



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 4 March 2014

6779/14

**Interinstitutional File:
2013/0218 (COD)**

CODEC 506	INST 122
AGRI 130	JAI 104
AUDIO 8	MAP 21
AVIATION 53	MAR 31
CHIMIE 10	MI 194
COHOM 35	PECHE 83
CORDROGUE 11	PESC 169
CODEX 12	PHARM 18
DELECT 34	PI 23
DENLEG 43	PROCIV 11
DRS 27	RELEX 151
ECOFIN 172	SAN 86
EDUC 72	SCHENGEN 2
EJUSTICE 20	SOC 149
ENER 77	SPORT 9
ENT 56	STATIS 23
ENV 170	SURE 3
ESPACE 29	TELECOM 56
FISC 36	TRANS 79
FRONT 39	UD 50
IND 71	PE 104

INFORMATION NOTE

from: General Secretariat
to: Permanent Representatives Committee/Council
Subject: Proposal for a Regulation of the European Parliament and of the Council adapting to Article 290 of the Treaty on the Functioning of the European Union a number of legal acts providing for the use of the regulatory procedure with scrutiny - Outcome of the European Parliament's first reading
(Strasbourg, 24 to 27 February 2014)

I. INTRODUCTION

The Rapporteur, Mr Jozsef SZAJER (EPP - HU), presented a report consisting of thirteen amendments (amendments 1-13) to the proposal for a Regulation, on behalf of the Committee on Legal Affairs.

II. DEBATE

No debate took place.

III. VOTE

When it voted on 25 February 2014, the Parliament adopted all thirteen amendments (amendments 1-13).

The Commission's proposal as thus amended and the legislative resolution constitute the Parliament's first-reading position. The text of the amendments adopted and the European Parliament's legislative resolution are set out in the Annex to this note.

Adapting legal acts providing for the use of the regulatory procedure with scrutiny (Article 290 TFEU) *I**

European Parliament legislative resolution of 25 February 2014 on the proposal for a regulation of the European Parliament and of the Council adapting to Article 290 of the Treaty on the Functioning of the European Union a number of legal acts providing for the use of the regulatory procedure with scrutiny (COM(2013)0451 – C7-0198/2013 – 2013/0218(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0451),
- having regard to Article 294(2) and Articles 33, 43(2), 53(1), 62, 64(2), 91, 100(2), 114, 153(2)(b), 168(4)(b), 172, 192(1), 207 and 338(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0198/2013),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to the opinion of the European Economic and Social Committee of 16 October 2013¹,
- having regard to the letter from the President of the Committee of the Regions to the President of Parliament of 11 October 2013,
- having regard to the Common Understanding on Delegated Acts, as approved on 3 March 2011 by the Conference of Presidents,
- having regard to the Framework Agreement on relations between the European Parliament and the European Commission², in particular point 15 thereof and Annex 1 thereto,
- having regard to its resolution of 5 May 2010 on the power of legislative delegation³,
- having regard to its resolution of 25 February 2014 on follow-up on the delegation of legislative powers and control by Member States of the Commission's exercise of implementing powers⁴,
- having regard to Rules 55 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the opinions of the

¹ Not yet published in the Official Journal.

² OJ L 304, 20.11.2010, p. 47.

³ OJ C 81 E, 15.3.2011, p. 6.

⁴ Texts adopted, P7_TA_PROV(2014)0127.

Committee on International Trade, the Committee on Economic and Monetary Affairs, the Committee on Employment and Social Affairs, the Committee on the Environment, Public Health and Food Safety, the Committee on Industry, Research and Energy, the Committee on the Internal Market and Consumer Protection, and the Committee on Transport and Tourism (A7-0010/2014),

- A. Whereas the Commission committed itself to assessing by the end of 2012 how many legislative acts containing references to the regulatory procedure with scrutiny remained in force in order to prepare the appropriate legislative initiatives and thus complete the adaptation to the new legal framework; whereas the announced objective was that, by the end of the seventh term of Parliament, all provisions referring to the regulatory procedure with scrutiny would have been removed from all legislative instruments; whereas the Commission has put forward the proposals fulfilling this commitment, albeit much later than expected;
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Article 2 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts shall be conferred on the Commission for ***an indeterminate*** period of ***time***.

Amendment

2. The power to adopt delegated acts shall be conferred on the Commission for ***a*** period of ***five years from the date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Amendment 2

Proposal for a regulation

Article 2 – paragraph 5 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

By way of derogation from the first subparagraph, the period for objections shall be three months, which shall be extended by three months at the initiative of the European Parliament or of the Council, with regard to delegated acts adopted pursuant to the regulations listed in points 81^{6a}, 82^{6b}, 85^{6c}, 86^{6d}, 90 to 93^{6e} of Section G, and point 95^{6f} of Section H, of the Annex.

^{6a} Regulation (EC) No 451/2008 of the European Parliament and of the Council of 23 April 2008 establishing a new statistical classification of products by activity (CPA) and repealing Council Regulation (EEC) No 3696/93.

^{6b} Regulation (EC) No 295/2008 of the European Parliament and of the Council of 11 March 2008 concerning structural business statistics (recast).

^{6c} Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains.

^{6d} Regulation (EC) No 1161/2005 of the European Parliament and of the Council of 6 July 2005 on the compilation of quarterly non-financial accounts by institutional sector.

^{6e} Council Regulation (EC) No 1165/98 of 19 May 1998 concerning short-term statistics; Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonized indices of consumer prices; Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the

*production system in the Community;
Council Regulation (EEC) No 3924/91 of
19 December 1991 on the establishment
of a Community survey of industrial
production.*

*^{6f} Regulation (EC) No 1606/2002 of the
European Parliament and of the Council
of 19 July 2002 on the application of
international accounting standards.*

Amendment 3

Proposal for a regulation Annex – Title – Footnote 1

Text proposed by the Commission

¹ For information purposes, legal acts referring to the curtailed time limit pursuant to Article 2(6) are indicated in this Annex with *, legal acts referring to the urgency procedure pursuant to Article 3 are indicated in this Annex with ** **and** legal acts referring to the urgency procedure pursuant to Article 3 and to the curtailed time limit pursuant to Article 2(6) are indicated in this Annex with ***.

Amendment

¹ For information purposes, legal acts referring to the curtailed time limit pursuant to Article 2(6) are indicated in this Annex with *, legal acts referring to the urgency procedure pursuant to Article 3 are indicated in this Annex with **, legal acts referring to the urgency procedure pursuant to Article 3 and to the curtailed time limit pursuant to Article 2(6) are indicated in this Annex with *** **and legal acts referred to in the second subparagraph of Article 2(5) are indicated in this Annex with ****.**

Amendment 4

Proposal for a regulation Annex – Section F – point 55

Text proposed by the Commission

**55. Regulation (EC) No 1013/2006 of the
European Parliament and of the Council
of 14 June 2006 on shipments of waste**

Amendment

deleted

Amendment 5

Proposal for a regulation Annex – Section G – point 81

Text proposed by the Commission

81. Regulation (EC) No 451/2008 of the

Amendment

81. Regulation (EC) No 451/2008 of the

European Parliament and of the Council of 23 April 2008 establishing a new statistical classification of products by activity (CPA) and repealing Council Regulation (EEC) No 3696/93

European Parliament and of the Council of 23 April 2008 establishing a new statistical classification of products by activity (CPA) and repealing Council Regulation (EEC) No 3696/93****

Amendment 6

Proposal for a regulation Annex – Section G – point 82

Text proposed by the Commission

82. Regulation (EC) No 295/2008 of the European Parliament and of the Council of 11 March 2008 concerning structural business statistics (recast)

Amendment

82. Regulation (EC) No 295/2008 of the European Parliament and of the Council of 11 March 2008 concerning structural business statistics (recast)****

Amendment 7

Proposal for a regulation Annex – Section G – point 85

Text proposed by the Commission

85. Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains

Amendment

85. Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains****

Amendment 8

Proposal for a regulation Annex – Section G – point 86

Text proposed by the Commission

86. Regulation (EC) No 1161/2005 of the European Parliament and of the Council of 6 July 2005 on the compilation of quarterly non-financial accounts by institutional sector

Amendment

86. Regulation (EC) No 1161/2005 of the European Parliament and of the Council of 6 July 2005 on the compilation of quarterly non-financial accounts by institutional sector****

Amendment 9

Proposal for a regulation Annex – Section G – point 90

Text proposed by the Commission

90. Council Regulation (EC) No 1165/98 of 19 May 1998 concerning short-term statistics

Amendment

90. Council Regulation (EC) No 1165/98 of 19 May 1998 concerning short-term statistics****

Amendment 10

Proposal for a regulation Annex – Section G – point 91

Text proposed by the Commission

91. Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonized indices of consumer prices

Amendment

91. Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonized indices of consumer prices****

Amendment 11

Proposal for a regulation Annex – Section G – point 92

Text proposed by the Commission

92. Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community

Amendment

92. Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community****

Amendment 12

Proposal for a regulation Annex – Section G – point 93

Text proposed by the Commission

93. Council Regulation (EEC) No 3924/91 of 19 December 1991 on the establishment of a Community survey of industrial production

Amendment

93. Council Regulation (EEC) No 3924/91 of 19 December 1991 on the establishment of a Community survey of industrial production****

Amendment 13

Proposal for a regulation Annex – Section H – point 95

Text proposed by the Commission

95. Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards

Amendment

95. Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards****