

AMENDMENT FORM

Suggestion for amendment of Article : 36 doc

Suggestion for Part III

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Status : - Member - Alternate

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 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. General principles, conditions and limits which, on grounds of public or private interest, govern the right of access to documents 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.~~

Explanation if any:

1. The content of paragraph 1 would be better placed in Article 34 (see our amendment)
2. The content of paragraph 2 has already been expressed in Article 25.3. However we strongly believe that the Council shall equally respect the principle of direct public nature of legislation when it is taking decisions which are directly binding norms. Furthermore it shall not be possible of members of the Council to be represented by others, nor shall it be admissible to assign one's voting

right.

3. The content of paragraphe 3 is stipuleated in Article 42 of the Charter of Fundamental Rights

5. Paragraphe 5 is superflous