

Working Group IV

Working document 46

## **Working group IV – "Role of National Parliaments"**

**Subject:**      **The comments by Mr Filadelfio Basile to the draft final report of  
Working Group IV on National Parliaments (WD 032 - WG IV)**

Members of Working Group IV will find hereafter comments by Mr Filadelfio Basile,  
representative of the Italian Parliament, alternate member of the Convention.

**Working Group IV - "Role of the National Parliaments"**  
**Amendments to the Draft Final Report**  
**by Filadelfio Basile**

Article 19.

"As a further element of the process to involve national parliaments more closely in the work of the European Union and informing them as early on as possible, the Working Group also thought it would be useful if the Commission presented its annual legislative programme to national parliaments **and to COSAC. The examination of the Commission's program could serve as an important tool for ensuring the involvement of the national parliaments and the European Parliament in setting down legislative policies of the Union and to make it possible to verify compliance with the principle of subsidiarity from the initial phases of the legislative procedure.** A provision to this effect should be included in an amended version of the Protocol on the role of national parliaments."

Article 22.

"**The Working Group agreed that ensuring respect for subsidiarity is a shared responsibility and that the Commission, the European Parliament and the Council must all ensure compliance with the subsidiarity principle when proposing and considering draft legislation. It also agreed that national parliaments must have a significant role in monitoring the application of the principle of subsidiarity and a central responsibility when considering whether legislation would be best adopted at national or European level. It was also noted that there was a close link between subsidiarity and proportionality.**"

Article 23., line 3

"The presentation of the Commission's legislative programme directly to national parliaments **and to COSAC...**"

## Article 25.

cancel any reference to withdrawal of a draft legislative proposal by the Commission.

Reformulate the second alinea:

- **The right of judicial appeal should not be restricted to those national parliaments which had issued a reasoned opinion at the early stage. The term "national parliament" means each chamber of the same parliament when the parliament is composed of two chambers, this being the case in the great majority of current Member States and candidate countries.**

Consequently, cancel the third alinea.

## Article 31.

Add, at the end of the article: **This early-warning mechanism could find in a reformed COSAC the ideal place for a further exchange of informations and positions, in order to form coherent majorities around the issues of subsidiarity and to make the Commission's work in complying with the issues raised by National Parliaments easier.**

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