedure of the EP for the seventh parliamentary term (December 2009).



The rapporteur is responsible for presenting a draft report to the parliamentary committee. In this draft, the rapporteur summarises the Commission proposal and the views of the different parties involved. During the debate within the parliamentary committee, the Commission may defend its proposal and answer questions from members of the committee. The parliamentary committee first examines the legal basis (Rule 37). During the examination of a proposal, the relevant parliamentary committee asks the Commission and the Council to keep it informed of the progress of that proposal in the Council and its working parties (Rule 39).

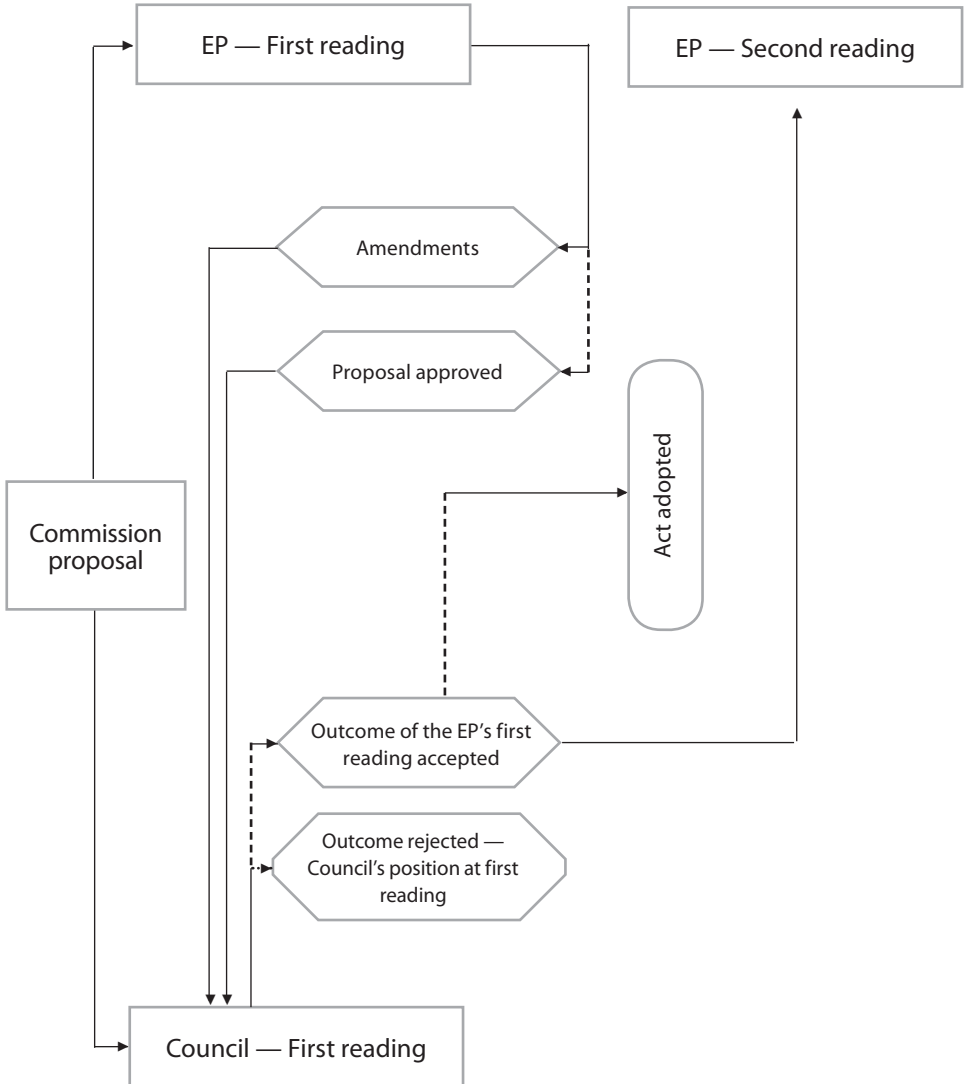
The plenary session discusses the legislative proposal on the basis of the report drawn up by the relevant committee (Rule 55), which will include any proposed amendments to the proposal, a draft legislative resolution and, if appropriate, an explanatory statement. The plenary may also examine the legislative proposal without report or in accordance with a simplified procedure (Rule 46).

In the draft resolution, the committee proposes to the plenary either the approval or rejection of the Commission proposal, or the tabling of amendments (Rule 55(2) of the Rules of Procedure of the EP). After the report has been adopted by the committee, it is still possible for an MEP or a group of MEPs, or for the rapporteur, often acting on behalf of a political group, to table amendments during the plenary debates. In principle, political groups coordinate their respective positions during the debates and during the voting in committee and in plenary sessions.

Ordinary legislative procedure — First phase

Without time-limit

3 (+1) months



## European Parliament's second reading (time-limit: 3 (+1) months)

The date of receipt of the Council's position at first reading (in principle, the Monday of the week of the EP plenary) marks the beginning of the three-month time-limit for the EP's second reading<sup>2</sup>.

At the initiative of the European Parliament or the Council this period may be extended by one month. The vote in plenary must take place within this time-limit and no later than the end of the fourth month. Compliance with that time-limit concerns the vote in plenary and not the forwarding of the outcome of that vote to the Council.

The parliamentary committee examines the Council's position at first reading and makes its recommendation. The plenary considers the matter on the basis of that recommendation and holds the vote. The outcome of the vote may lead to three different situations:

(a) **Approval of the Council's position** at first reading:

In this case, the act is deemed to have been adopted in accordance with the Council's position at first reading. Consequently, the legislative act (= Council's position at first reading, in the form of a LEX PE-CONS document) is submitted directly for the signature of the Presidents and Secretaries-General of the EP and of the Council, and is published in the OJ.

If the EP does not vote on the Council's position at first reading within the time-limit of 3 +1 months, the same procedure applies.

(b) **Rejection of the Council's position** at first reading:

Rejection of the Council's position at first reading, on the basis of an absolute majority of MEPs (minimum of 369 votes), terminates the procedure, and the proposed act is then deemed not to have

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2 The EP takes a different view from the Council, holding that this time-limit only starts to run when the President announces in plenary the forwarding of the Council position at first reading (Rule 61 of the Rules of Procedure of the EP).

been adopted. Examination of the dossier may be resumed only on the basis of a new proposal from the Commission.

- (c) **Proposal of amendments to the Council's position** at first reading:

Amendments to the Council's position at first reading are passed on the basis of a majority of the EP's component members. The outcome of the vote is notified to the Council and the Commission, and the latter must issue an opinion on the amendments.

### **Council's second reading (time-limit: 3 (+1) months)**

The time-limit for the Council's second reading starts to run from the official receipt of the amendments resulting from the EP's second reading.

The Council may accept or reject these amendments<sup>3</sup>:

- (a) Amendments approved (the Council acts by a qualified majority, but unanimously on amendments on which the Commission has delivered a negative opinion) — act deemed to have been adopted

If the Council agrees to accept all the amendments, the act is deemed to have been adopted in the form of the Council's position at first reading thus amended. The legislative text (LEX PE-CONS document) is then submitted directly for the signature of the Presidents and Secretaries-General of the EP and of the Council and published in the OJ.

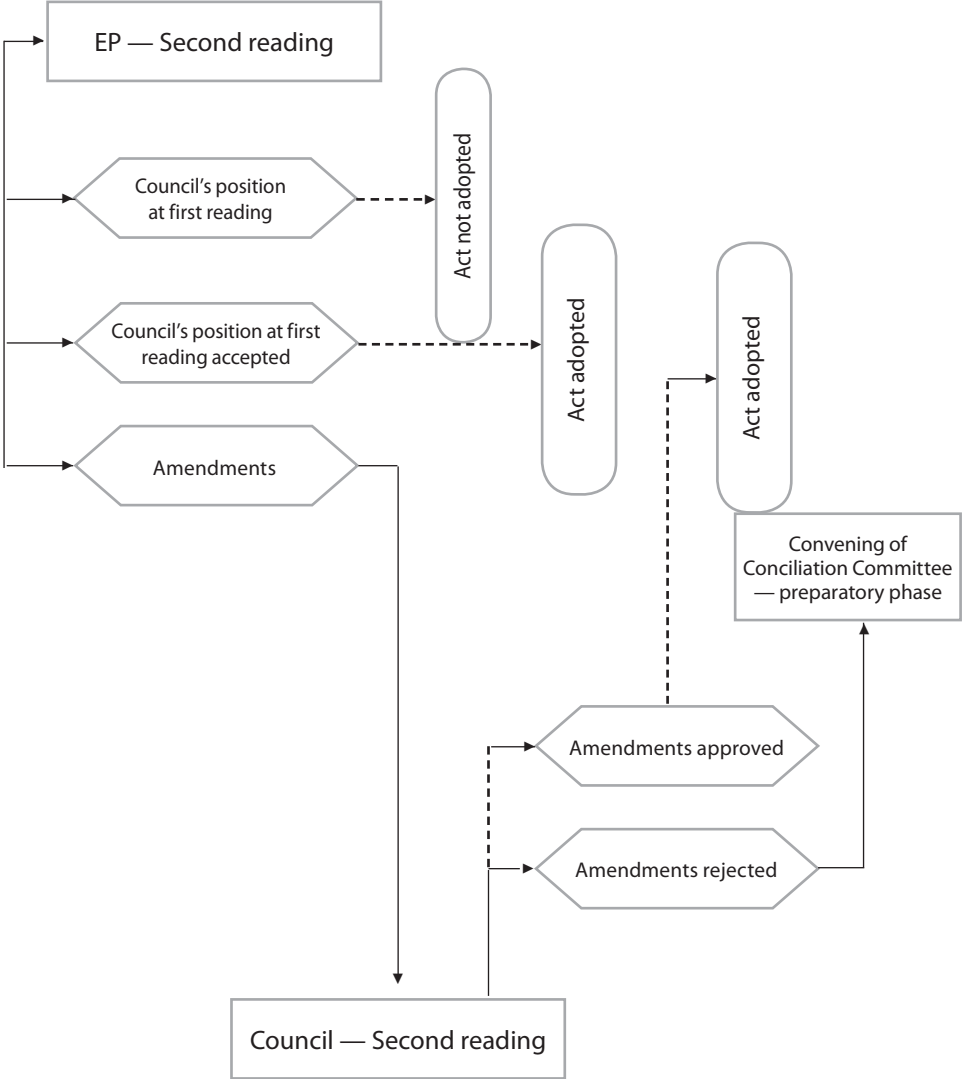
- (b) Not all amendments are approved — convening of the Conciliation Committee

Within a time-limit of 6 (+2) weeks after the Council has rejected the amendments, its President, in agreement with the President of the EP, convenes the Conciliation Committee.

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3 Before deciding whether or not to accept the EP amendments, the Commission's opinion on them must have been referred to the Council.

3 (+1) months	3 (+1) months	6 (+2) weeks
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## Conciliation (6 (+2) weeks)

### — *Preparatory work*

The six-week time-limit for the work of the Conciliation Committee, which may be extended by a maximum of two weeks on the initiative of the EP or the Council and by common accord between them, begins to run from the first meeting of the Committee. Before that date, it is essential to carry out preparatory work. The whole period of 6 (+2) weeks laid down as the time-limit for convening the Conciliation Committee, as well as the period between the moment when it is established that, politically, it is impossible to accept the EP's second reading amendments and the formal adoption of that decision by the Council, may be put to good use for technical/negotiating contacts aimed at bringing positions closer before the first meeting of the Conciliation Committee.

The negotiation meetings prior to the Conciliation Committee<sup>4</sup> are conducted, on the Council side, by the Chairman of Coreper, either on the basis of a mandate from Coreper or on behalf of the Presidency, submitting proposals which are amply supported within the Council. The results of these three-party meetings ('trialogues') are then submitted to Coreper for examination. For certain matters, the trialogues may be preceded or followed by technical meetings between the secretariats of the three institutions, and the Chairman of the working party may also sometimes take part.

The trialogues and technical meetings prior to the first meeting of the Conciliation Committee will often make it possible to bring the conciliation to a conclusion during that first meeting, sometimes even in the form of a simple declaration of the pre-arranged agreement (a kind of 'A' item, to use the terminology of Council meetings). In other cases, several meetings of the Conciliation Committee will be necessary before an agreement on a joint text can be reached. Each of these meetings may themselves be preceded by informal trialogues and technical meetings.

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4 Informal trialogues with the participation of delegations from the Parliament and the Council as well as the Commission, which takes the necessary initiatives with a view to reconciling the positions of the two delegations.

— *Proceedings of the Conciliation Committee*

The **Conciliation Committee** brings together delegations from the Parliament and the Council, each consisting of 27 members. The Committee is chaired jointly by a Vice-President of the European Parliament and by a Minister of the Member State holding the Presidency.

The **Council delegation** consists of the members of the Council or their representatives. As a general rule, it is made up of the representatives of the Member States within Coreper.

The **European Parliament delegation** consists of 27 members and 27 substitutes (the latter without a right to vote except in the absence of a member of their political group). Three Vice-Presidents of the EP are permanent members of the Conciliation Committee and take turns to co-chair it. The other 24 MEPs in the delegation are appointed by the political groups. The great majority belong to the parliamentary committee responsible for the dossier. In most cases, the EP delegation tries to work by consensus. In the case of a vote, which may take place at any stage of the conciliation, including for questions of procedure, decisions are taken by a minimum of 14 votes in favour.

The **Commission**, represented in principle by the Commissioner responsible for the dossier, takes part in the Conciliation Committee's proceedings and takes all the necessary initiatives with a view to reconciling the positions of the EP and the Council. Such initiatives may include, inter alia, draft compromise texts reflecting the positions of the Council and the EP, with due regard to the role conferred upon the Commission by the Treaty. The Commission's position has no influence, however, on the majority rules for the adoption of the joint text by the Conciliation Committee: qualified majority within the Council delegation<sup>5</sup> and simple majority within the EP delegation. The Commission's right of initiative therefore plays no role in the conciliation phase (see Article 293 of the Treaty on the Functioning of the European Union).

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5 See Annex III on the question of unanimity in the ordinary legislative procedure.

Immediately before the meeting of the Conciliation Committee, the two co-Chairmen and the Commissioner meet in a **formal triologue** for a general overview of the major issues involved in the conciliation and the best way to broach them during the meeting. This triologue is preceded, as a general rule, by a **preparatory meeting** of each delegation.

The Committee has available to it the Commission proposal, the Council's position at first reading, the amendments proposed by the European Parliament, the Commission's opinion on those amendments (meeting file) and a joint working document by the European Parliament and Council delegations. This working document normally consists of two parts: Part A contains the elements of the compromise already agreed during the preparatory work and Part B the unresolved points with the respective negotiating positions (synoptic table in four columns).

The Conciliation Committee meets alternately at the premises of the Council and those of the EP. This alternation rule applies both from one dossier to the next and within each dossier, although there are many exceptions to this rule for logistical reasons (availability of meeting rooms and/or teams of interpreters). The rules governing the language arrangements for these meetings are the same as for Council meetings (23 languages). The institution which hosts the first meeting of the Conciliation Committee is responsible for editing the joint text and the forwarding letter, and, after definitive adoption of the legislative act in question by the European Parliament and the Council, for the signing of the act by the Presidents of the European Parliament and of the Council and for its publication in the *Official Journal of the European Union*.

As soon as agreement on a joint text has been reached within the Conciliation Committee (or subsequently in an exchange of letters between the co-Chairmen of the Conciliation Committee), the General Secretariat of the Council, or the EP Secretariat if the first meeting of the Conciliation Committee was held in the latter's premises, prepares the draft legislative text, in principle in the language used during the negotiations. This document subsequently becomes available, after legal/linguistic revision, in the languages of the Union. This joint text is forwarded to the Presidents of the EP and of the Council by means of a letter signed by both co-Chairmen of the Conciliation Committee (as a general rule, the Chairman of Coreper signs on behalf of the Council



co-Chairman). This **forwarding letter for the joint text**, which serves as the minutes of the Conciliation Committee and mentions any statements that may have been made, is also addressed, for information, to the Member of the Commission who took part in the proceedings of the Conciliation Committee<sup>6</sup>.

If the Committee fails to approve the joint text within the time-limit set by the Treaty, the proposed act is deemed not to have been adopted.

### Third reading by the EP and Council (time-limit: 6 (+2) weeks)

If the Conciliation Committee approves the joint text, the aim of the third reading is the adoption of the act by the two institutions in line with the joint text, with the European Parliament acting by a majority of the votes cast, and the Council by a qualified majority. If either of the two institutions fails to approve the proposed act within that period, it is deemed not to have been adopted.

The third reading is conducted over a period of six weeks, which runs from the date on which the joint text is approved, which does not necessarily correspond to the date of the last meeting of the Conciliation Committee, but rather to the date of the signature by the two co-Chairmen of the Conciliation Committee of the letter forwarding the joint text, addressed to the Presidents of the EP and of the Council. The six-week time-limit may be extended by a maximum of two weeks on the initiative of the EP or the Council and by common accord between them.

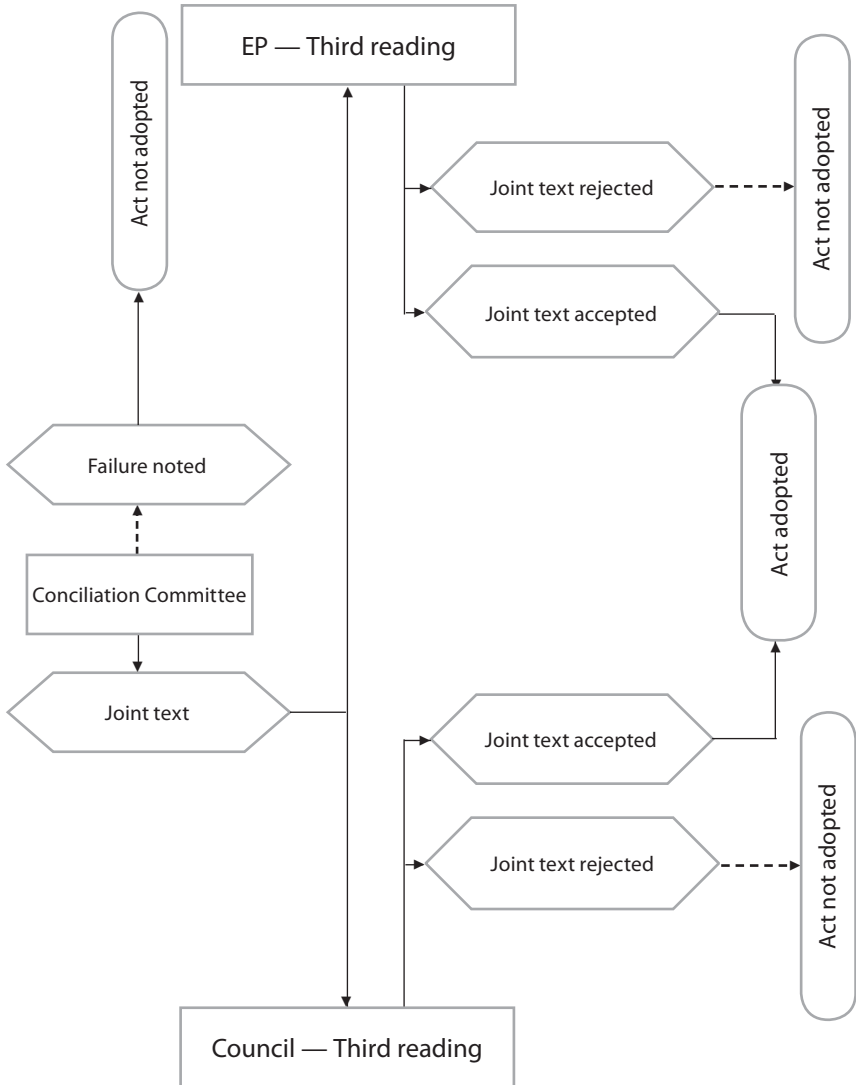
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6 For the mission and powers of the Conciliation Committee, see the judgment of 10 January 2006 in Case C-344/04, *International Air Transport Association v Department for Transport* (ECR 2006, p. I-403, paragraphs 49 to 63).

Ordinary legislative procedure —  
Third phase

6 (+2) weeks

6 (+2) weeks



## 1. Planning of proceedings

When establishing its work schedule, each Presidency reserves a certain number of dates for Conciliation Committee meetings<sup>1</sup>. This exercise is carried out, in principle a year in advance, between the EP and Council Secretariats, in agreement with the respective authorities. The setting of these dates presupposes the availability of the members of the Parliament and Council delegations, and, in particular, of the member of the government holding the Presidency who will co-chair the Conciliation Committee.

In principle, at the beginning of each six-month period or even slightly earlier, the Chairman of Coreper makes preliminary contact with the three Vice-Presidents responsible for conciliation as well as the various Chairmen of the parliamentary committees and rapporteurs involved in ordinary legislative procedure dossiers; they discuss the state of those dossiers, and jointly establish a timetable and working methods for the priorities to be worked on during that Presidency.

This discussion might cover:

- (a) dossiers for which conciliation has proven necessary after the EP's second reading, or where it seems probable because of the likely outcome of a forthcoming second reading by the EP;
- (b) dossiers undergoing a second EP reading for which exchanges of information and informal negotiations between the EP and the Council could prove useful in order to avoid conciliation;
- (c) dossiers undergoing a first reading, for which the possibility of a conclusion at first reading exists.

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<sup>1</sup> In practice, several of these dates are regularly used for informal trialogues. Other dates for Conciliation Committee meetings may be set, as required, throughout the six-month period.

This first contact at the level of the Chairman of Coreper may be followed by contacts between the Chairmen of Council working parties and the rapporteurs for a more detailed examination of the work schedule, in particular as regards dossiers undergoing first reading or second reading by the EP.

The Council and EP Secretariats organise these meetings and draw up, on the instructions of their respective authorities, the preparatory documents (list of priority dossiers, provisional timetable of work, proposed working methods).

Regarding proceedings at first reading, the examination of dossiers both by working parties and Coreper at the Council and by the parliamentary committees at the EP, should be planned in such a way that this work can to some extent be conducted in parallel.

## 2. Role of the Presidency during the different phases of the ordinary legislative procedure

### *First reading*

#### *Parallel examination — role of Commission departments*

Initially, for each dossier, the Presidency must examine the Commission proposal at working party level, with referral to Coreper as necessary. A parallel examination must be carried out within the relevant parliamentary committee.

The Council working party examines the Commission proposal while following the progress of work within the relevant parliamentary committee. The Commission departments, which attend the EP and Council meetings, may play an important role as information carriers, while respecting the working rules of each institution.

#### *Trialogues*

Once the examination of the dossier reaches a certain degree of maturity — making it possible to know the positions of the delegations on the main questions it raises — the Presidency may start contacts with representatives of the European Parliament at parliamentary committee level (rapporteur/Chairman of the parliamentary committee).

Commission officials also attend these meetings, known in practice as 'informal dialogues', where the Presidency (Chairman of the working party/Chairman of Coreper) is assisted by the directorate-general (DG) in charge of the dossier and by the Codecision Unit (Directorate for General Political Questions).

After these initial contacts, which make it possible to clarify the respective points of view, identify the essential points on which views differ and thus establish an initial evaluation of the possibilities of concluding the dossier at first reading, the Presidency notifies Coreper of the results (on Parliament's side, the same exercise takes place with examination in parliamentary committee). Coreper, if necessary after examination by the working party, will evaluate the possibilities of an agreement at first reading and, if appropriate, will draw up proposals for a compromise.

#### *Informal negotiation meetings*

For certain dossiers, these initial contacts may continue by way of informal negotiation meetings, for which the Presidency will in principle have a mandate from Coreper. During these informal negotiation meetings, the Chairman of Coreper and the EP representative(s) will seek to bring the positions of the two institutions closer together, with the aim of achieving an outcome from the EP's first reading (amendments to the Commission proposal or no amendments) which is acceptable to the Council. Even in a situation where it is clear that agreement will not be reached at first reading, continued contacts with Parliament may be justified in order to define more clearly the points of disagreement and to reduce the number of possible EP amendments at second reading.

The first reading will thus be characterised by this continuous movement of contacts/negotiations with Parliament, followed by an examination by both the Parliament and the Council of the outcome of these contacts and the establishment of their respective negotiating positions. This movement is also characteristic of the preparatory phase for conciliation.

### *EP's second reading*

During this phase of the procedure, the Council must monitor the Parliament's proceedings closely. For certain dossiers, the Presidency may need to establish contacts with EP representatives, in order to facilitate the acceptance of the Council's position at first reading, to avoid its rejection, or to persuade the EP to limit the introduction of amendments to the Council's position at first reading to those acceptable to the Council. In this case, tripartite meetings and informal negotiation meetings might be organised along the lines of those during the first reading.

### *Council's second reading<sup>2</sup>*

#### *Examination of the amendments by the working party*

Once the information note from the General Secretariat about the outcome of the EP's second reading, including as an annex the EP Resolution and the proposed amendments, is available, the Presidency ensures that the working party examines the EP amendments as soon as possible.

This examination must be carried out in depth and not be confined merely to identifying the amendments rejected and those that may be accepted by the Council (or, to simplify matters, the rejection of all the amendments collectively). If all the amendments are not accepted, the working party must start examining possible compromise texts and already propose them to Coreper in its first report.

#### *Adoption of the act*

If the outcome of the working party's proceedings, as confirmed by Coreper, leads to acceptance of all the EP amendments, the Secretariat draws up an 'I/A' item note with a view to adoption of the act by the Council (Council's position at first reading modified by the amendments) and subsequently ensures its publication in the OJ after signature by the Presidents and Secretaries-General of the EP and the Council.

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2 If, at the EP's second reading, it accepts the Council's position at first reading, the act is deemed to have been adopted and there is no need for the Council to carry out a second reading.

### *Convening of the Conciliation Committee*

If all the amendments are not approved, the Council informs the EP, and the President of the Council convenes the Conciliation Committee, in agreement with the President of the EP. The date on which the Council does not approve the amendments marks the beginning of the 6 (+2)-week time-limit for the convening of the Conciliation Committee.

The Presidency may, in the case of certain complex dossiers, choose not to have the Council establish that it is impossible to accept the amendments immediately after examining them within the working party/Coreper, and to use part of the time-limit for the Council's second reading (3 (+1) months) for informal contacts with the EP in order to prepare for conciliation.

In an initial phase, technical meetings may take place between the Chairman of the working party assisted by the Council Secretariat (DG + Codecision Unit), and the rapporteur, in the presence of Commission officials. As soon as the initial negotiating positions of both institutions are well established<sup>3</sup>, it is possible to move on to the negotiating phase in the form of an 'informal triologue'. This meeting is attended, on the Council side, by the Chairman of Coreper (with the incoming Chairman attending as an observer) and, on the Parliament side, by the rapporteur, and sometimes the Chairman of the relevant parliamentary committee, with the Commission in principle being represented by the relevant Director-General.

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3 In the form of synoptic tables in four columns — Council's position at first reading, EP amendments, Position of the EP (or of the rapporteur), Position of the Council (or suggestions from the Presidency) — which, ever since the negotiation of the 'health' dossiers in December 1995, has been the usual instrument for negotiation throughout conciliation.

## **Conciliation**

### *Preparatory phase*

In the period preceding the first meeting of the Conciliation Committee, the Presidency must be available for **technical meetings** (in principle, the Chairman of the working party participates) and for **informal dialogues** (with the participation of the Chairman of Coreper). The Council's negotiating positions — which constitute the Presidency's mandate — are in principle drawn up in advance by Coreper, which is kept informed by its Chairman of the outcome of negotiations with the EP.

In certain cases, the Chairman of Coreper takes negotiating initiatives under his own personal responsibility, which are binding only on the Presidency. This negotiating technique has increasingly been used. The first Council negotiation offer is often made in the form of a Presidency compromise. The EP often also replies with the rapporteur's position. The two offers *ad referendum* are subsequently submitted for approval by the Council (Coreper) and EP delegations.

### *Meeting of the Conciliation Committee*

For meetings of the Conciliation Committee, the Presidency must ensure the participation of a member of the government (in principle, the minister responsible for the dossier) who co-chairs the Conciliation Committee. As a general rule, before meetings of the Conciliation Committee, the Presidency organises a briefing with the General Secretariat of the Council.

Some dossiers require several meetings of the Conciliation Committee. Often, between these meetings, the minister co-chairing the Conciliation Committee needs to get involved at political level in order to find compromise formulas within the Council and to negotiate them with his counterpart from the Parliament.



# CHAPTER III

## THE GENERAL SECRETARIAT OF THE COUNCIL

In the domain of legislative activity under the ordinary legislative procedure, successive Presidencies can count, for each dossier, on the support of the directorate-general responsible for it, the Codecision Unit and the Legal Service.

The table in Annex VI shows the allocation of tasks within the General Secretariat of the Council, between the various directorates-general (departments responsible) and the Codecision Unit, throughout the procedure.



# ANNEX I

## TEXTS

### **Article 294 of the Treaty on the Functioning of the European Union**

1. Where reference is made in the Treaties to the ordinary legislative procedure for the adoption of an act, the following procedure shall apply.
2. The Commission shall submit a proposal to the European Parliament and the Council.

#### ***First reading***

3. The European Parliament shall adopt its position at first reading and communicate it to the Council.
4. If the Council approves the European Parliament's position, the act concerned shall be adopted in the wording which corresponds to the position of the European Parliament.
5. If the Council does not approve the European Parliament's position, it shall adopt its position at first reading and communicate it to the European Parliament.
6. The Council shall inform the European Parliament fully of the reasons which led it to adopt its position at first reading. The Commission shall inform the European Parliament fully of its position.

#### ***Second reading***

7. If, within three months of such communication, the European Parliament:
  - (a) approves the Council's position at first reading or has not taken a decision, the act concerned shall be deemed to have been adopted in the wording which corresponds to the position of the Council;

- (b) rejects, by a majority of its component members, the Council's position at first reading, the proposed act shall be deemed not to have been adopted;
  - (c) proposes, by a majority of its component members, amendments to the Council's position at first reading, the text thus amended shall be forwarded to the Council and to the Commission, which shall deliver an opinion on those amendments.
- 8. If, within three months of receiving the European Parliament's amendments, the Council, acting by a qualified majority:
  - (a) approves all those amendments, the act in question shall be deemed to have been adopted;
  - (b) does not approve all the amendments, the President of the Council, in agreement with the President of the European Parliament, shall within six weeks convene a meeting of the Conciliation Committee.
- 9. The Council shall act unanimously on the amendments on which the Commission has delivered a negative opinion.

### ***Conciliation***

- 10. The Conciliation Committee, which shall be composed of the members of the Council or their representatives and an equal number of members representing the European Parliament, shall have the task of reaching agreement on a joint text, by a qualified majority of the members of the Council or their representatives and by a majority of the members representing the European Parliament within six weeks of its being convened, on the basis of the positions of the European Parliament and the Council at second reading.
- 11. The Commission shall take part in the Conciliation Committee's proceedings and shall take all the necessary initiatives with a view to reconciling the positions of the European Parliament and the Council.

12. If, within six weeks of its being convened, the Conciliation Committee does not approve the joint text, the proposed act shall be deemed not to have been adopted.

### ***Third reading***

13. If, within that period, the Conciliation Committee approves a joint text, the European Parliament, acting by a majority of the votes cast, and the Council, acting by a qualified majority, shall each have a period of six weeks from that approval in which to adopt the act in question in accordance with the joint text. If they fail to do so, the proposed act shall be deemed not to have been adopted.
14. The periods of three months and six weeks referred to in this Article shall be extended by a maximum of one month and two weeks respectively at the initiative of the European Parliament or the Council.

### ***Special provisions***

15. Where, in the cases provided for in the Treaties, a legislative act is submitted to the ordinary legislative procedure on the initiative of a group of Member States, on a recommendation by the European Central Bank, or at the request of the Court of Justice, paragraph 2, the second sentence of paragraph 6, and paragraph 9 shall not apply.

In such cases, the European Parliament and the Council shall communicate the proposed act to the Commission with their positions at first and second readings. The European Parliament or the Council may request the opinion of the Commission throughout the procedure, which the Commission may also deliver on its own initiative. It may also, if it deems it necessary, take part in the Conciliation Committee in accordance with paragraph 11.

## DECLARATION ON RESPECT FOR TIME-LIMITS UNDER THE CODECISION PROCEDURE<sup>1</sup>

The Conference calls on the European Parliament, the Council and the Commission to make every effort to ensure that the codecision procedure operates as expeditiously as possible. It recalls the importance of strict respect for the deadlines set out in Article 189b of the Treaty establishing the European Community and confirms that recourse, provided for in paragraph 7 of that Article, to extension of the periods in question should be considered only when strictly necessary. In no case should the actual period between the second reading by the European Parliament and the outcome of the Conciliation Committee exceed nine months.

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1 Declaration No 34 annexed to the Final Act of the IGC which adopted the Treaty of Amsterdam. Declaration in force.

## II

(Information)

### JOINT DECLARATIONS

## EUROPEAN PARLIAMENT COUNCIL COMMISSION

### **JOINT DECLARATION ON PRACTICAL ARRANGEMENTS FOR THE CODECISION PROCEDURE (ARTICLE 251 OF THE EC TREATY)**

(2007/C 145/02)

#### **GENERAL PRINCIPLES**

1. The European Parliament, the Council and the Commission, hereinafter referred to collectively as 'the institutions', note that current practice involving talks between the Council Presidency, the Commission and the chairs of the relevant committees and/or rapporteurs of the European Parliament and between the co-chairs of the Conciliation Committee has proved its worth.
2. The institutions confirm that this practice, which has developed at all stages of the codecision procedure, must continue to be encouraged. The institutions undertake to examine their working methods with a view to making even more effective use of the full scope of the codecision procedure as established by the EC Treaty.
3. This Joint Declaration clarifies these working methods, and the practical arrangements for pursuing them. It complements the Interinstitutional Agreement on Better Lawmaking <sup>(1)</sup> and notably its provisions relating to the co-decision procedure. The institutions undertake fully to respect such commitments in line with the principles of transparency, accountability and efficiency. In this respect, the institutions should pay particular attention to making progress on simplification proposals while respecting the *acquis communautaire*.
4. The institutions shall cooperate in good faith throughout the procedure with a view to reconciling their positions as far as possible and thereby clearing the way, where appropriate, for the adoption of the act concerned at an early stage of the procedure.
5. With that aim in view, they shall cooperate through appropriate interinstitutional contacts to monitor the progress of the work and analyse the degree of convergence at all stages of the codecision procedure.
6. The institutions, in accordance with their internal rules of procedure, undertake to exchange information regularly on the progress of codecision files. They shall ensure that their respective calendars of work are coordinated as far as possible in order to enable proceedings to be conducted in a coherent and convergent fashion. They will therefore seek to establish an indicative timetable for the various stages leading to the final adoption of different legislative proposals, while fully respecting the political nature of the decision-making process.

<sup>(1)</sup> OJ C 321, 31.12.2003, p. 1.

7. Cooperation between the institutions in the context of codecision often takes the form of tripartite meetings ('trilogues'). This trilogue system has demonstrated its vitality and flexibility in increasing significantly the possibilities for agreement at first and second reading stages, as well as contributing to the preparation of the work of the Conciliation Committee.
8. Such trilogues are usually conducted in an informal framework. They may be held at all stages of the procedure and at different levels of representation, depending on the nature of the expected discussion. Each institution, in accordance with its own rules of procedure, will designate its participants for each meeting, define its mandate for the negotiations and inform the other institutions of arrangements for the meetings in good time.
9. As far as possible, any draft compromise texts submitted for discussion at a forthcoming meeting shall be circulated in advance to all participants. In order to enhance transparency, trilogues taking place within the European Parliament and Council shall be announced, where practicable.
10. The Council Presidency will endeavour to attend the meetings of the parliamentary committees. It will carefully consider any request it receives to provide information related to the Council position, as appropriate.

#### FIRST READING

11. The institutions shall cooperate in good faith with a view to reconciling their positions as far as possible so that, wherever possible, acts can be adopted at first reading.

#### **Agreement at the stage of first reading in the European Parliament**

12. Appropriate contacts shall be established to facilitate the conduct of proceedings at first reading.
13. The Commission shall facilitate such contacts and shall exercise its right of initiative in a constructive manner with a view to reconciling the positions of the European Parliament and the Council, with due regard for the balance between the institutions and the role conferred on it by the Treaty.
14. Where an agreement is reached through informal negotiations in trilogues, the chair of Coreper shall forward, in a letter to the chair of the relevant parliamentary committee, details of the substance of the agreement, in the form of amendments to the Commission proposal. That letter shall indicate the Council's willingness to accept that outcome, subject to legal-linguistic verification, should it be confirmed by the vote in plenary. A copy of that letter shall be forwarded to the Commission.
15. In this context, where conclusion of a dossier at first reading is imminent, information on the intention to conclude an agreement should be made readily available as early as possible.

#### **Agreement at the stage of Council common position**

16. Where no agreement is reached at the European Parliament's first reading, contacts may be continued with a view to concluding an agreement at the common position stage.
17. The Commission shall facilitate such contacts and shall exercise its right of initiative in a constructive manner with a view to reconciling the positions of the European Parliament and the Council, with due regard for the balance between the institutions and the role conferred on it by the Treaty.
18. Where an agreement is reached at this stage, the chair of the relevant parliamentary committee shall indicate, in a letter to the chair of Coreper, his recommendation to the plenary to accept the Council common position without amendment, subject to confirmation of the common position by the Council and to legal-linguistic verification. A copy of the letter shall be forwarded to the Commission.

#### SECOND READING

19. In its statement of reasons, the Council shall explain as clearly as possible the reasons that led it to adopt its common position. During its second reading, the European Parliament shall take the greatest possible account of those reasons and of the Commission's position.
20. Before transmitting the common position, the Council shall endeavour to consider in consultation with the European Parliament and the Commission the date for its transmission in order to ensure the maximum efficiency of the legislative procedure at second reading.



### Agreement at the stage of second reading in the European Parliament

21. Appropriate contacts will continue as soon as the Council common position is forwarded to the European Parliament, with a view to achieving a better understanding of the respective positions and thus to bringing the legislative procedure to a conclusion as quickly as possible.
22. The Commission shall facilitate such contacts and give its opinion with a view to reconciling the positions of the European Parliament and the Council, with due regard for the balance between the institutions and the role conferred on it by the Treaty.
23. Where an agreement is reached through informal negotiations in trilogues, the chair of Coreper shall forward, in a letter to the chair of the relevant parliamentary committee, details of the substance of the agreement, in the form of amendments to the Council common position. That letter shall indicate the Council's willingness to accept that outcome, subject to legal-linguistic verification, should it be confirmed by the vote in plenary. A copy of that letter shall be forwarded to the Commission.

### CONCILIATION

24. If it becomes clear that the Council will not be in a position to accept all the amendments of the European Parliament at second reading and when the Council is ready to present its position, a first trilogue will be organised. Each institution, in accordance with its own rules of procedure, will designate its participants for each meeting and define its mandate for the negotiations. The Commission will indicate to both delegations at the earliest possible stage its intentions with regard to its opinion on the European Parliament's second reading amendments.
25. Trilogues shall take place throughout the conciliation procedure with the aim of resolving outstanding issues and preparing the ground for an agreement to be reached in the Conciliation Committee. The results of the trilogues shall be discussed and possibly approved at the meetings of the respective institutions.
26. The Conciliation Committee shall be convened by the President of the Council, with the agreement of the President of the European Parliament and with due regard to the provisions of the Treaty.
27. The Commission shall take part in the conciliation proceedings and shall take all the necessary initiatives with a view to reconciling the positions of the European Parliament and the Council. Such initiatives may include, draft compromise texts having regard to the positions of the European Parliament and of the Council and with due regard for the role conferred upon the Commission by the Treaty.
28. The Conciliation Committee shall be chaired jointly by the President of the European Parliament and the President of the Council. Committee meetings shall be chaired alternately by each co-chair.
29. The dates and the agendas for the Conciliation Committee's meetings shall be set jointly by the co-chairs with a view to the effective functioning of the Conciliation Committee throughout the conciliation procedure. The Commission shall be consulted on the dates envisaged. The European Parliament and the Council shall set aside, for guidance, appropriate dates for conciliation proceedings and shall notify the Commission thereof.
30. The co-chairs may put several dossiers on the agenda of any one meeting of the Conciliation Committee. As well as the principal topic ('B-item'), where agreement has not yet been reached, conciliation procedures on other topics may be opened and/or closed without discussion on these items ('A-item').
31. While respecting the Treaty provisions regarding time-limits, the European Parliament and the Council shall, as far as possible, take account of scheduling requirements, in particular those resulting from breaks in the institutions' activities and from the European Parliament's elections. At all events, the break in activities shall be as short as possible.
32. The Conciliation Committee shall meet alternately at the premises of the European Parliament and the Council, with a view to an equal sharing of facilities, including interpretation facilities.
33. The Conciliation Committee shall have available to it the Commission proposal, the Council common position and the Commission's opinion thereon, the amendments proposed by the European Parliament and the Commission's opinion thereon, and a joint working document by the European Parliament and Council delegations. This working document should enable users to identify the issues at stake easily and to refer to them efficiently. The Commission shall, as a general rule, submit its opinion within three weeks of official receipt of the outcome of the European Parliament's vote and at the latest by the commencement of conciliation proceedings.

34. The co-chairs may submit texts for the Conciliation Committee's approval.
35. Agreement on a joint text shall be established at a meeting of the Conciliation Committee or, subsequently, by an exchange of letters between the co-chairs. Copies of such letters shall be forwarded to the Commission.
36. If the Conciliation Committee reaches agreement on a joint text, the text shall, after legal-linguistic finalisation, be submitted to the co-chairs for formal approval. However, in exceptional cases in order to respect the deadlines, a draft joint text may be submitted to the co-chairs for approval.
37. The co-chairs shall forward the approved joint text to the Presidents of the European Parliament and of the Council by means of a jointly signed letter. Where the Conciliation Committee is unable to agree on a joint text, the co-chairs shall notify the Presidents of the European Parliament and of the Council thereof in a jointly signed letter. Such letters shall serve as an official record. Copies of such letters shall be forwarded to the Commission for information. The working documents used during the conciliation procedure will be accessible in the Register of each institution once the procedure has been concluded.
38. The Secretariat of the European Parliament and the General- Secretariat of the Council shall act jointly as the Conciliation Committee's secretariat, in association with the Secretariat-General of the Commission.

#### GENERAL PROVISIONS


39. Should the European Parliament or the Council deem it essential to extend the time-limits referred to in Article 251 of the Treaty, they shall notify the President of the other institution and the Commission accordingly.
40. Where an agreement is reached at first or second reading, or during conciliation, the agreed text shall be finalised by the legal-linguistic services of the European Parliament and of the Council acting in close cooperation and by mutual agreement.
41. No changes shall be made to any agreed texts without the explicit agreement, at the appropriate level, of both the European Parliament and the Council.
42. Finalisation shall be carried out with due regard to the different procedures of the European Parliament and the Council, in particular with respect to deadlines for conclusion of internal procedures. The institutions undertake not to use the time-limits laid down for the legal-linguistic finalisation of acts to reopen discussions on substantive issues.
43. The European Parliament and the Council shall agree on a common presentation of the texts prepared jointly by those institutions.
44. As far as possible, the institutions undertake to use mutually acceptable standard clauses to be incorporated in the acts adopted under codecision in particular as regards provisions concerning the exercise of implementing powers (in accordance with the 'comitology' decision <sup>(1)</sup>), entry into force, transposition and the application of acts and respect for the Commission's right of initiative.
45. The institutions will endeavour to hold a joint press conference to announce the successful outcome of the legislative process at first or second reading or during conciliation. They will also endeavour to issue joint press releases.
46. Following adoption of a legislative act under the codecision procedure by the European Parliament and the Council, the text shall be submitted, for signature, to the President of the European Parliament and the President of the Council and to the Secretaries-General of those institutions.
47. The Presidents of the European Parliament and the Council shall receive the text for signature in their respective languages and shall, as far as possible, sign the text together at a joint ceremony to be organised on a monthly basis with a view to signing important acts in the presence of the media.

<sup>(1)</sup> Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23). Decision as amended by Decision 2006/512/EC (OJ L 200, 27.7.2006, p. 11).

48. The jointly signed text shall be forwarded for publication in the Official Journal of the European Union. Publication shall normally follow within two months of the adoption of the legislative act by the European Parliament and the Council.
49. If one of the institutions identifies a clerical or obvious error in a text (or in one of the language versions thereof), it shall immediately notify the other institutions. If the error concerns an act that has not yet been adopted by either the European Parliament or the Council, the legal-linguistic services of the European Parliament and the Council shall prepare the necessary corrigendum in close cooperation. Where this error concerns an act that has already been adopted by one or both of those institutions, whether published or not, the European Parliament and the Council shall adopt, by common agreement, a corrigendum drawn up under their respective procedures.

Done at Brussels, on the thirteenth day of June in the year two thousand and seven.

*For the European Parliament*  
*The President*



*For the Council of the European Union*  
*The President*



*For the Commission of the European Communities*  
*The President*



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# ANNEX III

## LEGAL BASES FOR THE ORDINARY LEGISLATIVE PROCEDURE

Legal basis	Description	Procedural points <sup>1</sup>
Article 14	Services of general economic interest	
Article 15(3)	Access to the documents of the institutions	
Article 16(2)	Independent control authorities for the protection of personal data	
Article 18	Prohibition of discrimination on grounds of nationality	
Article 19(2)	Basic principles in the fight against discrimination	
Article 21(2)	Facilitation of freedom of movement and residence of citizens of the Union	
Article 24	Citizens' initiative	
Article 33	Customs cooperation	
Article 42, first paragraph	Application of rules on competition to production of and trade in agricultural products	Consultation of the EESC

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1 With the entry into force of the Treaty of Lisbon, qualified majority voting is the rule at the Council for the adoption of acts in accordance with the ordinary legislative procedure (Article 16(3) TEU). However, if in addition to the legal basis which makes adoption subject to the ordinary legislative procedure the draft act contains a legal basis which requires unanimity, then unanimity is required for the adoption of the act (for example Article 352(1) TFEU).

Article 43(2)	Common organisation of agricultural markets	Consultation of the EESC
Article 46	Freedom of movement for workers	Consultation of the EESC
Article 48	Rules on social security for migrant workers	Article 294, subject to the second paragraph of Article 48
Article 50(1)	Freedom of establishment	Consultation of the EESC
Article 51, second paragraph	Exclusion of certain activities from the application of the provisions on freedom of establishment	
Article 52(2)	Coordination of the provisions on special treatment for the establishment of foreign nationals	
Article 53(1)	Mutual recognition of diplomas with a view to the freedom of establishment	
Article 56, second paragraph	Extension to third-country nationals of the freedom to provide services	
Article 59(1)	Liberalisation of services	Consultation of the EESC

Article 62	Exclusion of certain activities from the application of the provisions on freedom to provide services	
	Coordination of the provisions on special treatment for foreign nationals as regards the freedom to provide services	
	Mutual recognition of diplomas with a view to the freedom to provide services	
Article 64(2)	Movements of capital to or from third countries involving direct investment	
Article 75, first paragraph	Administrative measures relating to the prevention of terrorism, applicable to capital movements and payments	
Article 77(2)	Measures concerning border checks, asylum and immigration	
Article 78(2)	Measures concerning a common European asylum system	
Article 79(2)	Common immigration policy	
Article 79(4)	Measures to provide incentives and support for the integration of third-country nationals	

Article 81(2)	Judicial cooperation in civil matters	
Article 82(1)	Judicial cooperation in criminal matters	Article 294, subject to Article 76(b)
Article 82(2)	Minimum rules on the mutual recognition of judgments and judicial decisions and police and judicial cooperation in criminal matters	Article 294, subject to Article 76(b) and Article 82(3)
Article 83(1)	Minimum rules concerning the definition of criminal offences and sanctions in the areas of particularly serious and cross-border crime	Article 294, subject to Article 76(b) and Article 83(3)
Article 83(2)	Approximation of laws (minimum rules on the definition of criminal offences and sanctions)	Article 294, subject to Article 76(b) and Article 83(3)
Article 84	Measures to promote and support the action of Member States in the field of crime prevention	Article 294, subject to Article 76(b)
Article 85(1)	Eurojust's structure, operation, field of action and tasks	Article 294, subject to Article 76(b)
Article 87(2)	Measures concerning police cooperation	Article 294, subject to Article 76(b)
Article 88(2)	Europol's structure, operation, field of action and tasks	Article 294, subject to Article 76(b)



Article 91(1)	Common transport policy (by rail, road and inland waterway)	Consultation of the EESC and CoR
Article 100(2)	Common transport policy (sea and air transport)	Consultation of the EESC and CoR
Article 114(1)	Measures for the approximation of laws in the internal market	Consultation of the EESC
Article 116, second paragraph	Elimination of distortions of competition	
Article 118, first paragraph	Measures for the uniform protection of intellectual property rights in the Union	
Article 121(6)	Rules for the multilateral surveillance procedure for economic policies	
Article 129(3)	Amendment of certain articles of the Statutes of the ESCB	Legislative initiative on a recommendation from the ECB (with consultation of the Commission) or on a proposal from the Commission (with consultation of the ECB)
Article 133	Measures necessary for the use of the euro	Consultation of the ECB
Article 136(1)	Certain measures relating to the euro	Article 294, subject to Article 136(2) and Article 238(3)

Article 149, first paragraph	Incentive measures in the field of employment	Consultation of the EESC and CoR
Article 153(2), first and second subparagraphs	Certain measures relating to social policy	Article 294, subject to the third subparagraph of Article 153(2) Consultation of the EESC and CoR
Article 157(3)	Application of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation	Consultation of the EESC
Article 164	Implementing regulations relating to the European Social Fund	Consultation of the EESC and CoR
Article 165(4), first indent	Incentive measures in the field of education	Consultation of the EESC and CoR
Article 166(4)	Measures relating to vocational training policy	Consultation of the EESC and CoR
Article 167(5), first indent	Incentive measures in the field of culture	Consultation of the CoR
Article 168(4)	Certain public-health measures	Consultation of the EESC and CoR
Article 168(5)	Certain measures relating to human health	Consultation of the EESC and CoR
Article 169(3)	Supporting and supplementary measures relating to consumer protection	Consultation of the EESC

Article 172, first paragraph	Guidelines, action and support for projects of common interest in the field of trans-European networks	Article 294, subject to the second paragraph of Article 172 Consultation of the EESC and CoR
Article 173(3)	Specific support measures in the industrial field	Consultation of the EESC
Article 175, third paragraph	Specific actions (outside the Structural Funds) in the fields of economic, social and territorial cohesion	Consultation of the EESC and CoR
Article 177, first paragraph	Tasks, priority objectives and organisation of the Structural Funds	Consultation of the EESC and CoR
Article 177, first paragraph	General rules and other provisions applicable to the Structural Funds	Consultation of the EESC and CoR
Article 177, second paragraph	Creation of a Cohesion Fund in the fields of environment and trans-European networks in the area of transport infrastructure	Consultation of the EESC and CoR
Article 178	Implementing regulations relating to the EAGGF	Consultation of the EESC and CoR
Article 182(1)	Multiannual framework programme for research and technological development	Consultation of the EESC
Article 182(5)	Measures necessary for the implementation of the European research area	Consultation of the EESC

Article 188, second paragraph	Certain measures for the implementation of the multiannual framework programme for research and technological development	Consultation of the EESC
Article 189(2)	Measures relating to European space policy	
Article 192(1)	Certain aspects of environment policy	Consultation of the EESC and CoR
Article 192(3)	Adoption of general action programmes setting out the priority objectives of environment policy	Consultation of the EESC and CoR
Article 194(2)	Energy policy, with the exception of measures of a fiscal nature	Consultation of the EESC and CoR
Article 195(2)	Action in the tourism sector	
Article 196(2)	Action in the field of civil protection	
Article 197(2)	Measures necessary for administrative cooperation in the implementation of Union law	
Article 207(2)	Framework for implementing the common commercial policy	
Article 209(1)	Measures necessary for the implementation of development cooperation policy	

Article 212(2)	Measures necessary for the implementation of economic, financial and technical cooperation	
Article 214(3)	Definition of the framework for the implementation of humanitarian aid operations	
Article 214(5)	Rules and procedures for the operation of the European Voluntary Humanitarian Aid Corps	
Article 224	Regulations governing political parties at European level	
Article 257, first paragraph	Establishment of specialised courts attached to the General Court	Legislative initiative may be at the request of the Court of Justice (with consultation of the Commission) or on a proposal from the Commission (with consultation of the Court of Justice)

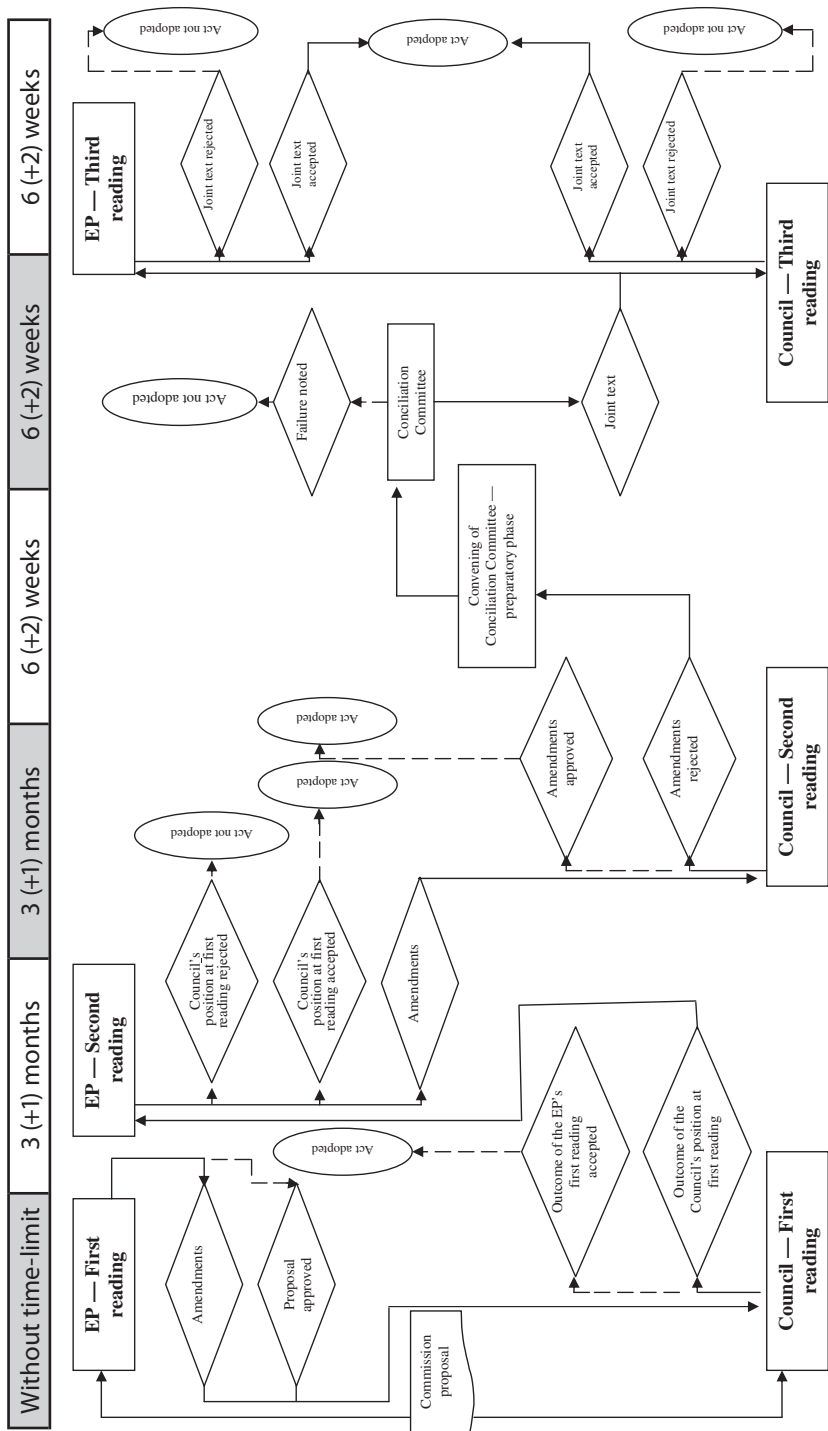
Article 281, second paragraph	Amendment of certain provision of the Statute of the Court of Justice of the European Union	Legislative initiative may be at the request of the Court of Justice (with consultation of the Commission) or on a proposal from the Commission (with consultation of the Court of Justice)
Article 291(3)	Rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers	
Article 298(2)	Provisions relating to European administration	
Article 322(1)(a)	Certain financial rules (including the procedure for establishing and implementing the budget and for presenting and auditing accounts)	Consultation of the Court of Auditors
Article 322(1)(b)	Rules providing for checks on the responsibility of financial actors	Consultation of the Court of Auditors
Article 325(4)	Measures to prevent and combat fraud affecting the financial interests of the Union	Consultation of the Court of Auditors

Article 336	Staff Regulations of Officials and the Conditions of Employment of other servants of the Union	Consultation of the other institutions concerned
Article 338(1)	Measures for the production of statistics	



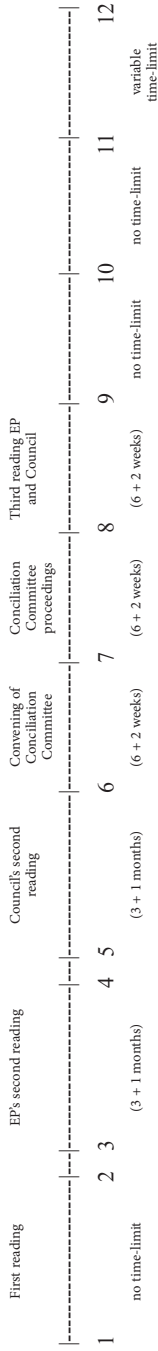


## CODECISION PROCEDURE — SUMMARY TABLE





## ORDINARY LEGISLATIVE PROCEDURE — TIME-LIMITS



1. The Commission submits a proposal to the EP and the Council.
2. The EP and the Council adopt the proposed act (possibly amended by the EP) or the Council adopts a position at first reading.
3. Forwarding of the Council's position at first reading and the statement of reasons to the EP.
4. The EP approves the Council's position at first reading or does not take a decision (the act is deemed to have been adopted = Council's position at first reading), rejects it (the act is deemed not to have been adopted) or proposes amendments to the Council's position at first reading.
5. EP amendments received.
6. The Council approves the EP amendments (the act is deemed to have been adopted: amended position of the Council at first reading) or does not approve all the amendments.
7. First meeting of the Conciliation Committee.
8. The Conciliation Committee approves the joint text and the two co-Chairmen forward it to the Presidents of the EP and of the Council or the Conciliation Committee does not approve the joint text (the proposed act is deemed not to have been adopted) and the two co-Chairmen notify this result to the Presidents of the EP and of the Council.
9. The EP and the Council adopt the act, otherwise the act is deemed not to have been adopted.
10. Signature of the act by the Presidents of the EP and of the Council.
- 11./12. Publication in the OJ/Entry into force of the act.



## RESPONSIBILITY WITHIN THE GSC FOR TASKS RELATING TO THE ORDINARY LEGISLATIVE PROCEDURE

Lead department	Associated department	Information to	
DG, department responsible ('DR')		Codecision Unit	<b>Receipt of the Commission proposal (copy of letter)</b>
			<b>First reading EP/Council</b>
DR	Legal Service	Codecision Unit	Examination of the proposal within the Council (working party/Coreper: convening, inclusion on agenda, documents)
DR	Codecision Unit		Monitoring of examination by EP committee
DR		Codecision Unit	Working party (convening, documents)
DR		Codecision Unit	Coreper (inclusion on agenda, documents)
Codecision Unit /DR	Legal Service		Informal negotiation meetings and contacts between the Council Presidency, rapporteur/Chairman of EP committee and Commission
Codecision Unit		DR	Information note on the outcome of the EP's first reading, together with the text of any amendments passed

DR			Codecision Unit	Examination of the outcome of the first reading, and possibly of the amended Commission proposal
				Acceptance by the Council of the outcome of the EP's first reading ( <b>adoption of the legal act</b> )
Codecision Unit	Legal Service, Directorate for the Quality of Legislation (DQL)	DR		Coreper/Council (inclusion on agenda, I/A item note for adoption of the act, PE-CONS document)
				Non-acceptance by the Council of the outcome of the EP's first reading ( <b>adoption of the Council's position at first reading</b> )
DR			Codecision Unit	Coreper/Council (inclusion on agenda, documents for the political adoption of the Council's position at first reading)
DR	Legal Service, DQL			Statement of reasons (simultaneously with the legal/linguistic revision of the text of the Council's position at first reading): drafting/approval by delegations
Codecision Unit		DR		Coreper/Council (inclusion on agenda, 'I/A' item note for formal adoption, Council's position at first reading, statement of reasons)
Codecision Unit		DR		Referral to EP (Council's position at first reading + statement of reasons + any statements)

			<b>EP's second reading</b>
Codecision Unit	DR		Further examination in EP committee and plenary
Codecision Unit /DR	Legal Service		Informal negotiation meetings and contacts between the Council Presidency, rapporteur/Chairman of EP committee and Commission
Codecision Unit		DR	Information note on the outcome of the EP's second reading: — position of the Council at first reading rejected — <b>act not adopted</b> — position of the Council at first reading accepted — <b>act adopted</b> — EP amendments to the Council's position at first reading — second reading by the Council
			<b>Council's second reading</b>
DR	Legal Service	Codecision Unit	Working party (convening, documents, Commission opinion)
DR		Codecision Unit	Coreper (inclusion on agenda, documents)
			— (a) Council accepts all the amendments — <b>act adopted</b>
Codecision Unit		DR	Coreper/Council (inclusion on agenda, 'I/A' item note with reference to the information note on the EP's second reading together with the text of the amendments)

			— (b) Council does not accept all the amendments — <b>conciliation</b>
Codecision Unit			EP informed about non-acceptance of the amendments
Codecision Unit	DR, Legal Service		Informal technical meetings (Chairman of the working party, EP, Commission)
Codecision Unit	DR, Legal Service		Informal dialogue (Chairman of Coreper, EP, Commission)
Codecision Unit	DR, Legal Service		Coreper preparatory work (inclusion on agenda, documents)
Codecision Unit	DR, Legal Service		(poss.) Council (inclusion on agenda, documents)
			Conciliation meeting(s):
Codecision Unit		DR	— Convening
Codecision Unit	DR, Legal Service		— Preparatory work of Council delegation
Codecision Unit	DR, Legal Service		— Meetings of the Conciliation Committee
			<i>(i) Agreement during conciliation</i>
Codecision Unit	DR, Legal Service, DQL		— Drawing up of joint text (PE-CONS)



Codecision Unit			— Letter forwarding the joint text to the Presidents of the EP and of the Council, signed by the two co-Chairmen of the Conciliation Committee
Codecision Unit		DR	Coreper/Council (inclusion on agenda, 'I/A' item note, PE-CONS document) — <b>adoption of the act</b>
			(ii) <i>Disagreement during conciliation</i> — <b>act not adopted</b>
Codecision Unit		DR	Information letter to the Presidents of the EP and of the Council, signed by the two co-Chairmen of the Conciliation Committee
Codecision Unit	DQL, Central Coordination	DR	LEX document — signing of the legislative text by the Presidents and Secretaries-General of the EP and of the Council
	DG F Press, Communication, Transparency		Publication of the act in the OJ
Codecision Unit		DR	For the record Organisation of informal contacts between the Presidency and EP, information for EP and Commission departments, extension of time-limits, information to delegations on the progress of work and time-limits for various dossiers (synoptic table)

General Secretariat of the Council

**GUIDE TO THE ORDINARY LEGISLATIVE PROCEDURE**

Luxembourg: Publications Office of the European Union

2010 — 55 pp. — 14.8 x 21.0 cm

ISBN 978-92-824-2632-6

doi:10.2860/74684

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doi:10.2860/74684



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