

**BRIEFING SERIES ON THE EUROPEAN UNION:  
DIAGRAMS OF  
KEY DECISION-MAKING PROCESSES/PROCEDURES  
USED IN EUROPEAN UNION INSTITUTIONS**

**29 June 2007**

**Introduction**

This paper further develops Briefing 1 (EU institutions and decision-making) in this briefing series on the European Union (EU). The briefing seeks to facilitate the Members of the Committee of the Office of the First Minister and Deputy First Minister (the Committee) in taking decisions about the Committee's future handling of European matters.

For the Members' easy reference, the paper provides an overview of these processes, outlining diagrams of the following:

- 1.0 The Community's decision-making process, including all relevant institutions
- 2.0 Legislative procedures employed by the Community, specifically those most used, namely consultation, cooperation and co-decision.

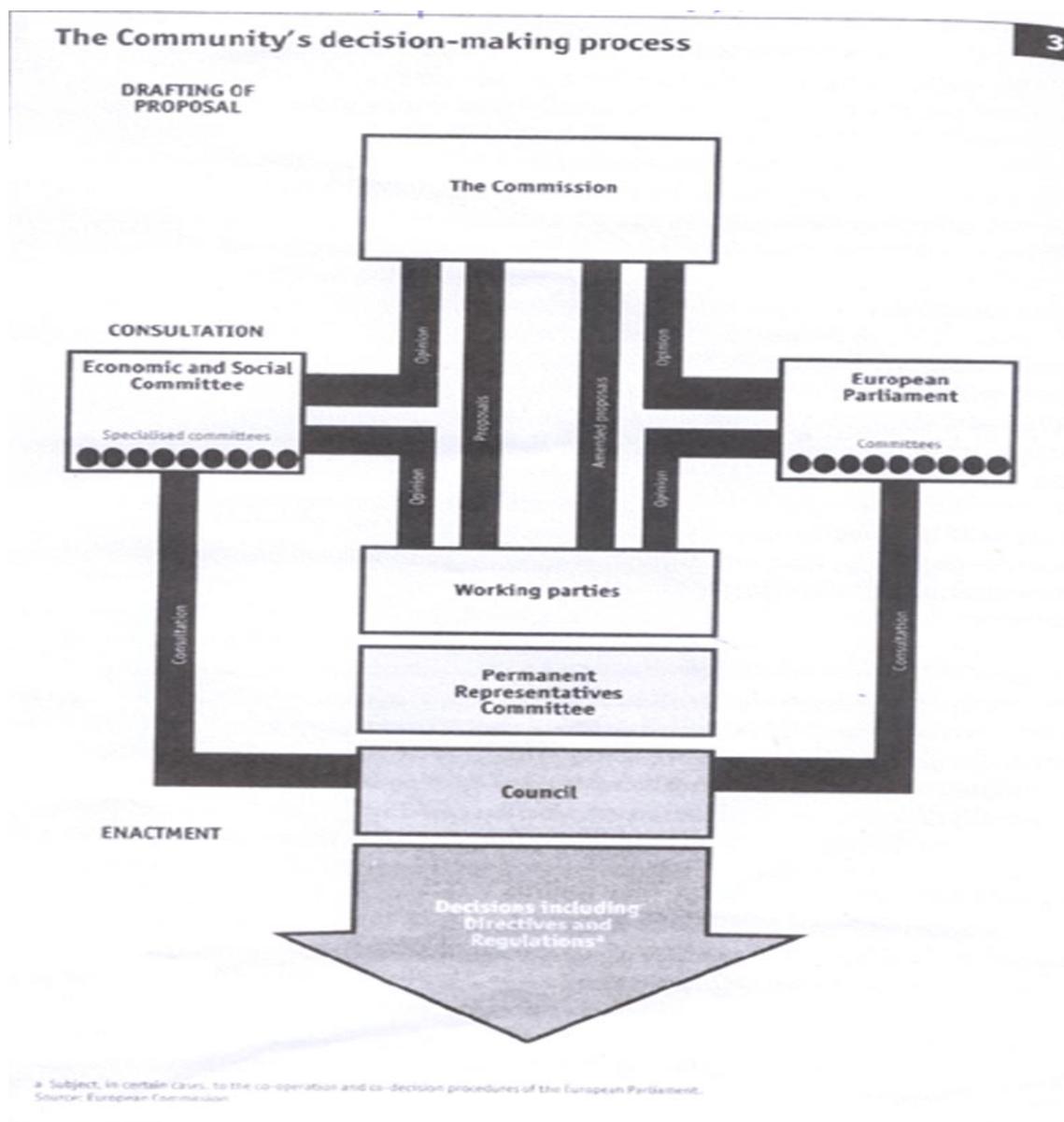
**1.0 The Community's decision-making process**

**Diagram 1: The Community's decision-making process<sup>1</sup>**

(Refer to next page.)

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<sup>1</sup> The Economist. *The Definitive Guide to All Aspects of the EU*. (Ninth Edition – Dick Leonard, Ed.). 2005, p 50.



## 2.0 Legislative Procedures

The Community's legislative process is based on different procedures. For purposes of the business of the COFMDFM, it seems that Members should be most familiar with those procedures relating to instruments of general validity (regulations and directives): these procedures are:

- (i) **the consultation procedure** - now less and less important since the cooperation and co-decision procedures were created;<sup>2</sup>

<sup>2</sup> For a list of the specific instances in which consultation and not cooperation or co-decision is required, refer to the first paragraph in the 'Consultation Procedure' sub-section found in 'The Legislative Process' section, as contained in *The ABC of Community Law* (Fifth Edition), *Providing research and information services to the Northern Ireland Assembly*

- (ii) **the cooperation procedure** – now rarely used since the co-decision procedure created;
- (iii) **the co-decision procedure** – now the most important element in the legislative process; and
- (iv) **the approval procedure** (also known as the assent procedure) – the principal form of Parliamentary involvement in the legislative process.

Diagrams 2-4 (provided below) concern the first three procedures (consultation, cooperation and co-decision), outlining key aspects of each procedure, as identified by *The ABC of Community Law* (Fifth Edition), written by Dr Klaus-Dieter Borchardt.<sup>3</sup>

There is no diagram for the fourth procedure (approval aka assent), which is the principal form of the European Parliament's involvement in the legislative process, as this procedure restricts the Parliament's role to accepting or rejecting the legal instrument submitted to it.

#### Diagram 2: EC Legislative Process – Consultation Procedure<sup>4</sup>



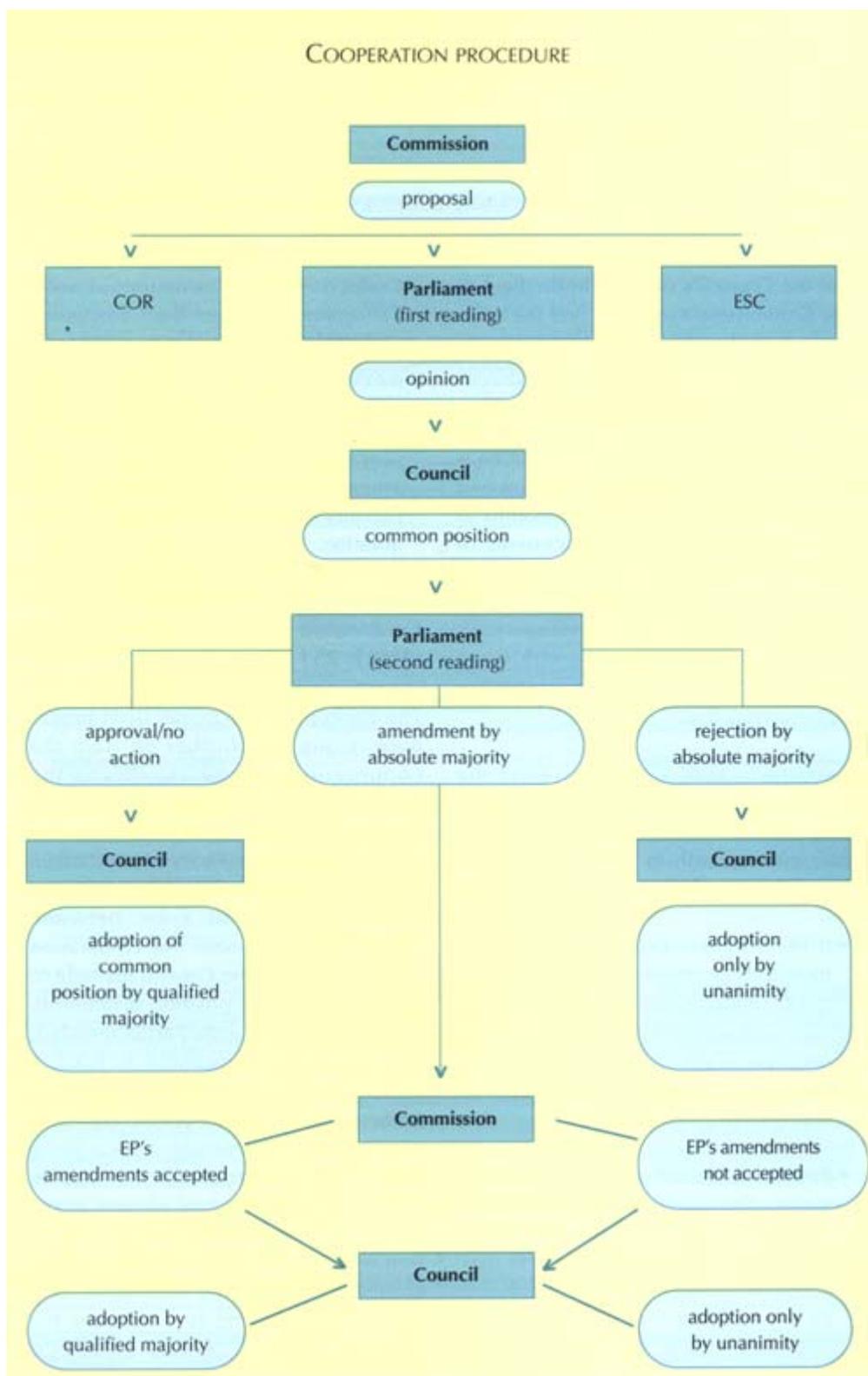
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written by Dr Klaus-Dieter Borchardt, and available on-line at: [http://europa.eu.int/eur-lex/en/about/abc/abc\\_21/html](http://europa.eu.int/eur-lex/en/about/abc/abc_21/html)

<sup>3</sup> [http://europa.eu.int/eur-lex/en/about/abc/abc\\_21/html](http://europa.eu.int/eur-lex/en/about/abc/abc_21/html)

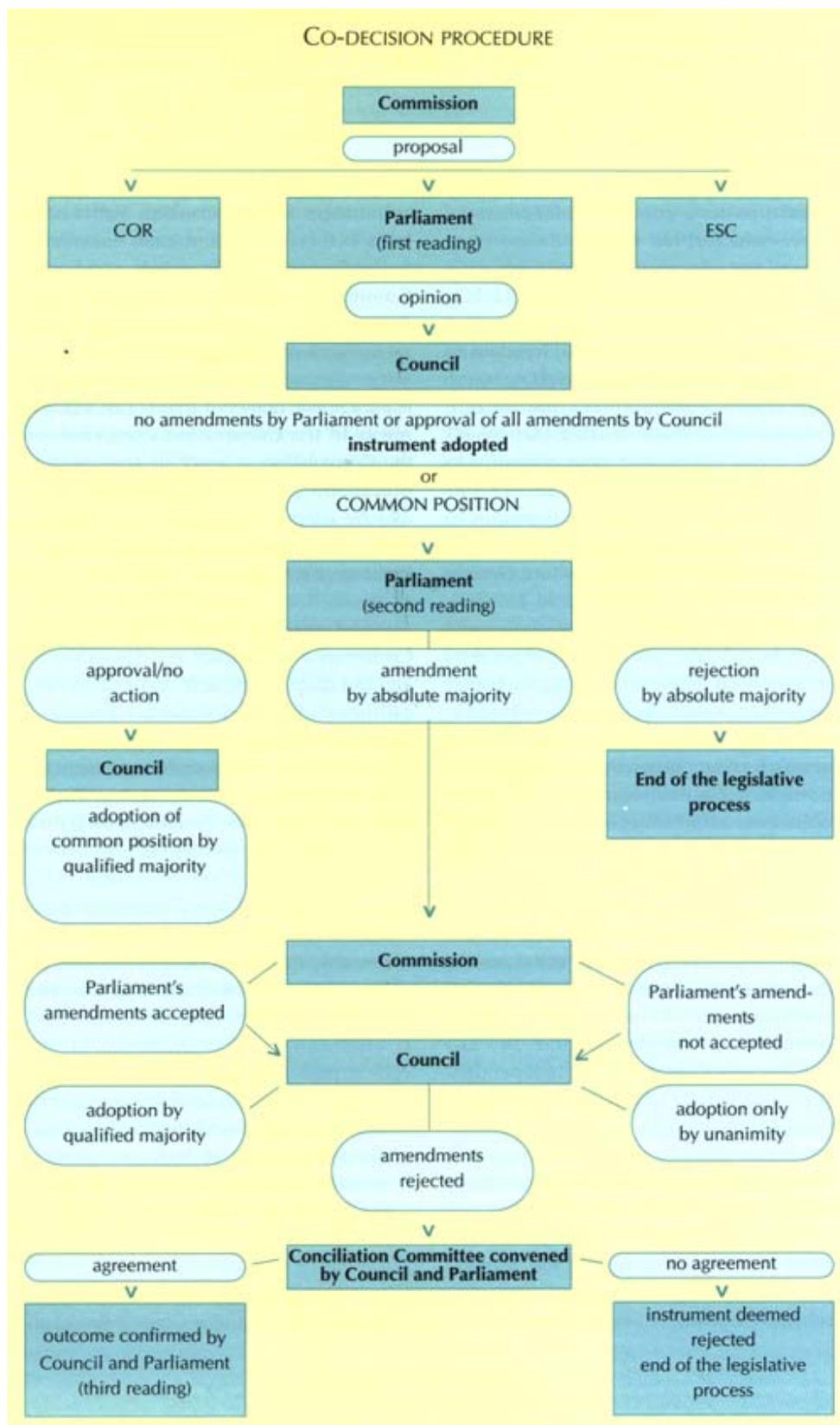
<sup>4</sup> For a written explanation of this procedure, refer to the Assembly's Research and Library Service Briefing Series on the European Union, specifically Appendix 1 in the "Briefing Paper 1: European institutions and related decision-making processes" (31 May 2007), and/or the relevant section contained in *The ABC of Community Law* (Fifth Edition), written by Dr Klaus-Dieter Borchardt, and available on-line at: [http://europa.eu.int/eur-lex/en/about/abc/abc\\_21/html](http://europa.eu.int/eur-lex/en/about/abc/abc_21/html)

Diagram 3: EC Legislative Process – Cooperation Procedure<sup>5</sup>



<sup>5</sup> Ibid.

Diagram 4: EC Legislative Process – Co-decision Procedure<sup>6</sup>



<sup>6</sup> Ibid.