

Treaty of Amsterdam — Declarations No 35, 39 and 41 (2 October 1997)

Caption: Declarations No 35, 39 and 41, annexed to the Final Act of the Treaty of Amsterdam of 2 October 1997, on openness and transparency.

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Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts (2 October 1997)

- 35. Declaration on Article 191a(1) of the Treaty establishing the European Community.....
- 39. Declaration on the quality of the drafting of Community legislation.....
- 41. Declaration on the provisions relating to transparency, access to documents and the fight against fraud.....

[...]

35. Declaration on Article 191a(1) of the Treaty establishing the European Community

The Conference agrees that the principles and conditions referred to in Article 191a(1) of the Treaty establishing the European Community will allow a Member State to request the Commission or the Council not to communicate to third parties a document originating from that State without its prior agreement.

[...]

39. Declaration on the quality of the drafting of Community legislation

The Conference notes that the quality of the drafting of Community legislation is crucial if it is to be properly implemented by the competent national authorities and better understood by the public and in business circles. It recalls the conclusions on this subject reached by the Presidency of the European Council in Edinburgh on 11 and 12 December 1992, as well as the Council Resolution on the quality of drafting of Community legislation adopted on 8 June 1993 (*Official Journal of the European Communities*, C 166 of 17 June 1993, p. 1).

The Conference considers that the three institutions involved in the procedure for adopting Community legislation, the European Parliament, the Council and the Commission, should lay down guidelines on the quality of drafting of the said legislation. It also stresses that Community legislation should be made more accessible and welcomes in this regard the adoption and first implementation of an accelerated working method for official codification of legislative texts, established by the Interinstitutional Agreement of 20 December 1994 (*Official Journal of the European Communities*, C 102 of 4 April 1996, p. 2).

Therefore, the Conference declares that the European Parliament, the Council and the Commission ought to:

- establish by common accord guidelines for improving the quality of the drafting of Community legislation and follow those guidelines when considering proposals for Community legislation or draft legislation, taking the internal organisational measures they deem necessary to ensure that these guidelines are properly applied;
- make their best efforts to accelerate the codification of legislative texts.

[...]

41. Declaration on the provisions relating to transparency, access to documents and the fight against fraud

The Conference considers that the European Parliament, the Council and the Commission, when they act in pursuance of the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Atomic Energy Community, should draw guidance from the provisions relating to

transparency, access to documents and the fight against fraud in force within the framework of the Treaty establishing the European Community.

[...]