



The Quaestors

D 318291 30.10.2015

Ms Danuta HÜBNER
Chair
Committee on Constitutional Affairs

EUROPEAN PARLIAMENT

Dear Chair,

On 16 September 2015 Mr LAMASSOURE, Chair of the TAXE committee, wrote to the President drawing his attention to the non-cooperative attitude of some multinational corporations (MNCs) that had declined invitations to attend public hearings in the course of the special committee's inquiries and suggested that the companies in question should be removed from the Transparency Register and their representatives' access badges to Parliament be suspended.

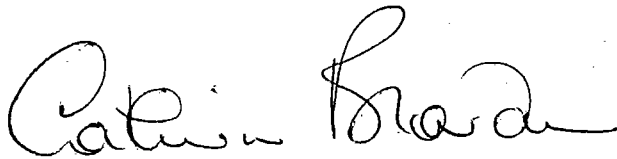
The President raised the matter at the Bureau meeting on 5 October 2015 and explained that whilst he found such behaviour unacceptable, the Legal Service had advised that it would not be possible to remove such corporations from the EU Transparency Register as they had not breached any of the conditions laid down in the Register and that Parliament could not take unilateral action, since the register is inter-institutional. Furthermore, whilst it lies in the sole purview of Parliament to withhold access to its buildings on duly justified grounds, the withdrawal of such corporations' accreditations to Parliament would not be straightforward, since there is no legal obligation for corporations to cooperate with Parliaments' committees.

On a proposal from the President, the Bureau then invited the Quaestors to examine the matter as soon as possible, in cooperation with Ms GUILLAUME, Vice-President responsible for the Transparency Register, with a view to identifying possible measures which could be taken. The issue was examined in detail at the Quaestors meeting of 27 October, in the presence of Ms GUILLAUME and a representative of the Legal Service. The latter confirmed once again the legal difficulties in pursuing these companies for breach of the Transparency Register since they could not be found in breach of any existing provision and also pointed out the close interconnection between Parliament's Rule 11(8) on the withdrawal of long-term access badges (a competence of the Quaestors) and the Code of Conduct in annex 3 of the Transparency Register.

After an extensive exchange of views, it was agreed that there was no legally watertight case to pursue action in this instance against the companies in question but that it might be worthwhile for AFCO to consider an amendment to Rule 11(8) of the Rules of Procedure in the context of its on-going review, specifically examining whether to broaden the basis beyond the two specific conditions under which access badges may be withdrawn.

I therefore submit the matter to your committee for consideration.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Bearder".

Catherine BEARDER
Chair-in-Office of the Quaestors

Cc: Mr Alain LAMASSOURE, Chair of the Special Committee on Tax Rulings and other measures similar in nature or effect (TAXE)
Ms Sylvie GUILLAUME, Vice-President responsible for Transparency