

**THE STANDING COMMITTEE**  
**ON**  
**FOREIGN AND EUROPEAN**  
**AFFAIRS**

**ANNUAL REPORT**  
**2004**

## CHAIRPERSON'S FOREWORD

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*“It is knowledge that influences and equalizes  
the social condition of man; that gives to all,  
however different their political position,  
passions which are in common, and  
enjoyments which are universal.”*

Benjamin Disraeli (1804-1881)

Presenting this report is indeed a source of deep satisfaction.

A truly eventful year is drawing to a close. Both the undersigned and all the members of the Foreign and European Affairs Committee derive a particular feeling of pride in being able to state that this Parliamentary Committee is leaving no stone unturned in fulfilling its duties and enhancing its role.

As can be witnessed from the attached Appendix 3, during this year this Committee has held the highest number of meetings since its inception. These were intense, both in quantity and nature of subjects discussed.

For the first time, this Committee has engaged technical staff to assist it in scrutinising all the European Union's pipeline *acquis*, a duty each Parliament in the Member States has to fulfil according to the Protocol to the Amsterdam Treaty. Scrutiny of such *acquis* is by far the most onerous duty imposed on this Committee as a result of Malta's membership of the EU. This scrutiny augments Government accountability and transparency, whilst ensuring that the European Union is observing the principle of subsidiarity. Good scrutiny thus ensures good government.

Thanks to the United Kingdom High Commissioner to Malta, our research analysts undertook a *stage* with their counterparts of the Scrutiny Committee of the House of Commons in order to learn more about this crucial work.

For the first time also, the Minister of Foreign Affairs - who has always given and shown his unfailing, unstinting and unreserved support and assistance to the Committee - is briefing the Committee regularly, especially with regard to his meetings abroad. With his aid, come next year the Committee intends to start meeting Maltese Ambassadors accredited abroad.

The Committee has subscribed to foreign and European journals of repute to assist Members in being *au courant* with the latest international affairs developments.

We have set up, with the invaluable help of the parliamentary staff, a website detailing all its transcribed debates and all the Explanatory Memoranda of all the Government Ministers submitted with the related EU proposed legislation, together with the analytical report of the parliamentary research analysts. This latter initiative ensures that all and sundry are aware of what your elected representatives are doing, thus keeping a tab and ensuring accountability.

The Committee's recent visit to Libya turned out to be the icing on the cake for this year. This visit was extremely well received by the highest echelons of the Libyan Government and during which an agreement was reached to establish a permanent Parliamentary relationship between the two sides. The Committee also brought up the visas and illegal immigration issues, besides that of the debts owing by the Libyan Government to Maltese companies.

Most definitely, we are all giving our utmost in this learning curve. I cannot emphasise enough the spirit of cooperation, determination and verve of all the Committee members. The newly found and established feeling of consensus and collaboration within the Committee, where the emphasis is on the national interest, bodes well.

I feel humbled and honoured to lead this Committee, in the knowledge that whatever the political beliefs of its individual members, we are doing our genuine part to positively influence the social and political milieu of our nation.

The members on this Committee are few in number, compared to the number of their counterparts in other Parliaments. But our resolve to carry out our duty with vim and vigour, despite our endemic limitations, is so much greater and deeper.

It is my sincere hope, on behalf of the Committee, that we are living up to the expectations of those who have entrusted us with this mission.

Know that we are proud to continue working both on your behalf and in the national interest.

**JASON AZZOPARDI**  
**Chairman, Foreign and European Affairs Committee**

## EXECUTIVE SUMMARY

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This annual report on the work of the Standing Committee on Foreign and European Affairs (SCFEA) for 2004 is the first ever presentation on the work of the Committee.

The report is divided into two parts. The first part of the report describes the main activities and achievements of the Committee in 2004. The highlight of the work of the SCFEA for 2004 was the visit to Libya by the entire Committee on its first official visit abroad since the European dimension was added to its competence, and its first visit to Libya. This visit proved to be an important factor in enhancing the bilateral relations between the two countries.

The second part of the report is devoted to the work of the Scrutiny Committee of the SCFEA, whose task is to scrutinise all the documents that originate from the institutions of the EU and assess their impact of legislative proposals. This task is new to the SCFEA, in that the need for scrutiny of these documents resulted from Malta's accession to the EU in May 2004.

The four appendices to the report provide detail of the work of the SCFEA in 2004.

*Appendix 1* summarises the main issues discussed in the 20 SCFEA meetings held in 2004.

*Appendix 2* lists the informal meetings of the SCFEA that were convened to meet foreign delegations visiting Malta.

*Appendix 3* analyses the number of times the Foreign Affairs Committee (SCFEA as of October 2003) was convened.

*Appendix 4* describes in some detail the scrutiny process adopted by the Committee and the relevance of the Scrutiny Reserve.

*Appendix 5* provides a diagrammatical representation of the scrutiny process.

## THE STANDING COMMITTEE ON FOREIGN AND EUROPEAN AFFAIRS

### THE SET-UP AND STRUCTURE OF THE SCFEA

The Standing Committee on Foreign and European Affairs (SCFEA) is composed of the Chairperson and 8 Members who are appointed by way of a parliamentary motion at the beginning of each legislature.

The Chairperson is elected by way of a motion in the House and has the original and the casting votes. Five of the Members are elected on behalf of the Government and 4 Members are elected from the Opposition. The current chairman, Hon. Jason Azzopardi, was elected Chairman of the SCFEA by way of Motion 116 of 29 March 2004. The Members are Hon. Micheal Frendo, Minister for Foreign Affairs, Hon. Clyde Puli, Hon. Mario de Marco, Hon. Michael Ascik, Hon. Leo Brincat, Hon. George Vella, Hon. Evarist Bartolo and Hon. José Herrera.

As defined in Standing Order 120 F, the functions of the SCFEA are:

- To discuss matters related to foreign and European affairs referred to it by the House or the Standing Committee on House Business;
- To scrutinise every legislative proposal or document published by the institutions of the European Union; and
- To represent the House in the Conference of the European Affairs Committees (COSAC).

In 2004 the SCFEA was convened formally twenty times. These meetings were varied, discussing amongst others: presentations on subjects topical in 2004 including

presentations by academics, presentations by various MPs on their attendance of International Conferences and meetings with delegations from foreign parliaments. The Minister for Foreign Affairs provided ample background material on certain issues, particularly briefs prior to meeting with foreign delegations. A summary of the issues raised in each of these meetings can be found in *Appendix 1* to this report.

Other than these twenty official meetings, the SCFEA also met informally eleven times in 2004 to meet delegations from abroad. These are listed in *Appendix 2* to this report. The number of times the Committee has been convened year by year since 1995 is listed in *Appendix 3*, where the increase in the workload of the Committee in 2004 is evident.

### **TRAVEL BY THE SCFEA**

The overseas visits of the SCFEA are another important aspect of its function. In 2004 all the Committee Members visited Libya on the Committee's first official visit abroad since it was designated as the Foreign and European Affairs Committee in October 2003 and the Committee's first visit to Libya. The aim of this visit was to strengthen the friendly relations between the people of the two countries. In Libya the Members met with Prime Minister Dr. Shoukri Muhammad Ghanem; the assistant secretary of Foreign Affairs Mr. Muftah Othman Madi; Minister for Public Order Mr Nasr El-Mabrouk Abdulla; Minister for Tourism Ammar Mabrouk El-Tayef and Mr. Suleiman Al-Shahoumi, International Secretary of the People's General Congress amongst others.

At the outset, Hon. Azzopardi stressed that Malta's accession to the EU on 1 May 2004 should not be viewed as drawing Malta away from Libya, but bringing the EU closer to Libya.

Significant progress has been recorded on some of the issues. The matters discussed included:

- The visa issue where the Committee reiterated the Maltese Government's view that Libyan authorities should facilitate the issue of visas to Maltese citizens, including the possibility of being issued with a multiple-entry visa valid for six months;
- Cooperation to exploit tourism in the region, particularly the cruise-liner business;
- The setting up of Parliamentary Friendship Groups between the two countries;
- The exchange of lecturers between the universities of the two countries; and
- The problem of illegal immigration.

At the meeting with the Libyan Prime Minister, the Maltese delegation was informed that Libya intended to settle its debt with Maltese companies by 2005.

Following this meeting the Chairman, Hon. Jason Azzopardi, was invited by the Libyan Government to further discussions on areas of cooperation between the two countries, particularly Libya's participation in the Euro-Med Process.

For the year 2005 the Committee has been invited for official visits to China in March, to the USA in April and possibly to Russia in September.

#### **OTHER ACTIVITIES**

2004 can be said to have been a truly busy year for the SCFEA. Other than the significant number of meetings, an important achievement of the Committee was the engagement of three research analysts attached to the Committee, whose main duty is research in respect of pipeline *acquis* and general research and reporting support to the Committee. In October, two of the research analysts joined their counterparts at the UK House of Commons Scrutiny Committee on a week-long *stage*. The Committee is currently holding interviews to take on more research analysts commensurate with the increased workload that has been experienced over the past months. A Committee Clerk has also been attached to this Committee, who will be delegated a number of administrative tasks.

Also in 2004 a website for the Committee was created. In this site one can find general information on the Members of the Committees falling within the SCFEA, the timetable and agendas of forthcoming meetings, as well as documents related to the progress of the scrutiny of pipeline *acquis*.

The creation of this website is a positive step in the Committee's commitment to ensure its accountability and transparency.<sup>1</sup> None of the documents used in scrutiny are confidential; the EU pipeline *acquis*, the Ministers' memoranda and the analysts' reports can all be accessed through this website.

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<sup>1</sup> This can be accessed through <http://www.parliament.gov.mt>

## THE SCRUTINY COMMITTEE WITHIN THE SCFEA

### THE ROLE OF THE SCRUTINY COMMITTEE

Since Malta has become an EU member in May 2004, the Maltese Parliament has gained a new dimension, whereby our Parliament has become part and parcel of the EU decision-making process, especially throughout the whole negotiating process before any document (Regulations, Directives, Decisions or any other document) becomes part of the *acquis* and eventually transposed into Maltese law. This is stated clearly in The Treaty of Amsterdam and the ‘Draft Treaty Establishing a Constitution for Europe’ adopted by the European Council on the 17 - 18 June 2004 and signed in Rome on 29 October 2004.

To this end, the Maltese Parliament on the 8 October 2003 by way of Motion 67 had amended the setting up of “The Committee on Foreign Affairs” to setting up “The Committee on Foreign and European Affairs”.

Quoting Standing Order 120 F, the Standing Committee on Foreign and European Affairs shall have the following functions:

- (i) to deal with matters relating to foreign and European Union affairs which may be referred to it by the House or by the Standing Committee on House Business;
- (ii) in the context of European Union issues and measures to be taken by the Council of Ministers of the European Union, to scrutinise on its own initiative –
  - (a) any proposals under the Community treaties for legislation by the Council or the Council acting jointly with the European Parliament;
  - (b) any document which is published for submission to the European Council, the Council or the European Central Bank;

- (c) any proposal for a common strategy, a joint action or a common position under Title V of the Treaty on European Union which is prepared for submission to the Council or to the European Council;
- (d) any proposal for a common position, framework, decision or a convention under Title VI of the Treaty on European Union which is prepared for submission to the Council;
- (e) any document (not falling within (b), (c) or (d) above) which is published by one Union institution and which does not relate exclusively to the consideration of any proposal for legislation;
- (f) any other document relating to European Union matters placed on the Table of the House by any Minister;

(iii) to represent the House of Representatives of Malta at the Conference of European Affairs Committees (COSAC).”

#### **THE WORKING OF THE SCRUTINY COMMITTEE**

This is the first annual report of the Scrutiny Committee. Its core task, on behalf of the House, is to examine EU documents that are deposited, to assess their legal and political importance and to determine whether they are debated and analysed in more depth according to the importance and implications of the documents.

The scrutiny process adopted by the Maltese Parliament is closely modelled on the UK Scrutiny System. The scrutiny process in the House of Commons is document-based and includes all proposals or recommendations for legislation by the Council, and any document submitted by one Institution to another, thus bringing in Commission Green and White Papers, reports, EP amendments, Council Decisions and Recommendations. It also includes intergovernmental activity under the Common and Foreign Security Policy and on Justice and Home Affairs.

The Danish scrutiny system is a very good example of how different Member States go about scrutiny of EU affairs in very different ways. The Danish system, in contrast with the UK model, concentrates on Council meetings rather than documents. A Minister attends the European Affairs Committee before each Council meeting and orally explains his or her mandate from the Government to negotiate and subsequently, the Committee agrees or rejects this mandate.

### *The Working Groups*

Draft EU documents are scrutinized and filtered by Working Group I of the Standing Committee on Foreign and European Affairs.

Working Group I, which examines the *acquis* in preliminary scrutiny, may either:

- Clear a particular document without reserve; or
- Refer the document to Working Group II or III, or to the Social Affairs Committee.

The Working Groups are currently chaired as follows:

Working Group I – Hon. Jason Azzopardi

Working Group II – Hon. Michael Gonzi

Working Group III – Hon. Jeffrey Pullicino Orlando

Social Affairs Committee – Hon. Clyde Puli

Once a document is referred to Working Group II or III or the SAC, the Chairman of the respective Working Group has a right to call a meeting which the Minister responsible for the document is expected to attend so as to answer any queries the Committee may have on the particular document or any other document that falls under its scrutiny. The Minister is encouraged to bring along experts from his Ministry when attending such meetings.

As soon as the documents have been cleared, the Chairman of the Standing Committee tables all the documents in Parliament and thus are made publicly available. This is further indication of the transparency of the Committee's work.

The areas of responsibility of the working groups are:

- **Working Group I:** *filtering and allocation of EU documents.*
- **Working Group II:** *Economic and Monetary Affairs, Taxation, Research, Employment, Education and Culture, Transport and Energy, Budget, Regional Policy, Internal Market, Customs Union.*
- **Working Group III:** *Health and Consumer Protection, Development and Humanitarian Aid, Agriculture, Rural Development, Fisheries, Justice and Home Affairs, Environment.*

Matters related to Constitutional Affairs, Enlargement, Development, External Relations and Trade, Enterprise and Information Society, Competition are treated in plenary by the SCFEA.

After the meeting of the relevant Working Group, the Chairman, on the basis of the discussion / consultation within the Working Group, declares either that:

- a document is **Cleared**. That is to say, the members of the Working Group are of the opinion that the queries or clarifications sought by the Committee were satisfactorily answered and that, consequently, there is no scope for further discussion / consultation relating that particular document. This means that the Committee has finished considering that document.
- Alternatively, the Committee may decide to retain a **parliamentary scrutiny reservation** (vide *Appendix 4*).

*Appendix 5* is a diagrammatical representation of the scrutiny process.

76 documents were examined since the working groups began analysing the EU pipeline *acquis* in May 2004. A further 38 documents were received in late December.

Working Group I has met eight times since May 2004. From the documents referred by Working Group I, thirty have been referred to either Working Group II or III or to the Social Affairs Committee. Of these, eight have been cleared by WG II (which was convened nine times in 2004); seven have been cleared by WG III (convened twice in 2004) and two remain to be debated; and four documents were debated and cleared by the Social Affairs Committee.

The following is an analysis of the documents that were scrutinised:

*Cleared documents*

- 46 documents have been cleared by Working Group I
- 8 documents have been cleared by Working Group II
- 7 documents have been cleared by Working Group III
- 4 documents have been cleared by the Social Affairs Committee

*Documents still to be debated*

- 2 documents have been referred to Working Group III

*Retained parliamentary scrutiny reservation*

- 9 documents have been retained under parliamentary scrutiny

Proposals received late in 2004 are clearly among those which will be debated by the Standing Committee in early 2005.

## TRAVEL BY THE COMMITTEE'S STAFF

During the month of October, the research analysts attached to the Standing Committee travelled to the UK to meet their counterparts in the UK House of Commons. The purpose of this visit was to hold meetings with members of the Select Committee on European Scrutiny in the UK as well as the staff attached to this Select Committee in order to exchange ideas and gain best practice from our UK counterparts.

## OUR PLANS FOR 2005

A great part of our work is determined by whatever EU documents are deposited in Parliament. Apart from consideration of documents, we plan

- To ensure that all depositable documents in terms of Standing Order 120 F are regularly forwarded to Parliament within a reasonably short time of receipt from Brussels.
- The establishment of a point of reference between the Committee and the Ministries that coordinates the flow of information between the two and ensuring that neither of the parties falls behind particularly when deadlines have to be met.
- The introduction of pre- and post-Council scrutiny as a means of control of the effectiveness of the work of the Committee is an issue that will need to be considered. This will also help to ensure that all relevant documents are being deposited for scrutiny and dealt with as appropriate.

In one of the first steps of post-Council scrutiny, Deputy Prime Minister and Minister for Justice and Home Affairs Hon. Tonio Borg, has been invited twice to brief the Committee on the progress in the Justice and Home Affairs Council regarding the proposal on a Framework Decision to strengthen the criminal law framework for the enforcement of the law against ship-source pollution that Malta was strongly opposing. The Minister for Competitiveness and Communications Hon. Censu Galea, also addressed the Committee on this issue.

## STRENGTHS OF THE COMMITTEE IN 2004

- All decisions were taken by consensus without the need for a vote to be taken on any issue;
- Wide spectrum of issues discussed;
- Greater transparency and accountability - all scrutiny documents are publicly available on the Internet;
- Engagement of research analysts to assist the Committee and the Working Groups in carrying out their work;
- Attachment of a committee clerk to the Committee:
- Regular updates on participation in international conferences by various Members of Parliament; and
- Presentations by academics and other influential persons on topical issues throughout the year.

## **CONCLUSION**

Looking back, one can say that the year 2004 has been a very hectic and eventful year for the SCFEA and for the Working Groups within the Committee. This is evidenced by the number of times the Committee and the Working Groups were convened and the progress that was consequently achieved.

The success of the Committee would not have been possible without the collective effort of the Chairman, the Members and the administrative backup, together with the invaluable cooperation of all those involved.

The progress and successes recorded in the work of the Committee in 2004 bodes well for a similarly busy and successful year 2005.

*HOUSE OF REPRESENTATIVES, MALTA*

20 December 2004

## **APPENDIX 1**

### **MEETING NO. 4 – 26 January 2004**

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#### *Scrutiny of the pipeline acquis communautaire*

In this first meeting of 2004, the SCFEA discussed the functions of the Scrutiny Committee that needed to be set up as well as the type of structure it would have. The Chairman, the Hon. Michael Frendo, explained to the Members that the structure chosen needed to be simple and possibly to make use of existing parliamentary structures.

The main issues that came up for discussion were the number of Members that the Committee should have, including the sub-committees, the support research staff to be attached to this Committee as well as cooperation with the House of Commons Scrutiny Committee at various levels.

### **MEETING NO. 5 – 2 February 2004**

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#### *Resolution on the Treaty on Enlargement of the European Economic Zone - EU Adhesion Treaty*

In this meeting, the then Minister for Foreign Affairs, the Hon. Joe Borg, gave an extensive presentation to the Committee on a resolution put forward by the Prime Minister in order that the EEA Enlargement Treaty be considered as one with Malta's Accession Treaty with the EU. The discussion was intended to be exhaustive in that a motion in the House could be passed without further discussion.

Following this meeting, the Chairman was expected to submit a report to the House on the basis of which the House could vote directly. The discussion was therefore the ratification instrument that would lead to the Prime Minister's order.

*6th IGC - EU Constitutional Treaty - Presentation by Hon. Joe Borg, Minister for Foreign Affairs*

The second item on this meeting's agenda was a presentation, also by the then Minister for Foreign Affairs, the Hon. Joe Borg, on the EU Constitutional Treaty as discussed during the 6<sup>th</sup> Inter-Governmental Conference held under the Italian Presidency. Various issues, including voting rights, how Commissioners should be chosen and the existence of double-taxation agreements were raised by the Members and discussed.

**MEETING NO. 6 – 1 March 2004**

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*Relations between Malta and Tunisia*

The first item on the agenda of this second meeting of 2004 was a presentation by the Permanent Secretary within the Ministry of Foreign Affairs, Mr. Gaetan Naudi, on the relations between Malta and Tunisia following his meeting with Tunisian State Secretary Madam Saida Chtioui.

Mr. Naudi shared with the Committee that in an earlier meeting with Madam Chtioui it was agreed that very good bilateral relations exist between Malta and Tunisia and that various official visits are planned for the year by both countries. Mr. Naudi also informed the Committee that the Tunisian Ambassador was very much in favour of establishing economic and commercial exchanges between the two countries similar to the Tunisia Week held in 2002.

Various other issues were raised for discussion by the Members of the Committee including the new Neighbourhood Policy put in place by the EU, the Maltese-Tunisian Business Council, the Euro-Med Parliamentary Assembly and the market for the Teaching of English as a Foreign Language (TEFL).

The discussion was followed by an informal presentation to the Committee by Madam Chtioui, Tunisian State Secretary.

#### **MEETING NO. 7 – 17 March 2004**

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##### *Set up of the scrutiny process of the *acquis communautaire**

In the third meeting of the SCFEA in 2004 the set up of the scrutiny process of the *acquis communautaire* was under discussion.

The Chairman, the Hon. Michael Frendo, presented to the Committee a report on the proposed set up of the Scrutiny Committee highlighting the main issues in this respect: the terms of reference of the Committee, its functions and the duties of the analysts that were expected to be attached to the said Committee.

In this brief meeting, the Hon. Evarist Bartolo expressed the opinion that as a gesture of solidarity with the Spanish people following the terrorist Madrid bombings, the Committee ought to write a letter of condolences to its counterpart Committee in Spain.

#### **MEETING NO. 8 – 12 May 2004**

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##### *The function of the Standing Committee on Foreign and European Affairs*

This meeting was the first meeting chaired by the Hon. Jason Azzopardi since his appointment as Chairman of the SCFEA in March 2004. The Chairman highlighted the responsibility that was attached to the Committee of scrutinising all pipeline *acquis* originating from the EU, particularly their legal and social implications on Malta amongst others.

During this meeting, the engagement of the research analysts to be attached to the Committee, as well as their function within the SCFEA structure particularly in the

scrutiny of EU documents as had been discussed in a previous Committee meeting, was discussed at length with contributions from most of the Members.

The Chairman also shared with the Committee the fact that they had been invited to visit the Foreign Relations Committee of the US Congress by the US Ambassador in Malta H.E. Mr. Anthony Gioia.

In this meeting the Chairman also mentioned a number of matters that were planned to be put on the SCFEA forthcoming agendas including: the two visits to Malta planned by two Chinese delegations, the Euro-Med Process (on which Dr. Stephen Calleya was invited to give a presentation to the SCFEA), the possibility of Dr. Roderick Pace giving a presentation on foreign policy, and the possibility of inviting the Israeli and Palestinian Ambassadors accredited in Malta for separate hearings, as well as presentations by other ambassadors accredited in Malta.

#### **MEETING NO. 9 – 01 June 2004**

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##### *The Scrutiny Process to be adopted*

In this meeting of the SCFEA, the Hon. Clyde Puli and the Hon. Evarist Bartolo briefed the Committee on their attendance to the 31<sup>st</sup> meeting of COSAC in Dublin between the 18 and 21 May 2004 which focused on the scrutiny process to be adopted by national parliaments following EU membership.

The Chairman, the Hon. Jason Azzopardi, informed the Committee that together with a delegation from the Committee they met their counterparts of the European Scrutiny Committee at the House of Commons in the UK. The Chairman also informed the Committee that a research analyst has been appointed to work with the Committee and that another one will be recruited in due course.

The Chairman also informed the Committee that he had a courtesy visit by the Libyan Ambassador H.E. Mr. Ali Nagem whereby he informed him that he will be leaving Malta by the end of June.

*Presentation by the Minister of Foreign Affairs and Investment Promotion, the Hon. John Dalli re his visits abroad*

Following this, Minister of Foreign Affairs and Investment Promotion, the Hon. John Dalli, gave a presentation of his trips abroad during the previous weeks. His first meeting abroad was in May to attend the Euro-Med Conference in Dublin. Following this, he met the US Secretary of State Mr. Colin Powell, and when in the USA, he attended the Commonwealth Ministers Action Group. He also visited China where he met the Chinese Prime Minister.

Minister Dalli informed the Committee that during the Euro-Med Conference it was decided to set up the Anna Lindh Foundation on Cultural Dialogue and Civilisations to be set up in Egypt.

Following the Euro-Med Conference, Minister Dalli attended a meeting of the European Council of Ministers in Strasbourg and also the GAERC meeting where the Ministers of Foreign Affairs discussed issues related to the IGC.

Finally, Hon. Leo Brincat brought up the issue of the visas problem with Libya. The Minister confirmed that the problem was being tackled by the Maltese and Libyan authorities to solve the problem expeditiously.

**MEETING NO. 10 - 9 June 2004**

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The Chairman informed the Committee that the Libyan Ambassador will be giving a presentation on the relations between Libya and Malta on the 16 June. The Committee then discussed proceedings regarding the Standing Committee on Foreign and European

Affairs, especially in the context of the EU pipeline *acquis* and the explanatory memoranda.

*Presentation by the Minister of Foreign Affairs and Investment Promotion*

The Minister of Foreign Affairs and Investment Promotion, the Hon. John Dalli, continued with his presentation regarding his trips abroad. He gave details regarding the meeting between the European Union and the Gulf Cooperation Council and gave further information regarding his meeting with the US Secretary of State, Mr. Colin Powell. He then talked about meetings he had in China, including the meeting of the Commonwealth Ministerial Action Group meeting and the meeting in China.

He also visited Slovenia where he met with the President of Slovenia. Minister Dalli emphasised on the need to promote investment in Malta.

Minister Dalli also talked about the IGC and the visas issue with Libya whereby he stated that his Ministry was working hard to solve the impasse.

In reply to a question by Hon. Leo Brincat, Minister Dalli informed the Committee that a committee was appointed to take care of the organisation of the CHOGM meeting but that no foreign advisers were appointed to this committee. Following this, Minister Dalli informed the committee how he intended to use our embassies better in promoting investment for Malta.

Minister John Dalli then replied to Hon Michael Ascik's query regarding the question of human rights in China and the dumping of embryos. As regards to China, he said that Malta should take a cautious attitude as this is a very delicate issue especially in the context of China's continuous economic development. On the question of the dumping of embryos, he said that this was an issue that involved many Ministries, but that he will make it a point to see at what stage the issue was being discussed.

## **MEETING NO. 11 – 15 June 2004**

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### *Relations between Malta and Libya*

During this meeting, a presentation was given by the outgoing Libyan Ambassador to Malta, H.E. Mr. Ali Mohamed Saleh Nagem. This was the first meeting ever of the Committee with an Ambassador accredited in Malta. He stated that relations between the two countries are very good and that both countries have always stood by each other when in need. He mentioned various issues of interest such as investment between both countries and cultural exchanges.

Hon. Leo Brincat and Hon. Evarist Bartolo also praised the Libyan Ambassador for his contribution in improving Malta-Libya relations.

Following the courtesy visit by the Libyan Ambassador, Dr. Stephen Calleya was invited to give a presentation on “Malta’s foreign policy in the Euro-Mediterranean area”. Coincidentally, during his presentation he talked about Malta-Libya relations. He also said that Malta should take the lead in enhancing relations between the EU and Mediterranean countries, especially now that Malta is a member of the EU.

Dr. Calleya also said that the Minister of Foreign Affairs follow up consistently any meetings he attends, such as the ones he attended lately in China and the US.

## **MEETING NO. 12 – 12 July 2004**

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### *Presentation on the EU Coastguard Agency*

During this meeting, Dr. Stephen Calleya and Major Cauchi Inglott gave a presentation on the EU Coastguard Agency. The setting up of such an agency was conceived by Dr. Calleya and Major Cauchi Inglott who had submitted their proposal to the Ministry of Foreign Affairs in May 2004. The aim of setting up such an agency is to enhance Malta’s

security in the light of increasing security challenges, particularly the threat of illegal immigration.

Both experts stated that they were giving their presentation in their own capacity. Both stressed that the setting up of the agency will be beneficial for Malta, as this will be EU funded and Malta will be able to employ local staff.

Prior to the presentation, the Chairman informed the Committee that it was his intention to invite the Palestinian and Israeli ambassadors to give presentations on the current issues in the Middle East. The Chairman also informed the Committee that the research analysts would be seconded to the UK House of Commons scrutiny committee in October this year to obtain the necessary experience on the scrutiny of pipeline *acquis*.

#### **MEETING NO. 13 – 19 July 2004**

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##### *Presentation by the Minister of Foreign Affairs on the European Defence Agency*

At the opening of the meeting, the Chairman gave his good wishes to the Hon. Michael Frendo who was recently appointed Foreign Minister.

The Hon. Leo Brincat stated that the Opposition members of the Committee will be attending this meeting where Minister Frendo was to give a presentation on Malta's membership to the "European Defence Agency" under protest. He also stated that the Labour Party will remove Malta's membership from this Agency once in government, especially in the context of Malta's neutrality.

Minister Frendo gave an overview of the GAERC meeting he attended as well as recent developments in the Middle East, especially in the light of the International Court of Justice judgement regarding the illegality of the so called 'wall' set up separating Israel and the Palestinian occupied territories.

The issue of the visas problem with Libya was again raised in this meeting and Minister Frendo reiterated that it was his intention to solve this problem as soon as possible.

#### **MEETING NO. 14 – 19 October 2004**

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##### *Presentations by various Members of Parliament re their visits abroad*

At the beginning of this meeting, the issue of the MEPs presence at the meetings of the SCFEA was raised and it was confirmed that the MEPs have the right to participate during the meetings of the Committee but not the right to vote according to Standing Order 120 F.

The Hon. Evarist Bartolo gave a presentation on the meeting he attended in Prague on the 24 September which discussed the recent EU expansion.

Following this, the Minister of Foreign Affairs, the Hon. Micheal Frendo gave a presentation about “Malta and the United Nations” outlining its history from its inception till today, and the reforms in the UN that are presently under discussion and Malta’s role in this context.

Minister Frendo also gave a presentation on Malta-Libya relations and once again he reiterated that he was committed to solving the visas impasse with Libya. Minister Frendo also touched upon the issue of illegal immigration in Europe.

Hon. Michael Ascjak remarked that at the end of September, together with Hon. George Vella and Hon. Mario Galea, he had attended the first meetings of the Euro-Med Parliamentary Assembly.

**MEETING NO. 15 – 25 October 2004**

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*Meeting with a Parliamentary Delegation from the Danish European Affairs Committee*

After the formalities from both Committees, Mr. Claus Larsen-Jansen identified two main areas that would be of interest in this discussion, firstly the role of the European Affairs Committee in national parliaments and secondly, political issues that are of interest to both parties.

Mr. Claus Larsen-Jansen went into some detail about the scrutiny system adopted in Denmark, i.e. a system that ‘mandates’ the Minister with the position he or she can take at the Council meetings on behalf of Denmark. Mr. Larsen-Jansen stated that notwithstanding the harsh criticism that this system gets at times, it has its merits and is convinced that it is the one that works out best in Denmark.

Hon. Azzopardi described the system Malta has adopted for the scrutiny of EU documents, based widely on the UK document-based model, however, he expressed his belief that this in no way prohibits the two respective Committees from cooperating in certain areas.

Mr. Larsen-Jansen was interested to hear the views of the Maltese MPs on a number of issues, including refugees, immigration and international crime. Hon. Azzopardi confirmed that these are areas in which there is considerable concern, particularly illegal immigration, which is no longer a problem for Malta but a problem for Europe.

Other issues that were discussed during the meeting were the Draft Constitution for Europe and the reform in the UN Security Council.

**MEETING NO. 16 – 27 October 2004**

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*Presentation by Dr. Michael Bartolo on the reforms in the United Nations and the role of the EU in the UN*

In this meeting of the SCFEA Dr. Michael Bartolo was asked to make a presentation on the proposed reforms in the UN and the role of the EU in the UN. Dr. Bartolo then invited the Committee to hold a follow up meeting to this discussion in the UN headquarters in Geneva, at the convenience of the Committee.

The first part of the presentation was a video production on the Security Council reform that had just been made available a week earlier, in effect, making the Committee one of the first being presented with it.

The second part of the discussion was a detailed but clear presentation on what the UN actually is and what its role is. It was noted that Malta has made a remarkable impact in the UN and that notwithstanding the size and the resources available, these were never considered as constraints.

The role of the EU within the UN, particularly the possibility of the EU having a permanent seat on the Security Council, was also discussed. However, this cannot be seen as happening in the near future, at least not until the EU can have a Common Foreign and Security Policy.

Members spoke about the importance of holding more frequent similar informative meetings as the SCFEA should not focus solely on EU related matters but also on international organisations like the UN that are also a very important element of foreign affairs.

**MEETING NO. 17 – 2 November 2004**

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*Meeting with the Maltese Members of the European Parliament*

This was the first meeting of the SCFEA with the Maltese MEPs. The Chairman, Hon. Jason Azzopardi, briefed the Members on the forthcoming visit to Libya which was being planned, as well as highlighted items that would be appearing on future agendas of the SCFEA.

A great part of the meeting was taken up by a discussion regarding the status of the MEPs in the SCFEA, which is referred to in Standing Order 120 F (1) which states that:

*... members of the European Parliament elected from Malta shall have the right to participate in the work of the Standing Committee but shall not have the right to vote or to move motions and amendments.*

The Members agreed that the MEPs have a right to attend the SCFEA meetings but cannot be counted in making up the quorum.

The main thrust of this meeting was how Maltese MEPs and Maltese MPs could work together to secure better positions in the EU, with particular reference in the scrutiny of EU documents.

The MEPs expressed their honour at being able to attend such meetings, but highlighted various reasons which impede them from attending the meetings. MEPs are not usually available on the days when the Committee normally sits, however, as a form of compromise, the Members agreed that they will try to hold meetings with topics of direct relevance to the MEPs on Fridays.

Another issue that was debated in this meeting was the role of MEUSAC now that Malta is a full member of the EU and the involvement of the SCFEA in MEUSAC. It was further pointed out that MEUSAC ought to fall within the parliamentary remit.

#### **MEETING NO. 18 – 12 November 2004**

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##### *Meeting with a Parliamentary Delegation of the European Affairs Committee of the Czech Republic*

In this meeting the Members of the SCFEA met a delegation from the European Affairs Committee of the Czech Republic.

After the formalities from both Committees, the Chairman of the Czech Committee, Mr. Pavel Svoboda, opened the discussion by stressing that the good relations that exist between the two countries and that go back to the pre-accession period should be intensified now that both countries are full EU members.

Mr. Svoboda identified two main issues that warrant discussion, i.e. issues that are expected to be resolved soon by the EU (such as the Constitution and the future financial arrangements) and the position of the parliamentary committees within the Constitutional system.

The Chairman, Hon. Jason Azzopardi, agreed, and stated that the two countries have ‘a common future to forge together’. Hon. Azzopardi added that the greatest part of the time and resources were being taken up by the scrutiny of pipeline *acquis*, which follows the UK document-based model. On the other hand, Mr. Svoboda described the system in the Czech Republic as one where only those documents with direct relevance to their country or having a common interest are dealt with.

Dr. Simon Busuttil, MEP, mentioned the involvement there is in the SCFEA by the MEPs, which is set to be enhanced with the ratification of the EU Constitutional Treaty.

The topic of the new Constitution was also raised by the Hon. Leo Brincat who was interested to learn on the level of internal debate and public awareness in the Czech Republic. Mr. Svoboda replied that there is a common consent that the decision will be made through a referendum, but he personally feels that it is a too complex issue to be decided by referendum.

The final point raised by Hon. Azzopardi was the draft of a *drug interdiction agreement* which was submitted by Malta. Discussions on this matter were stalled in March 2002 as it was not deemed to be of priority. Hon. Azzopardi encouraged Mr. Svoboda to take up the matter once more with the Czech side so that agreement may be reached.

As a result of that meeting, Hon. Azzopardi has been informed by the Ambassador of the Czech Republic to Malta that the Czech Republic has started working on a reply to that draft agreement.

#### **MEETING NO. 19 – 15 November 2004**

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##### *Presentations by various members regarding visits abroad*

Hon. George Vella gave a presentation regarding the first meeting of the Committee on Political Affairs, Security and Human Rights set up by the Euro-Med Parliamentary Assembly. During the meeting, Hon. Vella reiterated that the *raison-d'être* of the Euro-Med Parliamentary Assembly is to tackle the link of security between the Mediterranean and Europe.

Hon. Mario Galea then gave a presentation on the meeting of another committee set up by the EMPA, the Committee on Improving Quality of Life, Exchanges between Civil Societies and Culture he attended and which Malta holds its Vice-Presidency.

Following this, the Hon. Jeffrey Pullicino Orlando, Vice-President of the Parliamentary Assembly of the Council of Europe, gave a presentation on a meeting he attended, the Monaco World Summit, which focused on the present state of the tourism industry.

Following these presentations, the Minister of Foreign Affairs, Hon. Michael Frendo, gave a presentation of the meetings he attended overseas. He mentioned his participation in the Forum Méditerrané in October in Paris. Minister Frendo reiterated that since he had been attending the General Affairs External Relations Council, the EU was giving more importance to the Middle East issue.

#### **MEETING NO. 20 – 16 November 2004**

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*Presentation by the Deputy Prime Minister and Minister for Justice and Home Affairs and the Minister for Competitiveness and Communications re Ship-Source Pollution*

During this meeting, the Deputy Prime Minister and Minister for Justice and Home Affairs, Hon. Tonio Borg, and Minister for Competitiveness and Communications, Hon. Censu Galea, gave a presentation regarding a “Framework Decision to strengthen the criminal law framework for the enforcement of the law against Ship-Source Pollution”.

*Presentation by Mr. V. Gauci on ‘Malta's foreign policy and projections into the future’*

Following this, Mr. Victor Gauci, an ex-ambassador gave a presentation about his experience in the Malta’s foreign service as well as about his latest edition “The Genesis of Malta’s Foreign Policy”.

Mr. Gauci spoke extensively about his experience in the United Nations and Malta’s contribution in raising the importance of Mediterranean issues within the Organisation for Security and Cooperation in Europe during the 1970s.

**MEETING NO. 21 – 26 November 2004**

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*Presentation on the European Constitution*

During this meeting, Professor Ian Refalo and Professor Peter Xuereb gave a presentation on the European Constitution and its effects on the Maltese Constitution.

A lively debate took place between the Professors and the members of the Committee. The Maltese MEPs who are also members of the Committee, attended this meeting.

**MEETING NO. 22 – 3 December 2004**

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*Presentation on the European Constitution*

During this meeting, the members of the Committee, together with Professor Ian Refalo and Professor Peter Xuereb, continued discussing the new European Constitution and its effects on Malta's Constitution.

**MEETING NO. 23 – 9 December 2004**

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*Briefing by the Deputy Prime Minister and Minister for Justice and Home Affairs, Hon. Tonio Borg, on the discussions in the Council on Ship-Source Pollution*

This was the last meeting for the year of the SCFEA. The first part of the meeting was a briefing on the position that Malta took in the Justice and Home Affairs Council regarding ship-source pollution. This part of the meeting was originally to be held *in camera* in view that consensus in the Council has not been reached up to a few hours before the meeting, but this was reconsidered once the agreement had been reached on the matter in the Council.

The main concern for Malta, as well as Cyprus and Greece, regarding the proposal in question was that the EU was being deemed to be acting beyond the international rules of MARPOL that are currently in force, effectively putting Maltese flagged ships at a disadvantage without any real improvement to the environment, as shipowners could still sail the same vessels under third country flags in EU territorial waters without being subject to regulations more stringent than international ones. The main concerns were the added criminal liability of the shipowners and captains in case of *seriously negligent behaviour*. An interesting point was made that this clause, 4.7, was not in the original Commission proposal but was added by one of the working groups.

Malta was in a position to exercise the veto as the proposal had been transferred from a Transport to a Justice and Home Affairs matter that requires unanimity in the Council. Hon. Borg stressed that this was not a frivolous use of the veto for the sake of nationalism, so much so that Malta, with the support of Greece and Cyprus (in view of the fact that the three countries together have the greatest tonnage registered in the EU), put forward suggested amendments that were eventually taken up by the Council.

*Presentations by MPs regarding their visits abroad on parliamentary work*

Hon. Carmelo Abela attended the TAIEX Seminar on Youth and Education held in November in Brussels. Sports was included in the discussion as 'Education through sports' as there is no legal basis for sports. Issues that were discussed included: The Euro-Med Youth Programme, Socrates and Leonardo; Promoting Lifelong Learning; Language Policies in the EU; Education through Sport and the work of CEDEFOP.

Hon. Joseph Falzon and Hon. Noel Farrugia attended the meeting of the standing committees on agriculture of the Parliaments of Member States of the EU held in November in The Hague. The meeting focused on the outbreak of animal diseases where it was pointed out that these diseases, such as *foot and mouth*, are still common within the EU. Although a common policy on this issue does not exist, the EU is moving closer to a

vaccination policy but this is still a controversial matter. The issue of mass killings and its negative impact on the final product was discussed.

Hon. Clyde Puli and Hon. Evarist Bartolo attended the XXXII COSAC meeting in November in the Netherlands, which is the second COSAC meeting that Malta is attending as an EU Member State and not just as an observer. It was also the first COSAC meeting in which an interpreter for the Maltese language was provided. This was very welcomed by the two Maltese delegates as an important item on the agenda was the defence of the national language. As the Hon. Clyde Puli pointed out, it would have been embarrassing to defend the use of the Maltese language speaking in another language. Malta was one of the 11 Member States that were in favour of the status quo of the language regime. Hon. Puli also brought up the cooperation in lobbying from the Czech delegation, mainly fruit of an earlier SCFEA meeting with a parliamentary delegation from the Czech Republic (Meeting 18 of the SCFEA). Other issues that were discussed were the IPEX website and the Lisbon Strategy.

Hon. Clyde Puli also attended the meeting of the network of Parliamentary Committee for Equal Opportunities for Women and Men in the EU held in November in The Hague. The conference dealt with women's economic independence and the position of women from emigrant groups and ethnic minorities. These two subjects were mainly dealt with in the context of the Lisbon Agenda of the European Council.

Hon. Leo Brincat made a brief presentation on the meeting of the Political Affairs Committee within the Council of Europe held in November in Paris. Four main topics were discussed during this meeting: the situation in the Middle East, the Third Summit of the Council of Europe, the proposed round table on Chechnya and the situation in Iraq. The main conclusion that was drawn is that given the increased importance of the European Parliament and the OSCE, the role of the Council of Europe needs to be more clearly defined.

## APPENDIX 2

### **INFORMAL MEETINGS OF THE SCFEA HELD WITH FOREIGN DIGNITARIES IN 2004**

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20 February 2004	Meeting with the Vice President of the European Commission and Commissioner responsible for administrative reform, Mr Neil Kinnock
23 February 2004	Meeting with EU Commissioner Frits Bolkestein, responsible for the Internal Market, Taxation and the Customs Union
24 February 2004	Meeting with a German parliamentary delegation accompanying Chancellor Gerhard Schroeder
5 March 2004	Meeting with a delegation from the Commission on development and humanitarian aid policy
17 March 2004	Meeting with EU Commissioner Guenter Verheugen responsible for enlargement
30 March 2004	Meeting with a delegation from the European Affairs Committee of the Italian Parliament and of the Italian Senate
21 May 2004	Meeting with a delegation from the Parliament of Walloon, Belgium
1 June 2004	Meeting with a delegation from the Beijing Committee of the Chinese People's Political Consultative Conference
4 June 2004	Meeting with the President of the European Parliament, Mr Pat Cox
28 June 2004	Meeting with the Foreign and European Affairs Committee of Croatia
27 September 2004	Meeting with the Standing Committee of the People's Congress of Guangdong Province of China

## APPENDIX 3

## Foreign Affairs Committee Meetings since 1995

<i>Legislature</i>	<i>Meeting</i>	<i>Date</i>		<i>Total</i>
<b>7th Legislature</b>	1	09 July 1995		
	2	19 July 1995	1995	2
	3	17 January 1996	1996	1
<b>8th Legislature</b>	1	30 April 1997		
	2	13 May 1997		
	3	16 June 1997		
	4	17 June 1997		
	5	01 July 1997		
	6	15 July 1997	1997	6
	7	06 April 1998		
	8	07 April 1998		
	9	29 April 1998		
	10	05 May 1998		
	11	12 May 1998		
	12	27 May 1998		
<b>9th Legislature</b>	1	16 November 1998	1998	7
	2	01 February 1999		
	3	08 February 1999		
	4	17 March 1999		
	5	11 May 1999		
	6	15 June 1999		
	7	16 June 1999		
	8	21 July 1999		
	9	25 October 1999		
	10	24 November 1999	1999	9
	11	01 February 2000		
	12	09 February 2000		
	13	22 February 2000		
	14	13 March 2000		
	15	14 March 2000		
	16	27 March 2000		
	17	11 April 2000		

	18	06 June 2000		
	19	20 June 2000		
	20	24 June 2000		
	21	17 July 2000		
	22	11 October 2000		
	23	06 November 2000	2000	13
	24	06 February 2001		
	25	30 April 2001		
	26	15 May 2001		
	27	05 June 2001		
	28	19 June 2001		
	29	27 June 2001		
	30	18 July 2001		
	31	02 October 2001		
	32	06 November 2001		
	33	05 December 2001	2001	10
	34	30 January 2002		
	35	11 February 2002		
	36	06 May 2002		
	37	14 May 2002		
	38	15 July 2002		
	39	22 July 2002		
	40	30 October 2002	2002	7
<b>10th Legislature</b>	1	01 July 2003		
	2	15 July 2003		
	1	21 October 2003		
	2	26 November 2003		
	3	16 December 2003	2003	5
	4	26 January 2004		
	5	05 February 2004		
	6	01 March 2004		
	7	17 March 2004		
	8	12 May 2004		
	9	01 June 2004		
	10	10 June 2004		
	11	15 June 2004		
	12	12 July 2004		
	13	19 July 2004		
	14	20 October 2004		
	15	25 October 2004		

	16	27 October 2004		
	17	02 November 2004		
	18	12 November 2004		
	19	15 November 2004		
	20	16 November 2004		
	21	26 November 2004		
	22	03 December 2004		
	23	09 December 2004	2004	20

## APPENDIX 4

### THE SCRUTINY PROCESS AND THE PARLIAMENTARY SCRUTINY RESERVATION

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Draft EU documents are scrutinized and filtered by Working Group I of the Standing Committee on Foreign and European Affairs.

Working Group I may either:

- Clear a particular document; or
- Refer the document to Working Group II or III or to the Social Affairs Committee.

Once a document is referred to Working Group II or III or the SAC, the Chairman of the respective Working Group has a right to call a meeting which the Minister responsible for the document is expected to attend so as to answer any queries the Committee may have on the particular document or any other document that falls under its scrutiny. The Minister is encouraged to bring along experts from his Ministry when attending such meetings.

After the said meeting, the Chairman of the Working Group, on the basis of the discussion / consultation within the Working Group, declares either that:

- a document is **Cleared**. That is to say, the members of the Working Group are of the opinion that the queries or clarifications sought by the Committee were satisfactorily answered and that, consequently, there is no scope for further discussion / consultation relating that particular document. This means that the Committee has finished considering that document.
- Alternatively, the Committee may decide to retain a **parliamentary scrutiny reservation**.

The registration of a parliamentary scrutiny reservation obliges the Minister to:

- provide supplementary explanatory memoranda;
- keep the Committee continually informed of any developments; and
- answer any queries that may arise in connection with the document under study.

The parliamentary scrutiny reservation also constrains Ministers from giving agreement to proposals or recommendations for European Community legislation or major decisions under the Common Foreign and Security Policy or in intergovernmental cooperation on justice and home affairs, which the Standing Committee on Foreign and European Affairs has not cleared except for 'special reasons'. The minister must, however, explain those reasons to the Scrutiny Committee at the first opportunity after deciding to give agreement.

Although the parliamentary scrutiny reservation has no legal status in the European Union, except for Denmark, it is strongly recommended that, while negotiating, the Minister takes into account the Committee's recommendations relating to a particular document. The conclusions of the Committee are the result of a series of steps and procedures during which a document is subjected to the scrutiny of the members of the bipartisan committee and its research analysts and may consequently serve to strengthen the Minister's bargaining position during negotiations.

## APPENDIX 5

### THE SCRUTINY OF EU DOCUMENTS

1	Document originates in Brussels and is forwarded to all the Member States.
2	Documents are received by the Cabinet Office and are distributed to the relevant Ministry to prepare an Explanatory Memorandum.
3	The Lead Ministry has two weeks (10 working days) to prepare an Explanatory Memorandum.  Once prepared, these are forwarded directly to the Committee.
4	Research Analysts prepare a report on all documents received irrespective of their perceived legal or political importance.  A recommendation whether to clear a document or refer it for debate is often included in the conclusion.
5	Documents can be: <ul style="list-style-type: none"> <li>• Cleared</li> <li>• Retained pending receipt of further information or developments</li> <li>• Referred to WG II or WG III</li> <li>• Referred to the Social Affairs Committee</li> <li>• Referred to the Floor of the House</li> </ul>
6	The document is debated in one of the Standing Committees/ Working Groups until the required information is received and the document can be cleared. Until then, a Scrutiny Reserve Resolution <sup>2</sup> is retained.  The Minister may be asked for further written evidence or to give oral evidence in front of the Committee.
7	After every meeting a letter in respect of each document cleared is sent to the Lead Minister informing him of the Committee's recommendations.  This happens also when a Scrutiny Reserve Resolution is retained in one of the Working Groups.
8	The Chairman of the SCFEA tables all relevant documents in the House once the scrutiny process is concluded..

<sup>2</sup> In theory the Reserve exists from the moment the document is deposited in Parliament until the document has been cleared in one way or another. The Minister takes into account decisions taken by the scrutiny committee prior to taking a position in the Council meetings.

