

AMENDMENT FORM

Suggestion for amendment of Article : 36

By **Mr Hannes FARNLEITNER**
Mr Reinhard Eugen BÖSCH

Mr Gerhard TUSEK
Mr Eduard MAINONI

Status : - Members

- Alternate Members

Article 36: Transparency of the proceedings of the Union's institutions

1. In order to promote good governance and ensure the participation of civil society, the Union institutions shall conduct their work as openly as possible.
 2. The European Parliament shall meet in public, as shall the Council when **acting under a procedure for the adoption of a European law or a European framework law.** ~~it is discussing a legislative proposal.~~
 3. Any citizen of the Union, ~~man or woman~~, and any natural or legal person residing in a Member State, shall have a right of access to European Parliament, Council and Commission documents in whatever form they are produced, and to those of the agencies and bodies created by those institutions.
 4. **The European Parliament and the Council, in accordance with the legislative procedure, shall adopt a European law laying down the General principles, conditions and limits** which, on grounds of public or private interest, govern the right of access to documents **of the institutions, agencies and bodies referred to in par.3.** ~~shall be determined by the European Parliament and the Council in accordance with the legislative procedure.~~
 5. ~~Each institution, agency or body referred to in paragraph 2 shall determine in its own Rules of Procedure specific provisions regarding access to its documents.~~
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Explanation (if any) :

Par.2 is a duplication of Art. 25 (2). In any case, the wording in this article should not deviate from the more precise wording there. (In the amendment of Hannes Farnleitner to Art.25 he has proposed to replace “any procedure” by “a procedure” for reasons of linguistic clarification.)

Ad par.3: It is evident that any citizen can be either man or woman.

Ad par.4 and 5: With a view to simplification, a single European law governing access to the documents of all Union institutions, agencies and bodies would be desirable.