

Joint declaration by the European Parliament, the Council and the Commission (4 May 1999)

Caption: Joint Declaration of the European Parliament, the Council and the Commission of 4 May 1999 on practical arrangements for the new co-decision procedure (Article 251 of the Treaty establishing the European Community).

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Joint declaration on practical arrangements for the new co-decision procedure (Article 251 of the Treaty establishing the European Community)

PREAMBLE

The European Parliament, the Council and the Commission, hereinafter referred to as the “institutions”, note that the present practice of contacts between the Council Presidency, the Commission and the chairmen of the relevant committees and/or the rapporteurs of Parliament and between the co-chairmen of the Conciliation Committee has proved its worth. The institutions confirm that this practice should be extended to cover all stages of the co-decision procedure. The institutions undertake to examine their working methods with a view to making effective use of all the possibilities afforded by the new co-decision procedure.

The institutions shall do what is necessary, in accordance with their rules of procedure, to promote reciprocal information about co-decision proceedings.

I. FIRST READING

1. 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.
2. The institutions shall ensure that their respective calendars of work are coordinated as far as possible in order to facilitate the conduct of proceedings at first reading in a coherent and convergent manner in the European Parliament and the Council. They shall establish appropriate contacts to monitor the progress of the work and analyse the degree of convergence.
3. The Commission shall ensure that such contacts are facilitated and shall exercise its right of initiative in a constructive manner with a view to making it easier to reconcile the positions of the European Parliament and the Council with due regard for the balance between the institutions and the role conferred on that institution by the Treaty.

II. SECOND READING

1. In its statements of reasons the Council shall explain as clearly as possible the reasons that have 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 opinion.
2. Appropriate contacts may be established 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.
3. The Commission shall ensure that such contacts are facilitated and shall give its opinion with a view to reconciling the positions of the Council and the European Parliament, with due regard for the balance between the institutions and the role conferred on that institution by the Treaty.

III. CONCILIATION

1. 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.
2. 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, *inter alia*, draft compromise texts reflecting the positions of the Council and the European Parliament, with due regard to the role conferred upon the Commission by the Treaty.
3. The 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-chairman.

The dates and the agenda for the Committee's meetings shall be set jointly by the co-chairmen. 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.

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 European Parliament elections. In any case, the interruption of activities shall be as short as possible.

The Committee shall meet alternately at the premises of the European Parliament and those of the Council.

4. The Committee shall have available to it the Commission proposal, the Council's common position, the amendments proposed by the European Parliament, the Commission's opinion thereon and a joint working document by the European Parliament and Council delegations. The Commission shall, as a general rule, submit its opinion within two weeks of official receipt of the outcome of Parliament's vote and at the latest by the commencement of conciliation proceedings.

5. The co-chairman may submit texts for the Committee's approval.

6. The detailed outcome of votes and, where appropriate, explanations of vote, taken within each delegation to the Conciliation Committee, shall be forwarded to the Committee.

7. 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-chairmen. Copies of such letters shall be forwarded to the Commission.

8. If the Committee reaches agreement on a joint text, it shall, after legal/linguistic finalisation, be submitted to the co-chairmen for approval.

9. The co-chairmen 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-chairmen shall notify the Presidents of the European Parliament and of the Council thereof in a jointly signed letter. Such letters shall serve as minutes. Copies of such letters shall be forwarded to the Commission for information.

10. The General Secretariats of the Council and of the European Parliament shall act jointly as the Committee's secretariat, in association with the General Secretariat of the Commission.

IV. GENERAL PROVISIONS

1. Should the European Parliament or the Council deem it essential to extend the time limits referred to in Article 251 of the Treaty establishing the European Community, they shall notify the President of the other institution and the Commission thereof.

2. Texts shall be finalised by the legal/linguistic experts of the Parliament and of the Council acting in close cooperation and by mutual agreement.

3. Following the adoption of a legislative act under the co-decision 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 the two institutions.

The jointly signed text shall be forwarded to the Official Journal for publication if possible within at most one month, and in any case as soon as possible.

4. If one of the institutions finds a clerical error in a text (or in any of the language versions), it shall immediately notify the other institutions. If the error is found in an act that has not yet been adopted, the legal/linguistic services of the European Parliament and of the Council shall prepare the necessary corrigendum in close cooperation. Where the error is found in an act that has already been adopted or published, the European Parliament and the Council shall adopt, by mutual agreement, a corrigendum drawn up under their respective procedures.

Done at Strasbourg, 4 May 1999.

For the European Parliament
The President
[Signature]

For the Council of the European Union
The President
[Signature]

For the Commission of the European Communities
The President
[Signature]