

Commission proposal on both the Parliament and the Council take place. The first reading is similar to the consultation procedure. Prior to the second reading, the Council adopts a "common position". The ensuing second reading provides the opportunity for the Parliament to adopt further amendments or to reject the Council's "common position". In the case of Parliament's decision to reject the Council's common position, Council can only approve the subject text by, unanimously, overruling the Parliament's decision within three months.

Co-decision, introduced in the TEU, further strengthens the legislative role of Parliament. It applies in the areas of consumer affairs, culture, the environment and single market rule. The process differs from the cooperation procedure in the following ways:

- the co-decision process recognises Parliament's enhanced powers, and thus its ability to veto (by absolute majority) a Council common position;
- if, during the co-decision procedure the Parliament opposes the Council's common position, the Council may call a Conciliation Committee (comprised of 24 members: half Council members and half EP members) to explain its position. If conciliation is not achieved, the Council may adopt a text unilaterally unless the Parliament uses its right to veto the proposal within six weeks. The Treaty of Amsterdam, however, now states that if conciliation is not achieved, the proposal lapses.

This change was in response to the criticism over the unnecessarily complicated and lengthy process of the decision-making. A primary objective for all parties has been the reduction of inter-institutional wrangling, such as was the case between the Council and the Parliament over the Trans-European networks.¹⁰

Parliament is also part of the assent procedure set out in the SEA. This procedure arises in connection with international agreements, and certain decisions concerning the structural and the cohesion funds; freedom of movement measures; and changes to the European central bank system funds decisions. The assent procedure requires that the Council has the sup-

port of a simple majority of Parliament before proceeding with formal adoption. For a more detailed explanation, please see Part IV.

The Parliament and the Commission

The TEU conferred an important role on Parliament in the appointment of the Commission's President and its members, requiring its approval in a vote of investiture. Parliament also has the right to adopt a motion of censure which would require the Commission, as a whole, to resign.

The Parliament supervises the Commission. It reviews numerous monthly, or annual, reports which the Commission must submit. Members of Parliament may also put written or oral questions to the Commission. The "Question Time", introduced by Parliament in 1973, takes place during plenary sessions and provides a public forum for the airing of questions and answers on topical issues. Parliament added oral questions followed by debate on the Commission's answers, to the question-time procedure provided for in the Treaty. The Treaty requires the Commission to reply, orally or in writing, to questions put to it by Parliament or its members. This right to obtain answers from the Commission constitutes an important aspect of Parliament's supervisory function; the extension of this to include the responsibilities of both the Council and its High Representative for CFSP is one of the most significant developments in the Parliament's powers.

In addition to their attendance at Parliament's plenary sessions, Commission members also participate in meetings of Parliamentary Committees to further the communication between the two institutions. This cooperation can amount to an alignment between the Parliament and the Commission in relation to the Council.

Parliament may request that the Commission submit any proposal on matters on which it considers a Community act is required for the purpose of implementing the Treaty. This ability to request a proposal (also held by the Council) must be distinguished from the Commission's sole right of initiative; although Parliament has been thought to consider the opposite.

The Parliament and Its Constituents

- The Right of Petition and the Committee on Petitions;
- The Office of Ombudsman

The Right of Petition¹¹ is granted not only to citi-

⁹For example: development (Article 130w, EC Treaty) and social policy (Article 2, Social Protocol); measures prohibiting discrimination based on nationality (Article 6, EC Treaty); rules governing transport and transport safety (Article 75, EC Treaty); specific actions in relation to the environment (Article 130s, EC Treaty).

¹⁰ The point of contention between the Council and the European Parliament has been the degree to which the Parliament should be involved in changes to the list of energy projects considered to be a "priority" for the EU. The issue focuses on the definition of "technical changes", not requiring Parliament's involvement, and changes amounting to an identification of projects, requiring Parliament's involvement. The Council favours a narrow definition while the Parliament supports a broad construction to maximize its involvement in the area.