

Scrutiny of documents coming from the European Union and monitoring compliance with the principle of subsidiarity

The Senate of the Parliament of the Czech Republic

Date	Responsible body or unit	Description of the procedure
Day 1	Transmission to the Senate by Commission or Council Received by the Senate (EU Affairs Unit)	Direct transmission of the EU legislative proposals (and other EU documents) to the Senate, in accordance with Article 1 and 2 of Protocol No. 1 of the Lisbon Treaty.
Week following the transmission	EU Affairs Unit	Proposals are listed in weekly overview of EU documents received by the Senate during previous week.
	EU Affairs Unit	Weekly overview of EU documents is sent to all senators and other interested recipients.
	Head of EU Affairs Unit + advisor to Committee on European Affairs + Chairman of the Committee on European Affairs	Head of EU Affairs Unit and the advisor meet with Chairman of the Committee to discuss the EU documents from weekly overview (this discussion also covers the compliance of proposals with principle of subsidiarity). Chairman of the Committee then recommends to the Committee whether to scrutinize the proposal or not.
First meeting of the Committee on European Affairs after the transmission of proposal	Committee on European Affairs	The proposal is selected for scrutiny if majority of the Committee members approve the recommendation of the Chairman of the Committee. Subsequently, the rapporteur is appointed. Committee can also ask a specialized committee for opinion on particular proposal.
After selection for scrutiny	Office of the government or a responsible ministry	Draws up Explanatory Memorandum on the proposal and submits it to the Senate (approx. 10 days' deadline)
	EU Affairs Unit	Responsible expert of EU Unit prepares a thorough analysis of the scrutinised proposal.
	Committee rapporteur + advisor to Committee on European Affairs + EU Affairs Unit	The Committee rapporteur (with assistance of advisor to the Committee and expert from EU Affairs Unit) drafts a resolution on the proposal, including the evaluation whether the proposal is in compliance with principle of subsidiarity. In case the breach of subsidiarity principle is found, a reasoned opinion is drafted.

<p>Meeting of the Committee on European Affairs</p> <p>(after the Government's Explanatory Memorandum, possible opinion of a specialized committee and analysis of EU Affairs Unit is obtained)</p>	<p>Committee on European Affairs</p>	<p>Committee adopts recommendation to the Senate's Plenary.</p> <p>Alternatively, the Committee may take the proposal into account. In this case, the process of scrutiny (incl. subsidiarity check) is completed.</p>
<p>Next plenary session of the Senate</p> <p>Within 8 weeks (if possible) in case of breach of subsidiarity principle.</p> <p>There is no scrutiny time limitation for non-legislative acts and other EU documents.</p>	<p>Plenary of the Senate</p>	<p>Recommendation of the Committee on European Affairs should be placed on agenda of next plenary session. Only the recommendations which are adopted by the Plenary should be considered as an official position of the Senate.</p>
<p>As soon as possible after the plenary session</p>	<p>President of the Senate</p>	<p>Resolution of the Senate is transmitted to:</p> <ul style="list-style-type: none"> • Government of the Czech Republic (always), • European Commission within the framework of informal political dialog (optional - only if the Plenary approve it). <p>Reasoned opinion is transmitted to:</p> <ul style="list-style-type: none"> • Government of the Czech Republic, • EU institutions in accordance with Article 6 of Protocol no. 2 of the Lisbon Treaty.