



Tithe an  
Oireachtais  
Houses of the  
Oireachtas

**AN CONRADH AR AN AONTAS EORPACH:  
DOICIMÉID A FUARTHAS DE BHUN PRÓTACAIL MAIDIR LE RÓL NA  
bPARLAIMINTÍ NÁISIÚNTA SAN AONTAS EORPACH**

**18 NOLLAIG – 31 NOLLAIG 2023**

---

**TREATY ON EUROPEAN UNION:  
DOCUMENTS RECEIVED PURSUANT TO PROTOCOL ON THE ROLE OF  
NATIONAL PARLIAMENTS IN THE EUROPEAN UNION**

**18 DECEMBER – 31 DECEMBER 2023**

**INTRODUCTION**

With the entry into force of the Lisbon Treaty and the recognition of the desire to encourage greater involvement of national Parliaments in the activities of the European Union and to enhance their ability to express their views on draft legislative acts of the European Union as well as on other matters which may be of particular interest to them, the Protocol on the enhanced Role of National Parliaments provides the following under Title I, Information for National Parliaments:

**Article 1:**

- Commission consultation documents (green and white papers and communications) shall be forwarded directly by the Commission to national Parliaments upon publication. The Commission shall also forward the annual legislative programme as well as any other instrument of legislative planning or policy to national Parliaments, at the same time as to the European Parliament and the Council;

**Article 2:**

- Draft legislative acts<sup>1</sup> sent to the European Parliament and to the Council, originating from the Commission, initiated by the European Parliament or a group of Member States, requested by the Court of Justice, recommended by the European Central Bank or requested by the European Investment Bank;

**Article 5:**

- The agendas for and the outcome of meetings of the Council, including the minutes of meetings where the Council is deliberating on draft legislative acts, shall be forwarded directly to national Parliaments, at the same time as to Member States' governments; and

**Article 6:**

- Initiatives of the European Council under *the simplified procedure for Treaty revisions in accordance with* the first or second subparagraphs of Article 48(7)<sup>2</sup> of the Treaty on European Union;

**Article 7:**

- The Court of Auditors shall forward its annual report to national Parliaments, for information, at the same time as to the European Parliament and to the Council.

While the Standing Orders of both Houses provide that EU documents referred to above automatically stand referred to the relevant Committee each member of the Houses can be considered to be entitled, as of right, to notice of the documents, given that the role is conferred on "National Parliaments" by the Treaty.

Clerk  
Dáil Éireann

Clerk  
Seanad Éireann

---

<sup>1</sup> 'draft legislative acts' shall mean proposals from the Commission, initiatives from a group of Member States, initiatives from the European Parliament, requests from the Court of Justice, recommendations from the European Central Bank and requests from the European Investment Bank for the adoption of a legislative act.

<sup>2</sup> Article 48(7) states that if a national parliament makes known its opposition within six months of the date of notification its opposition to a European Council proposal to amend the Treaties under the simplified revision procedure, the decision will not be adopted.

**CONTENTS**

| <b>Document Received</b>   | <b>Page Number</b> |
|--|--------------------|
| <b>Article 1:</b><br>1.1 Commission consultation documents (green and white papers, communications, reports and staff working documents)<br>Commission consultation documents (Green and white papers and communications) shall be forwarded directly by the Commission to national Parliaments upon publication. The Commission shall also forward the annual legislative programme as well as any other instrument of legislative planning or policy to national Parliaments, at the same time as to the European Parliament and the Council<br>1.2 Reasoned Opinions of National Parliaments on the application of the principles of Subsidiarity and Proportionality in non-legislative acts   | 3<br>-             |
| <b>Article 2:</b><br>2.1 Draft legislative acts<br>(a) <i>Draft legislative Acts received and accompanying documents</i><br>(b) <i>Letters received in relation to draft legislative acts confirming the date from which the eight-week period commences concerning the application of the principles of subsidiarity and proportionality</i><br>2.2 Documents relevant to the ongoing negotiation of Draft legislative acts<br>(a) <i>Communications published pursuant to Article 294 TFEU concerning the ordinary legislative procedure e.g., positions adopted at first reading</i><br>(b) <i>Reasoned Opinions of National Parliaments on the application of the principles of Subsidiarity and Proportionality in draft legislative acts</i> | 4<br>4<br>-<br>5/6 |
| <b>Article 5:</b><br>Agendas for and the outcome of meetings of the Council, including the minutes of meetings where the Council is deliberating on draft legislative acts   | 6                  |
| <b>Other Documents received:</b><br>Documents received regarding amendments to the Treaties pursuant to Art 48 (2) of the Treaty on European Union <sup>3</sup>  | 7                  |

<sup>3</sup> Documents not covered by the Protocol on the enhanced Role of National Parliaments

All COM and SWD documents referenced can be accessed through [IPEX](#)

## **ARTICLE 1**

### **1.1 Commission consultation documents (green and white papers, communications, reports and staff working documents)**

| <b>Document Number</b> | <b>Document Title</b>   | <b>Date Transmitted</b> |
|------------------------|---|-------------------------|
| <b>COM(2023) 796</b>   | COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS EU wide assessment of the draft updated National Energy and Climate Plans An important step towards the more ambitious 2030 energy and climate objectives under the European Green Deal and RePowerEU  | <b>18/12/2023</b>       |
| <b>CM 5781/23</b>      | COMMUNICATION - Subject: European Parliament proposals for the amendment of the Treaties - Notification to national Parliaments   | <b>18/12/2023</b>       |
| <b>COM(2023) 797</b>   | REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the implementation of Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse | <b>19/12/2023</b>       |
| <b>CM 5888/23</b>      | COMMUNICATION INFORMATION Council Implementing Decision setting out recommendations for remedial actions aimed at addressing the (serious) deficiencies identified in the 2023 unannounced evaluation of France on the application of the Schengen acquis in the field of management of the external borders - Transmission to national Parliaments   | <b>19/12/2023</b>       |
| <b>COM(2023) 798</b>   | Recommendation for a COUNCIL DECISION authorising the opening of negotiations between the European Union and the Swiss Confederation on institutional solutions for EU-Switzerland agreements related to the internal market, on agreements that form the basis for Switzerland's permanent contribution to the Union's cohesion and for Switzerland's association to Union programmes  | <b>20/12/2023</b>       |

**1.2 Reasoned Opinions of National Parliaments on the application of the principles of Subsidiarity and Proportionality in draft non-legislative acts**

| Document Number | Document Title | Date Received |
|-----------------|----------------|---------------|
|                 |                |               |

**ARTICLE 2**
**2.1 Draft legislative acts and accompanying documents**

*(a) Draft legislative Acts received and accompanying documents*

| Proposal Number      | Proposal Title  | Date Transmitted  |
|----------------------|---|-------------------|
| <b>COM(2023) 791</b> | Proposal for a COUNCIL DECISION on the conclusion, on behalf of the European Union, of the Partnership Agreement between the European Union and its Member States, of the one part, and the Members of the Organisation of African, Caribbean and Pacific States, of the other part                               | <b>19/12/2023</b> |
| <b>COM(2023) 799</b> | Proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union on submitting proposals for amendment of Appendices II and III of the Convention on the Conservation of European wildlife and natural habitats with a view to the meeting of the Standing Committee of the Convention | <b>20/12/2023</b> |
| <b>COM(2023) 793</b> | Proposal for a COUNCIL DECISION approving a Commission Regulation (Euratom) on the application of Euratom safeguards  | <b>21/12/2023</b> |

*(b) Letters received in relation to draft legislative acts confirming the date from which the eight-week period commences concerning the application of the principles of subsidiarity and proportionality*

| Proposal Number     | Proposal Title   | Date of Letter    |
|---------------------|--|-------------------|
| <b>COM(2023)777</b> | <b>Letter in relation to</b> Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2021/1232 of the European Parliament and of the Council on a temporary derogation from certain provisions of Directive 2002/58/EC for the purpose of combating online child sexual abuse (Text with EEA relevance) | <b>20/12/2023</b> |

**2.2 Documents received relevant to the ongoing negotiation of Draft legislative acts**

*(a) Communications published pursuant to Article 294 TFEU concerning the ordinary legislative procedure e.g., outcomes/positions adopted at **first reading***

| Document Number | Document Title | Date Received |
|-----------------|----------------|---------------|
|                 | —              |               |

*(b) Reasoned Opinions of National Parliaments on the application of the principles of Subsidiarity and Proportionality in draft legislative acts*

| Document Number                              | Document Title  | Date Received     |
|--|---|-------------------|
| <b>COM(2023) 415</b><br><b>COM(2023) 414</b> | Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the production and marketing of forest reproductive material, amending Regulations (EU) 2016/2031 and 2017/625 of the European Parliament and of the Council and repealing Council Directive 1999/105/EC (Regulation on forest reproductive material) [11503/23 - <b>COM(2023) 415</b> FINAL] and Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031, 2017/625 and 2018/848 of the European Parliament and of the Council, and repealing Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC (Regulation on plant reproductive material) [11502/23 - <b>COM(2023) 414</b> FINAL] - Opinion on the application of the Principles of Subsidiarity and Proportionality From: The Italian Chamber of Deputies | <b>18/12/2023</b> |
| <b>COM(2023) 416</b>                         | Proposal for a Directive of the European Parliament and of the Council on Soil Monitoring and Resilience (Soil Monitoring Law) [11566/23 + ADD 1 - <b>COM(2023) 416</b> final + Annex] - Opinion on the application of the Principles of Subsidiarity and Proportionality From: Senate of the Parliament of the Czech Republic  | <b>18/12/2023</b> |
| <b>COM(2023) 414</b>                         | Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031, 2017/625 and 2018/848 of the European Parliament and of the Council, and repealing Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC (Regulation on plant reproductive material) [11502/23 + ADD 1 - <b>COM(2023)</b>  | <b>19/12/2023</b> |

|                      |  |                   |
|----------------------|--|-------------------|
|                      | <b>414</b> final] - Opinion on the application of the Principles of Subsidiarity and Proportionality From: The Senate of Romania   |                   |
| <b>COM(2023) 533</b> | Proposal for a Regulation of the European Parliament and of the Council on combating late payment in commercial transactions [12976/23 REV1 - <b>COM(2023) 533</b> final/2] - Opinion on the application of the Principles of Subsidiarity and Proportionality From: The Irish Houses of the Oireachtas  | <b>20/12/2023</b> |
| <b>COM(2017) 753</b> | Proposal for a Directive of the European Parliament and of the Council on the quality of water intended for human consumption (recast) [6230/3/20 REV 3 - <b>COM(2017) 753</b> final] - Opinion 1 on the application of the Principles of Subsidiarity and Proportionality From: Parliament of Finland   | <b>20/12/2023</b> |
| <b>COM(2023) 424</b> | Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA [11840/23 - <b>COM(2023) 424</b> final] - Opinion on the application of the Principles of Subsidiarity and Proportionality From: The Italian Senate | <b>21/12/2023</b> |
| <b>COM(2023) 416</b> | Proposal for a Directive of the European Parliament and of the Council on Soil Monitoring and Resilience (Soil Monitoring Law) [11566/23 + ADD 1 - <b>COM(2023) 416</b> final + Annex] – Opinion1 on the application of the Principles of Subsidiarity and Proportionality From: The Italian Senate  | <b>22/12/2023</b> |

## **ARTICLE 5**

| <b>The agendas for and the outcome of meetings of the Council</b> |   |                   |
|---|---|-------------------|
|   | <b>Agenda Title</b>   |                   |
| <b>ST 16670/23</b>  | PROVISIONAL AGENDA COUNCIL OF THE EUROPEAN UNION (Transport, Telecommunications and Energy) Europa building, Brussels 19 December 2023 (10:00)            | <b>18/12/2023</b> |
| <b>ST 16670/23 REV1</b>   | PROVISIONAL AGENDA COUNCIL OF THE EUROPEAN UNION (Transport, Telecommunications and Energy) Europa building, Brussels 19 December 2023 (10:00)            | <b>18/12/2023</b> |
| <b>CM 5937/23</b>   | NOTICE OF MEETING AND PROVISIONAL AGENDA COUNCIL OF THE EUROPEAN UNION (Economic and Financial Affairs) Europa building, Brussels 16 January 2024 (10:00) | <b>22/12/2023</b> |
|   | <b>Outcome Title</b>  |                   |
| <b>ST 14692/23</b>  | DRAFT MINUTES COUNCIL OF THE EUROPEAN UNION (Agriculture and Fisheries) 23 and 24 October 2023  | <b>21/12/2023</b> |

**Other Documents Received**

| Documents received regarding amendments to the Treaties pursuant to Art 48(2) of the Treaty on European Union |                |               |
|---|----------------|---------------|
| Document Number   | Document Title | Date Received |
|   | —              |               |