



Northern Ireland
Assembly

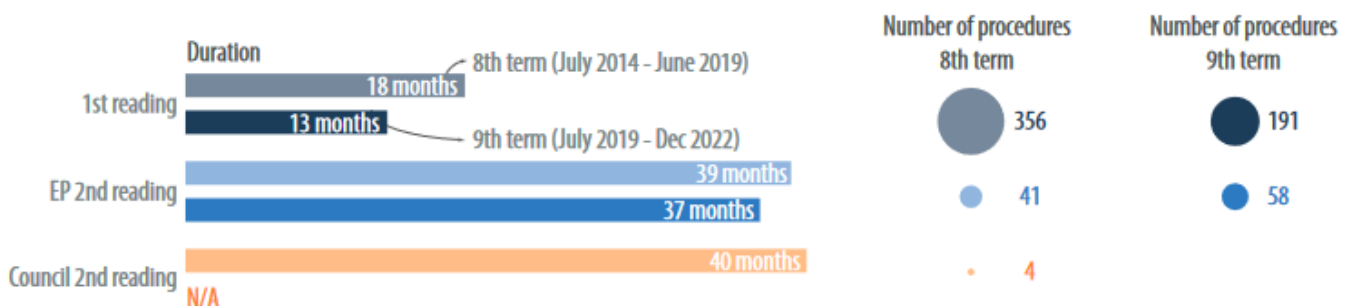
The EU law-making process

The ordinary legislative procedure

The ordinary legislative procedure, OLP (previously called co-decision), is the main decision-making procedure for adopting EU legislation and applies to most (around 85) policy areas.

The European Commission holds the right of legislative initiative: it is the only EU institution with the power to initiate EU legal acts in the policy areas covered by the Windsor Framework. The Council of the EU and the European Parliament are 'co-legislators', with an equal say in the adoption of most legislation. The European Commission submits a legislative proposal to the Council and Parliament: they must agree on the text for it to become law. The OLP comprises up to three readings, where the Parliament and Council can review, amend, or reject the text. These stages are set out below.

Most EU legislative files are agreed at the first and second reading. Third reading has become the exception and is limited to very difficult files. The average duration for legislative files completed at first reading was 13 months (in the period July 2019-December 2022).



Average duration of the ordinary legislative procedure. Source: [European Parliament Research Service](#)

The Commission may also submit legislative proposals at the request of other EU institutions, including the Parliament and Council, or following a citizens' initiative.

The proposal

The ordinary legislative procedure launches when the European Commission submits a legislative proposal to the Parliament and Council. It also sends the proposal to national parliaments (and, in some cases, the Committee of the Regions and the Economic and Social Committee).

Each year, the European Commission publishes a Commission Work Programme (CWP). This sets out its legislative priorities for the year ahead, with political commitments on new legal initiatives. This is normally published in October, following the European Commission President's State of the Union address.

The Commission consults with stakeholders and the public, considers expert views, and may carry out impact assessments before making proposals. The proposal is then adopted by the College of Commissioners, and submitted to the Council and Parliament.

First reading

At first reading, the Council and European Parliament examine the proposal in parallel. In Parliament, each legislative proposal is assigned to a committee and a 'rapporteur' is nominated to draw up a draft report (with amendments to the proposal) on behalf of the committee. The report is discussed and adopted in the committee. It is then debated and voted upon in plenary. This is when the Parliament adopts its first reading position: the Parliament adopts the text or (more commonly) introduces amendments to it.

At the Council, proposals are examined at three levels: working parties or preparatory bodies, the 'Committee of Permanent Representatives' to the European Union (Coreper), and the various Council configurations (made up of relevant national ministers from each EU country).

- The Council may accept the Parliament's position: in this case, the legislative act is adopted.
- The Council may amend the Parliament position: in this case the proposal is returned to the Parliament for a second reading.

There is no time limit for this stage of the process.

Before the Parliament delivers its view on the Commission's proposal, the Council may adopt a 'general approach' to give the Parliament an indication of its position. This can speed up the procedure and make it easier for the two institutions to reach an agreement. The Council, Parliament, and Commission may also hold 'trilogues', informal meetings, to try to reach agreement on the legal text and amendments.

Second reading

At this stage, the Parliament will examine the Council's position:

- It may approve it and therefore the act is adopted.
- It may reject. The procedure ends and the act does not enter into force.
- It may propose amendments and return the proposal to Council for a second reading.

The Council then examines the Parliament's second reading position:

- It may approve all of the Parliament's amendments, therefore the act is adopted.
- It may not approve all amendments. In this case, the conciliation committee is convened.

There is a three-month deadline for each institution, with the possibility of a one-month extension.

Conciliation

If the Council does not approve all of Parliament's amendments at second reading, a conciliation committee is convened, with the aim of agreeing a text which is acceptable to both institutions.

- If the committee does not agree a joint text, the procedure ends and the act is not adopted.
- If the committee agrees a joint text, this is sent to the Parliament and Council for a third reading.

The conciliation committee must be convened within 6 weeks; this may be extended to 8 weeks. Then, the committee has 6 weeks to agree a joint text.

Third reading

The European Parliament and Council separately examine the joint text from the conciliation committee:

- If either rejects or fails to act on it, the procedure ends and the act is not adopted.
- If both the Council and Parliament approve the text, the legislative act is adopted.

The Parliament and the Council must act within 6 weeks of the approval of the joint text.

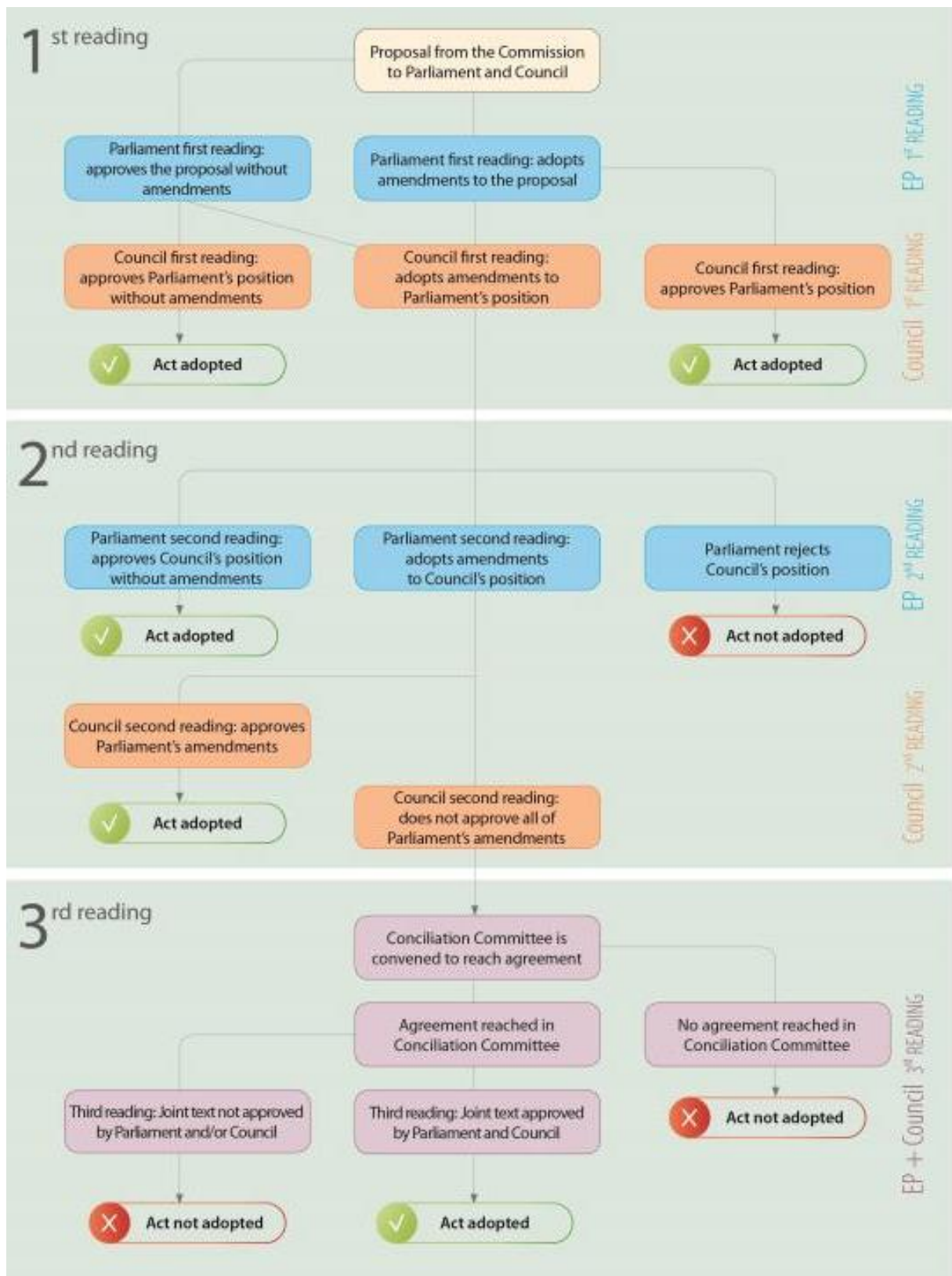
If the Council and Parliament cannot agree, the law is not adopted. This is rarely the case. A new procedure can start only with a new proposal from the Commission.

Publication and entry into force

Once the Council and Parliament have reached agreement and formally adopted a legislative proposal, this is published as a directive, a regulation or a decision of the Parliament and the Council.

Legislative acts enter into force on the date specified within, or on the twentieth day following their publication in the EU Official Journal. However, the law will have legal effect from its date of application, which will be stated within the text. This gives EU Member States time to prepare for and implement the changes.

The diagram overleaf sets out the ordinary legislative procedure.



The Ordinary Legislative Procedure. Source: [European Parliament](#)