

The ordinary legislative procedure

Caption: Since the entry into force of the Treaty of Lisbon on 1 December 2009, the codecision procedure, renamed the ‘ordinary legislative procedure’, has become the main legislative procedure within the decision-making system of the European Union (EU). The ordinary legislative procedure is set out in Article 294 of the Treaty on the Functioning of the EU. It is based on the principle of parity between the European Parliament and the Council and indicates that neither of these two institutions is able to adopt a legislative instrument without the other’s consent.

Source: European Union– Europarl – About parliament[ON-LINE]. [Strasbourg]: European Parliament, [01.03.2014]. http://www.europarl.europa.eu/external/appendix/legislativeprocedure/europarl_ordinarylegislativeprocedure_howitworks_en.pdf.

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URL: http://www.cvce.eu/obj/the_ordinary_legislative_procedure-en-a0ae39e6-496e-4cdd-bb96-f731e15e0783.html

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#1 Commission proposal

European Commission submits legislative proposal to the European Parliament



#2 1st reading in the Parliament

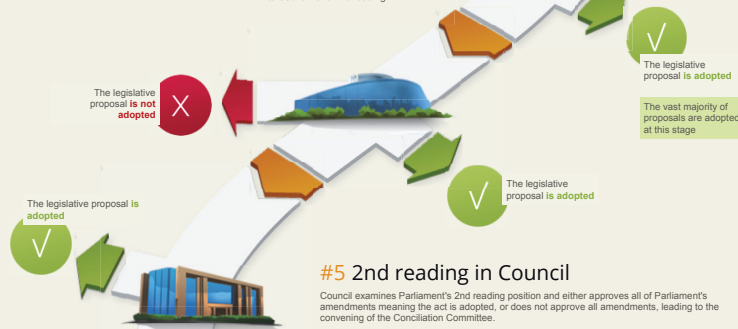
During its 1st reading, the European Parliament examines the Commission's proposal and may adopt or amend it.

#3 1st reading in Council

During its 1st reading, the Council may decide to accept Parliament's position in which case the legislative act is adopted, or it may amend Parliament's position, and return the proposal to Parliament for a 2nd reading.

#4 2nd reading in Parliament

Parliament examines Council's position and approves it, in which case the act is approved; or rejects it, in which case the act will not enter into force and the whole procedure is ended; or proposes amendments and returns the proposal to Council for a 2nd reading.



#5 2nd reading in Council

Council examines Parliament's 2nd reading position and either approves all of Parliament's amendments meaning the act is adopted, or does not approve all amendments, leading to the convening of the Conciliation Committee.

#6 Conciliation

The Conciliation Committee, composed of an equal number of MEPs and Council representatives, tries to reach agreement on a joint text. If unsuccessful, the legislative act will not enter into force and the procedure is ended. If a joint text is agreed, it is forwarded to the European Parliament and Council for a 3rd reading.

#7a 3rd reading in Parliament

The European Parliament examines the joint text and votes in plenary. It cannot change the wording of the joint text. If it rejects it or fails to act on it, the act is not adopted and the procedure is ended. If it is approved by Parliament and Council, the act is adopted.

#7b 3rd reading in the Council

Council examines the joint text. It cannot change the wording. If it either rejects or does not act on it, act will not enter into force and the procedure is ended. If it approves the text and the Parliament also approves it, the act is adopted.

Proposal adopted

Once both European Parliament and Council have approved the final text of a legislative proposal, it is jointly signed by the Presidents and Secretaries General of both institutions. After signature, the texts are published in the Official Journal and become official.

- Regulations are directly binding throughout the EU as of the date set down in the Official Journal.
- Directives lay down end results to be achieved in every member state, but leaves it up to national governments to decide how to adapt their laws to achieve these goals. Each directive specifies the date by which the national laws must be adapted.
- Decisions apply in specific cases, involving particular authorities or individuals and are fully binding.

Proposal not adopted

If a legislative proposal is rejected at any stage of the procedure, or the Parliament and Council cannot