



PARLIAMENT
OF THE CZECH REPUBLIC
Chamber of Deputies
Jan Bauer
Chairman
Committee for European Affairs

Prague, 20th March 2013

Dear Mr. President,

I would like to inform you about the opinion of the Committee for European Affairs of the Chamber of Deputies of the Parliament of the Czech Republic on the on the Proposal for a regulation of the European Parliament on the detailed provisions governing the exercise of the European Parliament's right of inquiry and repealing Decision 95/167/EC, Euratom, ECSC of the European Parliament, the Council and the Commission.

The respective document was included in the agenda of the 43rd session of the Committee for European Affairs and was scrutinized on 28th February 2013. According to the Rules of Procedure of the Chamber of Deputies a Deputy State Secretary for European Affairs was present at the session to introduce the preliminary government's framework position.

After the discussion the Committee has adopted the resolution No. 304 which is enclosed to this letter. According to this resolution the Committee i. a. **does not consent** with the interpretation that the proposal for the regulation is not subjected to the subsidiarity check because it regulates internal organizational matters of the European Parliament falling within the exclusive competence of the Union.

Enclosure

Mr. José Manuel Barroso
President of the European Commission

Brussels

PARLIAMENT OF THE CZECH REPUBLIC
Chamber of Deputies
Committee for European Affairs

Resolution No. 304

43rd session on 28th February 2013

Proposal for a regulation of the European Parliament on the detailed provisions governing the exercise of the European Parliament's right of inquiry and repealing Decision 95/167/EC, Euratom, ECSC of the European Parliament, the Council and the Commission

Enclosure of the Resolution:

Committee for European Affairs

- **takes into account** the information of the Government of the Czech Republic on the deliberation of the Proposal for the regulation and **requests** to be continuously informed about the progress of the negotiations by the Government;
- **requests** the European Parliament to submit the Proposal for the regulation as a draft legislative act to the National Parliaments in accordance with the provisions of the Protocol on the application of the principles of subsidiarity and proportionality so that the beginning of the eight-week period for the subsidiarity check by the National Parliaments can be set;
- **does not consent** with the interpretation that the proposal for the regulation is not subjected to the subsidiarity check because it regulates internal organizational matters of the European Parliament falling within the exclusive competence of the Union;
- **points out** that Art. 3 TFEU contains an exhaustive list of exclusive competencies of the Union and recalls that the changes brought by the Lisbon Treaty in the provisions of the Treaties concerning the division of competencies had been aimed to clarify for which areas the Union is exclusively responsible;
- **is of the opinion** that, with regard to the scope and character of the proposed changes in competence of the European Parliament's committees of inquiry, the scope of the proposal exceeds a purely organizational measure of an internal character, because it encroaches upon the role of the National Parliaments and other subjects;
- **believes** that if this proposal were to be properly considered to be a mere organizational measure, the Treaty on the Functioning of the European Union would have provided for its adoption using the same procedure as for the adoption of the Rules of procedure of the European Parliament. However, according to the Art. 226 TFEU, the adoption of rules for the exercise of the European Parliament's right of inquiry in the form of a regulation is made dependent on the consent of the Council and the Commission;

- **alerts** that not sending the proposal to the National Parliaments could be considered to be a reason for bringing an action to the Court of Justice of the EU in accordance with the Art. 226 TFEU.