

**Opinion**  
**of the European Union Affairs Committee of the Senate of the Republic of Poland**  
**on the procedure of submitting**  
**the proposal for a regulation of the European Parliament on the detailed provisions**  
**governing the exercise of the European Parliament's right of inquiry and repealing**  
**Decision 95/167/EC, Euratom, ECSC of the European Parliament, the Council and the**  
**Commission**

**adopted at the sitting on 11 December 2012**

1. The Senate of the Republic of Poland has received the proposal for a regulation of the European Parliament submitted pursuant to Article 2 of Protocol No 1 on the Role of National Parliaments in the European Union. However, with respect to the draft regulation in question no deadline has been fixed for submitting a reasoned opinion pursuant to Protocol No 2 on the Application of the Principles of Subsidiarity and Proportionality .
  
2. The legal basis for the proposed regulation is Article 226 of the Treaty on the Functioning of the European Union, which states that the European Parliament may set up temporary Committees of Inquiry. Pursuant to that provision, detailed rules pertaining to the exercise of the right of inquiry by the EP are laid out in regulations adopted by the European Parliament upon its own initiative, with the consent of the Council and the Commission. Article 226 provides for a special legislative procedure in that respect. Therefore, the proposal for a regulation submitted by the European Parliament is a draft legislative act and is subject to subsidiarity check by the national parliaments, pursuant to Protocol No 2.
  
3. In view of the above, the European Union Affairs Committee of the Senate of the Republic of Poland is of the opinion that the proposed regulation should be formally submitted by the legislator, i.e. the European Parliament, to the national parliaments, pursuant to Article 4, second paragraph of Protocol No 2. A date should also be fixed from which the eight-week deadline, referred to in Article 6 of the said Protocol, shall run.